

CITY OF OVILLA MINUTES
Monday, 08 September 2008
Regular City Council Meeting

A Regular Council Meeting of the Ovilla City Council was called to order by Mayor Turner at 7:04 P.M. with the following City Council Members present:

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| 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 Former Mayor Charles Morton.
The Pledge of Allegiance was led by Council Member Leverentz.

COMMENTS, PRESENTATIONS, REPORTS AND APPOINTMENTS:

- Mayor read aloud a Proclamation for Constitution Week.

- Ms. Jessica Fiorillo and her daughter, Olivia Fiorillo voiced their support of recycling in Ovilla. Young, Olivia told Council and all present that she supported recycling to keep a "pretty planet and if we don't have a pretty planet, we will not survive."
- Ms Joann Graham spoke in support of recycling, the online survey and mentioned state and federal grant information, urging Council to research the options.
- Lois Whisman spoke in opposition of additional and/or raised fees for recycling.
- Mr. Morgan Crow spoke of his concern of costly sewer rates and costly recycling fees even though he did support the recycling program.
- Mr. Charles Morton made comment about the sad passing Mr. George Mulholland. In addition, Mr. Morton voiced his concern of the recycling cost impact on senior citizens.

DEPARTMENTAL REPORTS:

- Police Department
 - Police Chief Mike Moon was present for comments regarding the monthly police report. Chief Moon briefed everyone regarding the upcoming Ovilla Night Out, scheduled for October 7. Additionally, Chief announced the selection of Ovilla's Sergeant Jim Devlin as Tactical Commander for the SRRG-SWAT Team. Council Member Leverentz confirmed with Chief Moon that this new program was federally funded.

- Fire Department
 - Fire Chief Pickard was present for comments regarding the monthly fire report. Council Member Leverentz asked with a confirmation from Chief Pickard that he assisted Mesquite Fire Department with the Hurricane Gustav evacuees.

- Public Works
 - Public Works Director Jason Robinson gave updates on various issues:
 1. Current and future road projects with Ellis County.

2. Anderson Paving was contacted regarding their responsibilities to Lariat Trail repairs, per the maintenance agreement.
 3. The third-quarter TTHM sample test results were well below the maximum level.
 4. A new maintenance worker was recently hired to fill the vacancy.
- Finance Department
 - Miykael Reeve, City Accountant briefed Council regarding the recent change and acceptance of Blue Cross/Blue Shield instead of Aetna for city employee health insurance benefits. Ms Reeve reported on Municipal Court activity.
 - Administration
 - City Administrator, Randy Whiteman discussed the on-line recycling survey with Council and mentioned the city hall roof repair was complete.

CONSENT ITEMS:

- Minutes of the Budget Workshop Meetings held on:
 - 16 July 2008
 - 30 July 2008
 - 04 August 2008
 - 18 August 2008
- Minutes of the Regular Council Meeting held on 25 August 2008.
- Minutes of the Special Council Meeting held on 27 August 2008.
- Financial Transactions for the month of August 2008.

Council Member Leverentz 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 – Public *Hearing* and Presentation on the Proposed Fiscal Year 2009 Budget.

City Accountant, Miykael Reeve gave a presentation of the proposed FY2009 Budget.

Mayor Turner opened the Public Hearing at 8:10 PM.

1. Mr. Morgan Crow voiced his concerns regarding the rates for water/sewer and garbage and asked for Council's review.
2. Ms JoAnn Graham told Council that Ms. Reeve gave a very informative and easily understood presentation.
3. Mr. Charles Morton voiced questions about the Trinity River Authority and when might the city enlarge the line. Public Works Director Jason Robinson responded that Ovilla must upgrade the pumps first.

Mayor Turner closed the Public Hearing at 8:15 PM.

Council Member Leverentz commented that many good, positive factors were coming from the new budget, not limited to but including major road improvements and a CTY Notification System. Mayor Pro-Tem Hall agreed and reiterated that Council and staff had spent a significant amount of time working on the budget.

ITEM 2. Discussion – Public Hearing and Presentation on the Proposed Fiscal Year 2009 Tax Rate.

