

CITY OF OVILLA MINUTES
Monday, 14 November 2011
Regular City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Vansyckle called the Regular Council Meeting of the Ovilla City Council to order at 7:00 P.M. The following City Council Members were present:

Tom Leverentz	Mayor Pro-Tem, Place 1
James Wade	Council Member, Place 3
Doug Hunt	Council Member, Place 4
Richard Dormier	Council Member, Place 5
Absent: Michael Dickey	Council Member, Place 2

Noted members were present, thus constituting a quorum.

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

PL 5 Dormier gave the Invocation.

Mayor Pro-Tem Leverentz led the Pledge of Allegiance.

Comments, Presentations and Reports and Appointments

Mayor Vansyckle read a letter received from the City of Waxahachie sharing appreciation to all first responders' quick actions and leadership to the fire at the Magnablend facility.

CITIZENS COMMENTS / CITIZENS FORUM:

1. Ms Jimmie Wade – stated that the recent waterline-main break on Main Street helped to locate the water & sewer lines. Ms Wade still wanted a sewer line commitment from Council on Main Street.
2. Ms Becky Freeman – Urged Council to approve the Tabled Item regarding the amendment to the codification for accessory building materials. Ms Freeman complimented Mike Dooly's presentation to the Planning & Zoning Commission.
3. Mayor Vansyckle gave a health and recovery report on PL 2 Mike Dickey.

♦ **Department Activity Reports / Discussion**

- ♦ Police Department
 - Monthly ReportChief M. Moon
- ♦ Fire Department
 - Monthly Report
 - Discussed the National Emergency Broadcast failure with PL 3 Wade.Fire Chief D. Pickard
- ♦ Public Works
 - Monthly ReportDirector B. Piland
- ♦ Finance Department
 - Monthly Municipal Court Report – slight decrease from this time last year.Accountant S. Jungman
- ♦ Administration
 - Monthly Report – Code Enforcement/Animal Control
 - Discussed the Charter Communications franchise authority.City Administrator R. Whiteman

CONSENT ITEMS:

- ◆ Monthly Financial Transactions
- ◆ Quarterly Investment Report
- ◆ Annual Investment Report
- ◆ Minutes of the October 24, 2011 Regular Council Meeting.
- ◆ Annual Membership Participation Fee to the TX Cooperative-Purchasing Program.

PL4 Hunt made a motion approve the consent items as presented.

PL5 Dormier seconded the motion.

Mayor Vansyckle asked for a record vote by announcement of AYE or NAY.

Present Council announced AYE in favor. No oppositions, no abstentions.

Place 2 Dickey was noted absent.

VOTE: The motion carried unanimously: 4-0.

TABLED ITEM(S)

Mayor Vansyckle interrupted the regular order of the agenda to ask Council if they wished to pull the Tabled Item to address prior to Individual Consideration.

PL5 Dormier made a motion the pull the tabled item for consideration and discussion.

PL4 Hunt seconded the motion.

Mayor Vansyckle asked for a record vote by announcement of AYE or NAY.

Present Council announced AYE in favor. No oppositions, no abstentions.

Place 2 Dickey was noted absent.

VOTE: The motion carried unanimously: 4-0.

The Tabled Item was open for discussion and consideration.

ITEM 2. FROM THE OCTOBER 24, 2011 COUNCIL MEETING.

Discussion/Action – Receive written recommendation from the Planning & Zoning Commission and consider proposed Ordinance 2011-026 amending the Ovilla Code of Ordinances, Section 30.5 Construction Materials for Residential Accessory Buildings.

- Initiated by Mayor Vansyckle, presented by Administrative staff.

During the October 24 Public Hearing and Council consideration regarding this item, staff was directed to return with additional information. Miscellaneous photo samples and additional detailed information were presented for Council review.

PL4 Hunt made a motion that Council approve the adoption of Ordinance 2011-026 amending the Ovilla Code of Ordinances, Section 30.5, construction materials for residential accessory buildings as presented **and** with an amendment to include simulated finishes of wood or masonry.

PL3 Wade seconded the motion.

Mayor Vansyckle asked for a record vote by announcement of AYE or NAY.

Present Council announced AYE in favor. No oppositions, no abstentions.

