

CITY OF OVILLA MINUTES
Monday, November 10, 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 6:35 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
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.

PL2 Stevenson gave the Invocation and PL1 Huber led the recitation of the Pledge of Allegiance.

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

1. Mayor Dormier recognized Abigail Falksen for her winning artwork at the Ovilla Heritage Day Celebration. Photos were taken. (MS Falksen was not present during the citizen's forum but arrived later and was recognized during the meeting)
2. Mayor Dormier read aloud the Veterans Day Proclamation and acknowledged all Veterans in the room. Those recognized Vets received a standing ovation.

▪ **Citizens Comments / Citizens Forum:**

1. Mr. Paul Hess- signed up to speak during Item 1 under the Regular Agenda.

▪ **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 | |
| • Finance Department | City Accountant L. Harding |
| • Monthly Financials – Advised Council that the annual audit would begin on Wednesday, November 12. | |
| • Administration | City Administrator C. Powell |
| • Weekly activity report(s) – | |
| • Monthly Municipal Court Report | City Secretary P. Woodall |
| • Code Enforcement/Animal Control | Code/A/C Officer M. Dooly |
| • PL5 Oberg asked Mr. Dooly to look into mosquito spraying. | |

CONSENT ITEMS

- C1. Financial Transactions over \$5,000 for the month of October 2014
- C2. Quarterly and Annual Investment Reports
- C3. Committed Fund Balance Calculations for Quarter Ending September 30, 2014

- C4. Minutes of the October 14, 2014 Briefing Session and Regular Council Meeting
- C5. Minutes of the Regular City Council Meeting of September 22, 2014
- C6. Minutes of the Regular City Council Meeting of September 08, 2014
- C7. Minutes of the Special City Council Meeting of September 03, 2014
- C8. Minutes of the Regular City Council Meeting of August 25, 2014
- C9. Street light in Brookwood Addition at Cockrell Hill entrance

PL4 Hunt moved that Council approve the Consent Items as presented, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

PUBLIC HEARING

Case No. PZ14-17. Receive citizen comments on the proposed rezoning classification change from "R-15", Single Family Residential District, to "CR" Commercial Restricted on 4.050 acres of land specifically described herein located with Ellis County Appraisal District and identified as J.R. Billingsley Survey, Abstract 80 in the City of Ovilla, TX. *(Withdrawn by Requester)*

Mayor Dormier announced that the proposal for the rezoning on Case PZ14-17 was withdrawn by the owner/developer of the property, therefore no public hearing would occur.

REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Receive update from staff regarding Trinity River Authority wastewater processing costs and recent sewer rate increase and direct staff as necessary.

Mr. Paul Hess had signed up to speak during this item. Mayor Dormier acknowledged Mr. Hess and allowed his comments/questions. Mr. Hess presented a supplemental list of questions in addition to a list of questions/comments he had previously submitted to Council during the October Council meeting regarding the sewer rate increase and Trinity River Authority's (TRA) data usage. City Administrator MS Powell shared background information with comparison sewer rates of neighboring cities and the year-to-date flows showing that as of August 2014, flows were 8.27% higher than projected with an anticipated increased cost to the City for \$13,411. Last spring there were 360 sewer customers; as of October 2014 there are 414 sewer customers. The additional 54 customers would account for some of the higher than projected flows and increased cost. Additionally, the Mayor and staff met with Mr. Hess on October 30, 2014 to respond to his questions submitted in October and to seek any other concerns for staff to address. There was mention of a possibility that the City could use Impact Fees to help with this cost and that was under study. Council conjectured that in all probability, TRA's fees should have increased years ago. Council shared their empathy and assured Mr. Hess that they (Council) planned to review Trinity River Authority's data usage again in January.

No Action.

ITEM 2. DISCUSSION/ACTION – Consideration of an action on Ordinance 2014-034, adopting the 2009 International Fire Code with 2009 North Texas Council of Governments ("COG") Amendments, 2009 International Building Code with 2009 COG Amendments, 2009 International HVAC/Mechanical Code with 2009 COG Amendments, 2009 International Residential Code with 2009 COG Amendments, 2009 International Plumbing Code with 2009 COG Amendments, 2009 Fuel Gas Code with 2009 COG Amendments, and 2008 National Electrical Code with 2008 COG Amendments; Providing for the modification of Codes to incorporate local amendments; Providing for recording of the codes as a public record; Providing

that this Ordinance shall be cumulative of all ordinances; providing a severability clause; providing a savings clause; providing for a penalty for violations; and providing an effective date.

