

**MINUTES OF THE
REGULAR COUNCIL MEETING
OF THE OAK LEAF CITY COUNCIL
HELD ON MARCH 8, 2011 AT 7:00 P.M.
AT OAK LEAF CITY HALL**

I. CALL TO ORDER & ROLL CALL:

Council Members Present:

Mayor Paul Klooster

Councilman Craig Wilson

Mayor Pro Tem Pat Mahlstedt

Councilman Ron Spurlock

Council Member Absent Due to Work Related Activities:

Councilman Ray Brindle

Council Member Absent Due to Illness:

Councilman Jim Tuma

City Staff Present:

City Secretary Ronda Quintana

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

II. INVOCATION & PLEDGE OF ALLEGIANCE:

Klooster gave the invocation followed by the Pledge of Allegiance.

III. PROCLAMATION RECOGNIZING FLOOD SAFETY AWARENESS WEEK (MARCH 14-18, 2011)

Mayor Klooster read the proclamation declaring the week of March 14 – 18, 2011 as Flood Safety Awareness Week in the City of Oak Leaf.

IV. AUDIENCE PARTICIPATION:

Attorney John Perkins III and Mr. and Mrs. Jude Smith (citizens at 501 Little Creek) were present in the audience. Both citizens had signed up to speak during Audience Participation.

The mayor invited Mr. and Mrs. Smith to speak before the Council, and Mrs. Smith proceeded to express her concern for proposed drainage work beside their property. She inquired about the use of heavy equipment, the removal of vegetation and the effect the work would have on house values in their neighborhood.

Mr. Smith also had concerns regarding the increased possibility of their house being flooded once the drainage work has been completed, since run-off water in the drainage area backs up onto their property when the flood waters go beyond the banks of Little Creek.

Mayor Klooster responded stating the purpose of the drainage project is to clear out ditches that have been silted in. The two culvert pipes which run under Little Creek Road and next to the Smith's property also have silting, and water can only go through one of the pipes. When the city removes the silt at that location, it will place rip rap rock in the bed of the drainage area to prevent future silting and permit proper water flow.

Klooster then stated the city plans to get permission from citizens before any work is done on their property. More details will also be provided before any work begins. Mr. Smith then asked if an impact survey had been done, and Klooster replied it has not been done.

Councilman Wilson mentioned the area around the culvert pipes will also need to be reinforced to prevent erosion.

V. RECESS OF REGULAR MEETING:

The mayor called a short recess at 7:15 p.m. to speak with City Secretary Quintana about the drainage project.

VI. RECONVENE INTO REGULAR MEETING:

The meeting reconvened at 7:16 p.m.

VII. REGULAR AGENDA ITEMS:

A. Swearing in of John Perkins, III as the City of Oak Leaf Prosecuting Attorney

Mayor Klooster administered the Oath of Office to the city's new prosecuting attorney, and Attorney Perkins was presented with a copy of the oath.

VIII. CONSENT AGENDA ITEMS:

Approval of February 8, 2011 Regular Meeting Minutes

The Minutes were reviewed by Council, and Mayor Klooster made a correction to Section X. (Reports), Subsection B. (Legal) regarding 907 Lark Lane. He made a wording change concerning the underground contamination caused by the leaking gas tanks. With no further corrections made by Council, Klooster asked for a motion, and Mayor Pro Tem Mahlstedt made a motion to accept the amended February 8th Minutes. Councilman Spurlock seconded the motion. Klooster called for a vote.

Ayes: All present voted aye.

Nays: None

The motion passed.

IX. REGULAR AGENDA ITEMS (CONTINUED):

B. The Discussion of Murrey and Co. Audit Report for Fiscal Year 2009-2010

The audit report was reviewed by Council, and Mayor Pro Tem Mahlstedt inquired about advertising expenses on page 13. City Secretary Quintana responded stating the auditing company sometimes uses different terms to describe an expense or revenue. Mayor Klooster stated the report found no deficiencies with the city's financial records.

C. Approval of an Interlocal Cooperation Contract Between Ellis County, Texas and City of Oak Leaf

Mayor Klooster indicated Ellis County renews its contract with the City of Oak Leaf annually and provides equipment and labor to do tasks that City Staff cannot such as tree trimming and clearing of log jams after a flood. Mayor Pro Tem Mahlstedt made a motion to approve the Interlocal Cooperation Contract. Councilman Wilson seconded the motion. Mayor Klooster called for a vote.

