

CITY OF OVILLA MINUTES
Monday 08 March 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 7:00 P.M. The following City Council Members were present:

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

All members were present, thus constituting a quorum.
City Administrator Randy Whiteman, City Attorney Matthew Wallis, and various department-head staff members were also present.

Council Member Graham gave the invocation.
Council Member Dickey led the Pledge of Allegiance.

Comments, Presentations and Reports and Appointments

• **Citizen Comments**

1. Mr. John Hawkins, Red Oak ISD School Board invited all to a community-wide breakfast on Wednesday at 7:00 A.M. this week.
2. Ms Jimmie Wade thanked Dough Hunt for his assistance to her sewer issues on Main Street, although she is still waiting.
3. Mr. Dale Helm stated his opinion of Council's tactics in handling the violations at Ovilla Auto, including the PowerPoint presentation. Mr. Helm stated that the poor methods embarrassed the offender.
4. Mr. Morris Gresham voiced his displeasure with Council regarding the Triumph Settlement newspaper announcement and the handling of Ovilla Auto.

DEPARTMENTAL REPORTS:

- Police Department Chief Mike Moon
 - Announced the new squad car was in-service
 - CRIMES software should be on-line by March 16
- Fire Department Fire Chief Donnie Pickard
 - Attended dispatch training.
 - 79 calls in February – a record.
- Finance Department Accountant Sharon Jungman
 - Reviewed the monthly Court report. Collections were down approximately \$7,000 compared to this time last year.
- Administration Department CA Randy Whiteman
 - Update on brush collection.

CONSENT ITEMS:

- None

INDIVIDUAL CONSIDERATION:

ITEM 1. PUBLIC HEARING AND DISCUSSION – Consider the update of the 2000 Ovilla Comprehensive Land Use Plan.

Mayor Vansyckle opened the Public Hearing at 7:39 P.M.

Mayor Vansyckle asked those wishing to speak in favor to please come to the podium.

There was none.

Mayor Vansyckle asked those wishing to speak in opposition to please come to the podium.

There was none.

Mayor Vansyckle closed the Public Hearing at 7:40 P.M.

Discussion/Action – Receive a recommendation from the Planning and Zoning Commission and Consider an Ordinance adopting the update of the 2000 Ovilla Comprehensive Land Use Plan.

Consultants, the Comprehensive Land Use Plan Review Committee and CA Randy Whiteman completed all the goals and were ready for Council consideration. All legal notices and requirements for the adoption of the 2010 CLUP had been met.

Council Member Graham made a motion that Council approve an ordinance adopting a new Comprehensive Land Use Plan, named the City of Ovilla 2010 Comprehensive Land Use Plan. Council Member Hunt seconded the motion.

Mayor Vansyckle called for a record vote:

Council Member Wade	Aye
Council Member Hunt	Aye
Council Member Graham	Aye
Council Member Dickey	Aye
Mayor Pro-Tem Leverentz	Aye

VOTE: The motion carried unanimously.

ITEM 2. PUBLIC HEARING AND DISCUSSION – Consider an Ordinance amending the Comprehensive Zoning Ordinance of the City of Ovilla, TX, by revising Section 39.7 Non-Conforming Uses of Buildings.

Mayor Vansyckle opened the Public Hearing at 7:45 P.M.

Mayor Vansyckle asked those wishing to speak in favor to please come to the podium.

Mr. Charles Morton asked for clarification of the section relating to non-conforming that was being revised. The City Attorney Matthew Wallis explained.

Mayor Vansyckle asked those wishing to speak in opposition to please come to the podium.

There was none.

Mayor Vansyckle closed the Public Hearing at 7:52 P.M.

Discussion/Action – Receive a recommendation from the Planning and Zoning Commission and Consider an Ordinance amending the Comprehensive Zoning Ordinance of the City of Ovilla, TX, by revising Section 39.7 Non-Conforming Uses of Buildings.

Council Member Hunt made a motion that Council approve an ordinance amending the Comprehensive Zoning Ordinance of the City of Ovilla by revising Section 39.7, Non-Conforming Uses of Buildings. Mayor Pro-Tem Leverentz seconded the motion.

Mayor Vansyckle called for a record vote:

Council Member Wade	Aye
Council Member Hunt	Aye
Council Member Graham	Aye
Council Member Dickey	Aye
Mayor Pro-Tem Leverentz	Aye

VOTE: The motion carried unanimously.

ITEM 3. Discussion/Action – Consider a Resolution of the City Council of the City of Ovilla Supporting the Submission of the Criminal Justice Division of the Governor’s office, Criminal Justice Division Grant Projects for Law Enforcement Equipment and Accessories and Designate the City Administrator as the Authorizing Official.

This grant does not require matching funds, therefore, is at no cost to the City of Ovilla. It is necessary to complete the regional dispatch project that includes cities of Red Oak, Midlothian and Ovilla. Each city is applying for this grant to complete the infrastructure of the dispatch unit.

Council Member Dickey made a motion that Council approve a resolution supporting the submission of the CJD of the Governor’s office, Criminal Justice Division Grant Project, for law enforcement equipment and accessories and designate the city administrator as the authorizing official. Council Member Graham seconded the motion.

VOTE: The motion carried unanimously.

