

CITY OF OVILLA MINUTES
Monday, 13 June 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 2 Dickey gave the Invocation.

Place 5 Dormier led the Pledge of Allegiance.

Comments, Presentations and Reports and Appointments

CITIZENS COMMENTS / CITIZENS FORUM:

1. Mr. Louis Grinage voiced his appreciation to the Mayor, Council and all city employees that assisted with the building of the new Brookwood Entrance, including the foliage.
2. Mr. Charlie Morton thanked the Council for the difficult task they had – at times a thankless job as they took time to plan for Ovilla's future and citizens.
 - Additionally, Mr. Morton was grateful to see that Chief Mike Moon had returned from the FBI Academy in Quantico, VA.
 - Mr. Charlie Morton asked Council to ponder over an idea to allow the placement of some type of field piece, i.e.: tank, howitzer, etc., at Heritage Park to compliment the memorial. Mr. Morton had visited with 6th District, Congressman Joe Barton and felt that a letter of request from the City Administrator might be sufficient to acquire a field piece.

DEPARTMENTAL REPORTS:

- | | |
|---------------------|----------------------|
| ◆ Police Department | Police Chief M. Moon |
| • Monthly Report | |

Chief Moon was available to answer questions on the report. He had just returned from training at the FBI Academy. Chief commented that Lt. Dox kept him apprised of any emergencies.

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

Fire Chief Pickard advised that Ellis County had enacted the Burn-Ban, effective this date.

Fire Chief Pickard reported on a mock-massive F-5 tornado disaster held at Shield's Elementary.

- ◆ Public Works
 - Monthly Report

Director B. Piland

Director Piland advised that the Stage 1 Voluntary Water Awareness was effective.

- ◆ Finance Department
 - Monthly Municipal Court Report

Accountant S. Jungman

Accountant S. Jungman reported that court was not held in May, as intended and approved during the FY2010-2011 budget meetings to cut costs. Court would not be scheduled in December either.

- ◆ Administration
 - Status of refunding/issuance of bonds

City Administrator R. Whiteman

CA Mr. Whiteman stated that staff had met with representatives conducting the rating(s) and that the underwriter had also been at city hall to review necessary documents.

- The City received the ONCOR grant check this date, \$18,253.

CONSENT ITEMS:

- ◆ Monthly Financial Transactions.
- ◆ Minutes of the May 09, 2011 Regular Council Meeting.
- ◆ Minutes of the May 19, 2011 Special Council Meeting (canvass).
- ◆ Minutes of the May 23, 2011 Regular Council Meeting.

Place 4 Hunt made a motion that Council approves the consent items as presented. 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 unanimously; 5-0.

INDIVIDUAL CONSIDERATION:

ITEM 1. Discussion/Action – Consider adoption of proposed procedures for the hearing of complaints against one or more members of City Council in full session.

Mayor Vansyckle shared a proposed working copy and stated he was soliciting help from the city attorney. Mayor Vansyckle briefed Council of the proposed procedures. Place 5 Dormier inquired if the city attorney had approved the language. Mayor responded that the attorney had not. Place 5 Dormier questioned the formation of the subcommittee. CA Randy Whiteman asked Council to be mindful that in lieu of a "set procedure", anything decided/motioned during this evening in reference to the next three items would become procedure.

Place 2 Dickey made a motion that Council TABLE Item 1 for further review.

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 to TABLE Item 1; 5-0.

ITEM 2. Discussion/Action – Review a complaint filed by Place 3 Wade against Mayor Vansyckle regarding Brookwood Entrance.

Mayor Pro-Tem Leverentz read aloud Item 2 and the summary of the complaint. Mayor Vansyckle announced he was ready to proceed. Place 3 Wade stated that based on the discussion & decision of Item 1, he wanted to table this item until Council ruled on the proper “hearing of ethics complaints” procedures.

Place 3 Wade made a motion that Council TABLE Item 2.
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 to TABLE Item 2; 5-0.

ITEM 3. Discussion/Action – Review a complaint filed by Place 3 Wade against Mayor Vansyckle regarding the CIP Committee.

Mayor Pro-Tem Leverentz read aloud Item 3 and the summary of the complaint. Mayor Vansyckle announced he was ready to proceed. Place 3 Wade stated that based on the discussion and decision of Item 1, he wanted to table this item until Council ruled on the proper “hearing of ethics complaints” procedures.

Place 3 Wade made a motion that Council TABLE Item 3.
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 to TABLE Item 3; 5-0.

ITEM 4. Discussion/Action – Review a complaint filed by Place 3 Wade against Mayor Vansyckle regarding his personal business.

Mayor Pro-Tem Leverentz read aloud Item 4 and the summary of the complaint. Mayor Vansyckle announced he was ready to proceed. Place 3 Wade stated that based on the discussion and decision of Item 1, he wanted to table this item until Council ruled on the proper “hearing of ethics complaints” procedures. Place 4 Hunt said he was ready to proceed and get this issue behind us.

Place 3 Wade made a motion that Council TABLE Item 4.
Mayor Pro-Tem Leverentz seconded the motion.

Mayor Vansyckle asked for a record vote by announcement of “AYE” or “NAY” from Council.

PL 3 Wade, PL 5 Dormier and Mayor Pro-Tem Leverentz announced Aye.

PL 2 Dickey and PL 4 Hunt voted in opposition. There were no abstentions.

VOTE: The motion carried to TABLE Item 4; 3 in favor to table, 2 in opposition.

