

CITY OF OVILLA MINUTES
Monday, 13 April 2009
Regular City Council Meeting

Mayor Turner called a Regular Council Meeting of the Ovilla City Council to order at 7:04 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 and 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:

- Citizen Comments
 - Ms Jo Ann Graham reminded those present of the planned Candidate's Forum for the Mayor's place and two Council seats, scheduled on April 16, at the First Baptist Church, 7PM. Additionally, she offered support to a job well done to City Secretary, Pamela Higgins.
 - Ms Dani Muckleroy voiced concern regarding the impact fees.

DEPARTMENTAL REPORTS:

- Department Activity Reports For the Month of March 2009
 - Police Department Chief Mike Moon
 - Status regarding replacement of Unit 112- still pending.
 - Applicant Testing for Peace Officer – Top applicant, Sylvia Gray
 - COPS Grant Application - Applied
 - Update on Car Show- Good turnout; collected \$800 total.
 - Fire Department Chief Donnie Pickard
 - Open House and Dedication of the Larry C. Marlow Fire Annex scheduled for May 08, 2009.
 - Public Works Dept. Director Jason Robinson
 - Notice of Clean-Up Day – April 25, 2009 - noted that CWD and City staff had met and were both prepared. Mr. Robinson added that Council was welcome to help.
 - Administration City Administrator Randy Whiteman
 - Financial Update-new accountant was getting acclimated and was working on getting ready for mid-year budget revisions.
 - Municipal Court Report

CONSENT ITEMS:

- Financial Transactions for the month ending February 2009

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

VOTE: The motion carried unanimously.

INDIVIDUAL CONSIDERATION:

ITEM 1. Discussion/Action – Consider approval for the purchase of a small business server for the security and preservation of backup documentation and the selection of a consultant to install the server and provide professional technical assistance.

Staff obtained estimates from four vendors. Three proposals were presented to Council for consideration. City Administrator stated that staff recommended Mr. Denny Lassetter on several issues: **1)** Mr. Lassetter currently works for a nearby adjoining city as their technical consultant and also offers computer technical assistance part-time to the Ovilla Fire Department. **2)** Mr. Lassetter was the lowest bidder. **3)** Mr. Lassetter took quotes from DIR-Dell. All documented quotes and specifications were presented. Mr. Lassetter was present for Council questions.

Mayor Pro-Tem Hall made a motion that Council approve the purchase of a small business server in the amount of 10,809.94 and the selection of Denny Lassetter to install the Dell server for \$6,000 and provide technical support as presented with the proposal for a total cost of \$16,809.94. Council Member Dormier seconded the motion.

VOTE: The motion carried unanimously.

ITEM 2. Discussion/Action – Consideration of an Ordinance of the City of Ovilla, Texas, Amending the Fiscal Year 2008-09 General Fund Operating Fund Budget and Annual Program of Services for the City of Ovilla to Allow for an Adjustment of “amount dependent on selection in Item 1” for the Expenditure of a Small Business Server and the Selection of a Technical Consultant.

City Administrator Randy Whiteman explained that \$7,000 was allocated for the purchase of a server and was asking for Council consideration to approve an adjustment to the operating budget for \$9,809.94. Mayor Pro-Tem Hall suggested that Council consider directing staff to create an ordinance that would allow the City Administrator to manage budgeted funds under \$20,000 without the requirement of coming to Council every time a revision was needed. All adjustments would be reviewed during the mid-year budget revision. Council Member Leverentz noted that the specific line item used to allow for the adjustment needed to be carefully monitored because after tonight it would be considerably lower.

Council Member Vansyckle made a motion that Council approve an amendment to allow for an adjustment to the FY2008.09 General Fund Operating Budget in the amount of \$9,809.94 for the purchase of a small business server including installation and professional technical support. Council Member Wade seconded the motion.

VOTE: The motion carried unanimously.

ITEM 3. Discussion/Action – Receive, review and consider applications for the appointments of new CLUP (Comprehensive Land Use Plan Review Committee) members.

