

**MINUTES OF THE REGULAR MEETING
OF THE OAK LEAF CITY COUNCIL
HELD ON OCTOBER 13, 2009 AT 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 Craig Wilson

Councilman Jim Tuma

Councilman Ron Spurlock

Council Member Absent Due to Business:

Councilman Ray Brindle

City Staff Present:

City Secretary Ronda Quintana

MAYOR KLOOSTER CALLED THE REGULAR CITY COUNCIL MEETING TO ORDER AT 7:01 P.M. AND ANNOUNCED A QUORUM PRESENT.

II. INVOCATION & PLEDGE OF ALLEGIANCE:

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

III. AUDIENCE PARTICIPATION:

Four guests registered to speak during the meeting. Two of the registered guests were Steve and Sherry Hester (citizens at 916 Indian Trail), and they spoke briefly about their concerns for the completion of Indian Hills Subdivision roadwork.

Mr. Ernie Martinek (ESD #4 Board of Director's member) and Mr. Adam Hubbard (Red Oak Firefighter) spoke on behalf of the ESD (Emergency Services District) #4. The ESD #4 is proposing a tax increase from \$.03/\$100.00 to a maximum of \$.10/\$100 to be placed on the November 3rd voting ballot. There has not been a change in the allocation of taxes collected for the ESD #4, since it was established in 1987. Mr. Martinek stated the ESD's present plan is to increase the tax amount only to \$.06/\$100.00, allowing for a four percent (4%) cushion as needs arise in the future. However, even with the proposed increase, it would still remain the lowest in the area. Mayor Klooster asked for a list of other local ESD's tax rates, and Mr. Martinek stated he would provide one to city staff.

The mayor proceeded by questioning Mr. Hubbard about the purchase of maps used by the firefighters, the use of GPS, and the ISO (Insurance Services Office) ratings of both fire stations servicing Oak Leaf. Mr. Hubbard stated he would provide that information to City Hall. He also explained increased safety standards have caused higher prices for new equipment.

Mr. Martinek ended his address to Council by stating early voting would start on October 19th, and Election Day would be November 3rd. Mayor Klooster invited Mr. Martinek to leave information sheets at City Hall for the citizens of Oak Leaf.

IV. REGULAR AGENDA ITEMS:

A. Approval of September 25, 2009 Special Meeting Minutes

The Special Meeting Minutes of September 25, 2009 were reviewed by Council, and the mayor asked if Council had any comments. None were made by Council and Klooster requested a motion. Mayor Pro Tem Mahlstedt made a motion to accept the minutes. Councilman Wilson seconded the motion. The mayor called for a vote.

Ayes: All present voted aye.

Nays: None

The motion passed.

B. Consideration and Approval of Resolution 0904 – A Resolution Designating the Official Newspaper for the City of Oak Leaf

Klooster stated the service provided by the Ellis County Chronicle has been very satisfactory. With no discussion from Council, the mayor asked for a motion. Mahlstedt made the motion to designate the Ellis County Chronicle as the official newspaper for the City Of Oak Leaf during the 2009-2010 fiscal year. Wilson seconded the motion. No additional comments were made by Council, so Klooster called for a vote.

Ayes: All present voted aye.

Nays: None

The motion passed.

C. Selection and Approval of a Candidate for Ellis Appraisal District Board of Directors Election

The mayor indicated the City of Oak Leaf has a total of eight (8) votes to utilize in the ECAD Board of Directors Election. There are currently six board members, and the votes could be applied to one or all of the board members. Mayor Klooster identified Phillip Lynch as the person having the longest board record and the Board's Chairman since 2002. Mayor Klooster called for a motion. Mahlstedt made a motion to place all of the votes with Mr. Lynch. Councilman Tuma seconded the motion. Mayor Klooster asked if there were any further comments by Council, and none were made. He called for a vote.

Ayes: All present voted aye.

Nays: None

The motion passed.

V. OLD BUSINESS:

- A. Discussion of Ordinance 0910 – An Ordinance of the City of Oak Leaf, Texas Amending Chapter 3 – Building and Construction, of the Code of Ordinances to Add a New Article (Article 3.2100) to be Entitled “Wind Energy Systems” Providing Regulations for the Construction, Use and Operation of Wind Energy Systems; Providing for Permits; Providing a Repealing Clause; Providing a Severability Clause; Providing for a Penalty of Fine not to Exceed the Sum of Two Thousand (\$2,000.00) for Each Offense; and Providing an Effective Date

The mayor stated that proposed Ordinance 0910 has been revised to reflect input and suggestions from the Council and the city attorney. Then he asked if Council needed clarification on any part of the proposed ordinance. No remarks were made, so Councilman Wilson made a motion to adopt Ordinance 0910. Mahlstedt seconded the motion. The mayor called for a vote on the item.

Ayes: All present voted aye.

Nays: None

The motion passed.

