

CITY OF OVILLA MINUTES
Monday 14 June 2010
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
Michael Dickey	Council Member, Place 2
James Wade	Council Member, Place 3
Doug Hunt	Council Member, Place 4
Richard Dormier	Council Member, Place 5

All members were present, thus constituting a quorum.
City Administrator Randy Whiteman and various department-head staff members were also present.

Mayor Vansyckle gave the invocation.
Mayor Pro-Tem Leverentz led the Pledge of Allegiance.

Comments, Presentations and Reports and Appointments

• **Citizen Comments**

There was none.

DEPARTMENTAL REPORTS:

- ◆ Police Department Chief Mike Moon
 - COPS Grant

Chief Moon explained to Council that the grant was a three-year, fully funded grant for one officer. Beginning the fourth year, the City would assume financial responsibility.

- ◆ Fire Department A-Chief Phillip Brancato

Assistant Chief Phillip Brancato was present for questions in Donnie Pickard's absence.

- ◆ Public Works Department Director Jason Robinson

The Public Works Director was absent due to a family funeral. The City Administrator was available for any discussion regarding reports. The Shiloh Bridge repair estimate should be forthcoming.

- ◆ Finance Department Accountant Sharon Jungman
 - Municipal Court Report

Collections were down due to Judge Kurth's conflicting schedule requiring the need to cancel Court in May.

- ◆ Administration CA Randy Whiteman

City Administrator had returned from vacation.

CONSENT ITEMS:

- ◆ Monthly Financial Transactions of May 2010

Mayor Pro-Tem Leverentz made a motion to approve the consent item as presented. Place 5, Dormier seconded the motion.

VOTE: The motion carried unanimously.

INDIVIDUAL CONSIDERATION:

ITEM 1. Discussion/Action – Consider Council approval of a recommended appointment from Chief Mike Moon of an “unpaid” police officer (reserve) to carry a weapon (LGC §341.012) as a participating representative of the Ovilla Police Reserve Program. *The City Council of the City of Ovilla, Texas, reserves the right to meet in a closed session on any item listed on this Agenda should the need arise, pursuant to authorization by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).*

Chief Moon stated that Council had a copy of the applicant’s application and that testing and training for an unpaid officer was implemented the same as a regular officer.

Mayor Vansyckle announced that Council would move into Executive Session at 7:26 P.M., pursuant to the TX Government Code, Section 551.074, Personnel Matters.

Council reconvened at 7:36 P.M.

Place 4, Hunt made a motion that under the LGC 341.012, Council approve the appointment of Jennifer A. Willis to act in the capacity of and perform the duties as an Ovilla Police Reserve Officer for the City of Ovilla. Mayor Pro-Tem Leverentz seconded the motion.

Place 2, Dickey voted in opposition.

VOTE: The motion carried four in favor, one opposed.

ITEM 2. PUBLIC HEARING AND DISCUSSION – An Ordinance amending and updating the Comprehensive Zoning Ordinance of the City of Ovilla, TX and providing that this ordinance shall be cumulative of all ordinances and repealing portions of Ordinance 07-003, as amended.

Mayor Vansyckle opened the Public Hearing at 7:38 P.M.

City Administrator Randy Whiteman briefed Council that the proposed Zoning Ordinance was merely a cleaned up & edited version from the current one in existence. Most of the changes were corrections from scrivener errors and page numbering flaws. The Planning and Zoning Commission previously held a public hearing and upon majority vote recommended approval to the City Council.

Mayor Vansyckle asked those wishing to speak in favor to please approach the podium:

1. There was none.

Mayor Vansyckle asked those wishing to speak in opposition to please approach the podium:

1. There was none.

Mayor Vansyckle closed the Public Hearing at 7:40 P.M.

Discussion/Action – Consideration of and recommendation from the Planning and Zoning Commission: AN ORDINANCE ADOPTING A COMPREHENSIVE ZONING ORDINANCE FOR THE CITY OF OVILLA, TEXAS; ESTABLISHING ZONING DISTRICTS; REGULATING AND RESTRICTING THE LOCATION

AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE, OR OTHER PURPOSES, THE HEIGHT, NUMBER OF STORIES, AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE ERECTION, CONSTRUCTION, RECONSTRUCTION, ALTERATION, REPAIR AND USE OF BUILDINGS, STRUCTURES AND LAND WITHIN SUCH DISTRICTS; PROVIDING FOR THE REGULATION OF NONCONFORMING USES; PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR THE ISSUANCE OF CERTIFICATES OF OCCUPANCY AND BUILDING PERMITS; DEFINING CERTAIN WORDS AND PROVIDING FOR THE INTERPRETATION OF THE ORDINANCE; PROVIDING FOR A BOARD OF ADJUSTMENT AND POWERS OF THE BOARD; PROVIDING FOR AMENDMENT AND CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES AND REPEALING PORTIONS OF ORDINANCE 07-003, AS AMENDED.

Place 5, Dormier made a motion that Council approve an ordinance adopting the amended and updated zoning ordinance as presented. Place 3, Wade seconded the motion.

