

CITY OF OVILLA MINUTES
Thursday, 22 May 2008
Special City Council Meeting

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

William A. "Bill" Turner	Mayor
Morgan Crow	Mayor Pro-tem
Floyd Elkins	Council Member
Richard Dormier	Council Member
Ralph Hall	Council Member

Absent: Larry Stevenson Council Member

The Invocation was given by Mayor Pro-Tem Crow.
The Pledge of Allegiance was led by Council Member Elkins.

Mayor Turner explained that the consent items would need to be addressed first with the departing Council Members. Following the consent items, the Council would continue with the regular order of the agenda.

CONSENT ITEMS:

- Minutes of the Regular Council Meeting held on April 28, 2008.
- Financial Transactions for the month ending April 2008.

Mayor Pro-Tem Crow made a motion to approve all consent items as presented. Council Member Elkins seconded the motion.

VOTE: The motion carried unanimously.

Mayor Turner announced that he was grateful to have worked with the three departing Council Members and looked forward to working with the new Council Members.

COMMENTS, PRESENTATION, REPORTS AND APPOINTMENTS:

Presiding Judge Scott E. Kurth administered the oaths and statements of elected officers for the three new Council Members:

- Place Three Bill Vansyckle
- Place One Tom Leverentz
- Place Five James Wade

Departing Council Members offered their congratulations and best wishes to the new Council Members. In addition, departing Council Members commented on the many successes of Ovilla during their tenure on the Council and being honored to have held the position of Council Member. The three new members gave their appreciation to all citizens, family and the outgoing Council Members for their time, efforts and knowledge of Ovilla.

The three new Council Members took their respective seats on the Council.

CITIZENS COMMENTS:

- JoAnn Graham offered an update regarding the Ovilla Business Association.
- Ms. Norma Epstein spoke regarding her concern with the Interlocal Agreement between Ellis County and the City of Ovilla for Johnson Lane / Duncanville Road rehabilitation.

ELECT A MAYOR PRO-TEM:

Council Member Leverentz nominated Council Member Hall to be Mayor Pro-Tem. Council Member Vansyckle seconded the motion.

VOTE: The motion carried unanimously.

DEPARTMENTAL REPORTS:

- Police Department Chief Moon
 - Monthly report was present and he was available for questions or comments. Sergeant Devlin received his Master Peace Officer Certification. A Car Club staged a benefit car show that earned monies for the Police & Fire Departments. Council and citizens acknowledged a car club member at the meeting giving applause for the efforts in helping Ovilla's public safety departments.
- Fire Department Chief Pickard
 - Monthly report was present and he was available for questions or comments. Chief Pickard stated he had made every Council meeting since the inception of Ovilla City Hall, including that his father was the first Mayor. Ovilla Fire Department is one of few municipalities holding an Advanced Life Support First Responder Certificate. Fire Department is working with Midlothian for a second radio channel.
- Public Works Jason Robinson
 - Monthly report was present and he was available for questions or comments. Mr. Robinson updated Council on the status of the Cockrell Hill Road Project. Mr. Robinson and Council discussed the right-of-ways and easements on Duncanville Road / Johnson Lane.
- Finance Miykael Reeve
 - Monthly report was present and she was available for questions or comments. Ms. Reeve discussed the budget workshop calendar for FY2009. Court report was present for review. New court software had been implemented and running. A health insurance company for employee benefits would be under research and study for the next fiscal year.
- Administration Mayor Turner
 - Mayor mentioned the mandated classes offered from the Secretary of State's office for the new members to address as soon as possible.

INDIVIDUAL CONSIDERATION:

ITEM 1. Discussion / Action – Consideration of a Resolution Authorizing Continued Participation with the Steering Committee of Cities Serviced by Oncor.

Mayor read the background information regarding the terms of the settlement agreement and rate case. The resolution authorized the payment of 10 cents per capita to the Steering Committee.

Council Member Vansyckle made a motion that Council approve the Resolution for continued participation with the Steering Committee of Cities served by Oncor. Mayor Pro-Tem Hall seconded the motion.

This Resolution required a Record Vote:

5 Ayes 0 Nays

VOTE: The motion carried unanimously.

ITEM 2. Discussion / Action – Consideration of a Resolution to Amend Authorized Representatives with TexPool and Name the Authorized Representative to be the Primary Contact.

With the resignation of the City Administrator, it was necessary to amend the authorized representatives to TexPool. John McDonald was listed as the primary representative and Miykael Reeve was a secondary. Miykael Reeve and Mayor Pro-Tem Hall both have completed the required Public Funds Investment Act training, mandated every two years. Mayor Pro-Tem Hall explained that TexPool and TexStar are investment pools for cities, counties, schools, and colleges.

