

CITY OF OVILLA MINUTES
Monday, 12 September 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
James Wade	Council Member, Place 3
Doug Hunt	Council Member, Place 4
Richard Dormier	Council Member, Place 5

Absent: Michael Dickey Council Member, Place 2

Noted 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

Mayor Vansyckle read aloud a Resolution in remembrance of 911.

Mayor Vansyckle announced the removal of Item 14 from the agenda.

CITIZENS COMMENTS / CITIZENS FORUM:

1. Mr. Phil Lynch gave a report on the serious physical condition of Place 2 Mike Dickey resulting from his motorcycle accident.
2. Mr. Dale Helm gave disparaging comments regarding the use of city funds for the Council Chamber room renovation, noting Mayor Vansyckle assured residents that all renovations would be paid from donations only.
3. Mr. Morris Gresham – Acknowledged himself as the Mayor's most outspoken critic. Mr. Gresham offered his strong support of City Administrator, Randy Whiteman and added that the Mayor and Council should set ordinance and/or policy and not interfere into the day-to-day business of the city hall staff.

DEPARTMENTAL REPORTS:

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| • Police Department | Police Chief M. Moon |
| • Monthly Report | |
| • Fire Department | Fire Chief D. Pickard |
| • Monthly Report – Burn ban has been extended an additional 90-days. | |
| • ESD#2 (Emergency Services District) Update-still working on options agreeable to Ovilla and the ESD. | |
| • Public Works | Director B. Piland |
| • Monthly Report-gave an update on the PW building. | |
| ◆ Finance Department | Accountant S. Jungman |
| • Municipal Court Report, Y-T-D increase was over \$7,000 | |
| ◆ Administration | City Administrator R. Whiteman |

- Reported on the new climate controlled/holding room for animal control. Ovilla does not have a licensed animal shelter but needs a holding area before transferring strays or lost pets to Waxahachie.

CONSENT ITEMS:

- ◆ Monthly Financial Transactions
- ◆ Declare Brush Truck 751 as surplus – moved to Regular Agenda as Item 10.

Mayor Pro-Tem Leverentz made a motion that Council approves the consent item as presented. Place 4 Hunt seconded the motion.

Mayor Vansyckle asked for a record vote by announcement of Aye or Nay.

All present Council announced AYE. No oppositions, no abstentions.

Place 2 Dickey was noted absent.

VOTE: The motion carried unanimously: 4-0.

PUBLIC HEARING & CONSIDERATION:

ITEM 1. Public Hearing and Discussion of an ordinance to adopt and approve the Proposed Budget for the Fiscal Year 2011-2012.

Mayor Vansyckle opened the Public Hearing at 8:02 P.M.

There were no questions or comments from the public.

Mayor Vansyckle closed the Public Hearing at 8:04 P.M.

INDIVIDUAL CONSIDERATION:

ITEM 2. Discussion/Action – Consider Adoption of Ordinance 2011-019 Adopting and Approving the Proposed Budget for the Fiscal Year 2011-2012.

City Accountant, Sharon Jungman gave a complete budget presentation with graphs, explaining each graph and identifying all funds. Ms Jungman shared Ovilla's tax rate history. The proposed budget for the Fiscal Year October 01, 2011 – September 30, 2012, was based on the proposed tax rate of 0.6638 per \$100 of valuation – as proposed and directed by Council. There were no proposed revenue increases.

Mayor Pro-Tem Leverentz made a motion that Council adopts Ordinance 2011-019, setting the budget and making appropriations for the support of the City Government of the City of Ovilla for the Fiscal Year 2011-2012 as presented.

Place 4 Hunt seconded the motion.

Mayor Vansyckle asked for a record vote by individual announcement of Aye or Nay.

Mayor Pro-Tem Leverentz AYE

Place 4 Hunt AYE

Place 5 Dormier AYE

Place 3 Wade NAY

Place 2 Dickey Absent.

Three Council members announced AYE. One opposition, one absent, no abstentions.

VOTE: The motion carried unanimously: 3-1.

ITEM 3. Discussion/Action – Consider Adoption of Ordinance 2011-020 Approving the Tax Rate for the Fiscal year 2011-2012.

The Law requires that the governing body adopt the tax rate as an official action and set it out in a written ordinance or resolution. At the August 01, 2011 Special Council Meeting and Budget workshop, Council took a record vote for the proposed rollback rate for Fiscal Year 2011-2012. City Administrator clearly explained that this year's proposed tax rate is the rollback rate, which was less than the effective rate.