Place 2 Dickey was noted absent.

VOTE: The motion carried unanimously: 4-0.

Mayor Vansyckle returned to the regular order of the agenda.

REGULAR AGENDA
INDIVIDUAL CONSIDERATION:

ITEM 1. **Discussion/Action** – Consider approval of \$10,030 invoice credits on the Five-Year Water & Wastewater Impact Fee Review (2011 Impact Fee Analysis) for a mathematical calculation error discovered in the previous study.

- Presented by Administrative staff.

City Administrator Randy Whiteman explained that during the Impact Fee Study, the City's engineering firm (Birkhoff, Hendricks & Carter, L.L.P.) made a calculation error from the previous study.

Mayor Pro-Tem Leverentz made a motion that Council approves Birkhoff, Hendricks & Carter L. L. P., firm's offer to forfeit \$10,030 outstanding invoices on the Five-Year Water & Wastewater Impact Fee Review.

PL4 Hunt seconded the motion.

Mayor Vansyckle asked for a record vote by announcement of AYE or NAY.

Present Council announced AYE in favor. No oppositions, no abstentions.

Place 2 Dickey was noted absent.

VOTE: The motion carried unanimously: 4-0.

ITEM 2. **Discussion/Action** – Consider Resolution 2011-022 of the City of Ovilla casting votes to elect a Director for the Ellis Appraisal District for the Years 2012-2013.

- Presented by Administrative staff.

PL4 Hunt made a motion that Council approves Resolution 2011-022 casting all votes for Mr. Lynch and submitting the official ballot to elect Phillip Lynch as a Director for the Ellis Appraisal District for the years 2012-2013.

PL5 Dormier seconded the motion.

Mayor Vansyckle asked for a record vote by announcement of AYE or NAY.

Present Council announced AYE in favor. No oppositions, no abstentions.

Place 2 Dickey was noted absent.

VOTE: The motion carried unanimously: 4-0.

ITEM 3. **Discussion/Action** – Consider Resolution 2011-023 of the City of Ovilla casting its vote for the fourth member of the Board of Directors of the Dallas Central Appraisal District for the Years 2012-2013.

- Presented by Administrative staff.

PL4 Hunt made a motion that Council approves Resolution 2011-023 casting its vote and submitting the official ballot to elect Mr. Michael Hurt as a fourth member to the Board of Directors on the Dallas Central Appraisal District for years 2012-2013.

Mayor Pro-Tem Leverentz seconded the motion.

Mayor Vansyckle asked for a record vote by announcement of AYE or NAY.

Present Council announced AYE in favor. No oppositions, no abstentions.

Place 2 Dickey was noted absent.

VOTE: The motion carried unanimously: 4-0.

ITEM 4. **Discussion/Action** – Consider approval of a proposed Inter-Local Cooperation Billing Agreement with Sardis-Lone Elm Water Supply.

- Presented by City Administrator Randy Whiteman.

City Administrator Randy Whiteman explained that at the last meeting Council approved an Inter-Local Billing Agreement with Sardis for Ovilla Parc. This agreement amended the original one to include not only Ovilla Parc but Highland Meadows too.

PL5 Dormier made a motion that Council approves the Inter-local Cooperation Billing Agreement with Sardis-Lone Elm Water Supply as presented.

Mayor Pro-Tem Leverentz seconded the motion.

Mayor Vansyckle asked for a record vote by announcement of AYE or NAY.

Present Council announced AYE in favor. No oppositions, no abstentions.

Place 2 Dickey was noted absent.

VOTE: The motion carried unanimously: 4-0.

Council's Request for Consideration of Future Agenda Items

Place 5, Dormier:	None
Place 4, Hunt:	Item to discuss increasing the size of accessory buildings
Place 3, Wade:	None
Mayor:	None
Place 2, Dickey:	Absent
Mayor Pro-Tem Leverentz:	None

Adjournment

PL3 Wade made a motion to adjourn the meeting of November 11, 2011 at 8:10 P.M.
Mayor Pro-Tem Leverentz seconded the motion.

VOTE: The motion carried unanimously.



Bill Vansyckle, Mayor

ATTEST:



Pam Woodall Higgins

Approved November 28, 2011