

**MINUTES OF THE REGULAR MEETING
OF THE OAK LEAF CITY COUNCIL
HELD ON NOVEMBER 11, 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

Councilman Jim Tuma

Councilman Ray Brindle

Councilman Craig Wilson

City Staff Present:

City Secretary Ronda Quintana

Assistant Secretary Patty Ellis

II. MAYOR KLOOSTER CALLED THE REGULAR CITY COUNCIL MEETING TO ORDER AT 7:04 P.M. AND ANNOUNCED A QUORUM PRESENT.

III. INVOCATION & PLEDGE OF ALLEGIANCE:

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

IV. AUDIENCE PARTICIPATION:

At this time Mayor Klooster opened the meeting to comments.

- Steve Hester, citizen at 916 Indian Trail, addressed the Council concerning the road conditions of the Indian Hills area. Because the roads are causing a dust settlement nuisance and rock damage to his vehicles, Mr. Hester asked what is being done to resolve the problem. Mayor Klooster stated the Indian Hills lawsuit is currently in the discovery stage, and he asked city staff to contact B. G. Williams' Asphalt for a possible temporary solution. Klooster also stated a more permanent solution might occur as soon as 2009, if the project to extend Indian Trail to E. Highland continues to develop.

V. CONSENT ITEMS:

Minutes of the regular meeting of October 14, 2008 were reviewed. Mayor Klooster and Councilman Wilson indicated a few minor corrections to the minutes. With no further discussion, Brindle made a motion to accept the amended meeting minutes, and Mahlstedt seconded the motion. Klooster then called for a vote.

Ayes: All present voted aye.

Nays: None

VI. OLD BUSINESS:

A. Discussion of Extending Indian Trail to E. Highland Road and Review of Engineering Report from Joseph Portugal

Mayor Klooster indicated the engineering report was actually from Birkhoff, Hendricks & Conway, LLP and not Joseph Portugal as listed on the agenda. He then proceeded to give copies of the report to Tuma and Wilson for their review and asked them to report back their opinions at the next council meeting. Once the report has been discussed and approved by the Council, the engineering company will place their stamp on it, and at that time it could be issued for pricing. The approved engineering drawings would also be used in a discussion with the landowner in regard to obtaining right-of-way and participation in the cost to build the street.

VII. NEW BUSINESS:

A. The Swearing-in of Municipal Judge, Bob Carroll

Mayor Klooster tabled the item until the December Council Meeting, since Judge Carroll had a prior commitment.

B. Adoption of Resolution 0805 – A Resolution Designating Persons Authorized to Request and Sign for Funds Under the City’s Texas Community Development Program Project

Klooster stated that this resolution was required by ORCA (Office of Rural Community Affairs) in order to set up a payment system for grant funds. With no further discussion from Council, Mayor Klooster called for a vote. Mahlstedt made the motion to adopt Resolution 0805, and Wilson seconded the motion.

Ayes: All present voted aye.

Nays: None

C. Adoption of Ordinance 0807- An Ordinance Amending Chapter 3 – Building and Construction, Article 3.200 – Construction Code Fees and Appeals, Section 3.201 – Time Factors

Mayor Klooster asked Council if there was any discussion regarding the changes to Section 3.201 and with no comments made, he called for a vote. Mahlstedt made the motion to adopt Ordinance 0807, and Brindle seconded the motion.

Ayes: All present voted aye.

Nays: None

D. Adoption of 2006 International Residential Codes, 2006 International Plumbing Codes, 2006 International Mechanical Codes, and 2005 National Fire Codes

This item has been tabled for the December Council Meeting in order to allow the City’s building inspector time to review the NCTCOG’s (North Central Texas Council of Governments) 2005 and 2006 code amendments.

E. Legal Action for Franchise Fees Collection From Sardis-Lone Elm Water and Rockett Special Utility District

Klooster reminded Council that Ordinance 0609 (an ordinance providing certain approved utilities the use of public rights-of-way within the City of Oak Leaf, Texas for a franchise fee) should be enforced. He inquired if Council was prepared to take legal action against Sardis-Lone Elm Water and Rockett Special Utility District, and they agreed. Mahlstedt made the motion to authorize the Mayor Klooster to retain legal counsel and attempt to reach a satisfactory resolution to this matter. Tuma seconded the motion.

Ayes: All present voted aye.

Nays: None

F. Adoption of Resolution 0806 – Resolution Designating the Official Newspaper for the City of Oak Leaf

The mayor recognized that Oak Leaf currently uses the Ellis County Chronicle as its official newspaper, and stated that he has been satisfied with the service provided. With no further discussion from Council, the mayor asked for a vote. Brindle made the motion to designate Ellis County Chronicle as the official newspaper for the 2008-2009 fiscal year. Mahlstedt seconded the motion.

Ayes: All present voted aye.

Nays: None

G. Consideration and Approval of Council Authorizing Mayor to Accept Bids for the Removal of Excessive Dirt from Bar Ditches and the Hydro-Mulching of Ditches with a Winter Rye Grass Mix

Mayor Klooster stated he would like to initiate a bar ditch clean-out project to address the issue of proper storm water flow within the city. He stated that the project would require the rental of dirt removal equipment, the hiring of a small crew to operate the equipment, the hiring of a hydro-mulch company to spray the grass seed mix, and the purchase of materials to secure erosion control in certain locations. Tuma voiced his concern for the notification of the citizens regarding the project. Klooster acknowledged the concern and stated that city staff would send out letters to the citizens before any work commenced. Wilson stated that there should also be limitations and boundaries in place before any work was done. Brindle asserted that hiring one crew for the project would allow for uniformity in the work performed. The Council agreed that a bidding process should be started, and Brindle made a motion to authorize ten thousand dollars (\$10,000) for the bar ditch project. Mahlstedt seconded the motion.

