

CITY OF OVILLA MINUTES
Monday, 14 January 2008
Regular City Council Meeting

A regular meeting of the Ovilla City Council was called to order at 7:02 P.M. with the following City Council Members present:

William A. "Bill" Turner	Mayor
Morgan Crow	Mayor Pro-tem
Floyd Elkins	Councilman
Richard Dormier	Councilman
Ralph Hall	Councilman
Larry Stevenson	Councilman

The invocation was given by Mayor Pro-tem Crow.
The Pledge of Allegiance was lead by Councilman Hall.

CITIZENS COMMENTS:

- Mr. G. T. Mulholland spoke regarding selected 2007 events.
- Mr. Mikel Davis addressed the Council and citizens regarding the upcoming annual Service League Dinner and auction, 22 February 2008, doors open at 6:00 P.M. The meal will be catered. Adult tickets \$12 and children under 10years \$8. This year the proceeds will benefit the Fire Department. Everyone is invited to attend.

PRESENTATIONS: None

DEPARTMENTAL REPORTS:

- Police Department
 - Chief Moon addressed the Council about an added column/category in the monthly crime stats report to better define home security checks. Chief Moon also told Council that he prepared crime stats comparison to be displayed in the upcoming Town Topics, noting the improvements from the previous year.
- Fire Department
 - Chief Donnie Pickard told Council the Burn Ban was in effect as of this date. The department had been running quite a few fires. The GMC tanker recently sold to Hualapai Valley Fire Department in Arizona, is in service and doing well.
- Public Works Department
 - P.W. Director Jason Robinson explained that the TCEQ compliance review was almost complete. Although this is supposed to be an annual review by TCEQ, this was the first one conducted since 2004. Annual water samples for TCEQ were all compliant.

- A notice has been posted to accept applications for an additional utility/maintenance worker. This should allow Mike Dooly to finally have the ability to remain inside to focus on code compliance and animal control.
- Water Superintendent, Mark Haase has brought a lot of experience from Cedar Hill and has been monitoring hydrants and checking residuals. All have improved since his employment with Ovilla. He is doing a great job.
- Water usage averaging (December, January & February) for sewer charges is underway and the notice has been placed on the City's website.
- Finance Department
 - City Accountant, Miykael Reeve addressed the Council with the financials, beginning with the first quarter FY2008 Credit Card Report, totaling \$4,886.90. The monthly financial statements are included for review. The General Fund still shows a loss while the Water Fund shows a profit. However, with annual property tax revenue coming in the General Fund will begin to show an increase. Ms. Tonja Barnebee and Assistant Sherra McGaha, were present to discuss the FY2007 Financial Audit. Ms. Reeve stated she was still working on investments as well as financials for December 2007 and hoped to have them ready for the next Council meeting.
- Administration
 - City Administrator, John McDonald addressed Council that the monthly court activity report for December 2007 was present for their review. Staff has recently begun reviewing and meeting with various companies with regard to municipal court software and also meeting with outside agencies for the collections of delinquent municipal court fines, warrant fees, forfeited bonds and restitution fees.
 - City Administrator told Council that staff met last week to review 2007 accomplishments, and made plans for long-range goals.
 - Staff and the city attorney have begun preparations to implement the Economic Development Committee and originate By-Laws.
 - The proposed Storm Water Management Plan should be ready for Council review at the 28 January 2008 meeting.

CONSENT ITEMS:

- Minutes of the Regular Council Meeting on 10 December 2007
- Financial Transactions for the Month ending December 2007
- Appointment of Eric Sexton and Dean Oberg to the Comprehensive Land Use Plan Review Committee

Mayor Pro-tem Crow made a motion to approve all consent items as presented and Councilman Elkins seconded the motion.

VOTE: The motion carried unanimously.

INDIVIDUAL CONSIDERATION:

ITEM 1. Discussion/Action – Consider acceptance for the Annual Financial Audit Report for the year ending September 30, 2007, prepared by Tonja Barnebee, CPA, PC.

City Administrator introduced Ms. Barnebee and her Assistant Ms. McGaha and allowed them to proceed with the audit report presentation. Ms. Barnebee spoke as Ms. McGaha presented a PowerPoint presentation of the audit depicting the city's financial standing ending September 30, 2007. Ms. Barnebee told Council that the internal control for a city the size of Ovilla was excellent. The fund balance increased, however, the water revenues were down due to the excessive rainfall. Long-term debt decreased in both funds. Overall, the audit was given an "Unqualified Opinion", meaning the financials were in good shape. Mr. McDonald stated that Ms. Reeve did a great job. Ms. Barnebee said the approval/representation letter would be forthcoming.

Councilman Hall made the motion to accept the audit report for the Fiscal Year 2007, ending September 30, 2007. Councilman Elkins seconded the motion.

VOTE: The motion carried unanimously.