The ordinance presented adopted the tax rate for FY 2011-2012:

M&O	0.4934 cents per \$100.00 of valuation
Debt Service	0.1704 cents per \$100.00 of valuation
Total	0.6638 cents per \$100.00 of valuation

Place 4 Hunt made a motion that Council approves the property taxes for the FY2011-2012 by the adoption of a tax rate of 0.4934 cents per \$100 of valuation for maintenance and operations, and 0.1704 cents per \$100 of valuation for debt service, for a total tax rate of 0.6638 cents per valuation by the approval and adoption of Ordinance 2011-020.

Mayor Pro-Tem Leverentz seconded the motion.

Mayor Vansyckle asked for a record vote by individual announcement of Aye or Nay.

Mayor Pro-Tem Leverentz AYE

Place 3 Wade AYE

Place 4 Hunt AYE

Place 5 Dormier AYE

Place 2 Dickey Absent

All present Council announced AYE. No oppositions, one absent, no abstentions.

VOTE: The motion carried unanimously: 4-0.

ITEM 4. Discussion/Action – Consider Resolution of candidate nominations for the Ellis Appraisal District Board of Directors for the Years 2012-2013.

Mayor Pro-Tem Leverentz made a motion that Council nominate by Resolution 2011-019 that Mr. Phillip Lynch receive all Ovilla votes for the Ellis Appraisal District Board of Directors for the Years 2012-2013.

Place 5 Dormier seconded the motion.

Mayor Vansyckle asked for a record vote by the announcement of Aye or Nay.

All present Council Members announced AYE.

Place 2 Dickey was noted absent.

No oppositions, No abstentions.

VOTE: The motion carried 4-0.

ITEM 5. Discussion/Action – Consider and approve FY2011-2012 City Calendar and approve scheduled meetings of the Ovilla City Council.

City Administrator, Randy White stated that an approved visual and documented city calendar and holiday schedule offers positive and accountable planning.

Mayor Pro-Tem Leverentz made a motion that Council approves the FY2011-2012 City Calendar and scheduled meeting dates and alternate Council meeting dates as proposed.

Place 4 Hunt seconded the motion.

Mayor Vansyckle asked for a record vote by the announcement of Aye or Nay.

All present Council Members announced AYE.

Place 2 Dickey was noted absent.

No oppositions, No abstentions.

VOTE: The motion carried 4-0.

ITEM 6. Discussion/Action – Consider and approve the purchase of technical equipment for the Council Chamber Room.

Mayor Vansyckle stated the need for better audio-visual equipment as well as computer equipment to aid in better and faster communications. Mayor met with Best Buy representatives for a complete system including installation. Council previously approved a \$5,000 cap for this equipment. This proposal was \$5,500 – including installation. An equipment policy regarding liability and/or responsibility of the Council and staff would be prepared prior to the distribution of any equipment.

Place 4 Hunt made a motion that Council approves and proceeds with the acquisition and of the listed technical equipment and the plan of implementation for use in the Council Chamber room and of the Council Members. (City Secretary confirmed that this purchase would be in the FY2011-2012)

Mayor Pro-Tem Leverentz seconded the motion.

Mayor Vansyckle asked for a record vote by the announcement of Aye or Nay.

All present Council Members announced AYE.

Place 2 Dickey was noted absent.

No oppositions, No abstentions.

VOTE: The motion carried 4-0.

ITEM 7. Discussion/Action – Consider awarding a Meritorious Exception as allowed under Chapter 3, Section 3.06.012 of the Ovilla Code of Ordinances to allow Ms Diana Phillips to place a new cover on an old portable sign in front of her business located at 3322 Ovilla Road.

Applicant, Ms Diana Phillips was present and made correction that the address was 3323 Ovilla Road – not 3322. (Correction was noted.) Ms Phillips continued with her appeal to the Council, explaining the cost associated with city code requirements was not affordable as her tutoring school was unpaid except for one teacher. This exception would allow her to cover the old sign and present a very nice sign.

Mayor Pro-Tem Leverentz made a motion that Council approves a Meritorious Exception as presented to Ms Diana Phillips at her business of One-On-One Tutoring located at 3323 Ovilla Road.

Place 4 Hunt seconded the motion.

