

# CITY OF OVILLA MINUTES

*Tuesday, 29 May 2012*

*Regular City Council Meeting*

*105 S. Cockrell Hill Road, Ovilla, TX 75154*

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Mayor Pro-Tem Leverentz 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

Vacant: Place 2  
Mayor

Mayor Pro-Tem Leverentz noted present members thus constituting a quorum. City Administrator Randy Whiteman and various department-head staff members were also present.

Mr. Joel Robbins gave the Invocation  
PL 4 Hunt led the Pledge of Allegiance.

## Comments, Presentations and Reports and Appointments

Presiding Municipal Judge Scott Kurth administered Statements and Oaths of Office to the newly elected/unopposed Mayor Tom Leverentz and Council Members: elected Place 1-Ralph Hall, elected Place 2-Larry Stevenson, elected/unopposed Place 3-David Griffin, and elected/unopposed Place 5-Richard Dormier.

Prior to the new Council taking their seats, Mayor Leverentz moved the order of the agenda to allow the previous Council to approve the Consent Items.

### ◆ CONSENT ITEMS:

- Minutes of the May 14, 2012 Regular Council Meeting.
- Minutes of the May 16, 2012 Special Meeting to Canvass Municipal Election

PL5 Dormier made a motion to approve the consent items as presented.

PL4 Hunt seconded the motion.

*Mayor Leverentz asked for a record vote by announcement of AYE or NAY.*

*Present Council announced AYE in favor. No oppositions, no abstentions.*

***VOTE: The motion carried unanimously: 3-0.***

Mayor Leverentz called a brief break at 7:16 pm. to allow Mr. Wade to step down and the new Council to take their respective seats.

Mayor Leverentz called the meeting back into session at 7:30 pm.

### **CITIZENS COMMENTS / CITIZENS FORUM:**

1. Mr. Galen Oats, 111 Holy Lane commended the city and particularly the public works crews under Public Works Director Brad Piland for repaving Holly Lane.
2. Former Place 3 James Wade congratulated the new Council members and voiced concerns of PL 4 Hunt's and Mayor Leverentz' dual service on various city boards.

### ◆ DEPARTMENT ACTIVITY REPORTS / Discussion

- There were no department activity reports.

**REGULAR AGENDA****ITEM 1. Discussion/Action** – Consider the appointment of Mayor ProTem.

PL3 Griffin nominated PL5 Dormier to serve as Mayor ProTem. PL1 Hall seconded the nomination. There were no other nominations.

PL3 Griffin made a motion that Council approves the appointment of PL5 Dormier to serve as Mayor ProTem. PL1 Hall seconded the motion.

*Mayor Leverentz asked for a record vote by announcement of AYE or NAY.*

*Present Council announced AYE in favor. No oppositions, no abstentions.*

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

**ITEM 2. Discussion/Action** – Consider nominations and appointments/reappointments to the Board of Adjustment.

Each member and alternate member is appointed by the City Council for a two-year term. Three terms expiring in July were Julia Cearley, Stephanie Albright and Jeanne Ham (Alternate). All three members have voiced their desires for reappointment and have completed the Open Meetings Act Training. All members notified the city secretary in advance on any noted absences. PL3 Griffin commended the BOA members and recommended the reappointment of all three.

PL2 Stevenson made a motion that Council reappoints Julia Cearley, Stephanie Albright and Jeanne Ham to serve another 2y term on the Board of Adjustment.

PL3 Griffin seconded the motion.

*Mayor Leverentz asked for a record vote by announcement of AYE or NAY.*

*Present Council announced AYE in favor. No oppositions, no abstentions.*

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

**ITEM 3. Discussion/Action** – Consider nominations and appointments/reappointments to the Economic Development Corporation.

Four member terms expire in mid-June. All four members responded with their desires for reappointment for new terms. The expiring member-terms were Ronald Kingsley-PL1, Doug Hunt-PL3, John Knight-PL5 and Richard Pettit-PL7. All members desiring reappointment have completed the Open Meetings Act training.

PL1 Hall made a motion that Council TABLE this item to further review incoming board applications.

Mayor Pro-Tem/PL5 Dormer seconded the motion.

*Mayor Leverentz asked for a record vote by announcement of AYE or NAY.*

*Present Council announced AYE in favor. No oppositions, no abstentions.*

***VOTE: The motion carried unanimously: 5-0. ITEM TABLED***

**ITEM 4. Discussion/Action** – Consider nominations and appointments/reappointments to the Planning and Zoning Commission.

Three member terms expire in July. Two of those expiring members have responded with their desires for reappointment for new terms. Those two expiring member-terms were Michael Yordy and Lynn Shortnacy. The third member, Tom Rockwell, moved from Ovilla, leaving a vacant position on the P & Z. Members desiring reappointment have completed the Open Meetings Act training and provided the city secretary advanced notice of any absences.

PL3 Griffin made a motion that Council TABLE this item to further review incoming board applications.

PL1 Hall seconded the motion.

*Mayor Leverentz asked for a record vote by announcement of AYE or NAY.*

*Present Council announced AYE in favor. No oppositions, no abstentions.*

***VOTE: The motion carried unanimously: 5-0. ITEM TABLED***

**ITEM 5. Discussion/Action** – Council will discuss with City Attorney amendments to the Zoning Ordinance and take any action deemed necessary.

Staff identified two additional zoning districts that are not currently zoned anywhere in the city. The Council discussed the options available to address the zoning problems with Ron MacFarlane, Ovilla's legal counsel. Mr. MacFarlane identified how other cities addressed their different types of zoning. With regard to manufactured housing, Mr. MacFarlane said he believed that Ovilla's building restrictions were strenuous enough that even if someone were to bring in manufactured housing, Ovilla's building restrictions would require the finished product to match a site-built home. Mr. MacFarlane pointed out there were some areas in the code that needed to be addressed, i.e.: the requirement of a specific use permit for Pawn Shops. Mr. MacFarlane said he would provide the council with the correct ordinances for future passing.

***There was no action on this item.***

**ITEM 6. Discussion/Action** – Council will discuss with City Attorney amendments to the Council Policy and Procedures and take any action deemed necessary.

Council identified problems with the implementation of the Council Policy and Procedures and discussed possible amendments/revisions with Ron MacFarlane, Ovilla's legal counsel. The Council asked Ron MacFarlane to submit to them a new policy for adoption.

***VOTE: There was no action.***

**ITEM 7. Discussion Only** – The City Secretary Administrator will provide orientation to the newly elected Councilpersons and the City Administrator will update the Council and discuss the budget and current objectives.

Due to the City Secretary being under the weather, City Administrator assisted with acclimation to the new Council.

***DISCUSSION ONLY.***

**TABLED ITEM(S) from the May 14, 2012 Council Meeting**

- ITEM 1. Discussion/Action** – Consider Resolution 2012-006 repealing Resolution 2010-013 in its entirety, which established a policy on Council Governance Process and Rules of Procedure, to include the Procedures on the Hearing of Complaints for the City of Ovilla City Council.
- Presented by the City Administrator

This item was not addressed and remained on the table.

**Adjournment**

Mayor ProTem/PL5 Dormier made a motion to adjourn the meeting of May 29, 2012 at 7:55 p.m.

PL2 Stevenson seconded the motion.

***VOTE: The motion carried unanimously.***

  
Thomas Leverentz, Mayor

ATTEST:

  
Pamela Woodall, City Secretary

***Approved July 23, 2013***