

**MINUTES OF THE REGULAR MEETING  
OF THE OAK LEAF CITY COUNCIL  
HELD ON JUNE 10, 2008, 7:00 P.M.  
AT OAK LEAF CITY HALL**

**I. CALL TO ORDER & ROLL CALL**

Council members present:

Mayor Paul Klooster

Mayor Pro Tem Pat Mahlstedt

Councilman Ron Spurlock -absent

Councilman Jim Tuma

Councilman Ray Brindle

Councilwoman Susan Walker

**II. MAYOR KLOOSTER CALLED THE REGULAR CITY COUNCIL MEETING TO ORDER AT 7:00P.M. AND ANNOUNCED A QUORUM PRESENT.**

**III. PROCLAMATION – NONE**

**IV. INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Klooster gave the invocation followed by the Pledge of Allegiance.

**V. GUEST LIST ATTACHED**

**VI. CONSENT ITEMS**

Minutes of the Regular meeting of May 13, 2008 were reviewed. Brindle made a motion to accept the minutes as submitted. Mahlstedt seconded the motion. With no discussion presented, council was asked to vote on the motion.

Ayes: All present voted aye.

Nays: None.

The motion was passed.

**VII. AUDIENCE PARTICIPATION - None**

**VIII. OLD BUSINESS**

**IX. NEW BUSINESS**

**A. Swearing in of Council**

Mayor Klooster administered the oaths of office to re-elected Council member Jim Tuma, Place 4, and first time Council member Craig Wilson, Place 5. Mayor Pro Tem Mahlstedt administered the oath of office to re-elected Mayor Paul Klooster.

**B. Appointment of Court Clerk and Assistant City Secretary**

Mayor Klooster moved item H of the agenda to item B, and administered the oath of office for Municipal Court Clerk/ Assistant City Secretary Patty Ellis.

**Note: All agenda items have shifted to incorporate the change of item H.**

**C. Appointment of Mayor Pro Tem**

A. Mayor Klooster queried Council on the appointment of a Mayor Pro Tem. Brindle made a motioned for Pat Mahlstedt to be appointed Mayor Pro

Tem. Tuma seconded the motion. With the motion made, and seconded, Klooster asked Council if there were any questions. With no further questions or discussion, Klooster called for a vote.

Ayes: All present voted aye.

Nays: None.

The motion was passed.

**D. Variance request for a 120-square foot storage building, which would be 40-square feet over what is allowed per Oak Leaf Code of Ordinances – 114 Hackberry Drive, Gregg Hoffman**

Klooster identified that Council had all documents regarding the variance in their Council packets. Klooster identified that square footage allowed for accessory buildings is based on the size of the lot. Klooster went over the procedures for voting with Council. Mahlstedt made a motion to accept the variance request for 114 Hackberry Drive. Brindle seconded the motion. With the motion made, and seconded, Klooster asked Council if there were any questions. With no further questions or discussion, Klooster called for a vote.

Ayes: All present voted aye.

Nays: None.

The motion was passed.

**E. Variance request approved on December 11, 2007 – for 1210 Lariat Circle owned by Kenyon Martin and Jennifer Thambert 23.910 acres. Variance submitted by Martinek Construction Inc. on behalf of property owners. Item (1) on variance application, 2-year building permit, is to be withdrawn.**

Klooster identified that not all structures would be built at one time as previously identified, which was the reason item (1) on the original variance was requested. Item no. (1) on the original variance request is to be withdrawn and all permits would go back to the normal permitting time line, but items (2) and (3) on the approved variance are still to be valid. Mahlstedt identified that some of the land has been cleared of trees and asked if this would fall under the tree preservation ordinance the City currently has in place. Klooster identified, as this lot was previously platted before the ordinance was put in place it would not apply. Mahlstedt asked about the excavation that has been done on the property. Klooster identified that the City does not currently have an excavation ordinance in place. Klooster identified that he was looking for a motion. Brindle made a motion to amend the original variance to void approval for item no. (1) on the original variance request that was approved on 12-11-07. Tuma seconded the motion. With the motion made, and seconded, Klooster asked Council if there were any questions. With no further questions or discussion, Klooster called for a vote.

Ayes: All present voted aye.

Nays: None.

The motion was passed.

**F. For consideration and approval for Flood Drainage Study to be done by the City's Consulting Engineers, Birkhoff, Hendricks and Conway.**

Klooster identified that this drainage study would start with areas in the City that have current drainage issues. Klooster identified that John Birkhoff's timeline to complete the drainage study is 90-days. Council discussion followed. Tuma asked if the engineers would be giving recommendations to address the issues that are found. Klooster stated yes. Klooster identified that projected cost is \$90,000, and that the cost was considerable, but would allow the City to know what issues we have and how to address them. Klooster encouraged Council to give serious consideration to having this drainage study done. Consideration and approval for the Flood Drainage Study was tabled until the July meeting.

