

CITY OF OVILLA MINUTES
Monday 10 May 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 7:12 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 and various department-head staff members were also present.

Council Member Dickey gave the invocation.

Council Member Wade led the Pledge of Allegiance.

Comments, Presentations and Reports and Appointments

Place 3, Ms Graham presented a 2010 Census progress report as the acting City of Ovilla Census Coordinator. Council Member Graham stated that to date, Ovilla had 81% response participation.

Mayor Vansyckle gave the unofficial city election results:

Tom Leverentz, Place 1
James Wade, Place 3
Richard Dormier, Place 5

Mayor Vansyckle stated that the official swearing-in would be conducted by Judge Kurth during the May 24 Regular Ovilla City Council Meeting.

• **Citizen Comments**

1. Ms Pam Kincaid at 113 Water Street, asked for Council consideration for "Children at Play" signs on her street as traffic is often dangerous.

DEPARTMENTAL REPORTS:

- Police Department Chief Mike Moon
 - Council Member Leverentz commented to Chief Moon that his reports were not documenting the Fire/EMS calls. Chief stated he hoped in the future those calls would be revealed.
 - May 5th was Police Officer Memorial Day.
 - Council Member Wade offered sympathy to Chief regarding the loss of Chief's brother.
 - Council Member Dickey inquired as to when response times would be reflected on the monthly reports. Chief stated that response times could be documented when the new software was working properly.

- Fire Department Fire Chief Donnie Pickard
 - Chief Pickard advised Council that the Fire Department received a denial notice from FEMA for a grant.
 - Attended National Weather Service Class.
- Public Works Department PW Director Jason Robinson
- Finance Department Accountant Sharon Jungman
 - Municipal Court Report
 - Mid-Year Budget update – was taking place and documents would be distributed to Council soon.
- Administration Department CA Randy Whiteman
 - SECO Grant is still under review.
 - Painting and repairs of the outside city hall building were in progress.

CONSENT ITEMS:

- ◆ Minutes of the Regular Council Meeting of April 12, 2010.
- ◆ Monthly Financial Transactions paid in March 2010

Council Member Graham made a motion to approve the consent items as presented. Council Member Hunt seconded the motion.

VOTE: The motion carried unanimously.

INDIVIDUAL CONSIDERATION:

ITEM 1. PUBLIC HEARING AND DISCUSSION – An Ordinance amending the Comprehensive Zoning Ordinance of the City of Ovilla, TX by amending Table 11.a - Permitted use table by adding the permitted use of single family detached dwelling in the CR non-residential zoning district.

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

City Administrator Randy Whiteman briefed Council that the proposed amendment would remove the non-conforming status from residences in the Commercial Restricted Zoned District. The Planning and Zoning Commission previously held a public hearing and upon majority vote recommended approval to the City Council.

Mayor Vansyckle asked those wishing to speak in favor to please approach the podium:

1. Ms Pam Kincaid spoke in favor.

Mayor Vansyckle asked those wishing to speak in opposition to please approach the podium:

2. There was no one.

Mayor Vansyckle closed the Public Hearing at 7:51 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 amending Table 11.a – Permitted use table by adding the permitted use of single family detached dwelling in the CR non-residential zoning district.

Council Member Leverentz made a motion that Council approve Ordinance 2010.008 amending the Comprehensive Zoning Ordinance of the City of Ovilla by amending Table 11.A-Permitted Use Table, by adding the permitted use of single family detached dwelling in the CR non-residential zoning district. Council Member Hunt seconded the motion.

VOTE: The motion carried unanimously.

ITEM 2. PUBLIC HEARING AND DISCUSSION – An Ordinance amending the Comprehensive Zoning Ordinance of the City of Ovilla, TX by amending Section 19 “MF” Multi-Family residential district by adding a new Section 19.16, “Additional Uses and Development Standards Permitted.”

Mayor Vansyckle opened the Public Hearing at 7:53 P.M.

City Administrator Randy Whiteman briefed Council that the proposed amendment would lay the groundwork for rezoning of areas of the city to Multi-Family zoning, which the city currently did not have. This would also avoid probable or possible challenges by a developer. The Planning and Zoning Commission previously held a public hearing and upon majority vote recommended approval to the City Council.