This item was discussed during the October 14, 2014 Briefing Session with Council's consensus that it was time to update all codes with COG amendments – and to include Ovilla's current local amendments. The City currently operates under 2006 Codes with the exception of the 2005 Electrical Code. Under the recommendation from Council, staff presented an Ordinance adopting 2009 Codes with COG and local amendments, and the 2008 Electrical Code with COG and local amendments. Additionally, staff added certain language to Exhibit B (local amendment) under the International Building Code, requiring a grading plan to Ovilla's local requirements and keeping all other local provisions currently listed. Code Enforcement Officer Mike Dooly confirmed with Council that the new ordinance with the local provisions was acceptable with a modification to remove Section 4 from Exhibit B in its entirety. The presented Ordinance for consideration is cumulative and incorporates Ovilla's local provisions.

PL4 Hunt moved that Council approve Ordinance 2014-34 adopting the 2009 International Fire Code with 2009 North Texas Council of Governments ("COG") Amendments, 2009 International Building Code with 2009 COG Amendments, 2009 International HVAC/Mechanical Code with 2009 COG Amendments, 2009 International Residential Code with 2009 COG Amendments, 2009 International Plumbing Code with 2009 COG Amendments, 2009 Fuel Gas Code with 2009 COG Amendments, and 2008 National Electrical Code with 2008 COG Amendments; Providing for the modification of Codes to incorporate local amendments; Providing for recording of the codes as a public record; Providing that this Ordinance shall be cumulative of all ordinances; providing a severability clause; providing a savings clause; providing for a penalty for violations; and providing an effective date with the one modification to delete Section 4 under Exhibit B, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 3. DISCUSSION/ACTION – Consideration of and action on submitted applications for appointments to the Parks Board.

Two applications were presented for Council's consideration to appoint new members.

Mayor Pro Tem Griffin moved that Council approve the appointments of Angela Love and Windy Zabojsnik to the Ovilla Parks Board, PL5 Oberg. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 4. DISCUSSION/ACTION – Consideration of and action on submitted application for appointment to the Municipal Services Advisory Committee.

The Municipal Services Advisory Committee (MSAC) is comprised of a three-member resident board and two staff members. To date one member has been appointed to this Board. One application is presented for Council's consideration.

PL1 Huber moved that Council approve the appointment of Ozzie Molina to the Municipal Services Advisory Committee, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 5. DISCUSSION/ACTION – Consideration of and action regarding maintenance of the public park in Ashburne Glen Subdivision and direct staff as necessary.

Representatives from the Ashburne Glen Homeowner's Association (HOA) approached the City regarding the maintenance and responsibility of the Ken and Sarah Pritchett Park in the subdivision. Ovilla's legal counsel

reviewed the final plat and the deed restrictions determining that the HOA was not required to maintain it. With the reinstatement of the Parks Board, staff recommended the Parks Board receive a presentation from staff regarding the Parks Department's park maintenance and equipment replacement rotation of all City Parks (Cindy Jones Toddler Park, Heritage Park, Ken Pritchett Park and Silver Spur Park) and make a recommendation to City Council regarding such. Public Works Director Piland noted that the water meter at Ken and Sarah Pritchett Park was taken out of the HOA's name and maintenance of the park would be managed by the public works crews. This park is approximately 3/4 of an acre. Mayor Pro Tem Griffin asked all parks be identified in the next Town Topics newsletter.

No Action.

REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS

- 1. PL1 Huber None
- 2. PL2 Stevenson Reminder of the Tree Lighting on December 4
- 3. PL3 Griffin None
- 4. PL4 Hunt Ashburne Glen Park
- 5. PL5 Oberg Status on budget approved truck purchase for Animal Control Department
- 6. Mayor Reminder that newsletter articles from Council are due.

City Administrator reminded those present that the main meal for staff's Thanksgiving luncheon would be provided by the Mayor and Mayor Pro Tem Griffin on November 20 and it was greatly appreciated.

ADJOURNMENT

There being no further business, Mayor Dormier adjourned the meeting at 8:09 p.m.



Richard Dormier, Mayor

ATTEST:

Pamela Woodall, City Secretary

Approved December 08, 2014