

CITY OF OVILLA MINUTES

Monday, June 25 2012

Regular City Council Meeting

105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor 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:

Ralph Hall	Council Member Place 1
Larry Stevenson	Council Member Place 2
David Griffin	Council Member Place 3
Doug Hunt	Council Member Place 4
Richard Dormier	Council Member Place 5/Mayor Pro-Tem

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

PL2 Stevenson gave the Invocation

PL1 Hall led the Pledge of Allegiance.

Comments, Presentations and Reports and Appointments

◆ **CITIZENS COMMENTS / CITIZENS FORUM:**

1. Former PL3 Wade addressed Council & spoke about honesty and integrity.
2. Ms Dani Muckleroy addressed Council on several items:
 - a. Distributed a Salvation Army brochure and asked all present to help those in need.
 - b. Suggested grandfathering the Ovilla Code regarding replacement of fences.
 - c. The north side easement of Main Street Cleaners needed cleaning.

◆ **Department Activity Reports / Discussion**

Department representatives were available for Council comments or questions on their monthly reports.

- Police Department Chief M. Moon
 - Monthly Report
 - Connect CTY-Chief Moon recommended changing the criteria for notifications.
- Fire Department Assistant Chief P. Brancato
 - Monthly Report-PL3 Griffin noted volunteer participation was down and hoped staff was developing a program to encourage interested firefighters.
- Public Works Director B. Piland
 - Monthly Report – Director Piland stated that Ellis County's equipment problems had put them behind on all road repair/refurbish projects.
- Finance Department Accountant S. Jungman
 - Monthly Financials – PL1 Hall asked staff to submit a list of capitalized items for FY2012-2013 at the upcoming budget workshops.
 - Monthly Municipal Court Report
- Administration City Administrator R. Whiteman
 - Monthly Reports – Code Enforcement/Animal Control

◆ **CONSENT ITEMS:**

- Financial transactions

PL4 Hunt made a motion to approve the consent items as presented.

PL2 Stevenson 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.

REGULAR AGENDA

ITEM 1. Discussion/Action – Consider request from Charlie Morton with the Ovilla Veterans Program to place a donated monument in Heritage Park.

Mr. Charlie Morton addressed Council with the hope that they would approve the donated statue and allow its placement in the park near the Veterans Display. Additionally, Mr. Morton stated that the Ovilla Veterans Program (OVP) was accepting donations. PL1 Hall commended the idea and suggested that city staff prepare a “thank you” letter to the individual that donated the monument.

PL1 Hall made a motion that Council approves the request from the Ovilla Veterans Program to place a statue in Heritage Park.

PL2 Stevenson 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.

Mayor Leverentz moved the order of the agenda to address Item 6.

ITEM 6. Discussion/Action – Consider a proposed Resolution by the City Council of the City of Ovilla, TX designating the name of the original Ovilla Fire Department building as the Donnie Pickard Fire Station.

Mayor ProTem Dormier made a motion that Council approves Resolution 2012-009 naming the City Fire Station the Donnie Pickard Fire Station.

PL2 Stevenson 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.

Mayor Leverentz returned to the regular order of the agenda items.

ITEM 2. Discussion/Action – Consider the declaration of the following item(s) as surplus property and authorize their sale.

Assistant Fire Chief Phillip Brancato recommended selling the 1991 Ford Super Duty #755. PL1 Hall suggested staff attempt to sell to smaller area departments.

PL3 Griffin made a motion that Council approves the declaration of the identified fire vehicle as surplus property and authorized staff’s disposal or selling of the vehicle.

PL2 Stevenson 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 use of undesignated and identified 2011 Audit Funds.

Staff submitted specific items for consideration:

Technology Strategic Plan/upgrade /Host Email	\$29,700
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Tom Leverentz, Mayor
 Ralph Hall, Place One
 Larry Stevenson, Place Two

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Doug Hunt, Place Four
 David Griffin, Place Three
 Richard Dormier, Place Five/Mayor ProTem

Remodel City Hall	\$4,000
Backhoe purchase	\$71,500
Park Play-scape equipment	\$4,000
Police Vehicles:	Tahoe \$41,193 or Ford Pickup \$37,596

PL1 Hall questioned the necessity of a Tahoe purchase and asked the police chief to research less expensive vehicles as well as questioned the urgency to purchase the listed item(s) now. Council reviewed the other requested items and voiced no issues with those purchases. PL1 Hall stated that Council could wait and address each item during the budget process. In regards to the spending of the unassigned funds, Mayor ProTem Dormier asked that Council and staff be mindful of the level of service (staffing) expected and needed in the Fire Department.

