

CITY OF OVILLA MINUTES
Monday, 22 February 2010
Regular City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Vansyckle called the Regular Council Meeting of the Ovilla City Council to order at 7:01 P.M. All City Council Members were present, thus constituting a quorum.

Tom Leverentz
Michael Dickey
Jo Ann Graham
Doug Hunt
James Wade

Mayor Pro-Tem, Place 1
Council Member, Place 2
Council Member, Place 3
Council Member, Place 4
Council Member, Place 5

City Administrator Randy Whiteman 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 and Reports and Appointments

An annual report of the city's municipal refuse service and recycling program was given in a PowerPoint presentation by a Community Waste Disposal representative. A Certificate of Merit was presented to the Ovilla City Council made from recycled paper.

• **CITIZEN COMMENTS:**

1. Mr. Dale Helm gave disparaging comments regarding Ms Graham's past campaign tactics relating to "yellow tape/sewer spillage" into Red Oak Creek.
2. Ms Poly Jones displayed a sign that asked for extended brush drop-off until March 15, 2010.
3. Mr. Charlie Morton reiterated his past and current concerns of the poor driving conditions of Red Oak Creek Road and implored Council's consideration to make the road a priority on the road rehabilitation list.
4. Mr. Harry Himelrick asked Council to consider the resurfacing and repair of Red Oak Creek Road a priority.

DEPARTMENTAL REPORTS:

- Fire Department Fire Chief Donnie Pickard
 - Overview of recent snow storm – Chief Pickard announced he would address this during Item 7.
- Finance Department Accountant Sharon Jungman
 - Reviewed monthly financials.

CONSENT ITEMS:

- Minutes of the January 25, 2010 Regular Council Meeting.
- Minutes of the February 08, 2010 Regular Council Meeting.

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

VOTE: The motion carried unanimously.

Bill Vansyckle, Mayor
Tom Leverentz, Mayor Pro-Tem (Pl One)
Michael Dickey, Place Two

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

INDIVIDUAL CONSIDERATION:

ITEM 1. Discussion/Action – Consider acceptance of the Annual Financial Audit Report for the year ending September 30, 2009, prepared by Mr. Greer Yeldell, CPA, with Yeldell, Wilson and Company.

Mr. Yeldell gave Council a brief summary of the annual audit, stating the city's financials looked positive. Since the Special Election of the Economic Development Corporation in 2007, the city had collected about \$78,000. Overall revenues were a little short, probably due to the downed economy. Additionally, there were now 143 days in fund balance to date. There were brief discussions regarding the bonds and certificates of obligation.

Mayor Pro-Tem Leverentz made a motion that Council accept the audit report for the Fiscal Year ending September 30, 2009. Council Member Graham seconded the motion.

VOTE: The motion carried unanimously.

ITEM 2. Discussion/Action – Consider a Resolution of the City Council of the City of Ovilla, TX, appointing an Election Judge and an Alternate Election Judge; Appointing an Early Voting Clerk and two Deputy Early Voting Clerks, Appointing an Early Voting Ballot Board; Setting the Method of Tallying Ballots for the May 08, 2010 General Election Day.

In compliance with the State Election Code the City Council appoints the Election Judge(s) for city elections. Mr. Charles Morton again agreed to serve as the City's Election Judge. His wife, Helen, agreed to serve as the Alternate Judge. Together they would compile the Early Voting Ballot Board. The city secretary would be responsible for early voting duties as well as other election duties.

Council Member Graham made a motion that Council approve a resolution designating the appointment of an Election Judge (Charlie Morton), Alternate Election Judge (Helen Morton), presiding Early Voting Ballot Board, Early Voting Clerk (city secretary) Deputy Early Voting Clerks (Tammy McCoy & Sharon Jungman) and setting the method for tallying the ballots as presented. Council Member Hunt seconded the motion.

VOTE: The motion carried unanimously.

ITEM 3. Discussion/Action – Consider a Resolution of the City Council of the City of Ovilla Approving and Ratifying the Bylaws Adopted by the North Ellis County Coalition of Cities (NECCC), and Reaffirming its Support of that Organization.

CA Randy Whiteman participated with the Steering Committee that formulated the Bylaws for the NECCC. During their February meeting these Bylaws were adopted by members. Each member city needed their Councils' ratification. Council Members Hunt and Dickey, along with CA Whiteman are Ovilla's representatives.

Council Member Dickey made a motion that the Council approve a resolution approving and ratifying the Bylaws adopted by the North Ellis County Coalition of Cities (NECCC) and reaffirming its support for that organization as presented. Mayor Pro-Tem Leverentz seconded the motion.

VOTE: The motion carried unanimously.

ITEM 4. Discussion/Action – Consider an Inter-local Contract Between the County of Ellis and the City of Ovilla for any construction, improvement, or repair of roads, bridges, buildings or facilities within the City of Ovilla.

