

CITY OF OVILLA MINUTES
Monday, January 28, 2013
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 7:01 P.M. The following City Council Members were present:

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

Absent Ralph Hall Council Member Place 1

Mayor Leverentz noted present and absent members, thus constituting a quorum. Various department-heads and staff were also present.

PL2 Stevenson gave the Invocation
PL4 Hunt led the recitation of the Pledge of Allegiance

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

◆ ***Citizens Comments / Citizens Forum:***

1. Ms Lisa Stewart signed up to speak when Item 1 was addressed.

◆ ***Department Activity Reports / Discussion***

- Finance Department City Accountant S. Jungman
 - Briefed Council on December 2012 monthly financials.
 - Reviewed the Reserve Fund Balance Calculation for quarter ending 12-31-2012.
- Administration Mayor ProTem R. Dormier
 - Update: Recent EDC meeting regarding TIF, TIRZ & PID options: shared that the EDC has had discussion on how these options offset development costs to the city and/or developer.
 - Update: City Administrator search: Shared discussion of the possibility of posting notice on Monster.com or with other firms. Mayor ProTem Dormier and staff researched and identified other states that have similar employment advertisements such as TML. Mayor ProTem Dormier would check with a known firm that specifically places a temporary administrator/manager until one is hired.

CONSENT ITEMS

- Quarterly Investment Report

PL4 Hunt made the motion that Council approves the consent item as presented, seconded by PL2 Stevenson. *Mayor Leverentz asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. PL1 Hall noted absent. No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 4-0.

REGULAR AGENDA

ITEM 1. *DISCUSSION/ACTION* – Consider proposed Ordinance 2013-003, repealing Chapter 4, Article 4.02, Section 4.02.001(C), amending Chapter 4, Article 4.02, Sections

4.02.001(A) and (B) of the Ovilla Code of Ordinances by the addition of Article 4.10 Providing Mobile Food Vending Regulations.

Mayor Leverentz allowed those that signed up to speak on this item to address Council:

1. Ms Lisa Stewart, 601 Creekview Circle, owner of *Mickey Dogs*, asked that Council table the item pending further study. She felt the ordinance was originated and pinpointed to affect her business negatively. Comparisons were made that Council allowed the Bar-B-Q place on Main Street and the Baseball Concession stand to operate without any issues. Why single out her business?

PL4 Hunt stated that upon review of the proposed ordinance, he would like to see the fee schedule revised, requiring the vendor(s) pay on a monthly basis instead of every 6 months. Council asked Code Enforcement Officer Mike Dooly for his thoughts regarding the proposed ordinance. Code Enforcement Officer Mike Dooly stated that this ordinance was most likely created for larger cities but it would work well for Ovilla and invite business to the park. He voiced concern that daily cleanup and maintenance of the park was not addressed and felt it should be noted in the ordinance. Regarding comments made about the Bar-B-Q and Baseball Concession stand, Mayor Pro-Tem Dormier stated that neither was comparable. His opinion of the ordinance was that it was intended to be beneficial, not single out anyone. Mayor ProTem Dormier made a suggestion to be clear in the ordinance about vacating the premises daily. The recommended revisions were noted:

- a. Vendors pay \$50 on a month-to-month basis (change "b" , page 4)
- b. Cleanup and maintenance to the park at the end of each day on premises (update page 2 under 4.10.002)
- c. Vacating premises daily (update page 2 under 4.10.002)

Mayor Leverentz stated that the ordinance would be consideration once amended.

NO ACTION ON THIS ITEM.

ITEM 2. DISCUSSION ONLY – Review and consider an optional contract extension with Community Waste Disposal (CWD) and discuss the option to include a household hazardous waste disposal day as a modification to the contract.

Mayor ProTem Dormier met with CWD representative Robert Medigovich. CWD presented a proposal offering the City an option to modify the current contract from the 2, 1-year extensions to 1, 5-year extension, maintaining current pricing for 2-years. This amendment would include hazardous waste collection, either once or twice annually at a cost of \$.57 or \$.99, respectively. Mayor ProTem Dormier stated that CWD fuel and CPI rates were very reasonable and that their service has been good. The current contract requires 180-day notice prior to expiration (Dec. 2013). If Council chose one annual household hazardous waste day, it would cost the homeowners about \$6.84 annually.

CWD would have a representative at the February 11 Council meeting to present an annual review and would offer more information on the modified contract proposal.

NO ACTION ON THIS ITEM.

ITEM 3. DISCUSSION/ACTION – Consider and set the date and times for the annual Ovilla Cleanup Day.

If Council decided to approve the modified contract proposal with CWD, Ovilla's cleanup day would need to be set on a Saturday other than the traditional 3rd Saturday in April.

PL3 Griffin made the motion that Council approves and sets April 27, 2013, from 8:00 a.m. to noon for the annual Ovilla Cleanup Day; seconded by PL4 Hunt. Mayor Leverentz asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. PL1 Hall noted absent. No oppositions, no abstentions. If April 27 is rained out, May 04 will be the cleanup day.

VOTE: The motion carried unanimously: 4-0.

ITEM 4. DISCUSSION/ACTION – Consider proposed Ordinance 2013-004 of the City Council of the City of Ovilla, TX, authorizing a General Election to be held on May 11, 2013 for the purpose of electing a Mayor and Two Council Members, (Places 2 & 4) by the qualified voters of Ovilla; Providing for the method of voting; Providing for the appointment of the Early Voting Clerk, Presiding Election Judge, Early Voting Ballot Board; Providing for the lease of election equipment and Providing for publication in accordance with the TX Election Code.

PL4 Hunt made the motion that Council approves Ordinance 2013-004, authorizing the Order of General Election for May 11, 2013 as presented; seconded by PL3 Griffin. Mayor Leverentz asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. PL1 Hall noted absent. No oppositions, no abstentions.

VOTE: The motion carried unanimously: 4-0.

ITEM 5. DISCUSSION/ACTION – Consider proposed Joint Election Agreement between the Midlothian Independent School District and the City of Ovilla to hold joint elections served by a common polling place.

PL4 Hunt made the motion that Council approves the Joint Election Agreement between the Midlothian Independent School District and the City of Ovilla as presented; seconded by PL2 Stevenson. Mayor Leverentz asked for a record vote by announcement of AYE or NAY. Present Council announced AYE in favor. PL1 Hall noted absent. No oppositions, no abstentions.

VOTE: The motion carried unanimously: 4-0.

Adjournment

PL2 Stevenson made the motion to adjourn, seconded by PL4 Hunt.

There being no further business, Mayor Leverentz adjourned the meeting at 7:48 p.m.


Tom Leverentz, Mayor

ATTEST:


Pamela Woodall, City Secretary

Approved February 11, 2013



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