Council Member Leverentz made a motion that the Council approve this Resolution amending the authorized representatives to be: Miykael Reeve as the primary representative and Ralph Hall as the secondary representative to TexPool, and to remove John McDonald. Council Member Dormier seconded the motion.

VOTE: The motion carried unanimously.

ITEM 3. Discussion / Action – Consideration of a Resolution to Amend Authorized Representatives with TexStar and Name the Authorized Representative to be the primary Contact.

With the resignation of the City Administrator, it was necessary to amend the authorized representatives to TexStar. John McDonald was listed as the primary representative.

Council Member Wade made a motion that the Council approve this Resolution amending the authorized representatives to be: Miykael Reeve as the primary representative and Ralph Hall as the secondary representative to TexStar, and to remove John McDonald. Council Member Vansyckle seconded the motion.

VOTE: The motion carried unanimously.

ITEM 4. Discussion / Action – Consider appointment of Director to the Economic Development Corporation.

A vacancy was created with the resignation of Floyd Elkins.

Council Member Leverentz made a motion that Council appoint Council Member Vansyckle to the Economic Development Board. Council Member Wade seconded the motion.

VOTE: The motion carried unanimously.

ITEM 5. Discussion / Action – Consideration of a Resolution Adopting a Policy and Procedure relating to City Publications.

Mayor Turner stated that in compliance with the Texas Election Code and the Texas Ethics Commission it is necessary to ensure that written publications paid for by the City regarding elections do not violate any law or statute. Unfortunately, the Mayor, the prior Council and the City Administrator had taken criticism over the recent Town Topics City Newsletter, specifically the Mayor's article. Mayor Turner stated that he personally took full responsibility for the article that was printed with a single caveat. Mayor Turner directly instructed City Administrator John McDonald to have the newsletter reviewed by the City's attorney for any changes or corrections prior to print and publication, however Mr. McDonald failed to send the publication to the city attorney before sending it to the printer. Mr. McDonald was responsible for the writing and handling of the newsletter. Mayor Turner personally apologized for the error in judgment. Mayor Turner stated he would never intentionally put the City of Ovilla, elected officials or staff in harms way and rest assured that this would never happen again. Having made those statements, the Mayor read aloud the resolution.

Council Member Vansyckle made a motion that Council approve the Resolution adopting a policy and procedure to ensure that no political advertising occurs in the City of Ovilla's written publications. Mayor Pro-Tem Hall seconded the motion.

VOTE: The motion carried unanimously.

CITY COUNCIL COMMENTS AND ANNOUNCEMENTS:

Council Member Wade remarked about the temporary financial savings of the City without a City Administrator.

Council Member Vansyckle thanked the Mayor and staff for their hard work and able managing without a City Administrator.

Council Member Dormier welcomed new members.

Council Member Leverentz thanked all that voted for him and gave assurance that he would be working for the citizens.

Mayor Turner gave a compliment to the past City Administrator for hiring a great staff. Mayor Turner stated that he was relinquishing the duties of Heritage Day and asked Council to contemplate a member from Council as a replacement. In addition, the budget is underway.

EXECUTIVE SESSION

Mayor Turner announced that the City Council would immediately move into Executive Session at 8:15 P.M., to consider the following:

1. Consider the appointment, employment, evaluation, reassignment, or duties of the City Administrator (Section 551.074 Personnel Matters).
2. Receive and consider legal advice regarding an ethics complaint filed regarding April 2008 City Newsletter. (Section 551.071 Consultation with Attorney)
3. Consider the appointment, employment, evaluation, reassignment, or duties of the following: (Section 551.074 Personnel Matters)
 - Court Clerk Position
 - Consider Appointment of Deputy Court Clerk

Mayor and Council reconvened to regular session at 10:52 P.M.

Record of Action Taken as a Result of the Executive Session:

- No action was taken regarding Items 1 or 2 in the Executive Session.

Council Member Leverentz made a motion that Jessica Tilger be appointed to Part-time Court Clerk at \$10.50 hourly. Council Member Vansyckle seconded the motion.

VOTE: The motion carried unanimously.

ADJOURN:

Mayor Pro-Tem Hall made a motion that Council adjourn the Special Council Meeting of May 22, 2008. Council Member Dormier seconded the motion.

VOTE: The motion carried unanimously.

ATTEST:

William A. "Bill" Turner, MAYOR

Pamela Higgins, CITY SECRETARY