

CITY OF OVILLA MINUTES
Monday, 12 January 2009
Regular City Council Meeting

Mayor Turner called a Regular Council Meeting of the Ovilla City Council to order at 7:00 P.M. with the following City Council Members present:

William A. "Bill" Turner	Mayor
Ralph Hall	Mayor Pro-Tem
Tom Leverenz	Council Member, Place 1
Richard Dormier	Council Member, Place 2
Bill Vansyckle	Council Member, Place 3
James Wade	Council Member, Place 5

City Administrator and various department-head staff members were also present.

Council Member Vansyckle gave the Invocation.
Mayor Pro-Tem Hall led the Pledge of Allegiance.

COMMENTS, PRESENTATIONS, REPORTS AND APPOINTMENTS:

There was none.

DEPARTMENTAL REPORTS:

- Department Activity Reports For the Month of December 2008 were included in Council packets for review with the following department head's discussion:
 - Police Department Chief Mike Moon
 - 2008 Officers of the Year – a tie between Sergeant Devlin and Officer Bennett
 - Service League Fund Raiser will be February 20, 2009, and catered by Bubba Q at the Ovilla Road Baptist Church, starting at 6:30 PM. Cost is \$12 for adults and \$8 for children.
 - Fire Department Chief Donnie Pickard
 - Larry Marlow Fire Annex Update – landscaping and appliances are installed and a new phone system is currently being installed.
 - TX Forest Service Reimbursement – received funds have until May 2009 to utilize those funds.
 - TX Forest Service Grant Assistance (HB2604) – Ovilla Fire Dept. was denied the funding for this year.
 - 2008 FEMA Fire Act Grant
 - Public Works Dept. Director Jason Robinson
 - CIP Draft Update – Mr. Robinson stated this was a rough draft and he was finally getting started on the CIP. Council Members Wade and Dormier complimented Mr. Robinson for a good start.
 - Main Street Downtown Sanitary Sewer Project Update – complete.
 - Finance / Administration Randy Whiteman
 - Monthly Finance Report
 - Municipal Court Collections and New Cases Filed

- o Status of Accountant Replacement and Interviews – Mr. Whiteman and staff have conducted interviews and has possibly narrowed the potential candidate list to two.
- o Codification of Ordinances – Staff hopes to bring a recommendation for the update and republishing of the Ovilla Code of Ordinances to the next Council meeting.

CONSENT ITEMS:

- Financial Transactions for the month ending December 2008.
- Minutes of the Council Meeting of 24 November 2008.

Council Member Vansyckle made a motion that Council approve the consent items as presented. Council Member Leverentz seconded the motion.

VOTE: The motion carried unanimously.

INDIVIDUAL CONSIDERATION:

ITEM 1. **Discussion/Action** – Consider approval for the road reconstruction and overlay of Cockrell Hill Road, conducted by and payable to Dallas County District #4 in an amount of \$179,087.

City Administrator noted that Dallas County had submitted two proposals; one at 4300 feet costing \$179,087, and another covering 5280 feet at a cost of \$201,849. Staff consulted with John Birkhoff, P.E., the city's consulting engineer and included his letter of recommendation. An Interlocal Agreement between the City of Ovilla and the County of Dallas is in current standing. Council allocated \$200,000 in the current budget for road projects.

Mayor Pro-Tem Hall made a motion that Council approve the proposed estimate from Dallas County District #4 for the reconstruction and overlay of Cockrell Hill Road, from Lariat Trail, south of Ashburne Glen Lane in the amount of \$179,086.87.

Council Member Vansyckle seconded the motion.

VOTE: The motion carried unanimously.

ITEM 2. **Discussion/Action** – Consider the annual renewal of an Interlocal Cooperation Agreement between the County of Ellis and the City of Ovilla.

Council Member Dormier made a motion that Council approve the Interlocal Cooperation Agreement between the County of Ellis and the City of Ovilla. Council Member Leverentz seconded the motion.

VOTE: The motion carried unanimously.

ITEM 3. **Discussion/Action** – Consider approval of a proposal for professional services from Kimley-Horn and Associates, Inc. to update and revise the Ovilla Future Land Use Map.

During the October 27, 2008 Council Meeting, Council reviewed a presentation and status of the Comprehensive Land Use Plan for Ovilla, by Ms Chantal Kirkland from Kimley-Horn. During the presentation, Council asked that Ms Kirkland also prepare a proposal for a revised/modified future land use map. Ms Kirkland presented a proposal of \$3,900.

Council revised the proposal by removing the cost for an additional review meeting and planned to review the updated map on pdf instead.

