

**CITY OF OVILLA MINUTES**  
***Tuesday, 14 October 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 7:00 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

City Administrator, various department-head staff members were also present.

The Invocation was given by Council Member Dormier.

The Pledge of Allegiance was led by Council Member Leverentz.

**COMMENTS, PRESENTATIONS, REPORTS AND APPOINTMENTS:**

1. Mr. Ed Wilson, 201 Oakwood Lane spoke about metal roofs, animal control fees and culverts in the city.
2. Ms Deborah E. Walker, 1908 S. Duncanville Road spoke regarding the Castle Church she and her husband operate.
3. Mr. Ernest Walker, 1908 S. Duncanville Road spoke regarding hate crimes, civil rights and due process.

**DEPARTMENTAL REPORTS:**

- Police Department – September 2008 Activity Report  
Chief Moon spoke about National Night Out and offered appreciation to Council Members Leverentz, Vansyckle and Wade for assisting with door prizes. Additionally, Chief commended the teamwork efforts of all involved in the operation of Heritage Day. Lastly, Chief commended employee Jimmy Bryan for his assistance, knowledge and expertise for his automotive maintenance work on the city's fleet.
- Fire Department – September 2008 Activity Report  
Chief Pickard shared the Texas Commission on Fire Protection inspection report with Council, noting no violations. Chief Pickard reported to Council that he was NIMS compliant. (National Incident Management Systems)
- Public Works Department – September 2008 Activity Reports for Public Works, Animal Control and Code Enforcement  
Public Works Director Jason Robinson advised Council that the road reconstruction to Johnson Lane was complete. City Hall had received some calls concerning loose gravel. PWD Robinson said he would look into that, but it would take time for the gravel to pack down and smooth out.

PWD Robinson had recently received a letter from Commissioner Mayfield (Dallas County) regarding possible negotiations with Mr. Kennedy (Ellis County) for the reconstruction of the next section for resurfacing of Cockrell Hill Road.

Robinson stated he had begun working on the Storm Water Management Program required by TCEQ and that it required an extreme amount of time.

- Finance Department – September 2008 Finance and Court Reports  
Finance Accountant Ms Reeve advised Council she was preparing for the annual audit. Ms Reeve responded to Council Member Wade's inquiry assuring him that all city investments were safe and fully insured.
- Administration -  
City Administrator, Randy Whiteman voiced his appreciation of all department heads working well together and that he looked forward to new procedures and developments for FY2009. CA Whiteman advised Council that the Municipal Court was receiving updated training for Ms Foresman.

#### **CONSENT ITEMS:**

- Minutes of the Joint Council Meeting held on 15 September 2008.
- Minutes of the Regular Council Meeting held on 22 September 2008.
- Financial Transactions for the month ending September 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 Alternate Dates for Council Meetings during Holidays for FY2009. (November 24, 2008, December 22, 2008, May 25, 2008)

City Administrator suggested the scheduling of one Council meeting in November and December due to holidays. Additionally, he suggested scheduling only one meeting in May as May 25 (regularly scheduled meeting) was on Memorial Day. May was also an election month and an additional meeting date could be set around the election. Council Member Vansyckle voiced concern and desire for a second meeting in November for the downtown sanitary sewer project.

Council Member Leverentz made a motion that Council approve the Fiscal Year 2009 Council Meeting dates. Council Member Dormier seconded the motion. Council Member Vansyckle voted in opposition.

**VOTE: The motion carried 4 to 1.**

**ITEM 2. Discussion/Action** – Consideration of Continued Membership Agreement By and Between the Electric Reliability Council of Texas (ERCOT) and the City of Ovilla and Designate a Representative for Required Notices.

The City Administrator explained that ERCOT manages most of the electricity sold in Texas and the membership is how cities voice the regulation of the electric industry. Ovilla's renewal membership is \$100 annually.

Council Member Leverentz made a motion that Council renew the City's \$100 membership with ERCOT for membership year 2009 and designate the City Administrator as the City's representative. Council Member Vansyckle seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 3. Discussion/Action** – Receive and Consider an Agreement By and Between CWD and the City of Ovilla for Solid Waste Collection and Disposal Recyclable Materials Collection and Processing.

