

**CITY OF OVILLA MINUTES**  
***Monday, 14 July 2008***  
***Regular City Council Meeting***

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A Regular Council Meeting of the Ovilla City Council was called to order by Mayor Turner at 7:15 P.M. with the following City Council Members present:

William A. "Bill" Turner	Mayor
Ralph Hall	Mayor Pro-tem
Tom Leverentz	Council Member, Place 1
Richard Dormier	Council Member, Place 2
Bill Vansyckle	Council Member, Place 3
Absent: James Wade	Council Member, Place 5

The Invocation was given by Council Member Dormier.  
The Pledge of Allegiance was led by Council Member Leverentz.

Mayor Turner announced the pre-council meeting regarding health insurance providers prior to the Council meeting.

**COMMENTS, PRESENTATION, REPORTS AND APPOINTMENTS:**

- Mr. G.T. Mulholland spoke about false testimony.
- Ms Norma Epstein recommended that Council move the location of the podium.
- Mr. Phil Lynch told Council that nine positions were open/vacant for the Ellis County Appraisal Review Board and that notices were being mailed for nominations.

**DEPARTMENTAL REPORTS:**

- Police Department
  - Police Chief Mike Moon was present for comments regarding the monthly police report. Chief Moon explained the operation of the less-lethal shotgun.
  - Council Member Leverentz commented about the impressive article in the *Red Oak Now* monthly publication featuring Lt. Mollie Dox.
- Fire Department
  - Chief Pickard spoke to Council that he would confirm if the County Commissioners Court had placed a burn ban in effect.
  - Construction of the new annex was underway.
- Public Works Department
  - Public Works Director Jason Robinson was attending class in Waco and not present for explanation or presentation of his reports.
  - Mayor Turner announced the Johnson Lane tree/brush cleanup and the preparation of the upcoming reconstruction, noting Mike Dooly and Marc Haase

- were handling the workload in Jason's absence and both were great assets to the Public Works Department.
- Jason would address the 2007 Water Report in a Public Hearing at the next meeting.
- Finance Department
  - City Accountant, Miykael Reeve announced that the city's bond rating was upgraded from BBB+ to A. Ovilla could be offered better interest rates for future/potential bonds. Ovilla currently has a 93-day operating reserve.
  - Ms. Tilger, new Court Clerk is doing well and is scheduled for continued *Incode* software training July 24-25 in Houston, TX.

**CONSENT ITEMS:**

- Minutes of the Regular Meeting of 23 June 2008.
- Financial Transactions for the month of June 2008.

Mayor Pro-Tem Hall made a motion that Council approve the consent items as presented. Council Member Vansyckle seconded the motion.

**VOTE: The motion carried unanimously.**

**INDIVIDUAL CONSIDERATION:**

**ITEM 1. Discussion/Action** – Consider the selection of a health benefit insurance provider for Ovilla employees during FY2009.

Ovilla City Accountant, Miykael Reeve explained to Council that the GHORO Interlocal Agreement with Glenn Heights and Red Oak to provide health insurance benefits for all employees abolished effective FY2009. Hayden Financial Partners managed a competitive bid process for Ovilla and submitted four proposals from various health providers for consideration. Mr. Gary Hayden was present to answer questions and explained to Council that the negotiating power drops when there are minimal employees on an insurance plan.

Mayor Pro-Tem Hall made a motion that Council select the Aetna \$500 (80/20) Plan with HMO and PPO options. Council Member Vansyckle seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 2. Discussion/Action** – Consideration of approval and acceptance of a contract agreement with Kimley-Horn and Associates, Inc. for professional planning services, including consultant services to update Ovilla's Comprehensive Land Use Plan.

Staff advertised for consultants in Feb/March 2008 and selected Kimley-Horn & Associates, Inc. as the preferred provider. With the absence of a City Administrator, Council Member Dormier took an active participation in this project to complete the proposal process and contract agreement. The fees totaling \$17,700 were a budgeted item. Ms. Chantel Kirkland the assigned representative with Kimley-Horn was present and gave Council a brief presentation of the purposed plan of the consultant service.

