

**CITY OF OVILLA MINUTES**  
***Monday, 22 June 2009***  
***Regular City Council Meeting***

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Mayor Vansyckle called a Regular Council Meeting of the Ovilla City Council to order at 7:02 P.M. with the following City Council Members present:

Bill Vansyckle	Mayor
Tom Leverentz	Mayor Pro-Tem, Place 1
Michael Dickey	Council Member, Place 2 (arrived at 7:15p)
Jo Ann Graham	Council Member, Place 3
Doug Hunt	Council Member, Place 4
James Wade	Council Member, Place 5

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

Council Member Graham gave the Invocation.  
Council Member Wade led the Pledge of Allegiance.

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

- Mr. Jerome Garza from the U.S. Census Bureau, local Dallas Regional Area, introduced the United States Census 2010 with a short presentation.
- Mr. Tim Kelty, Red Oak City Manager, addressed Council with an invitation to consider creating a cooperative alliance of local small cities to include Ferris, Red Oak, Oak Leaf, Pecan Hill, Glenn Heights, and Ovilla.

**DEPARTMENTAL REPORTS:**

- Finance Department City Accountant Sharon Jungman
  - Monthly Financials – Ms Jungman informed Council she was compiling the FY2010 budget.
- Administration City Administrator Randy Whiteman
  - Reviewed the tentative budget Calendar for fiscal year 2010.
  - Explained the decisions made regarding the sewer impact fees and collection errors on two accounts. Mr. Whiteman advised Council that staff had created a new permit application and procedures to avoid future errors.
  - Advised Council of the upcoming public hearings for the two proposed moratorium ordinances. The first public hearing will be during the July 06, 2009, Planning and Zoning Commission meeting and the second public hearing will occur during the July 13 Council meeting.
  - Ovilla would be following the direction of Dallas Water Utilities regarding water conservation in Ovilla.

**CONSENT ITEMS:**

- Minutes of the Regular Council Meeting of June 08, 2009.

Council Member Hunt made a motion that Council approve the consent items as presented.  
Council Member Wade seconded the motion.

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

*Bill Vansyckle, Mayor*  
*Tom Leverentz, Mayor Pro-Tem*  
*Michael Dickey, Place Two*

*Doug Hunt, Place Four*  
*Jo Ann Graham, Place Three*  
*James Wade, Place Five*

## INDIVIDUAL CONSIDERATION:

**ITEM 1. Discussion/Action** – Consider the removal of Mike Davis from the Economic Development Corporation (EDC) and designate an appointment to fill the unexpired term on the Ovilla 4-B EDC.

Council reviewed three applications. Based on previous EDC experience noted on his application, Council Member Graham recommended Mr. John Knight.

Mayor Pro-Tem Leverentz made a motion that Council remove Mikel Davis from the Board of Directors on the EDC and appoint John Knight to fill the vacancy of the unexpired two-year term (2010) as a member on the Board of Directors of the Economic Development Corporation Board. Council Member Dickey seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 2. Discussion/Action** – Locate and identify all city surplus equipment and authorize the City Administrator to begin preparations for sale and/or disposal in accordance with Ordinance 419 of the Ovilla Code of Ordinances, Chapter 1, 14.04 or as required by state law.

City Administrator Randy Whiteman advised Council that staff conducted an inventory of equipment that had been retired for some time. Selling this surplus would help offset the replacement costs of new equipment. Council Member Graham stated that based on her research with other cities, it was recommended that Ovilla should keep a vehicle in service and not consider retiring one to surplus until it reached at least 160,000 miles. Chief Moon advised that although Ovilla does not have a “fleet maintenance” department, our Public Works Utility Maintenance Worker, Jimmy Bryan was a great mechanic and had saved Ovilla tremendous repair costs. Council discussed various companies that would conduct such auctions.

Council Member Graham made a motion that Council authorize the City Administrator begin the required notifications and preparations to sell or dispose of surplus equipment in accordance with Ovilla Code of Ordinances, Chapter 1, 14.04 or as required by law.

Council Member Hunt seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 3. Discussion/Action** – Consideration to allow the City Administrator to purchase or lease replacement vehicle(s) for the police department.

During the June 08, 2009 Council meeting, Chief Moon was instructed to return with several quotes from qualified vendors for the cost of new vehicles. Chief Moon presented two quotes and was still waiting on a response from Philpott Ford (HGAC). Chief Moon added that the necessary emergency equipment was not included in the quotes. Council Member Graham noted an issue with the proposal for two police units (instead of one) and inquired how many units were actually needed. Chief Moon responded that the department’s declining fleet had resulted in two police vehicles (one of which has been under service repair) and one supervisory vehicle - not nearly enough. Council reviewed the two quotes.

