

CITY OF OVILLA MINUTES

Monday, August 13, 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.

PL3 Griffin gave the Invocation

PL1 Hall led the Pledge of Allegiance.

Comments, Presentations and Reports and Appointments

Mayor Leverentz read aloud both the Constitution Week Proclamation and the Payroll Week Proclamation. Representatives from the Old Chisholm Trail (Constitution Week) were present and presented a *Thank You* certificate to Mayor Leverentz.

◆ **CITIZENS COMMENTS / CITIZENS FORUM:**

1. Ms Dani Muckleroy informed Council of her opposition to pesticide sprays.

◆ **Department Activity Reports / Discussion**

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

- Police Department Chief M. Moon
 - Monthly Report – Nothing significant was discussed.
- Fire Department Assistant Chief P. Brancato
 - Monthly Report-Fire Marshal's inspections were added to the monthly report.
 - A-Chief Brancato explained his plans for A-B-C shift work.
- 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 Municipal Court Report- YTD collections are ahead approximately \$1335 from last year.
- Administration City Administrator R. Whiteman
 - Monthly Reports – Code Enforcement/Animal Control- nothing significant was discussed.
- Committees
 - PL4 Hunt distributed a current list of sponsors for Heritage Day.
 - Mayor Leverentz mentioned the CarterCare Blood Drive scheduled at the Larry Marlow Fire Station, August 25, 8:00 a.m. until noon.

◆ **CONSENT ITEMS:**

- Financial transactions

Mayor ProTem Dormier made a motion to approve the consent item 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: 5-0.

PUBLIC HEARING

Public Hearing & Discussion – Discuss and consider the proposed changes to the Comprehensive Zoning Ordinance:

Case No. PZ12-008: A request by The City of Ovilla, to amend the text of Article 2, Section 11.3 of the Ovilla Comprehensive Zoning Ordinance No. 2010-013, by removing pawnshops from the General Commercial Zoning Classification; retaining pawnshops as a permitted use in the Industrial Zoning Classification.

Mayor Leverentz opened the Public Hearing at 7:29 p.m., and asked for those speaking in support of Case PZ12-008 to come forward:

No one spoke in support.

Mayor Leverentz asked for those speaking in opposition of Case PZ12-008 to come forward:

Ms Jungman, 907 A Cockrell Hill Road voiced concerns of Industrial Zoning so close to her home and asked Council to consider moving the zoning to Ovilla Road-664.

No one else spoke.

Mayor Leverentz closed the Public Hearing at 7:31 p.m.

REGULAR AGENDA

ITEM 1. DISCUSSION/ACTION – Case No. PZ12-008: Consider the Planning & Zoning Commission's recommendation to approve a request by The City of Ovilla, to amend the text of Article 2, Section 11.3 of the Ovilla Comprehensive Zoning Ordinance No. 2010-013, by removing pawnshops from the General Commercial Zoning Classification; retaining pawnshops as a permitted use in the Industrial Zoning Classification.

Ovilla's legal counsel recommended the zoning change based on the required special use permit.

PL4 Hunt made a motion that Council approves the proposed Ordinance 2012-005, Amending Article 2, Section 11.3 regarding pawnshops in Case PZ12-008 as presented and recommended by the Planning & Zoning Commission.

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 5-0.

ITEM 2. DISCUSSION/ACTION – Case No. PZ12-009: Consider the Planning & Zoning Commission's recommendation to approve a preliminary plat application from applicant Doug Connell, representative of Ovilla Road Baptist Church, to combine three current

*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*

tracts into one developable tract described as Lot 1, Block A, of the Ovilla Road Baptist Church Addition. Lot #1 will be for the combined Ovilla Road Baptist Church and Ovilla Christian School. The subject property is located at the southeast corner of Main Street and Ovilla Road.

Ovilla Road Baptist Church representatives Doug Connell and Logan Garrett stated that the church proposed to combine three existing lots into one lot to house the church and school. Council reviewed a general compliance report for the preliminary plat review prepared by the City's engineering firm, Birkhoff, Hendricks & Carter, L.L. P. City Administrator Randy Whiteman advised Council that the drainage and storm sewer plans were substantially completed. It was agreed to defer the more technical engineered drawings to the Final Plat. Mayor ProTem Dormier noted that if the water lines were not looped, it could be the responsibility of the city to flush the dead ends monthly. ORBC said they would consider looping the line as an option. The Council asked about the existing pond and how it drained. Mr. Garrett advised that a spillway already existed on the SE corner of the property and it emptied into Red Oak Creek. Mr. Garrett said the church would comply if the drainage plan required improvements to the spillway. Council and staff cited that before considering the Final Plat the applicant procures a formalized drainage easement.

PL4 Hunt made a motion that Council approves the ORBC Preliminary Plat in Case PZ12-009 as presented.

PL2 Stevenson seconded the motion.

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

Mayor ProTem Dormier voted in opposition.

Council Members PL1 Hall, PL2 Stevenson, PL3 Griffin & PL4 Hunt announced AYE in favor.

No abstentions.

VOTE: The motion carried: 4 in favor – 1 in opposition.

ITEM 3. DISCUSSION/ACTION – Consider authorizing staff to publish and advertise RFQ's (Request for Qualifications) for long-range strategic planning services.

City Administrator Randy Whiteman prepared a model RFQ for Council's review and consideration. PL1 Hall shared sample long-term plans from neighboring municipalities to give Council an idea of what Ovilla should strive to implement. It was advised that CA Randy Whiteman visit with Red Oak and possibly Lancaster prior to advertisement.

VOTE: THERE WAS NO ACTION ON THIS ITEM.

ITEM 4. DISCUSSION Only – Discuss West Nile mosquito spraying and options.

Public Works Director Brad Piland advised that one Ovilla resident was recently diagnosed with West Nile, causing the question if Ovilla should consider spraying. The City of Dallas was currently spraying in various areas of Dallas and along with other agencies that employ licensed applicators, contracting with municipalities to do the same. The Dallas County Mosquito Control loaned Ovilla a mosquito trap for testing. PW Director Brad Piland and Code Enforcement Officer Mike Dooly were harvesting mosquitoes in various areas of the city for testing. PL3 Griffin advised he was opposed to the chemical spraying at this time – voicing concerns that exposure to the chemical "duet" would result in potential health hazards.

DISCUSSION ONLY.

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

Adjournment

PL2 Stevenson made a motion to adjourn the meeting of August 13, 2012 at 8:15 p.m.

PL3 Griffin seconded the motion.

VOTE: The motion carried unanimously.


Thomas Leverentz, Mayor

ATTEST:


Pamela Woodall, City Secretary

Approved September 24, 2012