Ayes: All present voted aye.

Nays: None

The motion passed.

D. The Discussion for the Possible Rescheduling of the Community Spring Clean-up Day

Due to a scheduling conflict on March 19th, the Ellis County commissioner for District 4 has asked the City of Oak Leaf to select another day for the city's clean-up. After a short deliberation, the council members decided to move the event to April 16th. Staff will be contacting local youth groups to find teenagers over the age of sixteen to help with the event, and a tree service will be contacted to provide wood chipping. In addition, Staff will be mailing out a flyer and postcards to inform citizens about Clean-up Day.

E. The Discussion of Possible Changes to the Dog Registration Permit Time Period and Associated Fees

City Staff had submitted a dog registration summary for Council to review, which included opinions of local veterinarians regarding rabies vaccination time frames, as well as animal registration policies of other area municipalities. Mayor Klooster opened the discussion stating he was concerned that a longer registration period would encourage citizens to not register their dogs in a timely manner. Councilman Spurlock mentioned a longer registration period would result in less work for Staff. There was also brief discussion about the number of dogs allowed per household. The matter was then tabled, and the mayor stated any council member could request it to be reconsidered at a future meeting.

X. OLD BUSINESS ITEMS:

A. The Discussion of Possible Approval of a Revised Professional Engineering Services Agreement from Birkhoff, Hendricks & Carter, LLP for the 2011 Street Rehabilitation Project

With the assistance of Councilman Wilson, a revised Engineering Services Agreement was prepared by Birkhoff, Hendricks & Carter. The City Council reviewed the revision, and Wilson indicated Exhibit "A" contained the basis of the agreement. Drainage studies and improvements were also referenced in the document. Wilson stated the drainage improvements could be done in conjunction with the road work (where needed). Moreover, the revised agreement would allow the city to do the road work in segments, so it would fit within the city's budget constraints. He then stated next year the city can pull together its documents and redo the construction agreement to bid out another segment of the road work. With no further comments from Council, Klooster asked for a motion. Wilson made a motion to approve the revised Professional Engineering Services Agreement, and Mayor Pro Tem Mahlstedt seconded the motion. Klooster called for a vote.

Ayes: All present voted aye.

Nays: None

The motion passed

B. Discussion and Approval of Resolution 1007 – A Resolution Authorizing the Mayor to Execute and Approve the Master Advance Funding Agreement with TxDOT Regarding Woodhaven Bridge

Mayor Klooster informed the council members he had looked into having the existing Woodhaven Bridge sandblasted, reinforcing the weak joints, applying a new coat of paint and using bolts to secure new boards. However, when the engineers of Birkhoff, Hendricks and Carter, LLP made restoration inquiries to TxDOT, they were told that any work, other than its replacement, would not be allowed. They found out the TxDOT Bridge Report the city received last year was not the entire report, and the inspecting engineer had actually stipulated the replacement of the bridge. Thus, the pursuit of a grant through the Off-State System Federal Aid Bridge Replacement Program was initialized.

Based on this new information, the mayor indicated he had spoken with Bill Pierce, an engineer associated with the Waxahachie branch of TxDOT, about replacing Woodhaven Bridge with a one-lane bridge (instead of the proposed two-lane bridge). Klooster informed Mr. Pierce that Oak Leaf has an access easement for emergency and city-approved vehicles (school buses, trash trucks, etc.) to use, in addition to the vehicular bridge. Mr. Pierce visually inspected the Woodhaven Bridge and agreed to research the matter. He indicated that he would provide answers, once he had heard back from the appropriate state authorities. Therefore, the Resolution 1007 has been tabled until the next Council Meeting

XI. MAYOR'S UPDATE:

A. Meetings and Seminars

1. Red Oak ISD Community Breakfast on March 31, 2011

The City Council and Staff have been invited to attend a community breakfast hosted by the Red Oak ISD. It will begin at 7:00 a.m. in the Red Oak High School Cafeteria and will be followed by a State of the District Address.

2. The Regional Transportation Council of NCTCOG Invitation to the Public to Attend Transportation Meetings on March 14th and 15th

The North Central Texas Council of Governments will be hosting public meetings on March 14th in Fort Worth and March 15th in Mesquite and Denton to discuss proposed 2011 transit projects funded by the Federal Transit Administration through the Urbanized Area Formula Program. Topics of discussion will be proposed modifications to the list of funded projects, Unified Planning Work Program modifications and development, and final recommendations for the Mobility 2035 Program. Citizens who would like to attend one of the meetings may come to City Hall and pick up a meetings information sheet or go on-line to www.nctcog.org.