PL1 Hall made a motion to Table Item 3 for further review until the next meeting. There was no second – the motion died.

PL4 Hunt made a motion that Council approves the purchase of the Tahoe (not pickup) including the listed items as presented. There was no second – the motion died.

PL3 Griffin made a motion that Council approves the purchase and/or use of unassigned funds for the listed items as presented:

1. The City Hall remodel - \$4,000
2. The Backhoe - \$71,500
3. The Park Play-scape equipment - \$4,000
4. The Ford Pickup - \$37,596, **and**
5. Take no action on the Technology Strategic Plan/Upgrade/Host Email pending further review and information from staff.

Mayor ProTem Dormier seconded the motion.

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

Present Council announced AYE in favor: PL2 Stevenson, PL3 Griffin, PL4 Hunt and Mayor ProTem/PL5 Dormier.

PL1 Hall voted in opposition. No abstentions.

VOTE: The motion carried 4-1.

ITEM 4. Discussion/Action – Consider and discuss the various City Boards and Committees and review and consider received applications for appointments to same.

Council reviewed and discussed recent applications submitted for the Economic Development Corporation and the Planning and Zoning Commission, including their recommendations for filling the vacancies. PL1 Hall recommended Mr. Robert Milke, Jr. to the EDC with the option of replacing Mr. Hunt. PL3 Griffin concurred with PL1 Hall. PL3 Griffin additionally recommended appointments for applicants, Emmett Fox and Anita Lamar to the Planning & Zoning Commission.

The City Administrator reminded Council that the Municipal Development District (MDD) and the Capital Improvement Projects (CIP) Committees both would need consideration for filling vacancies in the near future. Mayor ProTem Dormier inquired about membership(s) or openings to the Fire Department Retirement Board. Mayor ProTem Dormier commented that the CIP Committee had never been sanctioned by the Council – something that needed to be done. Additionally, Mayor ProTem Dormier advised that under Chapter 395, the P & Z acts as an advisory committee to the CIP, is supposed to annually review the CIP's actions, and make a report to the Council of programs being administered, including an audit.

THERE WAS NO ACTION ON THIS ITEM.

Mayor Leverentz moved the order of the listed agenda items to address Tabled Items from the May 29, 2012 Council Meeting.

TABLED ITEM(S) from the May 29, 2012 Council Meeting

ITEM 1. Discussion/Action – Consider nominations and appointments/reappointments to the Economic Development Corporation.

- Consider motion to remove item from table-

PL3 Griffin made a motion to pull the item from the table for discussion and possible action.

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.

PL2 Stevenson made a motion that Council appoints/reappoints to the Economic Development Corporation the following individuals:

1. Reappoint Ronald Kingsley, PL 1
2. Reappoint John Knight, PL 5
3. Reappoint Richard Pettit, PL 7
4. Appoint Robert Milke, PL 3 (replacing Doug Hunt)

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.

TABLED ITEM(S) from the May 29, 2012 Council Meeting

ITEM 2. Discussion/Action – Consider nominations and appointments/reappointments to the Planning and Zoning Commission.

- Consider motion to remove item from table-

PL2 Stevenson made a motion to pull the item from the table for discussion and possible action.

Mayor ProTem Dormier 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.

PL1 Hall made a motion that Council appoints/reappoints to the Planning & Zoning Commission the following individuals:

1. Reappoint Michael Yordy, PL 2
2. Appoint Emmett Fox, PL 4
3. Appoint Anita Lamar, PL 6

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: 5-0.

Mayor Leverentz returned to the regular order of the agenda items.

ITEM 5. Discussion/Action – Consider approval of a proposed Budget Workshop Calendar for FY2012-2013.

City Accountant Sharon Jungman presented Council with a proposed Budget Workshop Calendar as part of the budget process. Council agreed to the calendar but asked to change the starting time from 6:00 p.m. to 6:30 p.m. PL1 Hall additionally requested to make a few terminology changes.