**G. For consideration and approval for preparation of plans to extend Indian Trail to Highland Road by the City's Consulting Engineers, Birkhoff, Hendricks and Conway.**

Klooster identified that the extension would be approximately 1,200-LF from Indian Trail to E. Highland Road and the proposed cost is \$14,840. Klooster identified the preparation of these plans does not mean the road has to be built this year. Tuma asked if the landowner would give the City the necessary right-of-way. Klooster identified that the landowner has not been approached at this time. Council discussion followed. Tuma identified that certain parts of E. Highland are dangerous, but the costs for the infrastructure work that would be required would be very expensive. Wilson asked if the extension was shown on the City's Thoroughfare Plan. Brindle identified it was. It was identified if the landowner developed the property he would pay 100% of the costs for the roadway. Brindle made a motion to approve the preparation of plans to extend Indian Trail to Highland Road by the City's Consulting Engineers, Birkhoff, Hendricks and Conway. With the motion made, Jim Tuma seconded, Klooster asked Council if there were any questions. With no further questions or discussion, Klooster called for a vote.

Ayes: All present voted aye.

Nays: None.

The motion was passed.

Klooster asked Secretary Cortes to send the signed engineering services agreement to Birkhoff, Hendricks and Conway with notice to proceed.

Klooster noted that the City's Consulting Engineers were also looking at possible changes to the City's current floodplain ordinance to the higher standards that FEMA was recommending. Klooster identified that Birkhoff's comments were forthcoming.

**H. For consideration and approval; expenditure to remove debris from area bridges.**

Klooster identified that he had met with a contractor to look at the area bridges debris and did not see any significant amount. Klooster identified at this point and time we do not need to do this expenditure, but could be put on the agenda when there is a need.

**X. MAYOR'S UPDATE**

Mayor Klooster updated Council on the items listed below.

- July 8, 2008 regular scheduled Council meeting

Klooster identified that four of five Council members have identified they would be able to attend the July 8<sup>th</sup> Council meeting and he would like Council to give consideration to moving the meeting to another date.

- City Budget Fiscal Year 2008/2009

Klooster identified that workshops still needed to be set up for June, July and August for the City's 2008 – 2009 budget preparation. Draft budget worksheets would be sent to Council.

- Variance that was approved for 514 Little Creek Trail

Klooster identified that inadvertently City Staff had left language off the variance application for fencing across the front of the property where the horses would be kept and would Council consider setting up a special meeting at 7:00 p.m., Wednesday, June 18, 2008 for Council consideration on amending the variance that was approved at the May 13, 2008 meeting to allow fence across the front of the property. Klooster asked City Staff to contact the adjacent property owners regarding the amendment. Klooster identified a budget workshop could be scheduled for the same evening as there would be only (1) agenda item on the special meeting agenda. Council agreed to have a special meeting and budget workshop on Wednesday, June 18, 2008 at 7:00 p.m.

## **XI. REPORTS AND ACTION BY COUNCIL**

### **LAND/BUILDING**

- Subdivisions

No update.

- Nuisance Property

Klooster asked Secretary Cortes if we had heard from the property owners at 2059 Willow Bend Drive regarding the fire hydrant. Cortes identified that we had not.

### **LEGAL AND PUBLIC RELATIONS**

- City of Glenn Heights ETJ/Annexation suit

No update.

- Indian Hills Subdivision Streets

No update.

- Groundbreaking Ceremony for new ROISD schools

Klooster identified that the ceremonies were held last Tuesday and Thursday.

- City of Oak Leaf 25<sup>th</sup> anniversary

Klooster asked Secretary Cortes if we have had any volunteers signed up to organize a 25<sup>th</sup> anniversary celebration. Cortes replied that we have not.

### **PUBLIC WORKS**

- Signs

Tuma identified that there was some signage that was needed on E. Highland Road. Klooster asked if he could sketch what was needed and let City Staff know.

- Grants  
Wilson asked if there was any update on the grants we have applied for. Klooster identified we are still waiting for federal funding from the Natural Resources Conservation Service.

**SECRETARY'S REPORT**

- It was identified that the current trash contract would expire on September 30, 2008, which was a 3-year contract with a 2-year renewal. Cortes identified that Council had in their packets drafts of the specifications, letter to waste providers and notice to be published in the newspaper. Council discussion followed. It was identified that items 8 and 15 needed to be deleted from the bid specifications.

**ORDINANCE REVIEW/UPDATE**

- Weight Restrictions – City roadways – no update
- Excavation Ordinance – no update.

**XII. ADJOURNMENT FROM REGULAR COUNCIL MEETING**

A motion to adjourn was made by Wilson, and seconded by Mahlstedt.

Ayes: All present vote aye.  
Nays: None.  
The motion passed.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2008

\_\_\_\_\_  
Paul Klooster, Mayor

ATTEST: \_\_\_\_\_