

CITY OF OVILLA MINUTES

Monday, April 14, 2014
Regular City Council Meeting
105 S. Cockrell Hill Road, Ovilla, TX 75154

Mayor Dormier 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	Mayor Pro Tem, Place 1
Larry Stevenson	Council Member Place 2
David Griffin	Council Member Place 3
Doug Hunt	Council Member Place 4
Dean Oberg	Council Member Place 5

Mayor Dormier announced all Councilmen present, thus constituting a quorum. Legal Counsel Ron MacFarlane, various department-heads and staff were also present.

PL4 Hunt gave the Invocation and PL1 Hall led the recitation of the Pledge of Allegiance.

COMMENTS, PRESENTATIONS, REPORTS AND/OR APPOINTMENTS

Mayor Dormier read aloud a Proclamation for Motorcycle Awareness and presented said Proclamation to an attending group of individuals representing "Forsaken Horsemen MC & Freedom Connection Motorcycle Ministry." Photos were taken.

▪ **Citizens Comments / Citizens Forum:**

- I. No one signed up to speak for the Citizens Forum.

Mayor Dormier moved the order of the Agenda to the Regular Agenda and addressed Item 1 – **REGULAR AGENDA**

ITEM 1. DISCUSSION– Receive presentation from Mr. Pat Atkins representing the property owners of the site known as Stonewood Lakes Estates.

City Administrator Ms Powell opened the item discussion by introducing Mr. Pat Atkins and advised Council of his proposed concept plan for the 113-acre development located in the City's ETJ (extra territorial jurisdiction), asking for feedback from Council. On behalf of the property owners, Mr. Atkins shared a vision for the development of Stonewood Lake Estates asking Council to consider a few revisions: 1) Allow the variations of lot sizes, 2) Allow Impact fees to be implemented at the time of the permit, 3) Allow the bar-ditch design instead of curbs and gutters. The zoning and Ovilla's code requirements would be consistent with thoroughfare plans. Legal Counsel Ron MacFarlane recommended Council begin with a Developer's Agreement.

Discussion Only.

Mayor Dormier returned to the regular order of the Agenda.

• **Department Activity Reports / Discussion**

- | | |
|--|------------------------|
| • Police Department | Police Chief M. Moon |
| • Monthly Report was reviewed | |
| • Advised Council that April was Emergency Telecommunications Appreciation Week. | |
| • Fire Department | Fire Chief P. Brancato |
| • Monthly Report reviewed | |

- There was a spike in calls from the recent storms
- Public Works Public Works Director B. Piland
 - Monthly Report was reviewed
 - 15 meter replacements were installed in Brookwood Addition
 - Work time is being tracked for the Main Street Sewer Project
- Administration City Administrator C. Powell
 - Bi-weekly update activity report was reviewed
 - Monthly Mun. Court Report was reviewed City Secretary P. Woodall
 - Court revenue was down about \$1400 from this time compared to last year.
- Code Enforcement/Animal Control Code/A/C Officer M. Dooly
 - Monthly Reports of Code and A/C were reviewed -
 - Reported auction results

CONSENT ITEMS

- A. Financial Transactions
- B. Minutes of the March 24, 2014 Town Hall Meeting
- C. Minutes of the March 24, 2014 Regular Council Meeting
- D. Interlocal Lease Agreement for AutoMark ADA Voting Device with Ellis County Elections Office

PL4 Hunt moved that Council approve the consent items as presented, seconded by PL5 Oberg.

No oppositions, no abstentions.

VOTE: The motion carried unanimously: 5-0.

REGULAR AGENDA

ITEM 1. Addressed previously.

ITEM 2. **DISCUSSION/ACTION – Consideration** of and action on Resolution R2014-010 adopting the City's revised Investment Policy 2014.

Mayor Pro Tem Hall inquired about the written procedures as outlined in the Investment Policy and stated his belief that this policy may have been overwritten for a city the size of Ovilla. City Administrator shared staff's desire to seek the required criteria for submittal to apply for the GFOA Award. Council consensus was agreeable.

