

CITY OF OVILLA MINUTES

Monday, December 08, 2014

City Council Briefing Session

105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier called the Council Briefing Session of the Ovilla City Council to order at 6:00 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.

CONDUCT A BRIEFING SESSION to review and discuss future agenda items.

City Administrator Cyndy Powell shared brief overviews:

- a. Boundary Agreement with City of Midlothian – still moving forward.
- b. Update on Emergency Services District #4 May Election – The EDC is moving forward with a May 2015 election.
- c. Municipal Development District – Staff will bring agenda item for Council and resident appointments.
- d. TX Transparency Award – Staff will begin preparation for application process in early 2015.
- e. Resignation of Fire Chief Phillip Brancato – City Administrator will bring agenda item for Captain Brandon Kennedy's Interim Fire Chief appointment.
- f. City Administrator's review due in January 2015.

CONDUCT A BRIEFING SESSION to review and discuss agenda items for the 6:30 p.m. regular meeting.

Mayor Dormier and Council reviewed the 6:30 p.m. Public Hearing and Regular Meeting agenda items.

ADJOURNMENT

Mayor Dormier adjourned the Briefing Session of the Ovilla City Council at 6:25 p.m.


Richard Dormier, Mayor



ATTEST:



Pamela Woodall, City Secretary

Approved January 12, 2015

CITY OF OVILLA MINUTES

Monday, December 08, 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 6:32 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.

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

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

▪ ***Citizens Comments / Citizens Forum:***

1. MS Carol Lynch – submitted request to speak form during Item 1, Regular Agenda
2. MS Pam Kincaid – submitted request to speak form during Item 2, Regular Agenda

▪ **Department Activity Reports / Discussion**

Staff and Council shared discussion on the monthly reports.

- Police Department Police Chief M. Moon
 - Monthly Report
 - Gave conditional offer for part-time position
- Fire Department Fire Chief Brancato
 - Monthly Report
 - Fire Chief Brancato received a standing ovation in respect for his tenure with Ovilla. Shared sentiments were that he will be missed.
- Public Works Public Works Director B. Piland
 - Monthly Report
 - Cedar Hill is refurbishing 2/10 mile on Cockrell Hill Road.
 - Researching possible purchase through Buy-Board for FY Budgeted approved truck.
- Finance Department City Accountant L. Harding
 - November 2014 Monthly Financials & Financial Transactions over \$5,000
 - Corrections were made/internal transfers
- Administration City Administrator C. Powell
 - Weekly activity report(s)
 - Monthly Municipal Court Report City Secretary P. Woodall
 - Mayor Pro Tem Griffin stressed his desires receive payments in from the outstanding warrants and lower that line item.
 - Code Enforcement/Animal Control Code/A/C Officer M. Dooly

CONSENT ITEMS

- C1.** Minutes of the November 10, 2014 Briefing Session and Regular City Council Meeting

C2. Minutes of the November 10, 2014 Joint Public Hearing with Council and the Planning and Zoning Commission.

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

Mayor Dormier read the caption and allowed the City Administrator to share a brief overview, stating that the City's engineering firm updated a study recommending amendments to the fees. This report was shared with the Advisory Committee. Mayor Dormier called on Planning and Zoning (P&Z) Chair Carol Lynch to provide a report and recommendation based on the Advisory Committee's Meeting regarding this item. The Advisory Committee's recommendation to the City Council was to amend the total water and wastewater impact total fees per service unit to be a minimum of \$3,000 to the maximum of \$4,752.

In accordance with the laws of the State of Texas, including Section 395.044 of the Texas Local Government Code, all interested persons and parties are invited to hear evidence, testimony and offer comments from all interested persons and parties concerning the following:

**LAND USE ASSUMPTIONS AND
CAPITAL IMPROVEMENTS PLAN RELATING TO POSSIBLE
ADOPTION/AMENDMENT OF IMPACT FEES**

And consideration on the amendment of Impact Fees for Water and Wastewater in the City of Ovilla, TX.

Mayor Dormier opened the Public Hearing at 6:58 p.m.

There was no one to speak in favor or opposition of the amendment to the Impact Fees.

Mayor Dormier closed the Public Hearing at 6:59 p.m.

REGULAR AGENDA

ITEM 1. *DISCUSSION/ACTION – Consideration* of and action on Resolution R2014-040 approving an amendment to the current water and wastewater impact fees; providing a repealing clause; providing a severability clause; and providing for an effective date.

City Administrator Cyndy Powell provided the following: Texas Local Government Code Chapter 395.054 provides for the process to review and amend the Impact Fees adopted by City Council in Ordinance 2011-022, approved September 2011. The City's engineering firm, Birkhoff, Hendricks, and Carter updated the eligible capital costs based on the related bond debt and calculated the 2014 Maximum Allowable Impact Fee for Water at \$3,311. There was no change to the maximum allowable fee for sewer of \$1,441. The City Council authorized by Resolution R2014-036 on September 22, 2014, that the Planning and Zoning Commission act as the Advisory Committee to review and advise the governmental body of the need to update or revise the Impact Fees. The Advisory Committee met on Monday, November 03, 2014 and moved to recommend the City Council consider amending the total water and wastewater impact fees per service unit from \$3,000 to \$4,752 providing for City Council to set the individual water impact fee and the wastewater impact fee.

- The current water impact fee is \$1,105 per service unit and the new maximum allowable fee is \$3,311.
- The current Sewer Impact Fee is \$51 per service unit and the maximum allowable fee is \$1,441.