Mayor Pro-Tem Hall made a motion that Council approve the proposal to Kimley-Horn in the amount of \$2,700, that included "not to exceed \$500" in reimbursable expenses. Council Member Vansyckle seconded the motion.

VOTE: The motion carried unanimously.

ITEM 4. Discussion/Action – Consider approval of the purchase of 1100' supply hose for \$6,554 for the Fire Department.

Council approved this expense in the FY2008-09 Budget. This hose will replace a 20y old hose that currently does not meet NFPA standards. Chief Pickard obtained three quotes and recommended that Council approve the lowest quote from Metro Fire Apparatus Specialists, Inc.

Council Member Leverentz made a motion that Council approve the purchase of an 1100-ft hose from Metro Fire Apparatus Specialists, Inc. in an amount of \$6,554. Council Member Dormier seconded the motion.

VOTE: The motion carried unanimously.

ITEM 5. Discussion/Action – Consider to take items from the table.

Council Member Vansyckle made a motion that Council remove the item from the September 22, 2008 Council Meeting in reference to the approval of an Ordinance amending Section 1.01, paragraph (G) of Chapter 7 of the Code of Ordinances by modifying the definition of "Antique Auto" and adding definitions of "inoperable, discarded, and wrecked". Mayor Pro-Tem Hall seconded the motion.

The item was opened for discussion/action. Council Member Vansyckle advised he had been working to amend this ordinance, following the guidelines of Chapter 683 of the TX Transportation Code in hopes to aid code enforcement staff in the development of language to improve enforcement to the current problems in Ovilla. Council Member Dormier noted that the ordinance addressed and defined "inoperable and wrecked" but did not disclose or offer a definition of "discarded", only mentioned it in the heading of the ordinance. Council agreed to remove that word from the heading of the ordinance.

Council Member Vansyckle made a motion that Council approve an ordinance (with revisions) amending Section 1.01, Paragraph (G) of Chapter 7 of the Code of Ordinances by modifying the definition of "Antique Auto" and adding definitions of "inoperable and wrecked." Mayor Pro-Tem Hall seconded the motion.

VOTE: The motion carried unanimously.

ITEM 6. Discussion/Action – Consider the 60-day review of Resolution 08-023, regarding the authorization of the Mayor and Members of the City Council to serve as volunteers, including any modifications, changes or additions before final adoption and approval.

Ordinance 08-023 was approved on September 22, 2008 and was up for review. Chief Donnie Pickard advised Council that Council Member Leverentz had offered his services to the Fire Department and responded to 80 calls during this 60-day process with no complaints. Council

Member Leverentz was obligated to participate in the required standard background process and passed. Mayor Pro-tem Hall stated his reservations of this resolution.

Executive Session

Mayor Turner announced that Council would convene into Executive Session at 8:50 P.M. to consider Resolution 08-023. (Reference Place 1 Council Member Tom Leverentz, Section 551.074 of the TX Municipal Code)

Council reconvened to regular session at 9:28 P.M.

❖ **Consider action as a result of discussion.**

Mayor Turner stated that no decisions were made during the Executive Session.

Mayor Pro-Tem Hall made a motion that Council approve a resolution authorizing the Mayor and members of the City Council to serve as volunteers of the City in various capacities with the noted modifications: (1) The Council volunteer must be approved by the chief or department head, and approved by Council. (2) Additionally, the Council may revoke volunteer status of an individual Council member as the Council may determine appropriate. (3) This resolution will be reviewed by the City Council starting October 1, 2009 and October 1 of each year thereafter. Council Member Vansyckle seconded the motion.

VOTE: The motion carried unanimously.

Council's Request for Future Agenda Items

Council Member Wade suggested the need for "team building" between the Mayor and Council Members. City Administrator Whiteman mentioned the benefit of Council retreats and/or attending TML (Texas Municipal League) Conferences. Council Member Vansyckle and Mayor Pro-Tem Hall agreed.

Adjournment

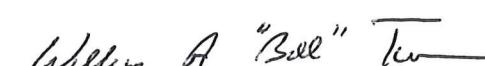
Council Member Vansyckle made a motion to adjourn the meeting of January 12, 2009 at 9:45 P.M. Council Member Dormier seconded the motion.

VOTE: The motion carried unanimously.

ATTEST:



Pamela Higgins, CITY SECRETARY



William A. "Bill" Turner, MAYOR

William A. "Bill" Turner, Mayor
Tom Leverentz, Place One
Richard Dormier, Place Two

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Ralph Hall, Mayor Pro-Tem
Bill Vansyckle, Place Three
James Wade, Place Five