Ayes: All present voted aye.

Nays: None

VIII. MAYOR'S UPDATE:

A. Personnel Manual

The personnel manual has been turned over to a consultant to be tweaked, and copies will be available to council members in advance of the December meeting.

B. Fall Newsletter

The mayor received plenty of positive feedback regarding the fall newsletter.

C. Updated Council Photos

Mayor Klooster asked Council to arrive early at City Hall on the night of the December council meeting in order to get updated council pictures.

IX. REPORTS AND ACTION BY COUNCIL:

A. LAND/BUILDING:

Nuisance Properties:

- 606 Winding Creek Trail and 1936 Willow Bend Drive- Mayor Klooster informed Council that once the municipal judge has been sworn in, court dates would be established to handle these code violations.
- 910 Little Creek Trail – The residents at 910 Little Creek Trail called City Hall in concern over a recent vehicle theft at their property. They have asked that another street light be installed near their property. Mayor Klooster presented a map to Council indicating locations of street lights already on that street; including an existing light at the corner of this citizen's property.

B. LEGAL & PUBLIC RELATIONS:

• Indian Hills Lawsuit

The mayor has attempted to contact the City's attorney regarding an update on this lawsuit, but a response had not been received prior to the council meeting.

• Construction Plats

The City of Oak Leaf's current construction plat process requires a preliminary drawing, a final plat, and then a construction drawing (in that order). As a result of this process there have been a couple occasions when the construction drawing differed from the final plat drawing. The Mayor stated the City of Red Oak combines the construction drawing and final plat thus eliminating final plat discrepancies. The Mayor requested that city staff investigate Red Oak's website engineering section and prepare a similar plat process for Oak Leaf to be adopted in the early part of 2009.

- Neighborhood Crime Prevention Council
Ms. Diana McBee has responded to the City of Oak Leaf's website request for a city social entertainment planner. She has also offered to become the organizer of the local Neighborhood Crime Watch Program. The mayor directed city staff to contact Ms. McBee and propose City Hall as a meeting place for the initial crime watch meeting. Staff was also instructed to research the availability of crime watch program literature and support documents.

C. PUBLIC WORKS:

- Street Potholes
B.G. Williams and Company recently came through the City, filled pot holes with hot asphalt mix and sprayed for grass control along the road sides.
- Street Signs
The street sign posts have been ordered through Dallas Lite and Barricade, Inc. and there will be no delivery charge. Mayor Klooster informed Council he intends to pick up the order when it is ready.
- Zoning Seminars
On November 7th, Mayor Klooster attended a zoning seminar. He stated that a CD was included in the seminar package and would be available to all council members to review at their leisure. Klooster also mentioned that another zoning seminar entitled "Planning, Zoning, and Property Rights" would be held in Plano, Texas in December. He recommended that the council members consider attending at least one day of the three-day seminar. The mayor also instructed city staff to make copies of the seminar brochure for the Council.
- Willow Bend Drive
While B.G. Williams was filling in the City's potholes, he noticed the condition of Willow Bend Drive. He told Councilman Tuma that the road needs a chip and seal application before winter weather arrives. The mayor stated that this matter will be added as an action item to the December agenda, and bids will need to be received before the December meeting.
- Refuse Collection and Billing
In accordance to Code of Ordinances, Article 11.200 Section 11.204, the mayor stated all citizens are required to use the garbage disposal company, DCI Sanitation, as provided for under contract by the city. It is also illegal for the citizens to dispose of their garbage except as provided for by the terms of Article.11.200. Klooster then indicated the City will begin to send out notice to citizens who have disregarded the code and have failed to pay their DCI Sanitation charges.

- Sewer Line Work

Councilman Wilson made mention that preparatory work was being done to increase the capacity of a sewer line running along Red Oak Creek behind Willow Bend Drive in Oak Leaf. He asked if the City had plans to set up a sewer infrastructure. Mayor Klooster indicated there were no plans to do so at the present time.

E. SECRETARY'S REPORT:

- New Cleaning Company

The City Hall has a new cleaning company, T C Janitorial. They will begin service on November 22, 2008.

- Animal Control

Mayor Klooster stated that Ovilla Animal Control has not the personnel or the budget to handle nights and weekend animal emergencies for Oak Leaf. Glenn Heights has offered to do this service and will also work with the Red Oak Animal Shelter as a convenient drop-off location. This matter will be discussed in more detail in future meetings.

- Household Hazardous Waste

The City has received an Interlocal Agreement from the City of Fort Worth Environmental Collection Center (ECC) regarding the disposal of hazardous waste for citizens of the City of Oak Leaf. Klooster directed city staff to make copies of the agreement for the Council to review. This matter will be a discussion item in December and an action item in January.

F. ORDINANCE REVIEW AND UPDATES:

No Updates.

X. ADJORNMENT:

A motion to adjourn was made by Mahlstedt at 8:50 p.m., and seconded by Spurlock.

Ayes: All present vote aye.

Nays: None.

The motion passed.

PASSED THIS _____ DAY OF _____ 2008

Paul Klooster, Mayor

ATTEST: _____
Ronda Quintana, City Secretary