The Advisory Committee's comments were made available in a report to the public prior to the public hearing. Following City Council action establishing the individual water impact fee and the wastewater impact fee, staff will prepare an ordinance for adoption of such fees for consideration at a future meeting.

PL5 Oberg moved that Council approve Resolution R2014-040 approving an amendment to the current water and wastewater impact fees; providing a repealing clause; providing a severability clause; and providing for an effective date: Water Impact Fee to be \$2,100 Wastewater Impact Fee to be \$1,400, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 2. DISCUSSION/ACTION – Consideration of and action on Ordinance 2014-035 of the City of Ovilla, Texas, abandoning a portion of Water Street, a street right-of-way, to the abutting property owners: providing that this Ordinance shall constitute a quitclaim deed that may be recorded within the deed records of Ellis County, Texas; providing a severability clause: and providing an effective date.

The City received a Petition from the abutting landowners, Bill Crouch, Stephen Fiedler, and John Sims on May 12, 2014 and the required joint (by city code) public hearing was held November 10, 2014.

Mayor Dormier allowed MS Pam Kincaid, 113 Water Street, to address the Council who stated she was upset that the City didn't offer better notification to the surrounding residents of this street closure. She stated she doesn't read the newspaper nor check the City's website and was concerned about what the plans were for that portion of Water Street once closed. PL4 Hunt followed the same concerns as MS Kincaid.

PL2 Stevenson moved to approve Ordinance 2014-035 of the City of Ovilla, Texas, abandoning a portion of Water Street, a street right-of-way, to the abutting property owners: providing that this Ordinance shall constitute a quitclaim deed that may be recorded within the deed records of Ellis County, Texas; providing a severability clause: and providing an effective date, seconded by PL1 Huber. PL4 Hunt voted in opposition of the closure; *no abstentions.*

VOTE: The motion carried 4 in favor – 1 opposed.

ITEM 3. DISCUSSION/ACTION – Consideration of and action on Resolution R2014-041 setting the dates and times for public hearings regarding the proposed annexation of approximately 14 acres known as the Midlothian Independent School District Tract, generally located north of Shiloh Road and west of Bryson Lane, and directing the planning department to prepare a plan of services for the said annexation.

The City received a request and petition for the annexation of the Midlothian Independent School District property on October 23, 2014. Staff requests consideration of setting the dates and times for the public hearings for annexation of the property into the corporate limits of the City of Ovilla.

Mayor Pro Tem Griffin moved to approve Resolution 2014-041 setting the dates and times for public hearings regarding the proposed annexation of approximately 14 acres known as the Midlothian Independent School District Tract, generally located north of Shiloh Road and west of Bryson Lane to be Monday, January 12 and Monday, January 19, both at 6:30 p.m., in the City Council Chamber Room, and direct the planning department to prepare a plan of services for the said annexation, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

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

MSAC is comprised of a board of three (3) resident volunteer members appointed by the City Council, and two (2) ex-officio members consisting of the City Administrator and the Director of Public Works. The Committee shall serve 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.

To date, members Scott Surplus and Ozzie Molina have been appointed to this Board, leaving one vacancy. Two interested residents have submitted their applications and are presented for Council’s consideration:

1. Joseph M. Myers
2. Sandy Cawley

PL4 Hunt moved to approve the appointment of Joseph M. Myers to the Municipal Services Advisory Committee (MSAC), seconded by PL5 Oberg. PL2 Stevenson voted in opposition, *no abstentions*.

VOTE: The motion carried 4 in favor – 1 opposed.

ITEM 5. DISCUSSION/ACTION – Consideration of and action on the Ovilla Economic Development Corporation’s Strategic Plan developed for the City Wide Five-Year Strategic Guide.

Staff presented the OEDC Board’s refined Mission, Vision, and Goals and Objectives and developed tasks to support the action steps in the OEDC’s strategic plan. The OEDC Board approved the Strategic Plan at their October 27, 2014 meeting. OEDC President Gary Jones was present and shared some long range goals; one to install public restrooms at Heritage Park. Mayor Pro Tem Griffin voiced support to encourage the OEDC and the newly formed Parks Board to work closely in revitalizing the downtown area.

PL4 Hunt moved to approve the Ovilla Economic Development Corporation’s Strategic Plan developed for the City-Wide Five-Year Strategic Guide, seconded by PL1 Huber. *No oppositions, no abstentions*.

VOTE: The motion carried unanimously: 5-0.

REQUESTS FOR FUTURE AGENDA ITEMS AND/OR ANNOUNCEMENTS

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| 1. PL1 Huber | None |
| 2. PL2 Stevenson | None |
| 3. PL3 Griffin | Agenda item to discuss the creation of a Crime Control District and dissolve the Municipal Development District. |
| 4. PL4 Hunt | None |
| 5. PL5 Oberg | None |
| 6. Mayor | Commented on the great tree-lighting event held December 4. |

ADJOURNMENT

There being no further business, Mayor Dormier adjourned the meeting at 7:44 p.m.


 Richard Dormier, Mayor

Approved January 12, 2015

ATTEST:


 Pamela Woodall, City Secretary

**Richard Dormier, Mayor
 Rachel Huber, Place One
 Larry Stevenson, Place Two**



**Doug Hunt, Place Four
 David Griffin, Place Three
 Dean Oberg, Place Five**