

CITY OF OVILLA MINUTES
Monday, 10 November 2008
Regular City Council Meeting

Mayor Turner called a Regular Council Meeting of the Ovilla City Council to order at 7:05 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.

Council Member Dormier gave the Invocation.
Council Member Leverentz led the Pledge of Allegiance.

COMMENTS, PRESENTATIONS, REPORTS AND APPOINTMENTS:

1. Mr. Alfonso Lopez, 814 Cockrell Hill Road, spoke in support of a proposed speed limit reduction on Cockrell Hill Road.
2. Mr. Charlie Morton, 1207 Red Oak Creek Road, spoke in opposition of a proposed speed limit reduction on Cockrell Hill Road without the proper traffic studies conducted.
3. Ms JoAnn Graham, 812 Cockrell Hill Road, spoke in support of a proposed speed limit reduction on Cockrell Hill Road.
4. Ms Carol Lynch, 316 Shadowwood Trail, voiced her opposition of the proposed speed limit reduction on Cockrell Hill Road.
5. Mr. Pat Coughlin, 505 Edgewood Lane spoke in opposition of the proposed speed limit reduction on Cockrell Hill Road.
6. Mr. Dean Oberg, 204 Oakwood Lane, spoke in opposition of the proposed speed limit reduction on Cockrell Hill Road.
7. Mr. Phil Lynch spoke in opposition to the proposed speed limit reduction on Cockrell Hill Road.

DEPARTMENTAL REPORTS:

- Police Department – October 2008 Activity Report
Sergeant Devlin presented the "Calls for Service List"
Randy Whiteman gave an update on the Connect CTY-Reverse 911
- Fire Department – October 2008 Activity Report
Chief Pickard the following with Council:
 1. Fire Runs/EMS Response Report
 2. Update of the new Annex
 3. National Night Out and positive about the date change.
 4. Annual Awards Banquet, December 2, 6:30pm at Shiloh Church.

- Public Works Department – October 2008 Activity Reports for Public Works, Animal Control and Code Enforcement
In the absence of PWD Jason Robinson, Mr. Whiteman reviewed the following with Council:
 1. Update on the Storm Water Management Report and timely submission by the Public Works Department.
 2. Annual sewer averaging begins this month (November) and continues through January. The averaging is based on water consumption for those three months.
- Finance Department – October 2008 Finance and Court Reports
Finance Accountant Ms Reeve advised Council:
 1. Update on the ongoing audit
 2. Municipal Court Collections and new cases
 3. Warrants are being filed and that portion of the new operating system is now active.
- Administration -
City Administrator, Randy Whiteman updated Council on the following:
 1. Update on the progress of the codification.
 2. City Accountant Miykael Reeve submitted her resignation to accept a position as Finance Director in Red Oak. Mayor Turner and Mayor Pro-Tem Hall both complimented Ms Reeve for her hard work and expertise she had brought to Ovilla. Ms Reeve offered her appreciation and gratitude.

CONSENT ITEMS:

- Financial Transactions for the month ending October 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.

PUBLIC HEARINGS:

Public Hearing for a zoning change request from RE-residential to CG-general commercial for the properties located at 1800 W. Bear Creek Road and 1900 W. Bear Creek Road.

- City Administrator Randy Whiteman gave an overview of this request stating that the current owners were part of Joint Ventures (I & II) on two tracts of property (currently for sale). The request of the zoning change (contingent to the sale) was for the possibility of putting in two soccer fields. Based on the Comprehensive Land Use Plan, the Planning and Zoning Commission denied the zoning change request at the November 3, 2008 meeting.

Mayor Turner opened the Public Hearing at 7:55 PM.

1. Ms Karen Blocker, listing agent for the property spoke to Council and passed out a letter of support for the zoning change from the Barrow family. Mayor Turner inquired about the three owners of the entrance road to the venture properties, noting that the city had received a letter in opposition from Mr. Wilson, a co-owner to the entrance road. Access and egress issues were discussed as Council Member Dormier broached the possible complication of the city's required 24ft. fire lane.
2. Sergio Rodriguez, the buyers' agent spoke in support of the zoning change. Again, Council Member Dormier voiced concern for a wide enough access.

