

PUBLIC HEARINGS**Mayor Dormier opened the Public Hearing at 7:11 p.m.**

Receive public comments on the Proposed FY2014-2015 Budget:

PUBLIC HEARING AND DISCUSSION – Receive public comments on the Proposed FY 2014-2015 Budget.

- I. Mr. Ralph Hall –
 - a. Questioned a \$125,000 transfer from the Water/Sewer Fund to the General Fund
 - b. Questioned the annual dispatch cost
 - c. Questioned the Debt cost
 - d. Stated the solid waste revenue was less than expense – deficient already

There being no one else to speak on the on the FY2014-2015 Proposed Budget, Mayor Dormier closed the Public Hearing at 7:17 p.m.

Mayor Dormier opened the Public Hearing for the rezoning at 7:19 p.m.

Receive public comments on the recommended rezoning of 745 Westmoreland Road:

PUBLIC HEARING AND DISCUSSION – Receive public comments on the recommended changes in zoning from RC Residential 5-acre minimum to RE, Residential 1-acre minimum to the properties referenced Cases PZ14-015 and PZ14-016 as listed:

Case No. PZ14-15. A request by the City of Ovilla, for a **change in zoning** from RC (Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 Acre Minimum) on 2.27 acres of land, more or less, out of the Westmoreland Estates 1, Lot 25 Ellis County, Texas and more commonly known as **745 Westmoreland Road, Ovilla, Texas.**

Case No. PZ14-16. A request by the City of Ovilla, for a **change in zoning** from RC (Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 Acre Minimum) on 3.34 acres of land, more or less, out of the Westmoreland Estates 1, Lot 26A, Ellis County, Texas and more commonly known as **745 Westmoreland Road, Ovilla, Texas.**

There being no one to speak on the rezoning cases, Mayor Dormier closed the Public Hearing at 7:20 p.m.

REGULAR AGENDA

ITEM I. DISCUSSION/ACTION – **Consider** an Ordinance approving and adopting the Budget and making appropriations for the support of the City Government of the City of Ovilla for the Fiscal Year beginning October 01, 2014 and ending September 30, 2015; providing an effective date. (Ordinance 2014-027)

Mayor Dormier commented that he shared similar thoughts as Mr. Hall's comments regarding the Water/Sewer Fund. Mayor Pro Tem Griffin asked to review the garbage collections at mid-year.

PL4 Hunt moved that the Council approve and adopt Ordinance 2014-027, approving and adopting the Budget and making appropriations for the support of the City Government of the City of Ovilla for the Fiscal year beginning October 01, 2014 and ending September 30, 2015; providing an effective date, seconded by Mayor Pro Tem Griffin. Mayor Dormier asked for a roll-call vote:

PL1 Huber AYE
 PL2 Stevenson AYE
 PL3/Mayor Pro Tem Griffin AYE
 PL4 Hunt AYE
 PL5 Oberg AYE.

VOTE: The motion carried unanimously: 5-0.

ITEM 2. DISCUSSION/ACTION – Consider an Ordinance levying, assessing and fixing the tax rate for the use and support of the municipal government of the City of Ovilla, Texas, and providing for the Debt Service Fund for Fiscal Year 2014-2015 and apportioning each levy for the specific purpose, and providing for collection of all annual taxes provided by state law; and providing an effective date. (Ordinance 2014-028)

On August 11, Council took a record vote for the proposed same rate which is an increase in ad valorem revenue for 2014; public hearings were conducted on August 25th and September 3rd. All legal requirements have been met. The proposed and recommended rate was listed:

M&O	0.5101 cents per \$100.00 of valuation
Debt Service	0.1618 cents per \$100.00 of valuation
Total	0.6719 cents per \$100.00 of valuation

The Ellis Central Appraisal District Certified a 2014 taxable value of \$261,857,352 for the City of Ovilla, both Dallas and Ellis County, which is an increase of \$13,696,611 over the 2013 certified taxable value of \$248,160,741.

FINANCIAL IMPACT:

This budget will raise more total property taxes than last year’s budget by \$92,028 (5.23%) and of that amount, \$34,745 is tax revenue to be raised from new property added to the roll this year.

PL4 Hunt moved that Council hereby approve the 2014 property tax rate be a total of 0.6719 with a Maintenance & Operation rate of 0.5101 and the Debt rate of 0.1618, seconded by PL2 Stevenson. Mayor Dormier asked for a roll-call vote:

PL1 Huber AYE
 PL2 Stevenson AYE
 PL3/Mayor Pro Tem Griffin AYE
 PL4 Hunt AYE
 PL5 Oberg AYE.

VOTE: The motion carried unanimously: 5-0.

PL4 Hunt further moved that Council hereby approve Ordinance 2014-028 levying, assessing and fixing the tax rate for the use and support of the municipal government of the City of Ovilla, Texas, and providing for the Debt Service Fund for Fiscal Year 2014-2015 and apportioning each levy for the specific purpose, and providing for collection of all annual taxes provided by state law; and providing an effective date, seconded by PL1 Huber. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 3. DISCUSSION/ACTION – Consider an Ordinance of the City of Ovilla, Texas, ratifying the budget for the 2014-2015 tax year that will raise more revenue from property taxes than in the previous year. (Ordinance 2014-029)

a zoning classification change from RC, Single Family Residential District, 5-acre minimum, to RE, Single Family Residential District, 1-acre minimum on land specifically described herein located with Ellis County Appraisal District and identified as Lot 25 Westmoreland Road, Estates I, of the deed records of Ellis County; and providing for immediate effect and otherwise known and referred to as 745 Westmoreland Road in the City of Ovilla, TX as presented in Case PZ14-16, seconded by PL1 Huber. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 6. DISCUSSION/ACTION – Consideration of and action on refunding the remaining balance of \$3,797.65 of the Developers' share of the Main Street Sewer project and take action as necessary to direct staff.

