

DRAFT
MINUTES OF THE REGULAR MEETING
OF THE OAK LEAF CITY COUNCIL
HELD ON FEBRUARY 11, 2014 AT 7:00 P.M.
AT OAK LEAF CITY HALL

I. CALL TO ORDER & ROLL CALL:

Council Members Present:

Mayor Craig Wilson

Mayor Pro Tem James Pierce

Councilman Bob Rader

Councilman Joyce Liptak

Councilman Mark Bounds

Councilman Matthew Gardner

City Staff Present:

City Secretary Ronda Quintana

MAYOR WILSON CALLED THE REGULAR MEETING TO ORDER AT 7:02 P.M. AND ANNOUNCED A QUORUM PRESENT.

A. Invocation:

Mayor Wilson gave the Invocation.

B. Pledge of Allegiance:

It was followed by the declaration of the Pledge of Allegiance by the City Council and audience members.

II. AUDIENCE PARTICIPATION:

Michelle Hillery and her brother, Mark Horton, citizens at 3710 S. Hampton, voiced their concerns regarding the excessive rate of speed most vehicles travel on S. Hampton Road and the potential danger to joggers, cyclists, citizens and wildlife (with particular emphasis on birds). Ms. Hillery then mentioned the difficulties she has had trying to get speed limit enforcement and with the postal service in regards to relocating her mailbox from the east side to the west side of the road. She did state that Ellis County Precinct #4 had recently installed additional signage (cattle crossing, directional chevrons, and child at play) south of the Red Oak Creek Bridge at her request but had done nothing for years about the deteriorating condition of the road. Ms. Hillery also commented on the lack of fire hydrants along S. Hampton Road, which were promised when **that that** area was annexed into Oak Leaf.

Most of the council members inquired about and gave suggestions to resolve her mailbox dilemma. Mayor Pro Tem Pierce and Councilman Bounds shared their personal experiences with fast moving traffic in that part of the city. Mayor Wilson made responses regarding the roadwork and fire hydrants, and Councilman Bounds indicated he would have the Ellis County Constable's Office patrol that area more regularly.

III. CONSENT AGENDA ITEMS:

- B. Approval of Ordinance 1402 – An Ordinance of the City Council of the City of Oak Leaf, Texas Ordering the May 10, 2014 General Election; Ordering a Special Election for the Reauthorization of the Municipal Sales and Use Tax for Street Maintenance; Providing for Early Voting; Providing for the Polling Place; Providing for an Election Judge and Early Voting Clerks; Providing for Notice of the Election; Providing for the Method of Voting; Providing for Severability; and Providing an Effective Date (Nota: Una Versión Española Será Proporcionada Sobre La Petición)
- C. Approval of a Joint Election Agreement Between the Red Oak Independent School District and the City of Oak Leaf, Texas

Because City Council wished to discuss the January Minutes, Item A was moved to the Regular Agenda. Then, Councilman Rader made a motion to approve Items B and C as presented. Councilman Liptak seconded the motion. Mayor Wilson called for a vote.

Ayes: All
Nays: None
The motion passed.

IV. REGULAR AGENDA ITEMS:

- A. Approval of the January 14, 2014 Regular Meeting Minutes
After the January 14th Minutes were reviewed, Councilman Rader suggested additional wording to Regular Agenda Item D concerning the review of the entire Code of Ordinances for duplications and inconsistencies, in which Councilman Rader volunteered to make suggestions and recommendations. Councilman Rader then motioned to approve the minutes as amended and Councilman Bounds seconded the motion.

Mayor Pro Tem Pierce inquired if Councilman Rader's findings would be presented in sections or as a whole for Council to consider. Councilman Rader indicated it would be most efficient to review them one or two chapters at a time, and he planned to concentrate on Chapters 1, 2, 3, 6 and 7. Mayor Wilson recommended including the city attorney in the revision process, since he represents the city in municipal matters. Councilman Rader advised discussing the changes first, which would involve nonsubstantive (reorganization and rewording) and substantive (changes to essential legal principles) issues. After that, the city attorney should be consulted regarding what action to take on the substantive issues before making the code amendments. Mayor Pro Tem Piece mentioned the city should proceed with care when making changes to wording of the code. With no further discussion of the item, Mayor Wilson called for a vote.