Mayor Vansyckle asked for a record vote:

Place 5, Dormier	Aye
Place 4, Hunt	Aye
Place 3, Wade	Aye
Place 2, Dickey	Aye
Mayor Pro-Tem Leverentz	Aye

VOTE: The motion carried unanimously.

ITEM 3. Discussion/Action – Consider approval of an agreement with Cbeyond for online email services for the City of Ovilla.

The City's IT Representative, Denny Lassetter was present for Council questions. He assisted the City staff with negotiations to achieve a cost saving contractual agreement. Cbeyond offered a service proposal package for a three-year term that included the same amenities, plus a monthly cost savings of \$192. Mayor Pro-Tem Leverentz inquired about the authorized administrators on the account and to remove those not necessary.

Place 4, Hunt made a motion that Council authorize the City Administrator to enter into a three-year agreement service package with Cbeyond for Outlook Email Services in the amount of \$703 monthly. Place 2, Dickey seconded the motion.

VOTE: The motion carried unanimously.

ITEM 4. Discussion/Action – Consider Council approval for final payment of \$67,000 to Ellis County Precinct #4 for the road reconstruction and maintenance of Johnson Lane and Duncanville Road as per the inter-local agreement.

City Administrator Randy Whiteman stated that this was the final payment due from the inter-local agreement of 2008 to reconstruct Johnson Lane and Duncanville Road with Ellis County.

Place 5, Dormier confirmed that the maintenance warranty of the roads extended three years from the final payment. This item remained an encumbrance in the budget.

Mayor Pro-Tem Leverentz made a motion that Council authorize the City Administrator to make the final payment of \$67,000 to Ellis County for the road reconstruction and maintenance of Johnson Lane and Duncanville Road as per the Inter-local Agreement. Place 2, Dickey seconded the motion.

VOTE: The motion carried unanimously.

ITEM 5. Discussion/Action – Consider membership approval for an official consent and ballot form for an unaffiliated director (Jorge Bermudez) to the ERCOT Board of Directors.

Mayor Pro-Tem Leverentz made a motion that Council vote to approve the official consent and ballot form to appoint Jorge Bermudez as an unaffiliated director to serve on the Board of ERCOT. Place 4, Hunt seconded the motion.

Place 3, Wade abstained.

VOTE: The motion carried four in favor, one abstention.

ITEM 6. Discussion/Action – Consider a resolution authorizing continued participation with the steering committee of cities served by ONCOR and authorizing payment of 10 cents per capita to the steering committee.

City Administrator explained that this was an annual renewal of the City's membership to the 146-member city coalition known as the Steering Committee of Cities served by ONCOR.

Place 4, Hunt made a motion that Council ratify a resolution approving the assessment of a 10-cent per capita fee to continue membership and fund the activities of the steering committee. Place 5, Dormier seconded the motion.

VOTE: The motion carried unanimously.

ITEM 7. Discussion Only – Discuss and begin planning process for board appointments.

The Planning and Zoning Commission, Board of Adjustment and Economic Development Board all have members up for renewal and/or vacancies. Council advised staff to solicit interested residents to serve on one of the boards using the city website and marquee. Applications will be reviewed during upcoming meetings.

DISCUSSION ONLY, NO ACTION.

ITEM 8. Discussion Only – Discuss and review FY2010.2011 Budget Planning Calendar.

City Accountant Sharon Jungman shared a budget calendar compliant to the TX Tax Code outlining mandatory dates in order for a municipality to adopt their tax rate and budget. Three budget workshops were listed outside regular meetings. A few of the dates were recommended for change due to conflicting schedules with Mayor Vansyckle and Council.

DISCUSSION ONLY, NO ACTION.

ITEM 9. Discussion Only – Discuss and review road rehabilitation report updates and projects.

Mayor Vansyckle and PW Director Jason Robinson drove throughout the city and made measurements - identifying roads and the areas that need immediate repairs. The plan is to ask contractors to present options, Council to prepare a CIP, identify resources and integrate into budgets.

DISCUSSION ONLY, NO ACTION.

TABLED ITEM – May 24, 2010

Discussion/Action – Consider letter of proposal from Schrickel, Rollins & Associates to conduct a feasibility study for the proposed Public Works Facility.

THE TABLED ITEM WAS NOT ADDRESSED.

Council's Request for Consideration of Future Agenda Items

Place 5, Dormier:	None.
Place 4, Hunt:	None.
Place 3, Wade:	Previously mentioned issues.
Mayor:	None.
Place 2, Dickey:	Newsletter
Mayor Pro-Tem Leverentz:	Shiloh Bridge repair

Adjournment

Place 3, Wade made a motion to adjourn the meeting of June 14, 2010, at 8:49 PM. Mayor Pro-Tem Leverentz seconded the motion.

VOTE: The motion carried unanimously.



Bill Vansyckle, Mayor

ATTEST:



Pamela Higgins, City Secretary

Approved: July 26, 2010