The total construction costs came to \$20,732.35, which is \$3,797.65 less than the Developer's contribution of \$24,530.00. Mayor Dormier suggested refunding the remaining balance of the developers' share of the \$3,797.65 back to the four developers; each developer would receive a refund of \$949.41 of the balance. PL4 Hunt commented that although he was not originally in favor of this project, the City came in under budget and that was acceptable.

PL5 Oberg moved that Council approve refunding the remaining balance of \$3,797.65 of the Developer's share of the Main Street Sewer project and take action necessary to direct staff, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 7. DISCUSSION/ACTION – Consider recommendation and request from the Planning and Zoning Commission for a resolution of the City Council of the City of Ovilla, Texas, amending the meeting time of the Planning and Zoning Commission from 7:00 pm to 6:00 pm on scheduled meeting dates, effective the first meeting in October 2014.

The Planning and Zoning Commission suggested amending their meeting time each month from 7:00 p.m. to 6:00 p.m. The Commission meets the first Monday of each month, pending activity. Section 47.4 of the City's Code of Ordinances does not state that this change would not be permissible. Planning & Zoning Commission Chair Carol Lynch was present, sharing with Council that this time change was a matter of convenience for all and meant to help staff.

Mayor Pro Tem Griffin moved that Council approve Resolution 2014-034 of the City Council of the City of Ovilla, amending the meeting time of the Planning & Zoning Commission from 7:00 p.m. to beginning at 6:00 p.m., on scheduled meeting dates, effective the first meeting in October 2014, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

EXECUTIVE SESSION

The City Council of the City of Ovilla, Texas, reserves the right to meet in a closed session on any item listed on this Agenda should the need arise, pursuant to authorization by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).

COUNCIL WILL RECONVENE INTO OPEN SESSION, AND TAKE ACTION
NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED.

ITEM 8. DISCUSSION/ACTION – Deliberate the appointment, employment, evaluation, reassignment and/or duties of the City Secretary.

Mayor Dormier announced that Council would convene into Executive Session at 7:39 p.m., held pursuant to Section 551.074 Personnel Matters of the TX Open Meeting Act, Government Code.

Mayor Dormier and Council reconvened into Regular Session at 8:13 p.m. Mayor Dormier announced that no action taken by Council in Executive Session. Any action, as a result of the Executive Session would be taken and recorded in open session.

PL2 Stevenson moved that Council approve the maximum 3% merit increase to the city secretary, seconded by PL1 Huber. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

REQUESTS FOR FUTURE AGENDA ITEMS

- 1. PL1 Huber None
- 2. PL2 Stevenson None
- 3. PL3 Griffin None
- 4. PL4 Hunt None
- 5. PL5 Oberg None
- 6. Mayor None

City Administrator reminded those present of the upcoming Heritage Day Committee meetings.

ADJOURNMENT

There being no further business, Mayor Dormier adjourned the meeting at 8:14 p.m.



Richard Dormier, Mayor

ATTEST:

Pamela Woodall, City Secretary

*Rezoning recommendations attached.
Executive Session filed separately*

Approved November 10, 2014

**City of OVILLA Planning & Zoning Commission
Recommendation**

The purpose of this item is to bring the re-zoning of the specific property in line with the size requirements of the zoning classifications.

ITEM I. Case No. PZ14-15. A request by the City of Ovilla, for a **change in zoning** from RC (Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 Acre Minimum) on 2.27 acres of land, more or less, out of the Westmoreland Estates I, Lot 25, Ellis County, Texas and more commonly known as **745 Westmoreland Road, Ovilla, Texas.**

PLANNING AND ZONING Members present, and upon a record vote of:

PL 1 Jungman AYE
PL2 Yordy ABSENT
PL3 Lynch AYE
PL4 Whittaker AYE

PL5 Percy AYE
PL6 Hart AYE
PL7 Zimmermann ABSENT

5 FOR

0 AGAINST

0 ABSTAIN

Carol Lynch
CHAIR- Planning & Zoning

9/4/14
Date

Justin
Board Secretary

9/04/14
Date

**City of OVILLA Planning & Zoning Commission
Recommendation**

The purpose of this item is to bring the re-zoning of the specific property in line with the size requirements of the zoning classifications.

ITEM 2. Case No. PZI4-16. A request by the City of Ovilla, for a **change in zoning** from RC (Single Family Residential District 5 Acre Minimum) to RE (Single Family Residential District 1 Acre Minimum) on 3.34 acres of land, more or less, out of the Westmoreland Estates I, Lot 26A, Ellis County, Texas and more commonly known as **745 Westmoreland Road, Ovilla, Texas.**

PLANNING AND ZONING Members present, and upon a record vote of:

PL 1 Jungman AYE
PL2 Yordy ABSENT
PL3 Lynch AYE
PL4 Whittaker AYE

PL5 Percy AYE
PL6 Hart AYE
PL7 Zimmermann ABSENT

5 FOR

0 AGAINST

0 ABSTAIN

Caree Lynch
CHAIR- Planning & Zoning

9/4/14
Date

Gyuller
Board Secretary

9/04/14
Date