City Administrator, Council and Mr. Michael Barrett (General Manager of CWD) reviewed and discussed certain sections of the proposed agreement. Mr. Barrett explained procedures to Mayor Pro-Tem Hall regarding missed service at a particular residence and the timeframe for a rescheduled pickup. Mayor Pro-Tem Hall noted necessary revisions to section 3.06 of the agreement. Other issues pertaining to Saturday pickups, senior discounts, Christmas tree recycling and lost or stolen carts were discussed. Mayor Pro-Tem Hall recommended that the City Administrator review Section 14.00 of the agreement with legal counsel including missing verbiage of contractual wording.

Mayor Pro-Tem Hall made a motion that Council table this item until the next City Council Meeting directing the City Administrator review the agreement with legal counsel, make necessary revisions, and include the company's (CWD) bond and insurance certificate to the agreement – *and* bring back to Council for approval. Council Member Vansyckle seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 4. Discussion/Action** – Consideration of a Services Agreement By and Between the City of Ovilla and Blackboard Connect, Inc., to Utilize Connect-CTY Reverse 911.

The City Administrator explained that during the budget process, Police Chief Moon proposed to contract with Blackboard Connect, Inc., to provide this service to Ovilla. This technology offers emergency and non-emergency communications and related information to the citizens of Ovilla through their telephones. The annual service is \$2,849.00, locked in for three years.

Mayor Pro-Tem Hall made a motion that Council authorize the Mayor to sign a contract service agreement with Blackboard Connect, Inc., to provide a city connect reverse 911 service to the City of Ovilla. Council Member Vansyckle seconded the motion

**VOTE: The motion carried unanimously.**

**ITEM 5. Discussion/Action** – Receive and Accept Resignation Letter from City Attorney Debra Drayovitch and Consider City's Options for Continued Legal Services.

City Administrator stated that Ms Drayovitch had resigned from T.O.A.S.E. The city had no contractual agreement with T.O.A.S.E. and could either continue with T.O.A.S.E. or opt to use Ms. Drayovitch as the City's legal counsel. T.O.A.S.E. had assigned Matthew Wallis to handle the legal needs of Ovilla. Mayor Pro-Tem Hall questioned whether the city could or should prepare a RFQ (request for qualifications) for the city's legal counsel and considered seeking advice from TML.

Mayor Pro-Tem Hall made a motion that Council accept the resignation of Ms. Drayovitch and continue the relationship with T.O.A.S.E. for the time being - *and* direct the City Administrator to

research the viability of RFQ's for legal counsel with TML. Council Member Vansyckle seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 6. Discussion – Discuss Downtown Sanitary Sewer Project.**

Project plans from the City's consulting engineers, Birkhoff, Hendricks & Conway, L.L.P., were reviewed and discussed. Council Member Dormier noted that the proposed future Section "B" was different from the original sewer CIP, showing a 6" line instead of a 12" line including the location of the line. It was advised that the City Administrator examine and study this with Birkhoff to determine if a change was needed in the CIP to reflect the relocation and line size. Council stated that they would like to have the bid notices out and/or contract documents back by the November 10 Council meeting for review.

**City Council Announcement and Council's Request for Future Agenda Items**

Mayor Pro-Tem Hall recommended the need to schedule a future agenda item to review Chapter 8 of the Code of Ordinances and to form a committee with Council Members to update that Chapter.

Council Member Wade asked to set a future agenda item regarding resurfacing of the remainder of Cockrell Hill Road and maybe change the name of the road to improve the outlook of Ovilla.

Council Member Vansyckle stated he was ready to get the recycling program underway and continue working on the downtown sewer project.

Council Member Leverentz stated the weekly city activity updates received was helpful and appreciated.

Council Member Dormier stated he wanted the CIP for the water/sewer drainage reviewed. Additionally, Council Member Dormier commented that he enjoyed Heritage Day.

Mayor Turner stated that Heritage Day was a success. Additionally, Mayor Turner suggested that the City Administrator consider a workshop for long range planning.

**Adjournment**

Mayor Pro-Tem Hall made a motion to adjourn the meeting of October 14, 2008 at 9:26 PM. Council Member Dormier 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