

**CITY OF OVILLA MINUTES**  
**Monday, 11 February 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 Councilman Stevenson.  
The Pledge of Allegiance was lead by Councilman Hall.

**CITIZENS COMMENTS:**

- Mr. Wayne Turner introduced himself as a candidate for the Republican Party Chairman of Ellis County.
- Mr. Kyle Kutach, 100 Nob Hill Lane, spoke on behalf of the Ashburne Glen Homeowners Association with concerns and disappointment of the 10% collection fee charged by the City of Ovilla, by Ordinance 07-017. Mr. Kutach stated that the homeowners should have been notified of the fee. He asked that both groups (City and Homeowners Assoc.) meet and make an equitable agreement.
- Mr. Mikel Davis reminded all present of the upcoming Ovilla Service League Dinner benefiting the Fire Department on Friday, February 22, 2008 at 6:00 pm.
- Mr. G. T. Mulholland spoke regarding the Ovilla Economic Development Corporation and the Public Review Book.
- Mr. Phil Lynch thanked the Council for the City's website including assistance from Pamela Higgins on making the website more user friendly. Additionally, a congratulatory offering to Miykeal Reeve on the upcoming birth of her baby son.

**PRESENTATIONS:** None

**DEPARTMENTAL REPORTS:**

- Police Department
  - Police Chief Mike Moon spoke to the Council regarding the monthly report and was available to answer questions. Chief Moon briefed Council on the functions of the Gingerbread House in Waxahachie, stating that the organization comprised of fire and law enforcement entities that aided in the investigation of child abuse cases. Chief Moon wanted to clarify any rumors to Council that he had no intentions of leaving employment with the City of Ovilla and going to work for the Ellis County Sheriff's Department.

- Fire Department
  - Chief Pickard commented about the dangerous road conditions on FM664 south and was hoping to get road repairs planned with Ellis County soon.
  - Wildfire season had started and is very scary right now. Federal resources have been brought in. The Command Center in Grandbury is spending approximately \$158,000 daily. Currently, there are 122 counties with burn bans and 22 counties that have been declared disasters.
  - Mayor Pro-tem Crow complimented Chief Pickard on the excellent response time of the Fire Department.
- Public Works Department
  - Jason Robinson gave a few highlights to Council: The TCEQ Compliance Review Report has been completed.
  - The Dallas Water Line Project is ready for final walk-through on Wednesday of the current week. Once this is complete, Dallas will maintain and take ownership of the pipeline – the plan being April 5, 2008.
- Finance Department
  - City Accountant Miykael Reeve stated that the General Fund had received approximately 86% of total property taxes. The majority of the funds have been moved to Texstar.
  - W-2's and 1099's have been mailed. All quarterly reports are filed. Mayor Turner complimented Ms. Reeve's work.
- Administration
  - City Administrator John McDonald met with concerned citizens in the downtown area on this date prior to the Council meeting with regard to the formation of a Downtown Ovilla Association. The citizens were wishing to put into place some type of "market day" once a month starting around May 2008. City staff, Police and Fire Departments will be working with this group and preparing proposed amendments to various ordinances in order to allow this to transpire.
  - Ovilla Clean-up Day is scheduled for April 26, 2008 from 8:00am-12 noon this year. Additional information will be sent to citizens as the time nears.
  - The County made a few changes regarding their elections. Future elections will no longer be held at Ovilla City Hall Council Chamber Room. The City's General Election will remain at City Hall.

**CONSENT ITEMS:**

- Minutes of the Regular Council Meeting on 28 January 2008
- Financial Transactions for the month ending 31 January 2008.

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

**VOTE: The motion carried unanimously.**

## **INDIVIDUAL CONSIDERATION:**

**ITEM 1. Discussion/Action** – Consider adoption of an ordinance endorsing a comprehensive ACSC Settlement Agreement with Atmos Mid-Tex and authorizing new rate tariffs.

City Administrator briefed Council that the Atmos Cities Steering Committee (ACSC) and Atmos Mid-Tex had finally come to a settlement agreement regarding the Company's Statement of Intent to increase rates and to approve tariffs that implement the terms of the agreement. Atmos will file with the ACSC Cities a revised Rate R-Residential Sales Tariff to reduce the gas customer charge per bill from \$10.69 per month to \$7.00.

Councilman Hall made the motion that Council approve the adoption of this ordinance. Mayor Pro-tem Crow seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 2. Discussion/Action** – Consideration of the purchase of Municipal Court Software.

Mr. McDonald briefed Council on three Municipal Court software programs that Ms. Reeve had recently viewed, researched and demoed. This updated technology is necessary for better record keeping. Each of the systems were affordable and budget approved. The three systems were Tyler Technologies, Inc. (Incode), United Systems Technology, Inc. and Utility Data Systems. Staff recommended the purchase of Incode. Ovilla's Court Clerk, Ms. Sills and the afternoon part-time clerk, Jessica Tilger will both be trained on the new system. On-line training is also available.

Councilman Hall made a motion that Council authorize the City Administrator to purchase the Incode Court Software for the City of Ovilla at \$10,620 with travel related training not to exceed \$978, for a total of \$11,598. Councilman Stevenson seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 3. Discussion/Action** – Consideration of the organization of the Ovilla Economic Development Corporation (EDC) and appointment of directors.

The City Administrator briefed Council on the formation of the EDC and suggested Council choose three incorporators or directors. The board would consist of seven members, with no more than three from the Council. The remaining board members would be citizens. This board would adopt By-laws, Articles of Incorporation and set the budget, all subject to Council approval. The City Administrator would serve as staff support on the board. Setting two-year terms for board members would be advisable. It was agreed that the Council would return to the next meeting with qualified names of Ovilla citizens and possibly those living within the ETJ to represent the EDC Board. There was no action on Item 3.

**ITEM 4. Discussion/Action** – Consideration of Notice for Order of General Election on May 10, 2008, and designate two days during the early voting period to be held from 7:00 AM to 7:00 PM.

City Administrator advised that this was standard and required by the Secretary of State. Three places that are open for election are Place One, Place Three and Place Five.

Councilman Elkins made a motion that Council approve the Notice for Order of General Election on May 10, 2008 and designated two days of 7am – 7pm during early voting to be held on April 29, 2008 and May 06, 2008. Mayor Pro-tem Crow seconded the motion.

**VOTE: The motion carried unanimously.**

**CITY COUNCIL COMMENTS AND ANNOUNCEMENTS:**

Councilman Elkins apologized for the lack of communication regarding the Ashburne Glen Homeowner's Association collection of fees and the charge implemented by Ovilla City Hall. Councilman Elkins stated he considered himself an open communicator and this issue concerning the collection of fees was a drastic error. Mayor Turner reemphasized that Council and staff would review the fee schedule. The cost did seem excessive. Councilman Hall agreed and hoped to bring an amendment forth for all the homeowners' associations. Councilman Hall did note that it is a considerable task for the city to collect these fees. Mayor Turner reminded everyone that the Service League Banquet benefiting the Ovilla Fire Department is scheduled on 22 February 2008.

**ADJOURNMENT:**

Councilman Hall made a motion that Council adjourn the regular meeting of 11 February 2008 at 8:20PM. The motion was seconded by Councilman Stevenson.

ATTEST:

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William A. "Bill" Turner  
MAYOR

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Pamela Higgins  
CITY SECRETARY