

**CITY OF OVILLA MINUTES**  
**Monday, 23 June 2008**  
**Regular City Council Meeting**

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A Regular meeting of the Ovilla City Council was called to order by Mayor Turner at 7:00 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
James Wade	Council Member, Place 5

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

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

- Mr. G.T. Mulholland spoke in appreciation of new Council Members and the Legal Defense Ordinance.
- Ms Norma Epstein introduced Mr. John Wycoff, on the Board of Directors for the Gingerbread House. Mr. Wycoff gave a brief overview and mission regarding the operations and investigations for child abuse victims offered through the Gingerbread House. Chief Moon reiterated the process, offered his appreciation, and desired continued financial support to the Gingerbread House, budgeted annually.

**DEPARTMENTAL REPORTS:**

- Administration
  - Mayor Turner read Ovilla's population estimate report from NCTCOG.

**CONSENT ITEMS:**

- Minutes of the Special Council Meeting held on 03 June 2008.
- Minutes of the Regular Council Meeting held on 09 June 2008

Council Member Vansyckle made a motion that Council approve the consent items as presented including the one-sentence structure revision made by staff on page 3. Mayor Pro-Tem Hall seconded the motion.

**VOTE: The motion carried unanimously.**

**INDIVIDUAL CONSIDERATION:**

**ITEM 1. Discussion / Action** – Consider approval of the chart of accounts for the Economic Development Board.

Mayor Pro-Tem Hall made a motion to pull/table this item from the agenda. It was an administrative/book-keeping function and not necessary for consideration. Staff made an error in making this a presentation. Council Member Vansyckle seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 2. Discussion / Action** – Consideration of Fiscal Years 2008 and 2009 Budgets for the Ovilla 4B Economic Development Corporation (EDC).

Ovilla Financial Accountant, Miykael Reeve explained that the draft budgets were based on expected sales tax and expected expenditures and that it could be amended at anytime. The \$18,000 expectation was a conservative draft. The draft budgets are required for completion of the application for the IRS exemption. Council Member Vansyckle announced that at the last EDC meeting, Mikel Davis was voted as President of the EDC and Norma Epstein was voted as Vice-president.

Council Member Leverentz made a motion that the Council approve budgets for the Fiscal Year 2007-2008 and Fiscal Year 2008-2009 for the Ovilla 4B Economic Development Corporation. Council Member Dormier seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 3. Discussion / Action** – Consider the appointment, employment, evaluation, reassignment, or duties of the following: Court Clerk / Administrative Clerk and Deputy Court Clerk.

Mayor Turner read the staff preparation. Mayor Pro-Tem Hall complimented staff's work on the presentation outlining the need to combine two separate positions and create one full-time position.

Mayor Pro-Tem Hall made a motion that Council approve the combination of two part-time positions of court clerk and administrative clerk to one full-time position of Court/Administrative Clerk, managing the duties of both part-time positions. Council Member Vansyckle seconded the motion... Council Member Wade interrupted for some clarification of the benefits and duties for this position. Chief Moon addressed Council and expressed how valuable Ms Tilger (Court Clerk) had proved to be and that she conducted herself very professionally.

Mayor Pro-Tem Hall reiterated the motion that Council approve the combination of two part-time positions of court clerk and administrative clerk to one full-time position of Court/Administrative Clerk, managing the duties of both part-time positions. Council Member Vansyckle seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 4. Discussion / Action** – Consider approval of an ordinance providing for a legal defense of certain actions against officers, employees, and volunteers of the City, defining terms; imposing conditions, providing a cumulative clause; providing for a severability clause; and providing an effective date.

This ordinance establishes a policy for the defense of future claims filed against City officials. City Attorney, Debra Drayovitch was present for discussion with Council, explaining that this ordinance was comprehensive in nature; does not provide a blanket indemnification; it has certain limitations- such as it does not provide an indemnification for criminal charges. At the inquiry of Council Member Dormier, a few sections of the ordinance added the wording of "city

secretary” as an additional contact. The word “volunteer” in the ordinance was discussed as to who would be covered since it carried a broad interpretation. “Volunteer” would be covered under a city sponsored event or function.

Ms Drayovitch clarified to Council Member Vansyckle that the legal defense ordinance approved at the June 09, 2008 Council meeting was for ratifying and continuing existing City policy for claims *previously* filed against City Officials.

Council Member Vansyckle made a motion that the Council adopt and approve this ordinance providing for a legal defense of certain actions against officers, employees, and volunteers of the city, defining terms, imposing conditions; providing a cumulative clause with the added wording of “city secretary” as discussed. Council Member Leverentz seconded the motion.

**VOTE: The motion carried unanimously.**

## **CITY COUNCIL COMMENTS AND ANNOUNCEMENTS:**

Mayor Pro-Tem Hall stated that Jason Robinson, Public Works Director and his working crew recently put many hours of work to come to a temporary solution to correct Ovilla’s water line distribution problem with Dallas Water Utilities. Mayor Pro-Tem Hall commended Jason and his crew for a good job.

Council Member Vansyckle reminded everyone that the Ovilla Trade Days were upcoming this Saturday. Council Member Vansyckle agreed with Mayor Pro-Tem Hall’s commendation to Jason and his crew.

Jason Robinson gave an overview of the water situation and Ovilla’s efforts to come to a permanent solution. Jason commended his Water Supervisor Mark Haase for his professionalism, knowledge and connections with Cedar Hill, which enabled Ovilla to obtain DWU water from them temporarily.

Council Member Dormier praised the ability, value, and wisdom to have back-up and good relations with neighboring cities, stating that one day they may need our help. Additionally, Council Member Dormier stated that he had reviewed the main street sanitary sewer line plans and estimated the cost to be in excess of \$100,000.

Council Member Leverentz praised Jason and his crew for their hard work and stated his appreciation for the excellent communication between Council, Mayor Pro-tem, staff and the community during the water issue problem.

Mayor Turner complimented everyone for working together during the water issue problem. He gave a reminder for the upcoming Ovilla Trade Days. Chief Moon advised an officer would be on stand-by during Ovilla Trade Days.

Mayor Turner stated the City Administrator search was still underway. Council discussed their schedules and availability for possible special meetings to finalize the search and begin interviewing. Mayor discussed Heritage Day.

Fire Chief Donnie Pickard spoke about the July 4 activities, concern of fires and the dry weather. Chief Moon reminded all present that it was illegal to ignite fire works in the city limits.

***Mayor Turner announced the adjournment into the Executive Session at 8:05 P.M. to consider the following:***

1. Receive and consider legal advice regarding complaints filed with the Ethics Commission. (Section 551.071, Texas Government Code, Consultation with Attorney regarding litigation, settlement offers, and/pr matter in which the duty of the attorney to the City under the Texas Disciplinary Rules of Professional Conduct clearly conflicts with Chapter 551)
  - (a) Consider Action as a Result of Discussion

2. Receive and consider legal advice regarding the Open Meeting Act. (Section 551.71, Texas Government Code, Consultation with Attorney)
  - (a) Consider Action as a Result of Discussion

***The City Council reconvened into Regular Session at 8:50 P.M.***

Mayor Turner announced that no decisions were made and no action was taken in the Executive Session.

Council Member Vansyckle stated that he and Council Member Leverentz had attended an informative training class for newly elected officials hosted by North Central Texas Council of Governments. Mr. Taylor, a senior partner in the City's law firm was a guest speaker.

**ADJOURN:**

Council Member Wade made a motion that Council adjourn the regular meeting of June 23, 2008. Mayor Pro-Tem Hall 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