

**CITY OF OVILLA MINUTES**  
***Monday, 27 April 2009***  
***Regular City Council Meeting***

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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 Vansyckle gave the Invocation.  
Mayor Pro-Tem Hall led the Pledge of Allegiance.

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

- None

**DEPARTMENTAL REPORTS:**

- Department Activity and/or Reports For the Month of March 2009
  - Police Department
    - Advised the status regarding replacement of Unit 112- Received word that Nationwide Insurance is accepting responsibility.
    - Introduction of new police officer – Chief Moon introduced Ms. Gray to Council and noted that Ms Gray spoke three languages: English, Spanish, and Polish.
  - Fire Department
    - Chief Pickard gave reminder of the Open House and Dedication of the Larry C. Marlow Fire Annex scheduled for May 08, 2009, 3-6 P.M.
  - Public Works Dept. Director Jason Robinson
    - City Administrator informed Council that Mr. Robinson was currently at the hospital with his wife awaiting the birth of their first child. Code Enforcement Officer / Animal Control Officer Mike Dooly was present for any questions. City Administrator stated that CWD and all volunteers for the April 25, Annual Clean-up Day did very well.
  - Finance Department City Accountant Sharon Jungman
    - Ms Jungman discussed financial reports and the investment report as of March 31. The highlighted areas were proposed changes for the upcoming mid-year revisions.
    - Ms Jungman informed all present that the City of Ovilla currently had 93.44 days of reserve fund balance.

- Administration City Administrator Randy Whiteman
  - Advised Council of TCMA (TX City Managers Association) professional development classes he would be attending.
  - Reviewed possible dates for consideration for the next Comprehensive Land Use Plan Review Committee Meeting (CLUP).

**CONSENT ITEMS:**

- None

**INDIVIDUAL CONSIDERATION:**

**ITEM 1. Discussion/Action** – Consider the date to canvass the Ovilla General Election, consider the option to cancel May 11, 2009 regular Council meeting and consider the necessity of an alternate regular Council meeting date as a replacement date for Monday, May 25, 2009. (Memorial Day)

Mayor Turner recommended canceling the May 11, 2009, regular Council meeting date and set May 12, 2009 to canvass the Ovilla General Election. Additionally, schedule a date later in the month to administer the Statements and Oaths of new Councilpersons and Mayor. City Administrator Randy Whiteman asked Council to remember the mid-year budget revision when scheduling dates.

Council Member Leverentz made a motion that Council set May 12, 2009 at 7:00 P.M. to canvass the May 09 General Election and schedule May 27, 2009 as the replacement date of May 25, for a special Council meeting to administer the Statements and Oaths of new Council persons and Mayor as well as conduct regular business, and cancel the May 11 regular Council meeting. Council Member Vansyckle seconded the motion.

***VOTE: The motion carried unanimously.***

**ITEM 2. Discussion/Action** – An Ordinance repealing the adoption of the assessment of a fee related to the provision of services for the collection of Homeowner Association Dues by the City (Ordinance 07-017) and providing an effective date.

With the approval of agreements between the City and the Homeowner's Associations, it was necessary to repeal the original ordinance charging the associations fees for the collections of dues. Ordinance 07-017 was in conflict of the new agreements.

Council Member Leverentz made a motion that Council approve an ordinance repealing Ordinance 07-017 in its entirety, related to the assessment of a fee for the provision of services for the collection of homeowner associations dues. Council Member Vansyckle seconded the motion.

Mayor Pro-Tem Hall and Council Member Wade both abstained.

***VOTE: The motion carried with 3 votes.***

**ITEM 3. Discussion/Action** – Consideration of a Resolution adopting a written Identity Theft Program Policy and authorizing the City Administrator to approve changes in the policy.

The Federal Trade Commission created the "Red Flags Rule" to detect the warning signs of identity theft. The Commission will begin enforcement of the Red Flags Rule on May 01, 2009.

This applies to all financial institutions and creditors, including utility accounts. Council Member Leverentz inquired about the training necessary for city staff. Chief Moon advised his department would assist in the training.

Council Member Vansyckle made a motion that Council approve a resolution adopting a Written Identity Theft Program Policy. Mayor Pro-Tem Hall seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 4. Discussion/Action** – Consider approval of specifications and authorizing the City Administrator to publish notices in the newspaper and proceed with the bidding process in compliance with the TX Municipal Procurement Laws for a generator at the pump station.

City Administrator Randy Whiteman spoke in Jason Robinson's absence asking Council to recommend any modifications to the draft specifications for a backup generator at the pump station. The proposed generator is a 250K with a 24-hour automatic backup option. Council Members Wade and Vansyckle inquired about security of the perimeter. Chief Moon assured Council with Homeland Security requirements in place, the pump station received three checks daily. Council Member Dormier noted Section 1 of the project was missing and the firm's registration number and seal should be on the first page-as required by law. Council continued discussion of insurance, maintenance and warranty.

Council Member Dormier made a motion that Council approve the specifications with the provision of the cost of a proposed 2-year warranty option and the addition of the engineering firm's registration number on the cover sheet of the specifications, and authorize the City Administrator to publish notices in the newspaper according to the TX Procurement Laws and proceed with the bidding process for a generator at the pump station - *and* also have the City Administrator verify the minimum statutory requirements related to the payment performance bond. Council Member Vansyckle seconded the motion.

**VOTE: The motion carried unanimously.**

**Council's Request for Consideration of Future Agenda Items**

Council Member Vansyckle asked that staff look into using a larger facility (as used last year) for the new councilpersons' and mayor's swearing in on May 27, 2009.

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**Adjournment**

Council Member Dormier made a motion to adjourn the meeting of April 27, 2009 at 7:40 P.M. 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