Mayor Vansyckle asked for a record vote by the announcement of Aye or Nay.

All present Council Members announced AYE.

Place 2 Dickey was noted absent.

No oppositions, No abstentions.

VOTE: The motion carried 4-0.

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

4

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

Fire Chief Donnie Pickard explained that Ovilla received a grant for a new truck, looking at completion sometime in late September. Upon sale of the truck, Chief Pickard requested using those funds to offset the 10% matching funds portion that the grant requires.

Place 5 Dormier made a motion that Council declares Brush Truck 751 as surplus property and authorizes the city staff to sale in accordance with state law.

Mayor Pro-Tem Leverentz seconded the motion.

Mayor Vansyckle asked for a record vote by the announcement of Aye or Nay.

All present Council Members announced AYE.

Place 2 Dickey was noted absent.

No oppositions, No abstentions.

VOTE: The motion carried 4-0.

ITEM 11. Discussion Only – Review and discuss a proposed ordinance presented by Place 3 Wade regarding Open Government & Transparency.

Place 3 Wade made submission to Mayor Vansyckle, an ordinance in hopes to improve the current practices and establish regulations for the publications and dissemination of all ordinances, rules, agenda items, discussions, finances and any supporting documents in a timelier manner. Place 3 Wade asked for a 7-day advance notice to Council and the public of every agenda with an earlier cut-off for submissions. Current policies would require amendment to accommodate these changes. Last minute add-ons to the agenda were constant undertakings. Seven-day advanced preparation for publication was unrealistic. Once the new technical equipment was in place this proposed time frame could be revisited. Mayor Pro-Tem Leverentz stated that striving for agenda posting on Wednesday, before the Monday-week Council meeting would be sufficient. City Attorney, Tim Sralla was available & shared in the discussion.

THERE WAS NO ACTION ON THIS ITEM. DISCUSSION ONLY.

Mayor Vansyckle moved the order of Individual Consideration to address Item 13.

ITEM 13. Discussion/Action – Consider the authority of the City Administrator to terminate the employment of Rodney Ramsey as City Prosecutor, pursuant to Section 9.03.034 of the City Code, and approving and ratifying such action.

Mayor Pro-Tem Leverentz made a motion that Council approves the authority of the City Administrator's termination of Rodney Ramsey pursuant to Section 9.03.034 of the City Code, and approving and ratifying such action.

Place 4 Hunt seconded the motion.

Mayor Vansyckle asked for a record vote by the announcement of Aye or Nay.

All present Council Members announced AYE.

Place 2 Dickey was noted absent.

No oppositions, No abstentions.

VOTE: The motion carried 4-0.

Mayor Vansyckle returned to the regular order of the agenda.

ITEM 12. Discussion Only – Review and discuss upcoming Heritage Day and Council progress reports regarding their assignments to aid in the success of Heritage Day.

As coordinator, Place 4 Hunt shared all updates and progress regarding Heritage Day festivities:

1. A list of sponsors
2. Purchased booths
3. New flyers and mail outs were shown.
4. New vehicles will participate in the car show along with antiques this year.
5. Parade begins at 9:00 A.M.
6. Petting zoo, clowns
7. Lots of food and fun

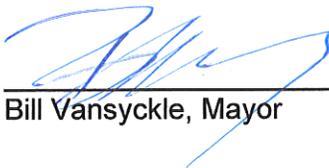
Council's Request for Consideration of Future Agenda Items

Place 5, Dormier:	Staff to prepare ordinance to adopt Impact Fees
Place 4, Hunt:	None
Place 3, Wade:	None
Mayor:	Blood drive coming to Ovilla September 22, from 3:00 P.M. – 7:00 P.M., to help Mike Dickey and Morgan Crow. National Night Out is October 04 behind City Hall, 6:30 P.M.
Place 2, Dickey:	Absent
Mayor Pro-Tem Leverentz:	Staff to prepare necessary documents for \$100,000 debt payment to Ellis County for past road renovations.

Adjournment

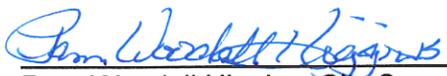
Place 3 Wade made a motion to adjourn the meeting of September 12, 2011 at 9:33 P.M.
Place 5 Dormier seconded the motion.

VOTE: The motion carried unanimously.



Bill Vansyckle, Mayor

ATTEST:



Pam Woodall Higgins, City Secretary

Approved: October 24, 2011