Mayor Pro Tem Hall moved that Council approve Resolution R2014-010, adopting the City's revised Investment Policy 2014, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 3. **DISCUSSION/ACTION – Consideration** of and action on Ordinance 2014-006 of the City of Ovilla, Amending Chapter 1, Division 4, Section 1.05.111 of the Ovilla Code of Ordinances and Repealing Sections 1.05.112-1.05.125 of said Division, providing a savings clause; providing a severance clause; providing for Incorporation into the Ovilla Code of Ordinances; Providing Immediate Effect; and Providing for Publication, pertaining to the City's Investment Policy 2014.

The presented Ordinance was provided to repeal certain sections codified in the Investment Policy that were adopted in 2010.

PL3 Griffin moved that Council approve Ordinance 2014-006 of the City of Ovilla, Amending Chapter 1, Division 4, Section 1.05.111 of the Ovilla Code of Ordinances and Repealing Section 1.05.112-105.125 of said Division, providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing Immediate Effect; and providing for publication, pertaining to the City's Investment Policy 2014, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 4. DISCUSSION/ACTION – Consideration of and action declaring the Fire Department's Ford F650 (2007) Rescue 703 as surplus property and authorize its sale.

Rescue 703 was originally purchased to function as a medical vehicle. The vehicle contained a pump, water and could be considered a mini-pumper. Rescue 703 is no longer in-service, nor used in the response matrix.

PL2 Stevenson moved that Council approve the declaration of the Fire Department's Ford F650 (2007) Rescue 703 as surplus property and authorized its sale, seconded by Mayor Pro Tem Hall. PL4 Hunt voted in opposition. *No abstentions.*

VOTE: The motion carried 4 in favor, 1 opposed.

ITEM 5. DISCUSSION/ACTION – Consideration of and action authorizing the Mayor to execute a Listing and Marketing Commission Agreement with Brindlee Mountain Fire Apparatus for the Fire Department's Ford F650 (2007) Rescue 703 declared as surplus property under Item 4.

Brindlee Mountain Fire Apparatus estimated the sale value of the Ford F650 Rescue 703 between \$90,000 and \$100,000. A commission of 7% would be paid to Brindlee if the Rescue vehicle were sold for an amount between \$90,000 and \$100,000. Staff recommended the Ford F650 Rescue 703 be listed with Brindlee for \$100,000, and accept not less than \$90,000. The net proceeds would be between \$93,000 and \$83,700. Staff recommended a portion of the net proceeds be accrued for future capital equipment for the Fire Department.

PL2 Stevenson moved that Council authorize the Mayor to execute a Listing and Marketing Commission Agreement with Brindlee Mountain Fire Apparatus for the Fire Department's Ford F650 (2007) Rescue 703 declared as surplus property under Item 4, seconded by Mayor Pro Tem Hall. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 6. DISCUSSION/ACTION – Consideration of and action to authorize the City Administrator to advertise for Request for Qualifications for Professional Auditing Services.

The City's current agreement with Yeldell, Wilson & Co., P.C. was noted to be in its final year of a five-year term that began in 2009. The Government Finance Officers Association (GFOA) recommended the best practice of a five-year contract with the fourth and fifth year as optional one-year extensions. The 2009 RFQ was revised with a timetable and presented for Council's consideration. Mayor Pro Tem Hall recommended the removal of any comments (bottom of page 78 & Section 16) regarding financial negotiations, including the removal of a "cost sealed bid." Additionally, Mayor Pro Tem Hall directed staff to add to the RFQ: "*Financial Statements will be prepared by the Audit Firm.*"

PL3 Griffin moved that Council approve to authorize the City Administrator to advertise for Request for Qualifications for Professional Auditing Services with the noted revisions made by Mayor Pro Tem Hall, seconded by PL5 Oberg. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 7. DISCUSSION/ACTION – Consideration of and action on authorizing payment of invoice BH967 to Trinity River Authority in the amount of \$176,535.47 as presented.

