

CITY OF OVILLA MINUTES
Monday, 09 May 2011
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 4 Hunt gave the Invocation.
Mayor Pro-Tem Leverentz led the Pledge of Allegiance.

Comments, Presentations and Reports and Appointments

1. Mayor Vansyckle read proclamations honoring Eagle Scout Award recipients:
 - 1) Brian Ferguson
 - 2) Christian Hogue

The honorees were present as well as their parents. Mayor Vansyckle asked both families to stand and be recognized.

CITIZENS COMMENTS / CITIZENS FORUM:

- ◆ None

DEPARTMENTAL REPORTS:

- ◆ Police Department Sergeant D. Fullerton
 - Monthly Report

Sergeant Fullerton gave a brief summary of the monthly report and responded to a few inquiries from Place 3 Wade regarding a burglary and police assistance to fire calls. Sergeant Fullerton commended the Ovilla Fire Department's efficiency considering the department's limited staff.

- ◆ Fire Department Fire Chief D. Pickard
 - Monthly Report

Fire Chief Pickard supplied requested graphs for Place 3 Wade, with what he described as the best available diagrams with the current software.

Ellis County Commissioners lifted the burn ban this date.

- ◆ Public Works Director B. Piland
 - Monthly Report

Protocol was discussed for on-call employees when dealing with stopped up pumps.

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

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

◆ Finance Department

Accountant S. Jungman

- Monthly Municipal Court Report

Accountant Ms Jungman stated that based on month-to-month, the proceeds compared from April of last year showed that the revenue had declined. However, the year-to-date collections showed an increase.

- Update on mid-year budget review

The mid-year budget was in process.

◆ Administration

City Administrator R. Whiteman

- Status of refunding/issuance of bonds

CA Mr. Whiteman stated that staff was completing the necessary information for First Southwest to move forward with the refunding and reissuance of bonds. First Southwest will supply the sample ordinance and notifications for staff to model.

CONSENT ITEMS:

- ◆ Monthly Financial Transactions.
- ◆ Minutes of the April 11, 2011 Regular Council Meeting.
- ◆ Minutes of the April 25, 2011 Regular Council Meeting.

Place 3 Wade asked to pull the monthly financial transactions for discussion. Mayor Vansyckle pulled the monthly financial transactions from the consent agenda, and labeled them **Item 5** for discussion/action. The remaining consent items were ready for motion.

Mayor Pro-Tem Leverentz made a motion that Council approves the consent items as presented. 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 unanimously; 5-0.

MAYOR VANSYCKLE TOOK ITEMS OUT OF ORDER TO ADDRESS THE NEWLY LABELED ITEM 5-Financial Transactions.

INDIVIDUAL CONSIDERATION:

ITEM 5. Discussion/Action – Consider approval of the monthly financial transactions.

Place 3 inquired about the cost of the repair to the Fire Truck; the recorded line item; and if there were certain training and guidelines in the event of another accident with equipment as expensive as the truck. Fire Chief Pickard assured Council that training and protocol was in place and that the insurance company paid for almost all the repairs-all but the insurance deductible.

Mayor Pro-Tem Leverentz made a motion that Council approves the financial transactions as presented.

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 unanimously; 5-0.

ITEM 1. Discussion/Action – Consider a resolution approving the Articles of Incorporation and Bylaws of Cities Aggregation Power Project, Inc., (CAPP/TACP), approving a membership fee and appointing a representative to serve on behalf of the City of Ovilla.

The City's contract with Direct Energy (through their subsidiary for power) expires in August. The City currently has other accounts with TXU that are not under contract. Staff recommended combining and placing all eligible accounts under the TACP agreement to receive better and cost saving rates - \$10,000 or more in savings were expected. To join, the City would pay a membership fee of about \$450.

Place 4 Hunt made a motion that Council approves a resolution authorizing the membership fee and Articles of Incorporation and Bylaws of Cities Aggregation Power Project, Inc., and appointing the City Administrator to serve as the representative on the behalf of 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 unanimously; 5-0.

ITEM 2. Discussion/Action – Consider approvals authorizing the use of excess funds identified in the 2009-2010 FY Audit and authorize an ordinance amending the FY 2010-2011 Budget for the transfer of excess funds for an adjustment to the Street Department expenditures, to allow for the purchase of street equipment.

Mayor Vansyckle asked Council to consider using the excess funds to purchase street equipment and had directed staff to research the best purchasing options. The City Administrator suggested that the Richie Brothers Auction was scheduled on May 11. Public Works Director Brad Piland advised Council that an air compressor would be considered. A proposed ordinance allowing for the budget amendment was prepared.

Mayor Pro-Tem Leverentz made a motion that Council approves the use of excess funds identified in the 2009-2010 FY Audit and approves an ordinance amending the 2010-2011 FY Budget, transferring funds in the amount of \$14,000 to the General Fund, Street Department expenditures for the purchase of equipment.

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 unanimously; 5-0.

ITEM 3. Discussion Only – Mayor's formation of a committee to consider future parklands.

The Mayor announced that the Pastor and board members of the Ovilla United Methodist Church approached him regarding a tract of land belonging to the church. The church suggested allowing the city's possible future lease of this property for development of a major city park. Mayor Vansyckle stated he had been meeting with the church for quite a while to negotiate a proposed lease agreement. Mayor Vansyckle declared his appointment of members to form a committee to meet with a corresponding committee of the Ovilla United Methodist church concerning this dedication and development of property. The committee would

be "fact finding" only and would return to Council with recommendations. This was a mayoral appointment. Assisting Mayor Vansyckle to this new Park Board:

◆ Mayor Pro-Tem Leverentz

Mayor stated that City Administrator Randy Whiteman would also partake in helping. Place 3 Wade suggested appointing residents to the board and especially those living near this tract of land. Mayor said he may appoint a few citizens later.

Discussion Only. There was no action on this item.

ITEM 4. Discussion Only – Discuss and review road rehabilitation reports, updates, projects, and consider the purchase of street equipment.

Public Works Director Piland gave an update of work by County road crews and his working crews:

- First and second coarse overlays were finished on E. University.
- First coarse penetration onto Willowcreek - tying into the driveways & sloping-second coarse seal to follow. May come back to slope more driveways.
- One-coarse penetration was laid on Brookwood entrance with one more seal needed before completion.
- City office received a "Thank You" call from those traveling Cardinal and Meadowlark for the roadwork. Will also perform second overlay and slope driveways.
- Work is still underway at Shiloh Bridge.
- On-going drainage project at Red Oak Creek, including erosion control.

Council's Request for Consideration of Future Agenda Items

Place 5, Dormier: None.
Place 4, Hunt: None.
Place 3, Wade: Concerns regarding ethic complaints / amend ethics manual.
Mayor: Thanks to those attending National Day of Prayer.
 May 14 Election- canvass is scheduled for May 19 at 3:00 p.m.
Place 2, Dickey: None.
Mayor Pro-Tem Leverentz: None.

Adjournment

Place 3 Wade made a motion to adjourn the meeting of May 09, 2011, 2011 at 8:00 P.M. Place 2 Dickey seconded the motion.

VOTE: The motion carried unanimously.



Bill Vansyckle, Mayor

ATTEST:



Pam Woodall Higgins, City Secretary

Approved: June 13, 2011

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

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