Council Member Leverentz made a motion that Council approve and accept the contract agreement for professional planning services provided by Kimley-Horn & Associates, Inc. Council Member Dormier seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 3. Discussion –** Review and discuss a RFP (Request for Proposals) regarding a new *Solid Waste Collection and Disposal Recyclable Materials Collections and Processing* service for the City of Ovilla.

City Accountant, Miykael gave brief remarks and overview of the RFP, noting the changes of the document at Council's direction. Council continued discussion noting the importance of recycling and that all other issues had been addressed. This was a discussion item only.

**ITEM 4. Discussion/Action –** Consideration of renewals and/or appointments to the Planning and Zoning Commission.

The terms of three members from the Planning and Zoning Commission expired in June 2008. The three are Jeff Lincks, Loyce Milam and Michael Yordy. All three members voiced their desires for reappointment.

Council Member Dormier made a motion that Council approve the reappointments of Jeff Lincks, Loyce Milam and Michael Yordy to the Planning and Zoning Commission for new terms to expire in June 2010. Council Member Vansyckle seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 5. Discussion/Action –** Consideration of renewals and/or appointments to the Board of Adjustment.

The terms of three members from the Board of Adjustment expired in June 2008. The three are Stephanie Albright - Board Member, Barbara Betik-Alternate Board Member, and Julia Cearley-Board Member. All three members voiced their desires for reappointment.

Council Member Dormier made a motion that Council approve the reappointments of Stephanie Albright and Julia Cearley as Board Members, and Barbara Betik as an Alternate Board Member to the Board of Adjustment for new terms to expire in June 2010. Council Member Leverentz seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 6. Discussion/Action –** Consider approval of a resolution of the City of Ovilla suspending the August 8, 2008, effective date of ONCOR Electric Delivery Company requested rate change to permit the city time to study the request and to establish reasonable rates.

Council Member Leverentz excluded himself from this agenda item as his employment company operates contractually with ONCOR.

ONCOR wants to raise rates by \$275 million annually, which would raise the average residential customers by approximately \$60 per year. The suspension would give cities time to evaluate the filing and develop strategy while the city retains its original jurisdiction.

Council Member Vansyckle made a motion that Council approve a resolution suspending the August 8, 2008 effective date of ONCOR Electric Delivery Company requested rate change to permit the City time to study the request and to establish reasonable rates. Council Member Dormier seconded the motion.

Council Member Leverentz abstained.

**VOTE: The motion carried a vote of four in favor of the resolution.**

### **City Council Announcements**

Council Member Vansyckle stated that attendance and participation was low during the recent Ovilla Business Days, probably due to the heat. There has been consideration to postpone OBD until cooler weather.

Mayor Turner and Mayor Pro-Tem Hall offered their appreciation for the teamwork between Council and staff while working without a City Administrator. Mayor Turner reminded everyone that Heritage Day was upcoming in September and Council Member Wade would be overseeing the parade.

### **EXECUTIVE SESSION**

#### ***The City Council adjourned into Executive Session at 8:40 P.M. to consider the following:***

1. Consider the appointment, employment, evaluation, reassignment, or duties of the following: (Section 551.074 Personnel Matters)
  - City Administrator
    - a. Consider Action as a Result of Discussion.
2. Receive and consider legal advice and settlement offer regarding *City of Ovilla v. Triumph Development*. (Section 551.071 Consultation with Attorney)
  - a. Consider Action as a Result of Discussion.

#### ***The City Council reconvened into Open Session at 9:45 P.M.***

1. No action or decisions were taken under Item 1.
2. Mayor Pro-Tem Hall made a motion to authorize the Ovilla City Attorney to proceed with the appeal process regarding the *City of Ovilla v. Triumph Development*. Council Member Dormier seconded the motion.

**VOTE: The motion carried unanimously.**

### **ADJOURNMENT:**

Mayor Pro-Tem Hall made a motion to adjourn the meeting of July 14, 2008. Council Member Vansyckle seconded the motion.

**VOTE: The motion carried unanimously.**

ATTEST:

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William A. "Bill" Turner, MAYOR

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Pamela Higgins, CITY SECRETARY

William A. "Bill" Turner, Mayor  
Tom Leverentz, Place One  
Richard Dormier, Place Two

Ralph Hall, Mayor Pro-Tem  
Bill Vansyckle, Place Three  
James Wade, Place Five