

**CITY OF OVILLA MINUTES**  
**Monday, 14 February 2011**  
**Regular City Council Meeting**  
**105 S. Cockrell Hill Road, Ovilla, TX 75154**

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Mayor Vansyckle called the Regular Council Meeting of the Ovilla City Council to order at 6:00 P.M. The following City Council Members were present:

|                 |                         |
|-----------------|-------------------------|
| Tom Leverentz   | Mayor Pro-Tem, Place 1  |
| James Wade      | Council Member, Place 3 |
| Doug Hunt       | Council Member, Place 4 |
| Richard Dormier | Council Member, Place 5 |
| Michael Dickey  | Council Member, Place 2 |

All members were present, thus constituting a quorum.

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

Mayor Vansyckle gave the Invocation.

Mayor Pro-Tem Leverentz led the Pledge of Allegiance.

**Comments, Presentations and Reports and Appointments**

**CITIZENS COMMENTS / CITIZENS FORUM:**

- ◆ Ms Donna Hunt, President of the Ovilla Service League reminded all present of the upcoming Service League Benefit Dinner, honoring the Ovilla Police Department by donating the proceeds. Ms Hunt asked for volunteers from the Council to provide cakes. Additionally, Ms Jungman (city accountant) would be selling tickets at City Hall.

**DEPARTMENTAL REPORTS:**

- ◆ Police Department Chief Mike Moon
  - Chief Moon announced the hiring of one new officer, Mr. Donald "Red" Fullerton. Officer Fullerton came to Ovilla with many years of experience.
  - Fortunately, Ovilla escaped any accidents during the recent winter storms.
  - Chief Moon presented the 2010 Racial Profiling Report.
  - Chief Moon presented the 2010 UCR Crime Stats Report –reporting that Ovilla had a high clearance rate.
- ◆ Fire Department Chief Donnie Pickard
  - Reported that the ISO Inspection went well, no problems found and would be expecting a "3" rating on the final report.
- ◆ Public Works City Administrator Randy Whiteman
  - City Administrator Randy Whiteman stated the PW crew did an outstanding job on the roads during the ice storm.
  - Place 3 Wade complimented Public Works staff by fulfilling his request in placing all messages on both sides of the marquee.
- ◆ Finance Department Accountant Sharon Jungman
  - City Accountant gave a brief summary of the Municipal Court Report.

*Bill Vansyckle, Mayor*  
*Tom Leverentz, Mayor Pro-Tem*  
*Michael Dickey, Place Two*

*Doug Hunt, Place Four*  
*James Wade, Place Three*  
*Richard Dormier, Place Five*

- ◆ Administration City Administrator Randy Whiteman
  - City Administrator Randy Whiteman gave updates on the Seco Grant and ONCOR Grant.
  - CA Whiteman advised Mayor & Council of the P & Z Advisory Committee's plan to tour the city on February 19, in hopes to get a better comprehension on the Impact Fee Study.

**CONSENT ITEMS:**

- ◆ Financial Transactions
- ◆ Minutes of the January 24, 2011 Regular Council Meeting.
- ◆ Minutes of the February 03, 2011 Special Council Meeting.

Place 5 Dormier noted an error on the February 03 Special Minutes and asked that those minutes be considered separately. Mayor Vansyckle pulled those minutes for discussion and review.

Mayor Pro-Tem Leverentz made a motion that Council approve the Financial Transactions and the Minutes of January 24, 2011 Regular Council Meeting.

Place 4 Hunt seconded the motion.

*Mayor Vansyckle asked for a record vote by announcement of "Aye" or "Nay" from Council. All announced Aye. No oppositions, no abstentions.*

**VOTE: The motion carried 5-0.**

Mayor Vansyckle opened discussion on the February 03, Special Council Meeting Minutes. Place 5 Dormier stated that listed under "Council's Requests for Consideration" on page 2, he was shown to be present, when in fact he was, absent at that meeting. Additionally, it showed Place 4 Hunt to be absent, when in fact he was present. The two Council Members' attendances/absences were inadvertently reversed. The city secretary noted the correction.

Place 4 Hunt made a motion that Council approve the minutes of the Special Meeting on February 03, 2011 with the noted corrections. Place 5 Dormier seconded the motion.