ITEM 5. Discussion/Action – Consider nominations and appointments/reappointments to the Board of Adjustment.

Three full-member positions and one alternate-member position had expiring terms in July 2011.

Those members are as listed: David Griffin
Barbara Betik
Richard Ware
Patricia Rarick (Alternate position)

All members have voiced their desires for reappointment and have completed the Open Meetings Act Training. Mayor Vansyckle announced that he was currently accepting applications for the Board of Adjustment.

Mayor Pro-Tem Leverentz made a motion that Council reappoint Barbara Betik and Richard Ware to full-member positions and to move and appoint Patricia Rarick to a full-member position. (From her alternate-member position)

Place 4 Hunt seconded the motion.

Place 3 Wade questioned the non-renewal of David Griffin. (No response)

Mayor Vansyckle asked for a record vote by announcement of "AYE" or "NAY" from Council.

Mayor Pro-Tem Leverentz, PL 2 Dickey and PL 4 Hunt announced Aye.

PL 3 Wade and PL 5 Dormier voted in opposition. There were no abstentions.

VOTE: The motion carried; 3 in favor, 2 in opposition.

(Mayor again reiterated that an alternate position will be open and the Mayor will be accepting applications and scheduling interviews.)

ITEM 6. Discussion/Action – Consider nominations and appointments/reappointments to the Economic Development Corporation.

The three member terms expiring in mid-June are as listed: George Owens
Gary Jones
Deborah Kennedy

All members have voiced their desires for reappointment and have completed the Open Meetings Act Training.

Mayor Pro-Tem Leverentz made a motion that Council reappoint George Owens, Gary Jones and Deborah Kennedy to the Economic Development Corporation Board to new two-year terms.

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 7. Discussion/Action – Consider nominations and appointments/reappointments to the Planning and Zoning Commission.

There are four-member terms expiring in July: Ken Rarick
Richard Edmiston
Loreen Silva
Bill Zimmermann

All members have voiced their desires for reappointment and have completed the Open Meetings Act Training.

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

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

Mayor Pro-Tem Leverentz made a motion that Council reappoint Ken Rarick, Richard Edmiston, Loreen Silva and Bill Zimmermann to new two-year terms on the Planning & Zoning Commission.

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 8. Discussion Only – Discuss and review FY2011-2012 Budget Planning Calendar.

City Accountant briefed Council of the scheduled budget workshop meetings and mandatory publication dates established by the TX Tax Code for the FY 2011-2012 Budget.

ITEM 9. Discussion/Action – Consider various assignments, scheduled times, planned events and entertainment for upcoming Heritage Day.

Mayor Vansyckle recommended the appointment of Place 4 Hunt as the coordinator/planner of Heritage Day.

Place 2 Dickey made a motion that Council approves the proposed individual assignment of Place 4 Doug Hunt as coordinator to the 2011 Heritage Day events and festivities.

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 unanimously; 5-0.

ITEM 10. Discussion/Action – Consider a proposed resolution authorizing continued participation with the steering committee of cities served by ONCOR and authorizing the payment of 10 cents per capita to the steering committee.

City Administrator explained that this proposed resolution was the annual renewal of Ovilla's membership to the Steering Committee of Cities served by ONCOR.

Mayor Pro-Tem Leverentz made a motion that Council approve a resolution, approving the assessment of a 10 cent per capita fee to continue membership and fund the activities of the steering committee.

Place 2 Dickey seconded the motion.

Place 3 Wade voted in opposition.

Mayor Vansyckle asked for a record vote by announcement of "AYE" or "NAY" from Council.

Mayor Pro-Tem Leverentz, PL 2 Dickey, PL 4 Hunt and PL 5 Dormier announced Aye.

PL 3 Wade announced Nay. There were no abstentions.

VOTE: The motion carried; 4 in favor, 1 in opposition.

ITEM 11. Discussion Only – Discuss and review road rehabilitation reports, updates, projects, and consider the purchase of street equipment.

Various items were reported:

1. City Administrator Randy Whiteman informed the governing body that staff had recently purchased a concrete saw.
2. Mayor Pro-Tem Leverentz reported on the recent meeting of the Capital Improvement Projects Committee (today at 6:00 P.M.) The 10-year recommended plan was distributed for Council review.

Council’s Request for Consideration of Future Agenda Items

Place 5, Dormier: Impact Fee study
 Letter for field piece at Heritage Park Memorial

Place 4, Hunt: Consider the revision/update of website
 Status for packets on website

Place 3, Wade: None

Mayor: Review increasing CTY capabilities (budget discussion)

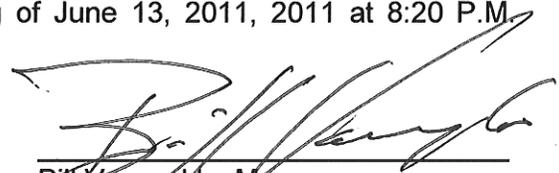
Place 2, Dickey: None.

Mayor Pro-Tem Leverentz: None.

Adjournment

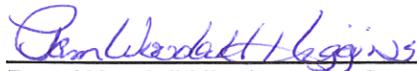
Place 3 Wade made a motion to adjourn the meeting of June 13, 2011, 2011 at 8:20 P.M.
Mayor Pro-Tem Leverentz seconded the motion.

VOTE: The motion carried unanimously.



 Bill Vansyckle, Mayor

ATTEST:



 Pam Woodall Higgins, City Secretary

Approved: June 27, 2011