

CITY OF OVILLA MINUTES
Monday, 24 March 2008
Regular City Council Meeting

A regular meeting of the Ovilla City Council was called to order at 7:05 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

Noted absent was Councilman Larry Stevenson

The Invocation was given by Mayor Pro-tem Crow.
The Pledge of Allegiance was led by Councilman Hall.

CITIZENS COMMENTS:

- Mr. G.T. Mulholland spoke regarding "Various Concerns" that included free press, the water project and road issues.

DEPARTMENTAL REPORTS: None

CONSENT ITEMS:

- Minutes of the Regular Council Meeting held on March 10, 2008.

Councilman Hall advised that the last sentence under Item 4 required a correction and should be made with the following statement: *Councilman Hall advised that Staff prepare a RFQ (Request for Qualifications) and formally proceed through the selection process as identified in Chapter §2254.04 of the Texas Government Code prior to contracting with Mr. Monsanto.*

Mayor Pro-tem Crow made a motion to approve minutes of the Regular Council Meeting held on March 10, 2008 as presented with the amendment. Councilman Hall seconded the motion.

VOTE: The motion carried unanimously.

INDIVIDUAL CONSIDERATION:

ITEM 1. Discussion/Action – Public Hearing and Consideration of an Ordinance Amending Ordinance 07-003, the Comprehensive Zoning Ordinance, Amending Regulations Relating to the Powers and Authority of the Zoning Board of Adjustment.

The City Administrator briefed the Council that a public hearing was held by the Planning and Zoning Commission regarding each section for amendment. The Planning and Zoning Commission recommended approval. These changes were necessary to bring Ovilla in alignment with the Local Government Code, to cleanup repetitive language and revise formatting. Section 43 would better clarify the establishment and terms for the members of the Board of Adjustment. Additionally, the table that addresses special sections was revised to include requirements that would affect masonry and fence height. Section 39, related to non-conforming use, was better defined and a sub-section referencing the Abandonment of Nonconforming uses was added for a pro-active stance.

The Mayor opened the Public Hearing at 7:15p.

No one spoke at the hearing

The Mayor closed the Public Hearing at 7:16p.

Councilman Hall made a motion that Council approve this Ordinance amending sections of the Comprehensive Zoning Ordinance as Recommended by Staff. Mayor Pro-tem Crow seconded the motion.

VOTE: The motion carried unanimously.

ITEM 2. Discussion/Action – Consideration of a Resolution Calling for the Appointment of an Election Judge, Alternate Election Judge, Presiding Early Voting Ballot Board, Early Voting Election Clerk and Setting the Method for Tallying Ballots, for the May 10, 2008 General Election.

The City Administrator told Council that once again Mr. Charlie Morton had agreed to serve as Ovilla's Election Judge and his wife Helen had agreed to serve as the Alternate Election Judge. Together they will serve respectively as the Early Voting Ballot Board. The City Secretary will serve as Early Voting Clerk and Ovilla will use the hand count ballot in accordance with the Texas Election Code.

Early voting days are April 28, 2008 through May 06, 2008 during normal office hours. Additional early voting will be on April 29, 2008 and May 06, 2008 from 7:00 A.M. – 7:00 P.M.

Councilman Elkins made a motion that Council approve the Resolution as presented. Councilman Dormier seconded the motion.

VOTE: The motion carried unanimously.

The Mayor asked the City Administrator to read aloud the heading of the Resolution.

ITEM 3. Discussion/Action – Consider an Amendment to the FY2008 Fire Safety and Emergency Medical Service Fund Budget.

City Administrator briefed Council that listed in the City's budget, the Ellis County Emergency Services District agreed to pay the city \$40,000 for the provision of services to their district by the Ovilla Fire Department. Chief Pickard stated that he spoke with ESD Board members regarding the outdated computer equipment in the Fire Department. The ESD approved an increase of their funding to the Ovilla Fire Department in the amount of \$10,534, for the purchase of new computer workstations, software licenses and a server.

Mayor Pro-tem Crow made a motion that Council approve the recommended budget amendment to the Fire Safety and Emergency Services Fund. Councilman Dormier seconded the motion.

VOTE: The motion carried unanimously.

ITEM 4. Discussion/Action – Consider Approval to File an Application for Assistance to a Firefighters Grant from the Federal Emergency Management Agency.

The City Administrator briefed Council that within the Fire Safety and Emergency Services Fund, Council approved to set aside \$6000 of matching funds for grants. Chief Pickard stated that he was in the process of preparing a grant application (not to exceed \$120,000) and was seeking Council's authorization to file. This grant would be for various training materials to include a laptop, a LCD projector and smart boards. Other items listed in the grant would be fitness equipment, three Pulse CO-Oximetry detectors and SCBA (Self Contained Breathing Apparatus) upgrades. The submittal deadline is April 4, 2008.

Councilman Elkins made a motion that Council authorize Chief Pickard to apply under the assistance to a firefighters grant for an award not to exceed \$120,000. Mayor Pro-Tem Crow seconded the motion.

VOTE: The motion carried unanimously.

ITEM 5. Discussion/Action – Consider Approval of the Purchase of a Lawnmower for the Public Works Department.

City Administrator advised Council that in accordance with Chapter 252 of the TX Local Government Code, Staff prepared specifications, made newspaper notifications and received three sealed bids. Having reviewed all bids the Public Works Director Jason Robinson prepared a memorandum to Council recommending the purchase of two trucks for \$34,134 from Caldwell Country Chevrolet in Caldwell, TX. The two new 2008 pickup trucks will replace two 1998 Chevrolet trucks as approved in the FY2008 budget.

Councilman Hall complimented Staff on an excellent job in following state purchasing guidelines. Councilman Hall made a motion that the Council approve the purchase of the recommended trucks for an amount not to exceed \$34,134. Mayor Pro-tem Crow seconded the motion.

VOTE: The motion carried unanimously.

CITY COUNCIL COMMENTS AND ANNOUNCEMENTS:

Councilman Dormier commented that he met with Chief Pickard and Tom Manning and reviewed the plans for the new Fire Annex. It appeared that the Chief and Mr. Manning have worked hard and the plans look good.

Mayor Turner spoke on a few issues:

1. Mayor reminded everyone that Election day for the Ellis County Sheriff run-off would be April 8 at Longbranch Church.
2. Meals on Wheels was an experience well worth the effort.
3. Ovilla Clean-up Day is April 26, 2008 from 8:00 A.M.-12 Noon.
4. National Day of Prayer is May 1 at Heritage Park.

EXECUTIVE SESSION:

The City Council began its Executive Session at 7:45p.

The subject matter discussed:

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 8:05p.

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

1. Resignation of the City Administrator

The Mayor read aloud the resignation letter of John McDonald, his last day being April 25, 2008. Mr. McDonald told Council he had accepted a position with the City of Dickinson. The Mayor and Council Members expressed deep appreciation for all Mr. McDonald had done for Ovilla and that he would be greatly missed.

Mayor Pro-tem Crow made a motion that Council accept the resignation of Mr. McDonald. Councilman Elkins seconded the motion.

VOTE: The motion carried unanimously.

ADJOURNMENT:

Councilman Elkins made a motion that Council adjourn the regular meeting of March 24, 2008. Councilman Dormier seconded the motion.

VOTE: The motion carried unanimously.

ATTEST:

William A. "Bill" Turner
MAYOR

Pamela Higgins
CITY SECRETARY