City Administrator, Mr. Whiteman explained that there would be no increase in the tax rate. It would remain the same as the previous year at 66.7997. Mayor Pro-Tem Hall also noted that the rate was derived by:

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|----------------------------------|---|
| M & O (Maintenance & Operations) | 48.0153 cents per \$100 valuation and: |
| Debt Service | <u>18.7844</u> cents per \$100 valuation. |
| Totaling | 66.7997 |

Mayor Turner opened the Public Hearing at 8:19 PM.

There were no comments.

Mayor Turner closed the Public Hearing at 8:19 PM.

ITEM 3. Discussion/Action – Consideration of an Ordinance (ORD. 08-019) Approving Negotiated Resolution Between the ATMOS Cities Steering Committee and ATMOS Energy Corp. Regarding the Company’s Rate Review.

City Administrator stated that Ovilla was a member of the 150-member ATMOS Cities Steering Committee. ATMOS Energy Corporation filed an application to increase natural gas rates resulting in \$33.5 million. The passing of this ordinance would reduce the increase substantially-\$19.8 million. The monthly bill impact for an average residential customer would be \$ 0.81.

Council Member Leverentz made a motion that Council hereby approve and adopt Ordinance 08-019 approving a negotiated resolution between the ATMOS Cities Steering Committee and ATMOS Energy Corporation. Council Member Wade seconded the motion.

VOTE: The motion carried unanimously.

ITEM 4. Discussion/Action – Consideration of an Ordinance (ORD. 08-020) Amending Chapter 3 of the Ovilla Code of Ordinances, Adopting the 2004 Edition of the North Central Texas Council of Governments Public Works Construction Standards, Creating Section 18.

City Administrator Randy Whiteman brief Council about the need to adopt minimum standards and with the suggestion of Council Member Dormier, staff recommends the adoption of the 2004 NCTCOG Public Works Construction Standards.

Council Member Dormier made a motion that Council approve and adopt Ordinance 08-020 amending Chapter 3, Creating Section 18, of the Code of Ordinances Adopting the 2004 Edition of the North Central Texas Council of Governments Public Works Construction Standards as the minimum design standards for Ovilla. Mayor Pro-Tem Hall seconded the motion.

VOTE: The motion carried unanimously.

ITEM 5. Discussion/Action – Consideration and vote for Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election.

City Administrator explained that the trustees served 6-year terms. Places 1-4 are open for renewal or placement.

Council Member Leverentz made a motion that Council choose the listed nominated officials to serve six-year terms for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees:

1. Place 1 E. Henry Garcia
2. Place 2 Makia Epie
3. Place 3 Paul Parker
4. Place 4 Rickey C. Childers

Council Member Dormier seconded the motion.

VOTE: The motion carried unanimously.

ITEM 5. Discussion/Action – Consider and discuss the request for proposals for Solid Waste Collection and Disposal, Recyclable Materials Collection and Processing, Receive Staff Recommendation and Select a Respondent to begin Contract Negotiations.

City Administrator brief Council on the background, initial request for proposals and results of those responding. The proposals were reviewed and scored by a staff committee for a possible total of 200 points. The lowest proposal with the higher score was CWD. Council posed many unanswered questions with CWD and city staff regarding issues such as loose brush, bundle sizes and weight, pickup schedules, the containers, the sizes of the containers, and what would be most efficient use for the elderly. Mayor Pro-Tem Hall commented that staff should have prepared a better cost comparison sheet that included costs from prior years for Council review. Council Members Vansyckle and Dormier volunteered to join the City Administrator for a conference with CWD.

Mayor Pro-Tem Hall made a motion to table this item until the next regularly scheduled meeting. Council Member Dormier seconded the motion.

VOTE: The motion carried unanimously.

City Council Announcements

Council Member Leverentz thanked all citizens for their attendance and that Council was interested and listened to their comments, and especially aware of citizens over 65 regarding the recycling options.

Council Member Vansyckle stated his support of recycling and was grateful for all those participating in the survey. It was a good start for establishing communication with Ovilla citizens.

Mayor Pro-Tem Hall voiced his support of recycling.

Council Member Wade offered his “thank you” to Fire Chief Pickard for Chief’s assistance in unlocking Mr. Wade’s locked vehicle from the outside.

Mayor Turner reminded everyone of Heritage Day, September 27.

Adjournment

Council Member Vansyckle made a motion to adjourn the meeting of September 08, 2008 at 9:25 PM. Council Member Wade seconded the motion.

VOTE: The motion carried unanimously.

ATTEST:

William A. “Bill” Turner, MAYOR

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