ITEM 2. Discussion/Action – Consideration of a Resolution casting Ovilla's vote for an election run-off for the Fourth Member to the Dallas Central Appraisal District Board of Trustees.

Mr. McDonald stated that on the November 12, 2007 meeting, Council approved a Resolution casting Ovilla's vote for the Fourth Member of the Dallas Central Appraisal District (DCAD) Board of Trustees for Mr. Michael Hurtt of DeSoto. No candidate received a majority vote and a run-off is required. Staff recommended that Council approve a resolution casting its vote for Michael Hurtt as the Suburban Cities representative to the DCAD Board of Trustees.

Councilman Elkins made a motion that Council approve this resolution and cast the City's vote for Michael Hurtt of DeSoto. The motion was seconded by Mayor Pro-tem Crow.

VOTE: The motion carried unanimously.

ITEM 3. Discussion/Action – Consideration of an Interlocal Agreement between Dallas County and the City of Ovilla for Road Construction on Cockrell Hill Road, from the northern city limits of Ovilla to Lariat Trail.

City Administrator informed Council that he and Public Works Director, Jason Robinson had met with Dallas County representatives regarding the overlay of Cockrell Hill Road. The proposal for the overlay was within budgeted allowance, revealing a savings of approximately \$85,000 in labor costs. Ovilla was required to purchase the materials only. Mr. McDonald advised Council that Dallas County could begin work around March or April. Councilman Stevenson voiced concern that those months were during the rain season, however, with an offered savings of that magnitude, it was highly unlikely that Ovilla could decide the dates of choice.

Councilman Dormier made the motion to approve this agreement with Dallas County for the reconstruction of Cockrell Hill Road located in Dallas County. The motion was seconded by Mayor Pro-tem Crow.

VOTE: The motion carried unanimously.

ITEM 4. Discussion/Action – Consideration of the purchase of a Kohler Outdoor Diesel 180 KW Generator from Loftin Equipment Company.

City Administrator advised Council that the City was awarded a \$41,000 Fire Act Grant for the purchase and installation of a power generator to support the Fire Station and City Hall. Chief Pickard recommended the purchase of such item from Lofton Equipment Company through the Houston-Galveston Area Council's Buy Program. (HGAC) Items available through this program have already been through a bid process that satisfies state-bidding requirements. The generator will house at the existing Fire Station and the new Fire Annex, including supporting City Hall. A quotation of \$39,503 is included in the packets. Mayor Turner confirmed with Fire Chief Pickard that the ESD (Emergency Services District) has agreed to have the contractor manage the wiring and power connections.

Councilman Hall made a motion that Council approve the purchase of the recommended generator through the HGAC Buy Program in the amount of \$39,503. Councilman Stevenson seconded the motion.
VOTE: The motion carried unanimously.

ITEM 5. Discussion/Action – Consideration of an Interlocal Agreement between Ellis County Emergency Services District No. 2 and the City of Ovilla for 2008.

City Administrator stated that the proposed annual contract with Ellis County Emergency Services District (ESD) No. 2 is an updated contract to fit our city's fiscal year term and not the calendar year. The ESD has agreed to revise future contracts to be effective through the fiscal year. The contract is for the provision of Fire and EMS services within the boundaries of the district outside the city limits of Ovilla. The contract states that the ESD make payments for a total of \$130,000. The funds are documented in the Emergency Services Fund budget, part of the FY2008 adopted budget.

Councilman Stevenson made a motion that Council approve this agreement with Ellis County Emergency Services District No. 2 for the provision of fire protection and emergency medical first responder services. Mayor Pro-tem Crow seconded the motion.

VOTE: The motion carried unanimously.

CITY COUNCIL COMMENTS AND ANNOUNCEMENTS:

Councilman Stevenson stated that Red Oak ISD was ending the semester and preparing for early releases. Councilman Hall commented that there was a 9% enrollment increase at Collin County Community College.

Councilman Elkins is teaching again at Mountain View College.

Mayor Turner announced that city offices would be closed on Monday, January 21, 2008 in observance of Martin Luther King Jr. Day.

EXECUTIVE SESSION:

The City Council went into Executive Session at 7:56 P.M.

Under Section 551.071 (Consultation with Attorney), the City Council will adjourn into Executive Session to consider the following:

Triumph Development vs. City of Ovilla

Councilman Hall made a motion to adjourn into the Executive Session. Mayor Pro-tem Crow seconded the motion.

The City reconvened into Regular Session at 8:22 P.M.

There was no action taken resulting from the Executive Session.

ADJOURNMENT:

Mayor Pro-tem Crow made a motion that Council adjourn the regular meeting of 14 January 2008. The motion was seconded by Councilman Stevenson.

ATTEST:

William A. "Bill" Turner
MAYOR

Pamela Higgins
CITY SECRETARY