

CITY OF OVILLA MINUTES
Monday, 28 January 2008
Regular City Council Meeting

A regular meeting of the Ovilla City Council was called to order at 7:01 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 Councilman Dormier.
The Pledge of Allegiance was lead by Councilman Elkins.

CITIZENS COMMENTS:

- Ms. JoAnn Graham spoke regarding citizen concerns.

PRESENTATIONS: None

DEPARTMENTAL REPORTS:

- Finance Department
 - City Accountant, Miykael Reeve spoke to the Council regarding the First Quarter Investment Report FY2008 and financials, stating that due to the decrease in interest rates the City's investments were adversely affected. Councilman Hall questioned a few disparities in the CD interest rates. Ms. Reeve responded that each was based on balance. Councilman Hall suggested consolidating some of the accounts to earn better interest rates. Councilman Hall also noted that future investment reports needed signatures prior to Council review.
 - Mayor Pro-tem Crow asked Ms. Reeve if Ellis County deposited daily (property taxes) and Ms. Reeve responded affirmatively.
 - Ms. Reeve commented that the financials were still under budget.
 - Councilman Hall commented that he was uncertain if QuickBooks was designed for governmental accounting in that it did not use the proper terminology in some areas. QuickBooks used the wording "net income" where it should state "revenue over expense." Other than that, the reports looked very good.

- Administration
 - City Administrator, John McDonald updated Council with the progress of the Comprehensive Land Use Plan Review Committee (CLUP), advising they had met approximately four times and had completed the revision of the goals and objectives, including focusing on customer-oriented goals for the people of Ovilla. Following continued discussion with the Mayor, Council, and Mr. McDonald, it was determined advisable to bring in a consultant to assist with ideas and support. City Administrator assured Council that the CLUP members were working on an update, not a complete revision of the book and would bring the revised draft to Council and Planning and Zoning for review. Mr. McDonald projected to have the draft complete by summer 2008.

CONSENT ITEMS:

- Minutes of the Regular Council Meeting on 14 January 2008
- Appointment of Richard Ware as full member to the Zoning Board of Adjustments.

Mayor Pro-tem Crow made a motion to approve all consent items as presented with one clarification to modify a section of the minutes noting the Fire Tanker sold to the *Hualapai Valley Fire Department* in Arizona. Councilman Elkins seconded the motion.

VOTE: The motion carried unanimously.

INDIVIDUAL CONSIDERATION:

ITEM 1. Discussion/Action – Consideration of a contract with Linebarger Goggan Blair & Sampson, L.L.P., Attorneys at Law, for the collection of delinquent court fees and fines.

City Administrator told Council that Ovilla currently contracts with Linebarger Goggan Blair & Sampson, L.L.P., for the collection of delinquent property taxes. This would be using the same type system, only for delinquent court fees and fines. Mr. Kevin Chester, representing the law firm was present to answer questions. Councilman Hall made a request for a change in the contract to allow the “Client” (City) 30 days instead of 20 days to make compensation. In addition, Councilman Hall requested Mr. McDonald and Mr. Chester to review and revise section 6.05 of the contract. This section stated that the Firm shall be reimbursed for any costs advanced and shall be paid for any services performed when such costs are recovered by or on behalf of the Client, regardless of the date recovered. Councilman Hall commented that this section was somewhat unreasonable. Mr. Chester agreed to meet with Mr. McDonald and revise Section 6.05. Currently, this Firm is contracted with Red Oak, Waxahachie, Ferris, Ellis County, The City of Dallas, as well as Dallas County for the collection of delinquent court fees and fines. Mayor, Council, City Administrator and Mr. Chester also discussed the possibility of using the OMNI System (another source to aid in the collection of delinquent court fees and fines) along with this Firm. Mr. Chester stated that was a good idea and that many cities are using both services.

Councilman Hall made the motion that Council approve the contract with Linebarger Goggan Blair & Sampson, L.L.P., Attorneys at Law for the collection of outstanding court fines and fees with the exception that the paragraph in Section 6.05 be reviewed and changed to reflect that the City would be responsible to pay the collection fee of debts only within a year after the expiration or termination of the contract. Mayor Pro-tem Crow seconded the motion.

VOTE: The motion carried unanimously.

ITEM 2. Discussion/Action – Consideration of a Resolution authorizing a 30% collection fee of debts and accounts receivable such as fines, fees court costs, forfeited bonds and restitution ordered paid by Ovilla Municipal Court, to Linebarger Goggan Blair & Sampson, L.L.P., Attorneys at Law.

Mr. McDonald stated that this resolution is not specific to Linebarger Goggan Blair & Sampson.

Councilman Hall made a motion that Council approve this resolution authorizing a collection fee of 30 percent for delinquent court fees and fines. The motion was seconded by Councilman Stevenson.

VOTE: The motion carried unanimously.

ITEM 3. Discussion/Action – Consideration of an Interlocal Cooperation Contract between Ellis County and the City of Ovilla to increase and assist in governmental function and general services.

City Administrator stated that this was a basic agreement that assists Ovilla and one that is renewed annually.

Councilman Stevenson made the motion to approve this Interlocal Cooperation Contract with Ellis County. The motion was seconded by Mayor Pro-tem Crow.

VOTE: The motion carried unanimously.

ITEM 4. Discussion/Action – Consideration of a Storm Water Management Plan, Notice of Intent-General Permit and TCEQ Payment Submission Agreement.

City Administrator advised Council that the state sets the guidelines on this five-year plan - mandated. Consulting engineers, Birkhoff, Hendricks & Conway, L.L.P., assisted staff in the preparation of the SWMP and Notice of Intent for submission to TCEQ. This Plan would include water runoff, sewers, street sweeping, the disposal of oil from car maintenance, pollution control, etc. Councilman Dormier has had experience in these plans and noted that this forces cities to be locally responsible for the assurance of following through the state's requirements and assisting with public education. Mr. McDonald mentioned that maybe developing an educational pamphlet for circulation to our citizens would help. Councilman Dormier stated that the Public Works Director would be very busy according to these documents to make certain Ovilla was compliant.

Councilman Stevenson made a motion that Council approve the Storm Water Management Plan as recommended by Staff. Councilman Dormier seconded the motion.

VOTE: The motion carried unanimously.

CITY COUNCIL COMMENTS AND ANNOUNCEMENTS:

Councilman Stevenson inquired if there was a timeline regarding the filing of development plans with the City from a developer to the actual groundbreaking. City Administrator responded that Ovilla has an ordinance that governs a limit of four to five years from the filing to breaking ground on a development. Mayor Pro-tem Crow reminded the City Administrator that he would like to view a monthly report on items under active consideration by the Comprehensive Land Use Plan Review Committee including any contemplated activities. Mayor Turner reminded everyone that the Service League Banquet benefiting the Ovilla Fire Department is scheduled on 22 February 2008.

ADJOURNMENT:

Mayor Pro-tem Crow made a motion that Council adjourn the regular meeting of 28 January 2008. The motion was seconded by Councilman Stevenson.

ATTEST:

William A. "Bill" Turner
MAYOR

Pamela Higgins
CITY SECRETARY