Mayor Vansyckle asked those wishing to speak in favor to please approach the podium:

1. Ms Wade inquired about specific areas to be zoned Multi-Family.

Mayor Vansyckle asked those wishing to speak in opposition to please approach the podium:

2. There was no one.

Mayor Vansyckle closed the Public Hearing at 7:58 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 amending Section 19 “MF” Multi-Family residential district by adding a new Section 19.16, “Additional Uses and Development Standards Permitted.”

Council Member Graham made a motion that Council approve Ordinance 2010.009 amending the Comprehensive Zoning Ordinance of the City of Ovilla by adding a new Section 19.16-Additional Uses and Development Standards Permitted, as presented. Council Member Hunt seconded the motion.

VOTE: The motion carried unanimously.

ITEM 3. PUBLIC HEARING AND DISCUSSION – An Ordinance amending the Comprehensive Zoning Ordinance of the City of Ovilla, TX by amending Section 23 “I” Industrial District by adding a new Section 23.7 “Additional Uses and Development Standards Permitted.”

Mayor Vansyckle opened the Public Hearing at 8:00 P.M.

City Administrator Randy Whiteman briefed Council that this proposed amendment, like Item 2, would begin the foundation for rezoning of areas of the city to Industrial Zoning. The Planning and Zoning Commission previously held a public hearing and upon unanimous vote recommended approval to the City Council.

Mayor Vansyckle asked those wishing to speak in favor to please approach the podium:

1. There was no one.

Mayor Vansyckle asked those wishing to speak in opposition to please approach the podium:

2. There was no one.

Mayor Vansyckle closed the Public Hearing at 8:01 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 amending Section 23 “I” Industrial District by adding a new Section 23.7 “Additional Uses and Development Standards Permitted.”

Council Member Hunt made a motion that Council approve Ordinance 2010.010 amending the Comprehensive Zoning Ordinance of the City of Ovilla by adding a new Section 23.7-Additional Uses and Development Standards Permitted, as presented. Council Member Graham seconded the motion.

VOTE: The motion carried unanimously.

ITEM 4. Discussion/Action – Review and consider an update of the Ovilla Comprehensive Zoning Ordinance and forward to the Planning and Zoning Commission for review and recommendation.

City Administrator Randy Whiteman stated that this proposal was the first step in replacing a disorganized comprehensive zoning ordinance. The current ordinance needed easier references and required many page flaw corrections. Also, these modifications needed to be addressed for the completion of the codification.

Council Member Graham made a motion that Council forward the updated proposed Ovilla Comprehensive Zoning Ordinance to the Planning and Zoning Commission for review and recommendation and direct staff to proceed with the legal requirements for adoption. Mayor Pro-Tem Leverentz seconded the motion.

VOTE: The motion carried unanimously.

ITEM 5. Discussion Only – Discuss and review road rehabilitation report updates and projects.

Council reviewed a pothole repair project report and a potential road drainage and water projects list that depicted what the Public Works Director and Council believed to be the priority streets/roads needing reconstruction. Council agreed that this discussion item would remain on the agenda until feasible solutions were in place. Council Member Wade inquired whether the city should invest in larger equipment and increase Public Works manpower. Public Works Director Jason Robinson responded that Council Member Wade’s suggestion might be a positive solution but that the city didn’t have the funds.

NO ACTION. DISCUSSION ITEM ONLY.

Council’s Request for Consideration of Future Agenda Items

Mayor Pro-Tem Leverentz: Looking forward to upcoming workshops.

Council Member Dickey: None

Council Member Graham: Pleased with Ovilla’s 2010 Census participation.

Council Member Hunt: None.

Council Member Wade: None

Mayor Vansyckle: A monument & dedication would be placed at Heritage Park on the upcoming Saturday at 10:00 A.M., honoring Blue Star Mothers’.

Adjournment

Council Member Wade made a motion to adjourn the meeting of May 10, 2010, at 8:25 PM. Mayor Pro-Tem Leverentz seconded the motion.

VOTE: The motion carried unanimously.

ATTEST:

Pamela Higgins, City Secretary

Bill Vansyckle, Mayor

Approved: June 28, 2010