

CITY OF OVILLA MINUTES

Tuesday, October 14, 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 7:05 P.M. The following City Council Members were present:

Rachel Huber	Council Member, Place 1
Larry Stevenson	Council Member, Place 2
Doug Hunt	Council Member, Place 4
Dean Oberg	Council Member, Place 5

Absent David Griffin Mayor Pro Tem, Place 3

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

PL4 Hunt gave the Invocation and PL5 Oberg led the recitation of the Pledge of Allegiance.

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

Mayor Dormier read aloud the Fire Prevention Proclamation and acknowledged each present former volunteer firefighter, presenting them with a certificate and a commemorative Ovilla Firefighter coin. Refreshments were provided and photos were taken. Speaking on behalf of Mayor Pro Tem Griffin, Mayor Dormier apologized for Mayor Pro Tem Griffin's unforeseen absence and advised he sent his best wishes to the former firefighters.

- a. Fire Prevention Proclamation
- b. City Council recognition of former volunteer firefighters.
 - i. Mayor Dormier acknowledged the present former members individually. Photos were taken. Those present were:
 1. Bill Hamilton
 2. Jeff Huntley
 3. Sean McCumber
 4. Patrick Paluga
 5. Karen Pickard
 6. Jeff Pevytoe
 7. Brett Rustin
 8. Joni Sidler
- c. Receive presentation from petitioners on plans for Water Street
 - i. Mr. Steve Fiedler and Mr. John Sims, property owners on Water Street, spoke to Council on behalf of the petitioned street closure. Mr. Sims assured Council that the owners would follow procedures in obtaining professional assistance in the possible creation of a parking lot and plans to make the area esthetically pleasing with an outdoor patio area.

▪ Citizens Comments / Citizens Forum:

1. Mr. Steve Fiedler – spoke during *Comments, Presentations, Reports and Appointments*
2. Mr. John Sims– spoke during *Comments, Presentations, Reports and Appointments*
3. Mr. Paul Hess- shared a 10-questions page regarding the increased sewer charges in the Ashburne Glen Subdivision. He presented 84-documented and individually signed pages from home-owners in Ashburne Glen Subdivision voicing concerns and questions of the sewer rate increase. Mayor Dormier assured present residents that Council planned to review Trinity River Authority's data usage again in January and would direct staff to add an agenda item for further discussion and explanation of the recent sewer charge increase.
4. Ms Edee Hix- asked for road cleanup all along Cockrell Hill Road

▪ Department Activity Reports / Discussion

Staff and Council shared discussion on the monthly reports.

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| • Police Department | Police Chief M. Moon |
| • Monthly Report | |
| • Fire Department | Fire Chief Brancato |
| • Monthly Report | |
| • Public Works | Public Works Director B. Piland |
| • Monthly Report | |
| • Council commended the public works staff for a great job during Heritage Day | |
| • Administration | City Administrator C. Powell |
| • Weekly activity report(s) – | |
| • Monthly Municipal Court Report | City Secretary P. Woodall |
| • Code Enforcement/Animal Control | City Administrator C. Powell |

CONSENT ITEMS

- C1.** Financial Transactions over \$5,000 for September 2014
- C2.** Minutes of the Special City Council Meeting of August 25, 2014
- C3.** **Consideration** of and action on Resolution R2014-037 approving the 2015 ERCOT (Electric Reliability Council of Texas, Inc. Membership Application and Agreement.
- C4.** **Consideration** of and action on Resolution R2014-038 approving an annual Agreement of Services between the City of Waxahachie and the City of Ovilla for animal services and facility use.
- C5.** **Consideration** of and action on Resolution R2014-039 approving an annual Interlocal Cooperation Contract between Ellis County Road & Bridge Precinct 4 and the City of Ovilla.

PL4 Hunt moved that Council approve the Consent Items as presented, seconded by PL5 Oberg. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 4-0.

II. REGULAR AGENDA

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

During the September 22, 2014 Council Meeting, Council had asked that the petitioning property owners return to another Council meeting prepared to present their ideas for the future use of Water Street, pending the Council's decision to close Water Street and transfer the rights to those abutting landowners. Staff previously presented Council with the legalities and requirements necessary for a street closure and listed options:

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.