The Trinity River Authority (TRA), contracted by the City for wastewater services, formally notified the City on January 31, 2014 of irregularities in the wastewater flow meter data versus the amount of wastewater TRA was billing the City. The invoice presented for the FY2013 settle-up amount was \$176,535.47. Of that amount, \$143,812.10 would be paid from retained earnings for the fiscal year ending 2013; the remaining balance of \$32,723.37 would be paid from the Water and Sewer Fund.

PL4 Hunt moved that Council approve payment of Invoice BH967 to Trinity River Authority in the amount of \$176,535.47 as presented, seconded by PL2 Stevenson. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 8. DISCUSSION/ACTION – Consideration of and action on projected increase to sewer rates in response to the Trinity River Authority wastewater flow data for City sewer customers.

Mayor Pro Tem Hall suggested that Council take No Action until the Council made Finance Committee appointments, met, and reviewed all options. The remaining Council concurred.

No Action.

ITEM 9. DISCUSSION/ACTION –Consideration of and action on Ordinance 2014-007 of the City of Ovilla, Texas, Amending Appendix A, Article A7.000, Section A7.003(B)(1)&(2) of the Code of Ordinances of the City of Ovilla; repealing certain sections and establishing a monthly flat fee and monthly rates for wastewater service to residential and non-residential customers; providing a savings clause; providing a severance clause; providing for incorporation into the Ovilla Code of Ordinances; providing for immediate effect; and providing for publication.

Based on the comments and decision of Item 8, this item received no action.

No Action.

ITEM 10. DISCUSSION/ACTION – Consideration of and action on Ordinance 2014-008 of the City of Ovilla, Texas, amending the Fiscal Year 2013-2014 Water and Sewer Fund Budget and Annual Program of Services for an adjustment of \$165,700, appropriating funds for increased expenditures to Trinity River Authority; appropriating said funds from the Undesignated Reserve Fund Account; providing that expenditures for the FY2013-2014 be made in accordance with said amended budget; providing a severability clause; providing an effective date.

The adjustment was required to meet the additional expense to TRA for the FY2013-2014 Year.

Mayor Pro Tem Hall moved that Council approve Ordinance 2014-008, amending the FY2013-2014 Water and Sewer Fund Budget and Annual Program of Services for an adjustment of \$165,700, appropriating said funds from the Undesignated Reserve Fund Account, seconded by PL3 Griffin. *No oppositions, no abstentions.*

VOTE: The motion carried unanimously: 5-0.

ITEM 11. DISCUSSION – Review and consider revisions to the City's Policy and Procedure Guide to Purchasing and direct staff as necessary.

Mayor Pro Tem Hall asked to review the Guide and recommended that based on the size of Ovilla, some sections in the Guide be more restrictive: 1) Competitive bidding and, 2) lower the threshold amount of the

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Ralph Hall, Place One
Larry Stevenson, Place Two

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Doug Hunt, Place Four
David Griffin, Place Three
Dean Oberg, Place Five

City Administrator. Mayor Pro Tem Hall asked staff to make revisions and return with a new policy for Council's consideration.

No Action.

REQUESTS FOR FUTURE AGENDA ITEMS

- | | |
|-----------------------|--------------------------------|
| 1. Mayor Pro Tem Hall | None |
| 2. PL2 Stevenson | None |
| 3. PL3 Griffin | Consider closing Water Street. |
| 4. PL4 Hunt | None |
| 5. PL5 Oberg | None |
| 6. Mayor | None |

ADJOURNMENT

There being no further business, Mayor Dormier adjourned the meeting at 9:43 p.m.



Richard Dormier, Mayor

ATTEST:



Pamela Woodall, City Secretary



Approved May 12, 2014