This inter-local agreement renews annually.

Council Member Graham made a motion that Council approve an Inter-Local Contract between the County of Ellis and the City of Ovilla for any construction, improvement, or repair of roads, bridges, building or facilities within the City of Ovilla as presented. Council Member Dickey seconded the motion.

VOTE: The motion carried unanimously.

ITEM 5. Discussion/Action – Consider Council approval of a recommended appointment from Chief Mike Moon of an “unpaid” police officer (reserve) to carry a weapon (LGC §341.012) as a participating representative of the Ovilla Police Reserve Program.

Chief Moon explained to Council that a complete background investigation (same as a paid officer) was conducted on any and every applicant. Under the Local Government Code, Council must approve any unpaid police officer to carry a weapon as an officer of the Ovilla Police Reserve Program. Council Member Hunt questioned the listed applicant’s previous employment history.

Mayor and Council adjourned into Executive Session at 8:00 P.M.

Council 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, 551.074 (personnel matters).

Mayor and Council reconvened into Regular Session at 8:14 P.M.

Council Member Graham made a motion that under the Local Government Code (LCG) 341.012, Council approve the appointment of Chris Tibbs to act in the capacity of and perform the duties as an Ovilla Police Reserve Officer for the City of Ovilla. Council Member Dickey seconded the motion.

VOTE: The motion carried unanimously.

ITEM 6. Discussion/Action – Consider Council approval of Contract 2010.XXX, for a Cooperative Purchasing Agreement between the City of Ovilla and the City of Red Oak, TX.

This inter-local agreement will aid in purchasing, and specifically the purchase of a micro-wave transmitter covered in the CRIMES Grant.

Mayor Pro-tem Leverentz made a motion that Council approve an Inter-Local Cooperative Purchasing agreement between the City of Ovilla and the City of Red Oak as presented. Council Member Graham seconded the motion.

VOTE: The motion carried unanimously.

ITEM 7. Discussion/Action – Council to discuss with the Dept. Heads the recent snow storm and continued cleanup and take any action deemed necessary. Additionally, Council will review current practices and discuss areas to improve responses/procedures.

Fire Chief Donnie Pickard distributed a long list of improvements he felt necessary in the event of another weather crisis. Ovilla has an Emergency Management Plan that follows all state mandated guidelines. (Same as Ellis County) Public Works Director stated that the availability of staff during hazardous weather was a problem because driving anywhere was difficult and not advised. Mayor Pro-Tem Leverentz and Council Member Dickey volunteered to meet with each department head, devise helpful solutions to handle these weather related emergencies and return to Council with the recommendations.

Disposing the enormous debris became a priority. CA Whiteman had been in contact with the city's local refuse management service (CWD) and presented Council with pricing to handle the clean-up. Additionally, the cost for outside chipper rentals was discussed – all options were at a substantial cost to the city. Public Works Director Jason Robinson had submitted a request to TCEQ for permission to burn, too. That request was pending. All expenditures for the clean-up would be addressed during the mid-year budget amendments.

Council, Public Works Director Jason Robinson and the CA Randy Whiteman contemplated how to remove some of the debris immediately. The crew of the Public Works Department was overworked and short-handed. Overtime was addressed by the City Accountant Sharon Jungman.

Mayor Pro-Tem Leverentz made a motion to authorize CA Randy Whiteman to order 14 containers (from CWD) and add 6 more at an approximate cost of \$2500 – to remove at least 20 loads of trees, brush and debris. Council Member Graham seconded the motion.

VOTE: The motion carried unanimously.

Additionally, Council decided to extend the current drop-off of debris clean-up for the days of March 5 and 6th – provided the Public Works crews can make space available for drop-off.

Chief Moon shared in the discussion for solutions in the event of the next storm, specifically sanding and de-icing the roads and bridges. This was normally left to TXDot but it was not being done. As stated previously, Mayor Pro-Tem Leverentz and Council Member Dickey stated they would work on forming a committee with department heads for future preparedness.

Council's Request for Consideration of Future Agenda Items

Council Member Wade: Commented that he was working on a list.
Council Member Hunt: None
Council Member Graham: None
Council Member Dickey: None
Mayor Pro-Tem Leverentz: None
Mayor Vansyckle: Continue with a discussion for Red Oak Creek Road resurfacing.

Adjournment

Mayor Vansyckle made a motion to adjourn the meeting of February 22, 2010, at 9:37 PM. Council Member Wade seconded the motion.

VOTE: The motion carried unanimously.

ATTEST:

Pamela Higgins, City Secretary

*Bill Vansyckle, Mayor
Tom Leverentz, Mayor Pro-Tem (Pl One)
Michael Dickey, Place Two*

Bill Vansyckle, Mayor

***APPROVED
APRIL 12, 2010***

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