Public Works Director Brad Piland confirmed the road was a prescriptive right-of-way. Owners/petitioners, Mr. Sims and Mr. Fiedler were present. Co-petitioner, Mr. Crouch was unable to attend but sent a letter reiterating their intentions for parking and an outdoor patio type area as previously stated by Mr. Sims and Mr. Fiedler.

PL1 Huber made the motion that Council allow the closure, seconded by PL4 Hunt. Failure to receive confirmed responses from remaining Council and because additional discussion ensued, the Council voted in opposition and the motion failed. City Administrator asked Council for further direction.

PL1 Huber moved that Council choose Option 2 for the closure of Water Street, seconded by PL5 Oberg. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 4-0.

Council's consensus was to direct staff to follow through with the legal procedures for the closing.

ITEM 2. DISCUSSION/ACTION – Consideration of and action on submitted applications for appointments to the Parks Board.

Council reinstated the Parks Board Advisory Committee during their July 14, 2014 Council Meeting and approved a five-member advisory board. One member (Teresa Lindsey) was appointed in July. Three applications were presented to Council for consideration to appoint new members. Staff was directed to pull one application pending clarification of the applicant's desire to serve on this board.

PL2 Stevenson moved that Council approve appointments of Brian Treadaway and Monna Yordy to the Ovilla Parks Board, seconded by PL1 Huber. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 4-0.

ITEM 3. DISCUSSION/ACTION – Consideration of and action on submitted application for appointment to the Municipal Services Advisory Committee.

At the July 28, 2014 Regular Meeting, City Council established the Municipal Services Advisory Committee (MSAC) to address the current and future development issues and all capital improvements including current and future city services. The MSAC Board is comprised of three (3) regular volunteer members, being Ovilla residents appointed by the Council and two (2) ex-officio members comprised from staff (City Administrator & Public Works Director). This Committee serves strictly in an advisory capacity to the City Council and shall recommend a Capital Improvements Plan for the Strategic Guide to the City Council as described in Resolution R2014-027 establishing the Committee. Staff received one application for Council's consideration.

PL2 Stevenson moved that Council approve the appointment of Scott Surplus to the Municipal Services Advisory Committee (MSAC), seconded by PL5 Oberg. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 4-0.

ITEM 4. DISCUSSION/ACTION – Consideration of and action on Ordinance 2014-033 amending Chapter 1, Article 1.05, Division 3, Section 1.05.071 (a) and (b) of the Ovilla Code of Ordinances, providing revisions to the authorization of expenditures by the city secretary and department heads; providing procedures for purchases in excess of \$3,000 but less than \$25,000; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

As directed by Council during the August 11, 2014 Council Meeting, staff presented an ordinance for Council's consideration to increase the purchasing authority of department heads and the city secretary from \$500 to \$3,000.

PL4 Hunt moved that Council approve Ordinance 2014-033 amending Chapter 1, Article 1.05, Division 3, Section 1.05.071 (a) and (b) of the Ovilla code of Ordinances, providing revisions to the authorization of expenditures by the city secretary and department heads; providing procedures for purchases in excess of \$3,000 but less

than \$25,000; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla code of Ordinances; providing for immediate effect; and providing for publication; seconded by PL2 Stevenson. No oppositions, no abstentions.

VOTE: The motion carried unanimously: 4-0.

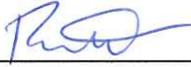
REQUESTS FOR FUTURE AGENDA ITEMS

- 1. PL1 Huber None
- 2. PL2 Stevenson None
- 3. PL3 Griffin Absent
- 4. PL4 Hunt Ashburne Glen Park
- 5. PL5 Oberg Sewer issues in Ashburne Glen Subdivision
- 6. Mayor None

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

ADJOURNMENT

There being no further business, Mayor Dormier adjourned the meeting at 8:17 p.m.



Richard Dormier, Mayor

ATTEST:



Pamela Woodall, City Secretary



Approved November 10, 2014