

CITY OF OVILLA MINUTES
Monday, September 22, 2014
Regular City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Regular Council Meeting of the Ovilla City Council to order at 7:02 P.M. The following City Council Members were present:

Rachel Huber	Council Member, Place 1
Larry Stevenson	Council Member, Place 2
David Griffin	Mayor Pro Tem, Place 3

Absent:	Doug Hunt	Council Member, Place 4
	Dean Oberg	Council Member, Place 5

Mayor Dormier announced present Council members, thus constituting a quorum. Various department-heads and staff were also present.

Mayor Pro Tem Griffin gave the Invocation and Mayor Dormier led the recitation of the Pledge of Allegiance.

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

Mayor Dormier read aloud the following Proclamations:

1. Heritage Day Proclamation
2. Ovilla Night Out Proclamation

• **Citizens Comments / Citizens Forum:**

1. Mr. Ralph Hall signed up to speak when Council addressed Item 3.
2. There were no other comments.

▪ **Department Activity Reports / Discussion**

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|---|------------------------------|
| • Finance – Monthly Financials | City Accountant L. Harding |
| • Administration | City Administrator C. Powell |
| • Bi-weekly update activity reports | |
| • Public Works Director B. Piland introduced Daniel Durham, new Public Works Supervisor | |
| • Council asked that the City Administrator look into roadwork on Shiloh Road. | |
| • Monthly Code/Animal Control reports | Code/AC Officer M. Dooly |

CONSENT ITEMS

- C1. Minutes of the Special City Council Meeting and Budget Workshop of August 11, 2014
- C2. Minutes of the City Council Meeting of August 11, 2014

Mayor Pro Tem Griffin moved that Council approve the consent items as presented, seconded by PLI Huber.
No oppositions, no abstentions.

VOTE: The motion carried unanimously: 3-0.

REGULAR AGENDA

ITEM 1. DISCUSSION – Review and discuss the 2014-2015 Objectives as prioritized and take action as necessary to direct staff.

The City Administrator presented Council with Administrative Objectives and Policy Objectives. Upon reviewing the Administrative Objectives, Mayor Dormier was quick to state he expected a more definite deadline date for agenda items. Additionally, it was time to begin review of the Impact Fees.

No Motion.

ITEM 2. DISCUSSION/ACTION – Consideration of and action on Resolution R2014-035 authorizing the Mayor to execute, for and on behalf of the City of Ovilla, Texas, an Interlocal Cooperation Agreement by and between the City of Ovilla and the City of Red Oak relating to Jail and Detention Services effective October 01, 2014 for a term of three years and a cost of \$1,000.00 annually.

PL2 Stevenson moved that Council approve Resolution R2014-035 authorizing the Mayor to execute, for and on behalf of the City of Ovilla, Texas, an Interlocal Cooperation Agreement by and between the City of Ovilla and the City of Red Oak relating to Jail and Detention Services effective October 01, 2014 for a term of three years at a cost of \$1,000 annually, seconded by PL1 Huber. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 3-0.

ITEM 3. DISCUSSION/ACTION – Consideration of and action on Ordinance 2014-032 of the City of Ovilla, Texas, amending Appendix A, Article A7, Section A7.003 of the Ovilla Code of Ordinances; providing for an increase to the base water rate by 77 cents per month, from \$10.49 to \$11.26 on 0 to 1,000 gallons usage; providing a savings clause; providing for incorporation into the Ovilla Code of Ordinances; providing an effective date; and providing for publication of this ordinance.

The City of Dallas adopted a 3.6% wholesale water rate increase on Wednesday, September 17, 2014. Ovilla's current wholesale water cost is \$1.6732/1,000 gallons, the new rate increases the City's cost to \$1.7339/1,000 gallons. Based on a 3.6% rate increase assessed by Dallas Water Utilities, staff recommended increasing Ovilla's water customers' base rate by \$0.77 cents, passing the cost increase to the customer. City Council deliberated the cost with careful consideration, noting all other rates would remain the same.

Mayor Dormier allowed Mr. Ralph Hall's comments (previously signed up to speak on this item): Mr. Hall questioned the calculations for the increase and once explained by the City Administrator, stated that he understood. Mayor Dormier agreed that the justification was incorrectly worded but it appeared that the proposed increase of \$0.77 was correct.

PL2 Stevenson moved that Council approve Ordinance 2014-032 of the City of Ovilla, Texas, amending Appendix A, Article A7, Section A7.003 of the Ovilla Code of Ordinances; providing for an increase to the base water rate by \$0.77 cents per month, from \$10.49 to \$11.26 on 0 to 1,000 gallons usage; providing a savings clause; providing for incorporation into the Ovilla Code of Ordinances; providing an effective date; and providing for publication of this ordinance. There was not a second and the motion failed. Council asked for continued discussion questioning how this increase would affect the budget. A motion was made again:

PL2 Stevenson moved that Council approve Ordinance 2014-032 of the City of Ovilla, Texas, amending Appendix A, Article A7, Section A7.003 of the Ovilla Code of Ordinances; providing for an increase to the base water rate by \$0.77 cents per month, from \$10.49 to \$11.26 on 0 to 1,000 gallons usage; providing a savings clause; providing for incorporation into the Ovilla Code of Ordinances; providing an effective date; and providing for publication of this ordinance seconded by Mayor Pro Tem Griffin. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 3-0.

ITEM 4. DISCUSSION/ACTION - Consideration of and action on Resolution R2014-036 authorizing the Planning and Zoning Commission to act as the Advisory Committee to review and advise the governmental body of the need to update or revise the Impact Fees and adopting rules for the Advisory Committee to follow in carrying out its duties for this purpose.