3. Meeting with TxDOT Engineer, Bill Pierce on March 8, 2011

Mayor Klooster and Mayor Pro Tem Mahlstedt met with TxDOT Engineer Bill Pierce and his associates, Ellis County Planner Barbara Leftwich and Ellis County Commissioner Ron Brown regarding the expansion of Ovilla Road (FM 664). The main purpose of the meeting was to discuss current traffic patterns along FM 664 and where areas of congestion (mostly school zones) were for the City of Oak Leaf. During the meeting, they also discussed the dimensions of the expansion, rights-of-way, shoulders, sidewalks, etc. Funding for the road expansion has not yet been determined.

4. Public Funds Investment Act Workshop Report

The mayor and Councilman Brindle attended a Public Funds Investment Act Workshop on March 4th and 5th hosted by the Texas Municipal League. Mayor Klooster (and Councilman Brindle) identified that they had learned much about public funds investing and had concerns about having all of the city's funds deposited with only one financial institution. Klooster recommended advertising for bids from other financial institutions to help diversify and protect Oak Leaf's assets.

5. NECCC Meeting on April 14, 2011

Mayor Pro Tem Mahlstedt has asked to withdraw as one of the two representatives for the City of Oak Leaf, and Councilman Wilson will be taking her place. The April meeting for the North Ellis County Coalition of Cities will be hosted by the Town of Palmer.

XII. REPORTS:

A. Land/Building

There is no update.

B. Legal

1. Nuisances

- Previously Recorded Liens – The total of previously recorded liens is \$5,745.67.

2. Litigation

- a. Indian Hills Subdivision Update – A new trial date has been scheduled for June 14th at 9:00 a.m. There is also a pre-trial conference scheduled for Wednesday, May 18th at 9:00 a.m. at the Ellis County Courthouse. Mayor Klooster commented that he would be attending the pre-trial conference and encouraged the City Council to attend if their schedules permitted. He then reminded them if more than two council members plan to go on that day, notice of a possible quorum will have to be posted at City Hall.
- b. Glenn Heights Annexation Update – There is no update.
- c. 907 Lark Lane – There is no update.

C. Public Works

1. Road Maintenance and Repairs

PaveCon has come out to look at roadside raveling, and the city has postponed any permanent pothole work until warmer weather.

2. Drainage

The city is planning to clean out drainage ditches that are parallel to the streets. Before work begins, gas, cable, telephone and water lines will have to be located, and citizens will be notified of the addresses to be affected by the work. The start date is pending.

D. Secretary's Report

1. Spring Newsletter

Mayor Klooster stated Council had been sent a list of newsletter topics to review and make suggestions. Councilman Wilson mentioned Staff could compose a short article reminding citizens to check their communications bill to confirm the City of Oak Leaf is listed as the recipient of the communications tax instead of Red Oak.

2. Ellis County Cleanup Week, March 26th – April 2nd
Ellis County will issue a limited amount of vouchers for their countywide clean-up event. The mayor inquired about the start and end dates for the vouchers. City Secretary Quintana responded the vouchers were available on March 1st and would be given out until all were taken. For citizens who would like more information, a handout is available at City Hall, or they may go on-line to www.co.ellis.tx.us/.
3. Election Application Reminder
Quintana reminded City Council the last day to file as a candidate for a place on the May 14th General Election ballot is March 14th at 5:00 p.m. The last day to file as a write-in candidate is March 21st.
4. 2010 Census
A 2010 Census Population Report has been obtained from a U. S. Census website, and it states the total population for the City of Oak Leaf is 1,298. This is an increase in population from the 2000 Census total of 1,209.

XIII. ADJORNMENT FROM REGULAR MEETING:

Mayor Klooster inquired if Council had any further comments, and none were made. Klooster asked for a motion to adjourn. A motion was made by Councilman Wilson at 8:34 p.m. It was seconded by Councilman Spurlock. The mayor called for a vote.

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

PASSED THIS _____ DAY OF _____, 2011

Paul Klooster, Mayor

ATTEST: _____
Ronda Quintana, City Secretary