*Mayor Vansyckle asked for a record vote by announcement of "Aye" or "Nay" from Council. All announced Aye. No oppositions, no abstentions.*

**VOTE: The motion carried 5-0.**

**INDIVIDUAL CONSIDERATION:**

**ITEM 1. Discussion/Action** – Consider a proposed **Ordinance to Order a Special Election for the City of Ovilla to be held on May 14, 2011** for the purpose of the *REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF OVILLA AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.*

**Discusión/Acción** – Considera una **Ordenanza propuesto para Ordenar que una Elección Especial para la Ciudad de Ovilla para ser aguantada el 14 de mayo de 2011** para el propósito de la *REAUTHORIZATION DEL IMPUESTO LOCAL de VENTAS Y USO EN LA CIUDAD DE OVILLA A RAZON DE la CUARTA PARTE DE UN POR CIENTO para CONTINUAR Y PROPORCIONAR RENTA PARA el MANTENIMIENTO Y la REPARACION DE CALLES MUNICIPALES.*

Mayor read the Item background: On November 06, 2007 Ovilla citizens voted to approve a Local Sales & Use Tax at the rate of one-fourth of one percent for the maintenance and repair of municipal streets, canvassed by Resolution 08.005. Section 327 of the Tax Code states that an election is required every four-years to allow voters to reauthorize the sales tax. Ovilla's adoption of the Local Sales & Use Tax will expire in November 2011. It would be a considerable cost savings to hold this special election now with the general election.

Place 4 Hunt made a motion that under Tax Code 327, Council approves an ordinance calling for the Order of a Special Election for the City of Ovilla to be held on May 14, 2011, for the purpose of the **REAUTHROIZATION OF THE LOCAL SALES & USE TAX IN THE CITY OF OVILLA AT THE RATE OF ONE-FOURTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS.**

Mayor Pro-Tem Leverentz seconded the motion.

*Mayor Vansyckle asked for a record vote by a show of hands from Council. All hands raised in support. No oppositions, no abstentions.*

**VOTE: The motion carried 5-0.**

**ITEM 2. Discussion/Action** – Consider approval of a **Resolution** appointing an Election Judge and an Alternate Election Judge, appointing an Early Voting Ballot Board for the May 14, 2011 General Election and the May 14, 2011 Special Election; appointing an Early Voting Clerk and Deputy Clerks; and setting the method of tallying ballots.

Mr. Charlie Morton once again agreed to serve as the City's Election Judge. His wife, Helen Morton will serve as Alternate Election Judge. Together they will compile the Early Voting Ballot Board. The city secretary will hold the early voting responsibilities.

Place 2 Dickey made a motion that Council approve a resolution designating the appointment of Charlie Morton and Helen Morton as Election Judge and Alternate Election Judge respectively, presiding as the Early Voting Ballot Board; designating the City Secretary as Early Voting Clerk, assigning Deputy Early voting clerks and setting the method for tallying the ballots for the May 14, 2011 General Election & Special Election, as presented.

*Mayor Vansyckle asked for a record vote by announcement of "Aye" or "Nay" from Council. All announced Aye. No oppositions, no abstentions.*

**VOTE: The motion carried 5-0.**

**ITEM 3. Discussion/Action** – Consider approval of a Joint Election Agreement between the Midlothian Independent School District and the City of Ovilla, TX.

As in previous years, Midlothian Independent School District and Ovilla shared the use and expense of the AutoMark on Election Day.

Place 4 Hunt made a motion that Council approve the Joint Election Agreement between the Midlothian Independent School District and the City of Ovilla for the May 14, 2011 Election Day. Place 2 Dickey seconded the motion.

*Mayor Vansyckle asked for a record vote by announcement of "Aye" or "Nay" from Council. All announced Aye. No oppositions, no abstentions.*

**VOTE: The motion carried 5-0.**

**ITEM 4. Discussion/Action** – Consider Council approval of a recommended appointment from Chief Mike Moon of an “unpaid” police officer (reserve) applicant, Richard Kretlow, to carry a weapon (LGC §341.012) as a participating representative of the Ovilla Police Reserve Program.