At the August 11, 2014 Regular meeting, City Council appointed Ovilla resident, Bill Crouch from the real estate/development community, as the *ad hoc* member to the Planning and Zoning Commission for the purpose of reviewing the impact fees and making a recommendation to City Council for consideration to revise the fees. The Planning and Zoning Commission, upon review of the impact fees, will make a recommendation to the City Council of their findings. Council noted that Ovilla's engineering firm would need to prepare new calculations due to the bond refinancing in 2011.

Mayor Pro Tem Griffin moved that Council approve Resolution R2014-036 authorizing the Planning and Zoning Commission to act as the Advisory Committee to review and advise the governmental body of the need to update or revise the Impact Fees and adopting rules for the Advisory Committee to follow in carrying out its duties for this purpose, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 3-0.

ITEM 5. DISCUSSION – Receive update on activities related to 2014 Heritage Day, Saturday, September 27, 2014.

City Administrator Cyndy Powell reported the following:

1. New this year: Double Elimination, Forty-Foot Horseshoes Tournament. The tournament entry fee will be \$20.00 per team and cash prizes will be awarded for First through Third places.
2. New this year: A t-shirt art contest. Students from Ovilla Christian School, MISD, and Red Oak ISD were invited to participate. The students' artwork will be displayed in the City's booth where "voting" will occur. The winner of the art contest will have their artwork printed on next year's Heritage Day T-shirt. It will be exciting to see the art that is submitted to represent this year's theme, *Honoring Ovilla's Heritage*.
3. Grand Marshal of the Parade is long-time resident Jean Whirley. Mrs. Whirley was born in Ovilla in 1930 in a home on Cockrell Hill Road. She has lived here all her life.

Staff and volunteers' time schedules and duties were reviewed.

No Action.

ITEM 6. DISCUSSION/ACTION - Review and discuss Assessment from Texas Downtown Association Executive Director, Catherine Sak as presented to the Ovilla Economic Development Corporation.

Staff provided updates to the City Council on the OEDC action related to the Assessment of Historic Downtown by the Texas Downtown Association. The Ovilla Economic Development Corporation (OEDC) along with the Texas Downtown Association's (TDA) Director and three Board Members began an assessment of Ovilla's Downtown Historic District on Monday, August 18, 2014, by means of a walking tour of downtown, visiting with business owners and providing an oral assessment to the EDC Board at their Regular Meeting. An Assessment was presented that included recommended goals that are incorporated into the EDC Strategic Plan as it relates to Goal IV of the Citywide Strategic Guide.

Short-term goals:

- Develop Events for Downtown and Heritage Park – semi-annual and quarterly in future, events such as movie night, food trucks, picnics, music or jazz in the park.

- Expand Heritage Day festivities with Carnival rides through an outside sponsor.
- Close Water Street.
- Develop “Ovilla’s Story” to market the City and Historic Downtown.

Mid-term goals:

- Restrooms in Heritage Park - Get bids in 2015 for construction/installation/maintenance/life span for construction in 2016.
- The EDC will revisit investing in improvements for Downtown for street repaving, streetlights, sidewalks, seating, and signage as redevelopment progresses.
- Compare historic district ordinance to existing city code; resolve conflicts and relax downtown design codes for compatible structures with existing structures.

Allow the newly formed Parks Board review the recommendation for hike and bike trails.

Mayor Pro Tem Griffin added that the business owners are key to the revitalization of the downtown area, adding that the Council offers their full support.

No Action.

ITEM 7. DISCUSSION/ACTION – Consideration of and action on petition to close Water Street and take action as necessary to direct staff.

The City Administrator shared background information prior to discussion:

June 2014, Council directed staff to bring back discussion to close Water Street after receiving the Downtown Assessment from Texas Downtown Association’s (TDA). TDA recommended Water Street be closed and an engineer design additional parking. TDA did not recommend parallel parking or back-in parking. The City’s engineering firm, Birkhoff, Hendricks & Carter’s fee to design parking would be \$3,500, plus construction costs. The Engineer’s preliminary review of the area supposes 6-10 parking spaces could be laid out, depending on certain criteria: building offsets, trimming the tree line, curbs, street offsets, etc. In September 2104, the OEDC Board met and shared favor of the street closing, but not in favor of constructing parking since there is very limited return on investment and “parking” downtown does not seem to be a challenge to the visitors. Section 311.008 of the Texas Transportation Code specifically authorizes the governing body of a general law city to abandon or close a city street or alley by ordinance when it receives a petition signed by all the owners of real property abutting the street or alley. Two options were presented:

Option 1 – close Water Street and engineer parking, obtaining necessary agreements, and maintain utility easement, City constructs parking spaces.

Option 2 – close Water Street and transfer the City’s rights to the abutting landowners; the City would retain the utility easement, and the owners could determine use.

Mayor Pro Tem Griffin was adamant in his objection to paying the engineering firm \$3,500. Council’s consensus was to invite the petitioners to the October Council meeting, asking them to share their plans for closure.

No Action.

REQUESTS FOR FUTURE AGENDA ITEMS

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| 1. PL1 Huber | None |
| 2. PL2 Stevenson | Ovilla Road Baptist Church athletic program |
| 3. PL3 Griffin | None |
| 4. PL4 Hunt | Absent |
| 5. PL5 Oberg | Absent |
| 6. Mayor | TxDOT 664 review/Remind all that next month begins with a Briefing Session at 6:00 p.m., prior to the Council Meeting. |

ADJOURNMENT

There being no further business, Mayor Dormier adjourned the meeting at 8:57 p.m.



ATTEST:

Richard Dormier, Mayor



Pamela Woodall, City Secretary



Approved November 10, 2014