

CITY OF OVILLA MINUTES
Monday, 08 November 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
James Wade	Council Member, Place 3
Doug Hunt	Council Member, Place 4
Richard Dormier	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.

Place 5, Dormier gave the Invocation.

Place 4, Hunt led the Pledge of Allegiance.

Comments, Presentations and Reports and Appointments

Place 3, Wade voiced his appreciation for all the support and help received during his wife's pregnancy and the birth of their new baby girl.

• **Citizen Comments**

1. Ms Dani Muckleroy asked for better clarification on ordinances and amendments.
2. Mr. Lloyd Parker asked for help with his neighbor's barking dogs and questioned the legality of operating a kennel and breeding facility in a residential backyard.
3. Mr. David Weyand questioned the ability of keeping the integrity of his neighborhood when his neighbors were running a business out of their home.
4. Ms Juanita Porter voiced safety concerns in her neighborhood with neighbors burning trash during late night hours.

DEPARTMENTAL REPORTS:

- ◆ Police Department: Chief Mike Moon presented the monthly report.
- ◆ Fire Department Chief Donnie Pickard
 - Reported a good turnout for Halloween.
 - Chief Pickard informed Council that he was working on updates to all building codes and would share with Council during the upcoming meetings.
 - Care flight issued an appreciation plaque to Ovilla Fire Department for their support.
- ◆ Public Works City Administrator Randy Whiteman
 - CA Randy Whiteman reported on pump was down at the lift station.
 - CA Randy Whiteman voiced appreciation for the use of the Asplundh truck.
- ◆ Finance Department Accountant Sharon Jungman
 - City Accountant reported that the Municipal Court's year-to-date collections increased nearly \$5,000 from this time last year.

CONSENT ITEMS:

- ◆ Financial Transactions
- ◆ Cancel scheduled November 22, 2010 Council Meeting.
- ◆ Minutes of the July 19, 2010 Town Hall Meeting.
- ◆ Minutes of the July 26, 2010 Regular Council Meeting.
- ◆ Minutes of the July 28, 2010 Special Council Meeting.
- ◆ Minutes of the August 09, 2010 Regular Council Meeting.
- ◆ Minutes of the August 23, 2010 Regular Council Meeting.

Mayor Pro-Tem Leverentz made a motion to approve the consent item as presented. Place 4, Hunt seconded the motion.

VOTE: The motion carried unanimously.

INDIVIDUAL CONSIDERATION:

ITEM 1. Discussion/Action – Consider a lease agreement with Air canopy Internet Services, Inc. dba Skybeam to lease space on the City's water tower.

The existing lease with Skybeam expired. The renewal lease presented to Council during the September 27 Council meeting failed to pass approval.

1. William Hoot and Joe Seely, representatives from Skybeam were present and authorized to negotiate with Council for a new lease agreement. Place 4, Hunt voiced displeasure with Skybeam's customer service and stated it was based on his personal experience. Mr. Hoot offered his cell phone to Mr. Hunt for any future problems. Other misc. concerns were discussed. Place 2, Dickey inquired if Skybeam was associated with TX Air Net. Mr. Hoot responded no.

Place 3, Wade made a motion that Council authorizes the City Administrator to negotiate an agreement with Skybeam. Place 4, Hunt seconded the motion.

VOTE: The motion carried unanimously.

ITEM 2. Discussion/Action – Consider Shiloh Bridge status, receive monitoring update and consider any action.

The City Administrator reported there were no changes in Shiloh Bridge. Staff was waiting on a quote from Neyland.

VOTE: There was no action on this item.

ITEM 3. Discussion/Action – Consider the purchase of a large brush truck for the Fire Department through the City's Buy Board Agreement.

During the August 23 Council meeting, a grant was accepted from the TX Forest Service for \$173,000 that required at city match of 10%. Chief Pickard acquired quotes from Buy Board with positive responses. Six quotes were presented to Council. Grant stipulated accounting issues and reimbursements were discussed.

Mayor Pro-Tem Leverentz made a motion that Council approve the purchase of a large brush truck from Philpott Ford / Westex Welding Co., in the amount of \$187,443.51 with any remaining funds to be used for possible change orders or equipment needed for the new truck, not to exceed \$190,000. The motion was seconded by Place 4, Hunt.

Place 3, Wade voted in opposition.

VOTE: The motion passed four in favor, one opposition.

ITEM 4. Discussion Only – Discuss an arrangement between the City of Ovilla and the Ovilla Service League.

Mayor Vansyckle met with the Ovilla Service League and agreed that when the League hosted Fire and Police Annual Banquets, each department would be responsible for the purchase of the food and refreshments. Any funds collected from the sale of banquet tickets would be donated to the perspective department. Any non-city related fund raising events will be the complete responsibility of the Ovilla Service League and not associated with the city in any capacity.

VOTE: There was no action on this item.

ITEM 5. Discussion Only – Discuss pending litigation: Ernest Walker and Deborah Walker vs. the City of Ovilla, TX; Bill Vansyckle, Randy Whiteman, Mike Dooly, John Doe No. 1 & John Doe No. 2; Cause #10-135 of the 298th District Court, Dallas County, TX.

Staff received an assignment letter from Texas Municipal League Intergovernmental Risk Pool regarding representation and assigned claim number on the litigation. City Administrator, Mayor Vansyckle and Place 2, Dickey had a scheduled appointment with the attorney on Wednesday morning.

VOTE: No action on this item.

ITEM 6. Discussion Only – Discuss Glenn Heights CCN Transfer.

There are a few homes on Ovilla Road (Ovilla Creek Estates) that are in Ovilla city limits but in Glenn Heights CCN. Additionally, the Methodist Church was researching options for utility lines at their new proposed site on Ovilla Road, which would also be serviced by Glenn Heights even though Ovilla owned the water line. City Administrator Randy Whiteman and Glenn Heights' management staff discussed allowing Glenn Heights to assume responsibility for the water line. Ovilla Engineer John Birkhoff, provided an assessed valuation of the line for Council's consideration.

VOTE: There was no action on this item.

ITEM 7. Discussion Only – ***Council will adjourn into Executive Session to consider the following:***

- Sale or purchase of real property: (Authorization by the TX Government Code, Section 551.072, deliberations about real property).

Mayor Vansyckle and Council convened into the Executive Session at 8:38 P.M.

Mayor Vansyckle and the City Council reconvened into Open Session at 9:08 P.M.

Consider Action as a Result of Discussion on Item 7.

VOTE: There was no action on this item.

Council's Request for Consideration of Future Agenda Items

- Place 5, Dormier:** None.
- Place 4, Hunt:** Status of codification and purchase of plat books.
- Place 3, Wade:** Increase volume of information on website.
- Mayor:** Roads.
- Place 2, Dickey:** None.
- Mayor Pro-Tem Leverentz:** Update building & fire codes / research firms to assist with employee applicant background investigations and drug tests.

Adjournment

Place 3, Wade made a motion to adjourn the meeting of November 08, 2010, at 9:11 P.M. Mayor Pro-Tem Leverentz seconded the motion.

VOTE: The motion carried unanimously.

Bill Vansyckle, Mayor

ATTEST:

Pamela Woodall-Higgins, City Secretary

Approved: January 10, 2011