3. Ms Jimmie Wade voiced her concerns of the zoning change.
4. Ms. Debra Roberson a partial property landowner of the ventures voiced support for the zoning change.
5. Ms Rita Spurgin, a partial property landowner of the venture properties voiced support for the zoning change.
6. Mr. Salita Henry a property owner on Cockrell Hill Road stated his family had benefited from the Wagon Wheel Arena for many years. He stated that he would much prefer soccer fields as opposed to some other type of commercial venue coming to that area.
7. Ms JoAnn Graham confirmed with the City Administrator that if the zoning change were approved, it was not mandatory to utilize the proposed soccer fields but that there were many options for commercial use.
8. Mr. Phil Lynch reminded those that this zoning change would raise many questions.

Mayor Turner closed the Public Hearing at 8:45PM.

INDIVIDUAL CONSIDERATION:

ITEM 1. Discussion/Action – Receive recommendation (to deny) from the Planning and Zoning Commission to consider a zoning change request from RE-residential to CG-general commercial for the properties located at 1800 W. Bear Creek Road and 1900 W. Bear Creek Road.

Council discussed various issues on this property regarding utilities, emergency vehicle access to the property and concerns of the phone calls received in opposition of the zoning change. Mayor Pro-Tem Hall reiterated that if commercial zoning were approved and the purchaser met the criteria, there were vast possibilities listed under the zoning table – not just soccer fields.

Mayor Pro-Tem Hall made a motion that Council deny the request of Joint Venture I and Joint Venture II, for a zoning change from RE-residential to CG-general commercial for the properties at 1800 and 1900 W. Bear Creek Road. Council Member Leverentz seconded the motion. Council Member Vansyckle voted in opposition.

VOTE: The motion carried 4 to 1.

ITEM 2. Discussion – Discuss and consider an Ordinance to amend Chapter 10, Section 8.02 of Ovilla’s Code or Ordinances to reduce the posted speed limit on Cockrell Hill Road from the intersection of Ashburne Glen Lane (north) to the end of the city limits of Cockrell Hill Road. The current speed is 40 mph.

Council Member Vansyckle stated he had conducted his own research and was trying to carry out his due diligence. Property owners had to cross the street to get to their mailboxes and that this was a security issue. Cockrell Hill was residential, not a thoroughfare and the speed limit should be lowered. Council Member Vansyckle stated he had heard stories of near serious incidents/accidents and those possibilities would be less likely if the speed limit were reduced to 30 -35 mph. He asked for the Council’s consideration to vote for a reduction. Discussion continued regarding changing the speed for all of Cockrell Hill Road, the police department’s tolerance regarding the speeding, the narrow road and the dangers and/or the inability to make traffic stops on Cockrell Hill Road. Mayor Turner stated he was not opposed to reducing the speed limit but would like a traffic study first. Council Member Dormier said that one had been completed by Lee Engineering last year and staff should pull it for review. Council Member Wade asked Sergeant Devlin about an electronic monitoring device. Sergeant Devlin stated

that the stationary radars on trailers were effective, yet expensive. City Administrator Randy Whiteman was directed to bring the traffic study to Council for the next meeting. There was no action on this item.

ITEM 3. Discussion/Action – Consideration to take items from the table. There was none.

Council's Request for Future Agenda Items

Council Member Vansyckle made a request for two items to be presented to Council for action at the next meeting:

1. Speed Limit change on Cockrell Hill Road
2. Award Bid for the Sanitary Sewer

A special meeting for November 17 was discussed, however, Council decided to have the next meeting on November 24, 2008. Other items requested for consideration on the next upcoming agenda were:

- Amending the budget to fund the sewer line (Downtown Main Street) along with a developer's agreement.
- Amending the budget to fund the codification.
- The HOA completed agreement.

Adjournment

Mayor Pro-Tem Hall made a motion to adjourn the meeting of November 10, 2008 at 9:45 PM. Council Member Vansyckle seconded the motion.

VOTE: The motion carried unanimously.

ATTEST:

William A. "Bill" Turner, MAYOR

Pamela Higgins, CITY SECRETARY