- B. Consideration and Approval of Blackboard Connect Contract

Klooster identified Blackboard Connect CTY as a mass messaging system network used by several cities in our general part of the Metroplex ... including Ovilla, Cedar Hill and Red Oak. And, that the City of Oak Leaf is considering a service contract with Blackboard as well, for notifying citizens of important matters such as life/safety issues, street closures, water service disruptions, bad weather, etc. With this system in place, the city would be able to create one message and forward it to all participating citizens of Oak Leaf. There will also be an option for participating citizens to add additional numbers (i.e. work or cell phone numbers). Any citizens not wishing to participate in the service would be given the option to “opt” out. The mayor then asked for a motion. Mayor Pro Tem Mahlstedt made the motion to approve the service contract between Oak Leaf and Blackboard Connect, Inc., and Spurlock seconded the motion. Klooster called for a vote.

Ayes: All present voted aye.

Nays: None

The motion passed.

VI. MAYOR'S UPDATE:

A. Meetings and Seminars

- The mayor mentioned he will be attending the TML Conference in Fort Worth, Texas on Thursday, October 22nd. He encouraged the council members to consider attending the conference. There are also several meeting/seminar invitations on various topics and with organizations available to Council at the front desk of City Hall.
- Ovilla ETJ Meeting
Mayor Klooster met with the mayor of Ovilla to clarify Oak Leaf's Extra Territorial Jurisdiction (ETJ) in relation to services provided by the ESD #4. They also discussed the previous merger election that had occurred in 1996.

B. Delinquent Property Taxes Update

Klooster indicated there has been progress in the recovery of delinquent property taxes from last month. In addition, there are several property owners who will have legal action brought against them in the near future by the County Tax Assessor. The total amount owed to the city is currently at \$21,980.74.

C. C.O.O.L. (Citizen of Oak Leaf) Recognition

No updates available

VII. REPORTS AND ACTION BY COUNCIL:

A. Land/Building

- Update on 507 Little Creek Trail
Ellis County's demolition expenses have been reimbursed, and the district attorney is reviewing procedures to facilitate the property transaction.

B. Legal

1. Nuisances

- a. 1200 Block of Lariat Circle – The property owner remains in violation of the city's flood plain ordinance; however, due to the wet weather conditions, the owner's ability to rectify the illegal action has been significantly hampered.
- b. Property Liens Filed by the City
 - The 115 Hackberry Drive mowing lien has accrued to the amount of \$320.00 plus interest.

2. Litigation

- a. Indian Hills Subdivision – The September mediation hearing was cancelled, and a new mediation date has been scheduled tentatively for October 21, 2009. In addition, the Indian Hills Developer, Rone Engineers, Ltd. is now represented by new council.
 - b. Glenn Heights Annexation – There is no update.
 - c. 907 Block of Lark Lane – The city is currently awaiting notification from the Ellis County Court System of an appeals court setting and hearing date.
3. Status Report on Previously Resolved Nuisance Issues – The two properties on Winding Creek Trail with numerous vehicles are currently in compliance and will continue to be monitored.

C. Public Works

1. Uhl Bridge Update

Mayor Klooster stated several supports have been sunk into the Little Creek bed rock on both sides of Uhl Bridge, and work on the project has had only moderate delays due to the weather.

2. Woodhaven Bridge Update

Representatives from Tim Glendening and Associates, Craig Olden, Inc. and the City of Oak Leaf had a preconstruction meeting on October 5th at 9:00 a.m. to discuss project details and contract changes. The project is scheduled to be completed within thirty (30) days (weather permitting). The work to be done will stabilize the bridge abutments on both sides of the creek. The mayor also pointed out the bridge is in need of other maintenance repairs and identified that staff was searching for contractors that would have the expertise to address the repairs. He also directed city staff to research available grant funds should the city pursue replacement of the bridge structure in a future year.

3. Road Maintenance and Repairs

Now that the wet weather conditions have apparently subsided, the city's road crew will begin to repair potholes throughout Oak Leaf and finish up the Indian Hills Subdivision road project. Mr. Steve Hester (citizen at 916 Indian Trail) asked if City Staff could post a message on the city's website with regard to when the road work will start. He also requested to have the excess gravel swept off of Indian Ridge. Klooster replied Staff and the city's road crew would be notified.

4. Discussion of City-Wide Bar Ditch Clean-Up

Mayor Klooster indicated the bar ditch clean-up will begin once citizens have been notified either by mail or in person.

D. Secretary's Report

1. Solar Screens at City Hall

City Secretary Quintana indicated the solar screens had been installed on the City Hall windows, and the installation of new blinds would follow.

2. Fall Newsletter Preparation

Quintana stated the Staff is currently compiling information for the Fall Newsletter. She encouraged Council and the mayor to submit their articles during the following week.

VIII. ADJORNMENT:

Mayor Klooster asked Council and the audience for any further comments. None were made, and a motion to adjourn was made by Spurlock at 7:54 p.m. and seconded by Wilson.

Ayes: All present vote aye.

Nays: None.

The motion passed.

PASSED THIS _____ DAY OF _____, 2009

Paul Klooster, Mayor

ATTEST: _____
Ronda Quintana, City Secretary