

CITY OF OVILLA MINUTES
Monday, 23 November
Regular City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Vansyckle called a Regular Council Meeting of the Ovilla City Council to order at 7:05 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
Jo Ann Graham	Council Member, Place 3
Doug Hunt	Council Member, Place 4
James Wade	Council Member, Place 5

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

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

COMMENTS, PRESENTATIONS, REPORTS, AND APPOINTMENTS:

- None

DEPARTMENTAL REPORTS:

- **Finance Department** City Accountant Sharon Jungman
 - **October 2009 Financials**
 - **September 2009 Financials**
 - **Reserve Fund Balance calculations ending 09.30.2009:**
 - Ms Jungman advised Council that the auditors are scheduled to arrive sometime after Thanksgiving.
- **Administration** City Administrator Randy Whiteman
 - **Potential Road and Water Projects:** Mr. Whiteman reviewed a master list of potential road and water projects with Council.
 - **Extension of Cockrell Hill Road overlay**

PUBLIC HEARINGS:

None

CONSENT ITEMS:

- Minutes of the Regular Council Meeting 12 August 2009.
- Minutes of the Special Council Meeting of 19 August 2009.
- Minutes of the Special Council Meeting of 24 August 2009.
- Minutes of the Special Council Meeting of 09 September 2009.
- Minutes of the Regular Council Meeting of 14 September 2009.
- Minutes of the Special Council Meeting of 29 September 2009.
- Resolution for a finance contract for the purpose of procuring a police vehicle.

Mayor Pro-Tem Leverentz made a motion that Council approve the consent items as presented. Council Member Dickey seconded the motion.

VOTE: The motion carried unanimously.

INDIVIDUAL CONSIDERATION:

PUBLIC HEARING AND DISCUSSION – Consider a Re-plat Application Request from Mr. Hal Barrix regarding his property located on St. Andrews Drive, in the City’s ETJ (Extra Territorial Jurisdiction).

The Mayor opened the Public Hearing at 7:20 P.M.

City Administrator Randy Whiteman outlined the request and advised the Council that the applicant was asking permission to combine his two lots that shared the same boundary lines in order to build his residence. The property was zoned residential. All property owners within 200 ft. were notified by certified mail. Mayor Vansyckle noted the applicant was not present.

The Mayor asked that those speaking in support come forward:

There was none.

The Mayor asked that those speaking in opposition come forward:

There was none.

The Mayor closed the Public Hearing at 7:23 P.M.

Discussion/Action – Consider the Re-Plat Application of Mr. Hal Barrix.

Council discussed lot size and noted that due to a drainage easement, the two lots needed to be combined in order to net a home and septic system. Total size of the two lots is 1.997 acres. All submission requirements were in compliance with the application, including a survey and plot-plan.

Council Member Hunt made a motion that Council approve the requested re-plat of Mr. Hal Barrix for his property located in the Glen Eagle Estates, Being Lot C, Blocks 7 & 8 as presented. Council Member Graham seconded the motion.

VOTE: The motion carried unanimously.

Discussion/Action – Consider appointments to the Planning and Zoning Commission to fill two vacancies created by the resignations of Loyce Milam and Jeff Lincks.

Mayor Pro-Tem Leverentz stated that the committee had completed interviews and was making the following recommendations of appointment to the Planning and Zoning Commission: Tom Rockwell and Lynn Shortnacy.

Council Member Graham made a motion that Council appoint:

- Tom Rockwell to replace Jeff Lincks
- Lynn Shortnacy to replace Loyce Milam

As Members to the Planning and Zoning Commission.

Mayor Pro-Tem Leverentz seconded the motion.

VOTE: The motion carried unanimously.

Discussion/Action – Consider an ordinance for an amendment to Chapter 1, Section 7 of the Ovilla Code of Ordinances declaring an official city newspaper and declaring an effective date.

Mayor Pro-Tem Leverentz made a motion that Council table this item pending research. Council Member Hunt seconded the motion.

VOTE: The motion carried unanimously. Item tabled.

Discussion Only – Questions and Answers with City Attorney regarding Council & Board communications, responsibilities, and procedures.

Council, CA Randy Whiteman and City Attorney Matthew Wallis discussed council protocol, line of communication, how and when to place items on the agenda, walking quorums and examples of potential quorums.

This was not an action item - discussion only.

TABLED ITEM ON SEPTEMBER 14, 2009

Discussion/Action – Consider the authorization to allow the city administrator to enter into an agreement with Cbeyond for city email services.

EXECUTIVE SESSION

The City Council of the City of Ovilla, Texas, reserves the right to meet in a closed session on any item listed on this Agenda should the need arise, pursuant to authorization by Texas Government Code, Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices), 551.087 (economic development), 418.183 (homeland security).

Discussion/ Action – Council will adjourn into Executive Session to consider the following:

- Triumph Development Company v. City of Ovilla, Texas Cause No. 73677 (Pursuant to authorization by the TX Government Code, Section 551.071, consultation with attorney).

Council went to Executive Session at 8:19 PM.

The City Council reconvened into Open Session at 10:12 PM.

- Consider Action as a Result of Discussion.
 - No action was taken.

Council's Request for Consideration of Future Agenda Items

N/A

Adjournment

Council Member Wade made a motion to adjourn the meeting of November 23, 2009. Council Member Hunt seconded the motion.

VOTE: The motion carried unanimously.

ATTEST:

Pamela Higgins, City Secretary

Bill Vansyckle, Mayor

**APPROVED:
14 December 2009**

*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*