

CITY OF OVILLA MINUTES
Monday, 11 July 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 7:03 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.

Mayor Vansyckle gave the Invocation.
Mayor Pro-Tem Leverentz led the Pledge of Allegiance.

Comments, Presentations and Reports and Appointments

Place 4 Hunt gave an update on Heritage Day plans.

CITIZENS COMMENTS / CITIZENS FORUM:

- There was none.

DEPARTMENTAL REPORTS:

- ◆ Police Department Sergeant Fullerton
 - Monthly Report – Commented that July 4th was quiet and uneventful.
- ◆ Fire Department Fire Chief D. Pickard
 - Monthly Report-explained a new itemization on the Fire Dept. report.
- ◆ Public Works Director B. Piland
 - Monthly Report - Gave a status on the Public Works building.
 - Advised that Ovilla was still under Stage 1 Voluntary Water Management.
- ◆ Finance Department Accountant S. Jungman
 - Monthly Municipal Court Report – Revenues increased from this time last year.
 - Preliminary Budget for first workshop – Scheduled on July 13th at 6:00 P.M.
- ◆ Administration City Administrator R. Whiteman
 - Monthly Report – Code Enforcement/Animal Control

CONSENT ITEMS:

- ◆ Monthly Financial Transactions.
- ◆ Resolution authorizing city's CD Investments with Citizen's National Bank.

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

Place 2 Dickey seconded the motion.

Mayor Vansyckle asked for a record vote by the raising of hands in favor.

Mayor Vansyckle asked for a record vote by the raising of hands against. All Council raised hands in favor. No oppositions, no abstentions.
VOTE: The motion carried unanimously: 5-0.

INDIVIDUAL CONSIDERATION:

ITEM 1. Discussion/Action – Hear complaint filed by Place 3 Wade against Mayor Pro-Tem Leverentz regarding *Abuse of Power for Political Gain*.

Discussion of the complaint could be in Executive Session or Open Session. Mayor Pro-Tem Leverentz requested to address the complaint in Open Session. Councilman Wade made a statement that he was unaware at the time he lodged his complaint against Mr. Leverentz that Mr. Leverentz could place items on the CIP list, even if he benefitted directly - as long as he did so in open forum. He now realized that Mayor Pro-Tem Leverentz did in fact make suggestions for road improvements to his street in an Open Session. Mayor Pro-Tem Leverentz reiterated comments written in his letter of response. (Response kept in complaint file.) Place 4 Hunt posed a few inquiries to Mayor Pro-Tem Leverentz and was satisfied with his responses.

Place 3 Wade made closing remarks of his concerns that having Council on additional Committees and/or Boards within the city is not always a good idea. Mayor Pro-Tem Leverentz had no closing remarks.

Place 4 Hunt made a motion that Council finds the allegation outlined in the presented complaint against Mayor Pro-Tem Leverentz to be untrue with prejudice.

Place 2 Dickey seconded the motion.

Mayor Vansyckle asked for a record vote by the raising of hands in favor.

Place 2 Dickey, Place 4 Hunt and Place 5 Dormier raised hands in favor.

Mayor Vansyckle asked for a record vote by the raising of hands against.

Place 3 Wade raised his hand to vote in opposition but was informed by Mayor Vansyckle that he could not vote. When asked why his vote did not count, Mayor Vansyckle stated that neither Place 3 Wade nor Mayor Pro-Tem Leverentz was allowed to vote.

No oppositions, no abstentions.

VOTE: The motion carried unanimously: 3-0.

ITEM 2. Discussion/Action – Consider a proposed ordinance of the City of Ovilla appointing Kathy Austin as a Substitute Judge of the Municipal Court of Record, effective July 11, 2011.

The term for the substitute Judge expired in May (same as Judge Kurth). Mayor Vansyckle recommended Ms Austin as she works with Judge Kurth. Place 3 Wade inquired if the Mayor knew Ms Austin. Mayor Vansyckle responded no.

Mayor Pro-Tem Leverentz made a motion that Council approve the proposed ordinance appointing a substitute judge of the Ovilla Municipal Court of Record and further determined that Kathy Austin is duly qualified and appointed to serve as substitute judge for the City of Ovilla for a term to expire the same as Judge Kurth's.

Place 4 Hunt seconded the motion.

Mayor Vansyckle asked for a record vote by the raising of hands in favor. Mayor Pro-Tem Leverentz, Place 2 Dickey, Place 4 Hunt & Place 5 Dormier raised hands in favor. Mayor Vansyckle asked for a record vote by the raising of hands against. Place 3 Wade voted in opposition. No abstentions. **VOTE: The motion carried 4-1.**

ITEM 3. Discussion Only – Discuss and review road rehabilitation reports, updates, projects, and consider the purchase of street equipment.

There was no new information. City Administrator Randy Whiteman told Council that city crews were picking up the (new to city) used asphalt truck recently purchased on auction for \$8,400 this week.

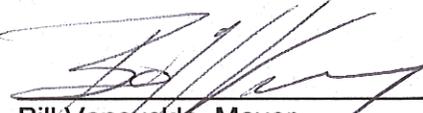
Council's Request for Consideration of Future Agenda Items

Place 5, Dormier: None
Place 4, Hunt: None
Place 3, Wade: None
Mayor: None
Place 2, Dickey: None.
Mayor Pro-Tem Leverentz: None.

Adjournment

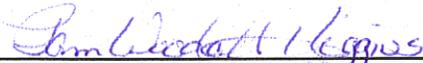
Mayor Pro-Tem Leverentz made a motion to adjourn the meeting of July 11, 2011 at 7:30 P.M. Place 4 Hunt seconded the motion.

VOTE: The motion carried unanimously.



Bill Vansyckle, Mayor

ATTEST:



Pam Woodall Higgins, City Secretary

Approved: August 08, 2011