Mayor Pro-Tem Leverentz made a motion that Council authorize the City Administrator to purchase one replacement vehicle from Cops Stuff in the amount of \$24,241 for the police department.

Council Member Graham seconded the motion.

Mayor Vansyckle called a record vote: **The motion failed.**

*Bill Vansyckle, Mayor*

*Tom Leverentz, Mayor Pro-Tem*

*Michael Dickey, Place Two*

2

*Doug Hunt, Place Four*

*Jo Ann Graham, Place Three*

*James Wade, Place Five*

Council Member Graham made a motion that Council authorize the City Administrator to purchase one replacement vehicle from Cops Stuff in the amount of \$24,241 for the police department and return to Council with specifics on the financing.

Council Member Hunt seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 4. Discussion/Action** – Consideration of Resolution 09-009, authorizing the Mayor and Members of the City Council to serve as volunteers of the City in various capacities and repealing Resolution 09-001 in its entirety.

Mayor Vansyckle read Resolution 09.001 that was currently in effect and the proposed resolution for replacement. Council discussed the differences in the two resolutions including the actual meaning of the word “compensation,” and recommended noted changes by adding “Administration” to Section 1 and making a minor amendment to the application.

Council Member Wade made a motion to approve and adopt Resolution 09.009 authorizing the Mayor and Members of the City Council to serve as volunteers of the City in various capacities and repealing Resolution 09.001 in its entirety – with the noted changes under Section 1, adding “Administration” and replacing the word “may” with “will” on the application regarding background/criminal history checks.

Mayor Pro-Tem Leverentz seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 5. Discussion/Action** – Consider recommendation from the City Administrator to approve the Volunteer Application of Council Member Place 3, Ms Jo Ann Graham.

With the passing of Resolution 09.009, Council Member Graham had offered her time and services for various projects.

Council Member Wade made a motion to approve Council Member Place 3, Ms Jo Ann Graham to serve as a volunteer for miscellaneous office work or projects under the direction of the City Administrator as needed.

Council Member Hunt seconded the motion.

**VOTE: The motion carried unanimously.**

**ITEM 6. Discussion/Action** – Consideration to authorize the City Administrator to enter into a five-year contractual agreement with Witherspoon, Yeldell & Wilson, P.C. for professional auditing services for the City of Ovilla, beginning FY2009 and direct the City Administrator to initiate cost negotiations.

The three-year contractual agreement with Ms Tonja Barnebee, CPA expired at the completion of the FY2008-09 audit. During the April 13, 2009 Council meeting, Council authorized the City Administrator to advertise for **Request for Qualifications** for professional auditing services. Ovilla solicited for a 5-year contractual agreement and received two responses:

1. Tonja Barnebee, CPA
2. Witherspoon, Yeldell & Wilson, P.C.

Staff created a committee of three: Randy Whiteman, Sharon Jungman, and Pamela Higgins. Having completed the evaluation criteria, Witherspoon, Yeldell & Wilson, P.C. were the unanimous recommended selected choice for Ovilla. If approved, staff would begin negotiations for services.

Council Member Hunt made a motion that Council authorize the City Administrator to enter into a five-year contractual agreement with Witherspoon, Yeldell & Wilson, P.C. for professional auditing services for the City of Ovilla and further authorize the City Administrator to begin negotiations for the fees to be charged for the professional services.

Council Member Wade seconded the motion.

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

**ITEM 7. Discussion Only** – Review and discuss the necessity or significance of holding an election of .25-percent local sales and use tax for a Crime Control District.

Mayor Vansyckle opened the discussion of the quarter-percent sales tax. This would propose a potential income of \$25,000 annually for Crime Control. Prior to calling an election, a crime control budget and crime control plan must be created. Regular election laws apply. If Council decides to create a Crime Control and Prevention District, a seven-member board must be created and assigned.

***Discussion only- No action on this item.***

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

Council Member Wade inquired with Chief Moon regarding a different uniform patch on Officer Reggie Carr. Chief Moon informed Council that he had recently promoted Officer Carr to Sergeant.

Mayor Pro-Tem Leverentz recommended an agenda item addressing playground equipment.

City Administrator asked Council to review the draft personnel policy.

Mayor Vansyckle asked that staff begin preparations for a possible quarter-of-a-percent sales and use tax election for a Crime Control and Prevention District and bring it to the next meeting as an action item.

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### **Adjournment**

Mayor Pro-Tem Leverentz made a motion to adjourn the meeting of June 22, 2009.

Council Member Wade seconded the motion.

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

ATTEST:

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Bill Vansyckle, Mayor

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Pamela Higgins, City Secretary

*Bill Vansyckle, Mayor  
Tom Leverentz, Mayor Pro-Tem  
Michael Dickey, Place Two*

*Doug Hunt, Place Four  
Jo Ann Graham, Place Three  
James Wade, Place Five*