Mayor Vansyckle called an Executive Session at 6:45 P.M., pursuant to authorization by Texas Government Code, 551.074 (personnel matters).

Mayor Vansyckle and Council reconvened to Open Meeting at 6:54 P.M.

Place 4 Hunt made a motion that under the LGC 341.012, Council approves the appointment of Richard Scott Kretlow to act in the capacity of and perform the duties as an Ovilla Police Reserve Officer for the City of Ovilla.

Place 5 Dormier seconded the motion.

*Mayor Vansyckle asked for a record vote by announcement of “Aye” or “Nay” from Council. All announced Aye. No oppositions, no abstentions.*

**VOTE: The motion carried 5-0.**

**ITEM 5. Discussion/Action** – Consider a **Resolution** adopting a revision to the City of Ovilla Employee Handbook by amending Section 8.11 “Use of City Vehicles” to permit volunteer fire fighters, volunteer police officers and City Council members to drive city-owned or leased vehicles if on official city business.

Upon reviewing the new employee handbook, it was noted that the use of city vehicles needed to be addressed and amended for all volunteer firefighters, police reserves and Council.

Place 5 Dormier made a motion that Council approves a resolution adopting a revision to the City of Ovilla Employee Handbook, amending Section 8.11 “Use of City Vehicles” as presented.

Place 2 Dickey seconded the motion.

*Mayor Vansyckle asked for a record vote by announcement of “Aye” or “Nay” from Council. All announced Aye. No oppositions, no abstentions.*

**VOTE: The motion carried 5-0.**

**ITEM 6. Discussion/Action** – Consider authorizing the Ovilla 4b EDC to expend \$8,500.00 of their program funds to contract with Retail Coach for market analysis.

The City Administrator advised Council that the Economic Development Corp. (EDC) voted to accept a proposal from Retail Coach to provide a market analysis.

Place 4 Hunt made a motion that Council authorize the Ovilla 4B EDC to expend \$8,500 of program funds to contract with Retail Coach to provide market analysis.

Mayor Pro-Tem Leverentz seconded the motion.

*Mayor Vansyckle asked for a record vote by announcement of “Aye” or “Nay” from Council. All announced Aye. No oppositions, no abstentions.*

**VOTE: The motion carried 5-0.**

**ITEM 7. Discussion/Action** – Consider declaration of surplus property and authorize sale of such.

Code Enforcement / Animal Control Officer Mike Dooly compiled a list of surplus vehicles and equipment. All receipts from the sale of property would go to the General Fund.

Mayor Pro-Tem Leverentz made a motion that Council declare the list of items presented as surplus property and authorize the city staff to sale in accordance with state law.

Place 4 Hunt seconded the motion.

*Mayor Vansyckle asked for a record vote by announcement of "Aye" or "Nay" from Council. All announced Aye. No oppositions, no abstentions.*

**VOTE: The motion carried 5-0.**

**ITEM 8. Discussion Only** – Discuss and review road rehabilitation reports, updates, projects, and consider the purchase of street equipment.

Mayor addressed this item and stated it would remain on the council agendas until roads were no longer a problem in Ovilla. Mayor Pro-Tem Leverentz offered updates from the Capital Improvements Projects Committee (CIP), noting the recent work performed on Red Oak Creek Road. Place 5 Dormier stated the CIP had planned layouts for the next five-years – or through 2013 at least. Mayor and CA Randy Whiteman stated they should have a demo of a Pro-Patch next week.

**THERE WAS NO ACTION ON THIS ITEM. DISCUSSION ONLY.**

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**Council's Request for Consideration of Future Agenda Items**

- Place 5, Dormier:** None.
- Place 4, Hunt:** Magnetic Signs.
- Place 3, Wade:** Discussion regarding banners & signs.
- Mayor:** Discussion regarding banners & signs.
- Place 2, Dickey:** None.
- Mayor Pro-Tem Leverentz:** Discuss surplus funds from audit.

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**Adjournment**

Place 3 Wade made a motion to adjourn the meeting of February 14, 2011; at 7:21 P.M. Place 4 Hunt seconded the motion.

**VOTE: The motion carried unanimously.**

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Bill Vansyckle, Mayor

ATTEST:

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Pam Woodall Higgins, City Secretary

**Approved: March 14, 2011**