

CITY OF OVILLA MINUTES
Monday, 14 April 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:

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| 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 led by Councilman Elkins.

CITIZENS COMMENTS:

- Mr. Larry Marlow thanked the Fire Department and the Council for naming the new Fire Annex after him.
- Ms. Muckleroy spoke in opposition to the suspension of Home Owners Association Fees.
- Ms. Graham spoke regarding the lack of support for the Downtown Association, forum issues and Home Owners Association Fees.
- Mr. Lynch stated he wanted to publicly thank City Administrator John McDonald for his contributions to Ovilla during his tenure. Mr. Lynch gave an annual report on the Ellis County Appraisal District. Hearings begin in June.
- Mr. Dale Helm complimented Mr. Ray Rogowicz for the refurbishing of his office, building a retaining wall and putting in a new driveway at his business off 664.

DEPARTMENTAL REPORTS:

- Police Department
 - Police Chief Mike Moon was present for comments regarding the monthly police report. Chief Moon stated that the Police Department received a good review and audit from TCLEOSE (Texas Commission on Law Enforcement Officer Standards and Education).
 - Additionally, Lt. Mollie Dox will be featured in the *Red Oak Now* monthly publication.
- Fire Department
 - Chief Pickard spoke to Council that the burn ban was still lifted for Ovilla.
 - Power Generator had arrived.

- Public Works Department
 - Public Works Director Jason Robinson announced that the Cockrell Hill Road overlay project was to begin the end of April. Traffic will be closed on one side of the road (only) at a time.
 - Public Works still has one employment opening.

- Finance Department
 - Mayor Bill Turner welcomed Ms. Reeve's return from maternity leave.
 - Ms. Reeve thanked Pam for handling accounts payable and payroll duties during her absence.
 - Ms. Reeve noted the credit card report enclosed in Council packets.
 - Also noting that April 1, the new 4B and street improvement sales tax went into effect.

- Administration
 - City Administrator John McDonald told Council that the city had received two interested firms regarding the RFQ notice that was recently publicized to assist in general planning services for the Comprehensive Land Use Plan and assist as general planner for other potential city needs. Councilman Dormier was not present during the interview process. Both firms were well qualified; however, Councilman Dormier and Mr. McDonald agreed that the firm of Kimley-Horn would better suit the needs of Ovilla. Staff will begin negotiations in the coming weeks.
 - Town Topics will be going out next week.
 - Staff is finalizing an interlocal agreement with Ellis County for the road repair to Johnson Lane.
 - Staff will begin six-month budget reviews.
 - Ovilla received the certification papers from the Secretary of State on the Economic Development Corporation.
 - The RFQ for interested firms to provide professional architectural services for the design of the Public Works Facility was scheduled for publication.

CONSENT ITEMS:

- Minutes of the Regular Council Meeting on March 24, 2008.
- Minutes of the Special Council Meeting on March 31, 2008.
- Financial Transactions for the month ending March 31, 2008.

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

VOTE: The motion carried unanimously.

INDIVIDUAL CONSIDERATION:

ITEM 1. Discussion/Action – Public Hearing and Consideration of a Site Plan for the Ovilla Medical Clinic at 675 West Main Street.

City Administrator briefed Council that the site plan had been recommended for approval at the April 7 Planning and Zoning meeting following the P&Z public hearing and deliberation. Dr. Trammel proposed the construction of the Ovilla Medical Clinic. Ms. Stephanie Trammel spoke to Council asking for approval of the site plan.

Mayor Turner Opened the Public Hearing at 7:40 P.M.

No comments were made in favor or in opposition of the Medical Clinic.

Mayor Turner Closed the Public Hearing at 7:40 P.M.

Councilman Hall made a motion that Council approve the proposed site plan. Councilman Dormier seconded the motion.

VOTE: The motion carried unanimously.

ITEM 2. Discussion/Action – Consideration of an Ordinance Suspending the Assessment of a Fee Related to the Provision for Services for the Collection of Home Owner Association Dues by the City, Established by Ordinance 07-017.

City Administrator reminded Council that last September, Council adopted Ordinance 07-017 regarding the implementation and specifically the 10% collection of HOA fees. Staff recommended the suspension of these fees for a 90-day period to review the necessary fee charge and general legality of the collection. Councilman Hall stated that because he was treasurer of his association, he excused himself from voting. Councilman Dormier moved that Council approve this Ordinance. Mayor Pro-tem Crow seconded the motion.

VOTE: The motion carried four to zero.

ABSTAIN: Councilman Hall

ITEM 3. Discussion/Action – Consideration of a Resolution Executing a One-Year Extension of the Depository contract Between the City of Ovilla and Prosperity Bank.

Council selected Prosperity Bank as the City's official bank depository in 2005 for an initial three-year term that allows two one-year extensions. Staff is pleased with the service received from Prosperity Bank and recommends Council approve a one-year extension. The contract expires May 31, 2008. Councilman Hall commented that with this contract the City also had the option to invest their money in TexStar and Texpool, which earned a higher percentage rate.

Councilman Hall made the motion that Council approve this Resolution Authorizing a One-Year Extension of the Depository Services Contract with Prosperity Bank. Councilman Stevenson seconded the motion.

VOTE: The motion carried unanimously.

ITEM 4. Discussion/Action – Consideration of an Interlocal Cooperation Contract for the Lease of Voting Machines Between Ellis County, Texas and the City of Ovilla.

The Texas Election Code requires each entity (of Ovilla's population) have at least one accessible voting machine for elections. Ellis County leases their Automark(s) to neighboring entities for \$327.17. Ovilla seeks the approval of Council to lease the Automark for the election, along with Midlothian ISD, splitting the cost for the use of the machine.

Councilman Elkins made a motion that Council Authorize the City Administrator to Enter into an Agreement with Ellis County for the Lease of an Accessible Voting Machine. Councilman Stevenson seconded the motion.

VOTE: The motion carried unanimously.

CITY COUNCIL COMMENTS AND ANNOUNCEMENTS:

Councilman Stevenson commented that his absence due to illness from the March 24 Council meeting was his first missed meeting in 10 years.

Councilman Dormier commented that he attended a Loop 9 Stake Holders meeting.

Mayor Turner gave a reminder of the National Day of Prayer, Thursday, May 1 at 9:15 A.M. at Heritage Park.

April 26 is Ovilla’s Annual Clean-Up Day.

EXECUTIVE SESSION

Mayor Turner announced that the City Council would immediately move into Executive Session at 8:01 P.M. to consider the following:

- 1. Consider the appointment, employment, evaluation, reassignment, or duties of the City Administrator (Section 551.074 Personnel Matters).

The City Council reconvened into Regular Session at 9:06 PM

- 2. Record of Action Taken as a Result of the Executive Session:
 - No Action was taken.

ADJOURNMENT:

Mayor Pro-tem Crow made a motion that Council adjourn the Regular Council Meeting of April 14, 2008. Councilman Stevenson seconded the motion.

VOTE: The motion carried unanimously.

ATTEST:

William A. “Bill” Turner
MAYOR

Pamela Higgins
CITY SECRETARY