ITEM 4. Discussion/Action – Consider staff recommendation and assessment of the received Request for Qualifications (RFQ) for architectural services for the public works facility and consider possible selection.

Public Works Director Jason Robinson informed Council that the review board/committee did evaluate the one submission received. The one firm, Nadar Design Group did meet all criteria. Although, there were no complaints or issues with Nadar, Council Member Hunt did voice his disappointment that only one firm responded and attributed it to possibly being such a small job. Mayor Pro-Tem Leverentz, along with Council Member Hunt both suggested that staff advertise again, hopefully to receive more responses.

Council Member Hunt made a motion that Council denies the award to Nadar Design Group for Architectural Services for the design of a public works facility and directed the city administrator to proceed with the re-advertisement for the RFQ. Council Member Graham seconded the motion.

VOTE: The motion carried unanimously.

ITEM 5. Discussion Only – Discussion of proposed changes to the Ovilla Code of Ordinances, Chapter 2, Sections 15.00-15.02 regarding Vicious Dogs and Animals.

Municipal Judge Kurth suggested that city staff review the current ordinance and consider strengthening the ordinance to better define the procedures for seizure and potential destruction. City Prosecutor Rodney Ramsey prepared a document that addressed those

procedures applicable to Ovilla. City Attorney Matthew Wallis reviewed the document and was present for the discussion of recommended changes and received Council advice to proceed with an updated ordinance.

THERE WAS NO ACTION. DISCUSSION ONLY.

ITEM 6. Discussion Only – Discussion and update of the Council Chamber Room renovations.

Mayor Vansyckle had hoped that the donated funds collected from the previous fiscal-year for the newly renovated Council Chamber Room would have completely covered all expenses. Unfortunately, city funds were necessary to cover the financial obligations; however, staff is still accepting donations to reduce the city's cost of \$6,289.

THERE WAS NO ACTION. DISCUSSION ONLY.

ITEM 7. Discussion Only – Discuss and review road rehabilitation report updates and projects.

This was an ongoing discussion during past months. Public Works Director Jason Robinson discussed an updated priority list with Council. Mayor Vansyckle and staff visited with Ellis County representatives for future assistance.

THERE WAS NO ACTION. DISCUSSION ONLY.

Council's Request for Consideration of Future Agenda Items

Mayor Pro-Tem Leverentz: Maintenance on outside of city hall building.

Council Member Dickey: None

Council Member Graham: Commended PWD Jason Robinson for his updated road rehab list. Still wanted another list that included pricing as well as a list of the city's most deteriorated roads. Ms Graham would be happy to assist with the list.

Council Member Hunt: Status of Codification of Codes.

Council Member Wade: Asked Mayor and Council to allow Ms Diana Phillips to speak.

Mayor Vansyckle allowed Ms Phillips address Council:

Ms Phillips was representing "One-on-One Tutoring" located at 3323 Ovilla Road and asked for any donations to aid the children's learning center.

Council Member Wade continued with his future agenda item requests:

1. Discussion: Inventory control.
2. Discussion: Regarding unrecognized or uncertified Water Street.
3. Discussion: Regarding unrecognized or uncertified south end of Cockrell Hill Road.
4. Discussion: Pickard's parking lot.
5. Discussion: Land acquisition plan.
6. Discussion: Cost analysis of each vehicle in the fire dept- miles per run, versus wants.
7. Discussion: Increase first responder medical coverage to 24-hour scale, 7-days per week.
8. Discussion: Increase security for City Hall and other buildings.
9. Discussion: Disband the Volunteer Fireman's Retirement Board.
10. Discussion: All city employees receive basic first aid and CPR training.
11. Discussion: Written policies regarding fire department and other city employees' use of the new annex building.

- 12. Discussion: Heritage Park parking lot.
- 13. Discussion: Add permanent "website" sign on marquee and investigate purchasing electronic sign.
- 14. Discussion: Consider a web-master maintenance contract for online services.
- 15. Discussion: Possibilities of recording all public meeting and post audio to website.
- 16. Discussion: Consider posting relevant materials normally requested in PIA's.
- 17. Discussion: City employee banquet or recognition day – picnic or softball tournament.
- 18. Discussion: Consider hiring part-time workers or consider a corporate style salaried overtime formula.
- 19. Discussion: Consider ordinance requiring property owners' to maintain their right-of-way(s) on developed or undeveloped properties.
- 20. Discussion: Consider mowing or R-O-W contract.
- 21. Discussion: Heritage day budget-spending cap
- 22. Discussion: Regarding Council agenda request items – cut off day for agenda item(s) placement to be one week prior from the current cut off day.
- 23. Discussion: Offer agenda items as discussion only and scheduled action on that item at later date.
- 24. Discussion: Provide Council a monthly list of all those that contact the city attorney and reason for contact.
- 25. Discussion: Suspend the use of current city attorney's firm and instigate an investigation regarding conduct relating to the Triumph Development lawsuit.

Adjournment

Mayor Pro-tem Leverentz made a motion to adjourn the meeting of March 08, 2010, at 9:00 PM. Council Member Wade seconded the motion.

VOTE: The motion carried unanimously.

Bill Vansyckle, Mayor

ATTEST:

Pamela Higgins, City Secretary

***APPROVED:
12 April 2010***