Mayor ProTem Dormier made a motion that Council approves the Budget Workshop Calendar with the change in time to begin at 6:30 p.m.

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: 5-0.

(Item 6 was previously addressed)

ITEM 7. Discussion Only – Consider request from Council Member Hall to revise the formatting of financial reports and budget to include an update to the accounting software.

PL1 Hall expressed that the software Ovilla currently used (QuickBooks) was in his opinion a “quick fix” and suggested that Ovilla should consider researching various GASB approved (governmental accounting software) formatting. PL1 Hall distributed printouts of software samples and stated that governmental accounting software would prove more efficient and easier during audit. Ms Jungman added that a neighboring city was on STW Accounting Software and the cost was considerably more than Ovilla could afford at this time.

THERE WAS NO ACTION ON THIS ITEM.

ITEM 8. Discussion Only – Consider a request from Council Member Hall to discuss short and long-term planning.

PL1 Hall voiced concerns that the budget-cycle planning and costs needed to be noteworthy with the governing body’s long term planning. PL1 Hall stated he would like to see a 3-5 year plan of Goals and Objectives during budget development. It was mentioned that the City had used a woman from Lancaster in the past and that there were firms that do facilitate the planning process. The Mayor asked staff to try to provide some options for the Council at their next meeting.

THERE WAS NO ACTION ON THIS ITEM.

ITEM 9. Discussion Only – Consider and discuss City Attorney MacFarlane’s draft of an ethics policy.

The City’s legal counsel provided Council a draft policy for review. PL3 Griffin, PL1 Hall and Mayor ProTem Dormier offered suggestions for clarification and minor changes to the draft:

1. Page 6/C – change wording from “may” to “shall”
2. Page 5 – clarify if attorney’s decision on *compliant holds merit*
3. Pages 3-4 / A-H – correct typos
4. Page 7/H(5) Clarify

City Administrator Randy Whiteman was instructed to review revisions with counsel and return with another draft.

THERE WAS NO ACTION ON THIS ITEM.

Mayor Leverentz called a break from the Council Meeting at 9:35 p.m.

Mayor Leverentz called the meeting back into session at 9:40 p.m.

*Tom Leverentz, Mayor
Ralph Hall, Place One
Larry Stevenson, Place Two*

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*Doug Hunt, Place Four
David Griffin, Place Three
Richard Dormier, Place Five/Mayor ProTem*

ITEM 10. Discussion/Action – Consider approval of a recommended appointment from Chief Mike Moon of an unpaid police officer to carry a weapon (LGC §341.012) as a participating representative of the Ovilla Police Reserve Program.

Chief Moon assured Council that all unpaid officers undertake the same hiring tests and requirements as a full-time paid officer.

PL3 Griffin made a motion that under the LGC 341.012, Council approves the appointment of Scot Alan Knight to act in the capacity of and perform the duties as an Ovilla Police Reserve Officer for the City of Ovilla.

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 11. Discussion/Action – Consider recommending amendments to the Zoning Ordinance as advised by the City Attorney. Council may take any action deemed necessary.

An email was provided from the City Attorney recommending changes to the zoning of pawnshops and no changes in regard to manufactured housing. The Council agreed to send the submitted changes to the P&Z for recommendation.

PL4 Hunt made a motion that Council sends the discussed zoning changes back to legal counsel to write an ordinance and then forward to the Planning & Zoning Commission for review and recommendation.

PL2 Stevenson 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.

Tabled Item from the May 14 Council Meeting remained.

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

- Consider motion to remove item from table-
- Consider Action on Item

Adjournment

PL4 Hunt made a motion to adjourn the meeting of June 25, 2012 at 10:40 p.m.

PL2 Stevenson seconded the motion.

VOTE: The motion carried unanimously.


Thomas Leverentz, Mayor

ATTEST:


Pamela Woodall, City Secretary

Approved August 27, 2012

Tom Leverentz, Mayor
Ralph Hall, Place One
Larry Stevenson, Place Two

Doug Hunt, Place Four
David Griffin, Place Three
Richard Dormier, Place Five/Mayor ProTem