Staff posted an invitation on the city's marquee and received five applications. Council Member Dormier noted that if these five were appointed to the CLUP Committee, that should make about 12 members.

Council Member Vansyckle made a motion that Council appoint Layne Yeldell, James Phipps, Jane Hilburn, Bill Crouch and Faye Sterle to the Comprehensive Land Use Plan Review Committee (CLUP). Mayor Pro-Tem Hall seconded the motion.

VOTE: The motion carried unanimously.

ITEM 4. Discussion/Action – Received notice of vacancy on the Ovilla 4b Economic Development Corporation Board caused by the resignation of Place 7 Member Tom Cearley. Council will take whatever action deemed necessary.

Council agreed that there would not be any advertisement on the website or city marquee for the replacement of Place 7.

Council Member Vansyckle made a motion to authorize the City Council to seek applicants for the EDC. Council Member Wade seconded the motion.

VOTE: The motion carried unanimously.

ITEM 5. Discussion/Action – Consideration to authorize the City Administrator to advertise for **Request for Qualifications** for professional auditing services.

The contractual agreement with Tonja Barnebee CPA expired following the audit this year. Staff presented a draft *Request for Qualifications* for professional auditing services. Specific amendments were made to the draft: 1) Mayor Pro-Tem Hall stated to remove Section 3.5 and 2) Council Member Dormier suggested the removal of Section 7.3.

Council Member Leverentz made a motion that Council approve the Request for Qualifications for auditing services with the noted amendments and authorize the City Administrator to begin advertisement. Council Member Vansyckle seconded the motion.

VOTE: The motion carried unanimously.

ITEM 6. Discussion/Action – Consideration of an Ordinance of the City of Ovilla, TX Amending Section 18, "AD VALOREM (PROPERTY) TAXES of Chapter 1, General Provisions of the Ovilla Code of Ordinances, by adding a new Section 18.09 and adopting an Ad Valorem Tax Freeze for residential homestead property owners who are disabled or 65 years of age or older.

During the March 23, Council Meeting, Mayor Pro-Tem Hall directed staff to return with an ordinance placing a freeze on the amount of property taxes imposed on residential homestead property owned by persons aged 65 and over and those persons with disabilities. This would not have an impact on the city's current budget year's revenue.

Mayor Pro-Tem Hall made a motion that Council approve an ordinance placing an Ad Valorem Tax freeze for residential homestead property owners who are disabled or 65-years of age or older.

Council Member Vansyckle seconded the motion.

VOTE: The motion carried unanimously.

EXECUTIVE SESSION

The City Council adjourned into Executive Session at 8:35 P.M. to consider the following:

ITEM 7. The City Council will meet in closed session pursuant to Section 551.074 of the Texas Government Code for consultation and review of department evaluations.

1. Consider the appointment, employment, **evaluation(s)**, reassignment, or duties of the following: (Section 551.074 Personnel Matters)

- Pamela Higgins, City Secretary
- Mike Moon, Police Chief
- Donnie Pickard, Fire Chief
- Jason Robinson, Public Works Director

The City Council reconvened into Open Session at 9:12 P.M.

2. Consider Action as a Result of Discussion.

Council Member Vansyckle made a motion to adjust the base pay of the City Secretary to \$38,900. Council Member Leverentz seconded the motion.

VOTE: The motion carried unanimously.

Mayor Pro-Tem Hall made a motion to adjust a three percent (3%) salary merit increase to each of the listed department heads:

- Fire Chief Donnie Pickard
- Police Chief Mike Moon
- Public Works Director Jason Robinson
- City Secretary Pam Higgins

Council Member Vansyckle seconded the motion.

VOTE: The motion carried unanimously.

Council's Request for Consideration of Future Agenda Items

None

Adjournment

Council Member Dormier made a motion to adjourn the meeting of April 13, 2009 at 9:20 P.M. Council Member Leverentz 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*