Ayes: All
Nays: None

The motion passed.

V. OLD BUSINESS ITEMS:

A. Discussion Concerning Murrey and Co. Audit Report for Fiscal Year 2012-2013

Mayor Wilson opened the item for discussion, and Councilman Liptak indicated she had spoken with Mr. Murrey regarding the steadily increasing audit fees and the errors found in the Summary of Changes in Net Assets section of the September 30, 2013 Audited Financial Statements. Mr. Murrey informed her that the rising audit fees were partially due to Governmental Accounting Standards Board (GASB) Statement 34, which requires increased governmental reporting. Councilman Liptak asked him why it was necessary to file additional reports, since the City of Oak Leaf has no enterprises and the Economic Development Corporation has been static. He responded that they must comply with GASB 34 requirements whether it is for a small or large entity. Councilman Liptak stated she would be consulting with other auditing firms to confirm Mr. Murrey's explanation and to compare fees.

As for the misstated assets calculations, Mr. Murrey will be sending a revised summary. Councilman Rader asked if Councilman Liptak had mentioned the auditor's obligation to evaluate the city's internal controls. Councilman Liptak replied she had only asked about the summary. Councilman Rader then asked if the city should consider procedures to ensure mistakes and reporting errors are caught. Councilman Liptak responded she was not sure if it would be necessary, since there were only two employees. Mayor Wilson inquired whether internal controls would be outside the scope of the audit. Councilman Liptak stated she was not certain. The discussion of the item was then postponed until additional information could be obtained.

B. Discussion of Ordinance 1401 – an Ordinance Amending Chapter 3 – Building and Construction, Article 3.200 – Construction Code Fees and Appeals, Section 3.201 – Time Factors Relating to Remodel Permits

Mayor Wilson stated Ordinance 1401 was created to establish a time period for remodels permits rather falling under a general permit. He gave an example of a recent remodel job, in which the simple remodel became an extensive remodel and continued far beyond the general permit time frame. Councilman Bounds asked if the permit extension could be less than half the fee, and Mayor Wilson informed him that the half fee is a standard practice for an extension. Mayor Pro Tem Pierce questioned the time extension, and Councilman Liptak questioned the amount of times the building inspector would need to come out. Mayor Wilson replied that it would depend on the findings of the inspector. Councilman Rader inquired about the time factors for the permit and asked to review current code.

VI. RECESS OF REGULAR MEETING:

Mayor Wilson called a recess at 7:33 p.m., so the City Code of Ordinances could be reviewed.

VII. RECOMMENCEMENT OF REGULAR MEETING:

The meeting was called back to order at 7:38 p.m., and after a brief discussion on remodel permitting and fees, City Council decided to postpone discussion of the item until the next Council Meeting.

VIII. REPORTS:

A. LAND/BUILDING:

- Repair of City Hall Columns
Mayor Wilson stated the outer casings of columns at city hall were in poor condition, and City Staff had ordered replacement casings, which would be installed soon.

B. LEGAL:

- Litigation
 - a. 907 Lark Lane TCEQ Litigation
There is no update.
 - b. 506 Roaring Creek Drive – Animal Registration Violation
The property owner failed to appear on January 16th for not registering her dog. However, her husband, Brian Hunter, came and explained she was unable to appear due to a health issue. **Mr. Hunter and the prosecuting attorney discussed the case and what court fines and fees would be assessed. As long as payment was made before the February 20th court date, Mrs. Hunter would not be required to appear before the court.**

C. PUBLIC WORKS:

- Road Maintenance and Repairs
Mayor Wilson stated he has signed a letter addressed to Ellis County Precinct #4 requesting roadwork to be started in the spring for the completion of Indian Trail and Indian Ridge and the rehabilitation of Elm Drive, Hackberry **Street**, Locust Court, Walnut Drive and Walnut Court.

Mayor Wilson also mentioned pothole repairs were currently underway throughout the city, and that he would be speaking with Ellis County Precinct #4 about a culvert project on Lariat Circle.

IX. COMMENTS BY MAYOR, CITY COUNCIL AND CITY SECRETARY:

- Councilman Bounds mentioned he would be hosting a Self Defense Class on February 22nd at city hall and invited all meeting participants to come.

- Mayor Wilson commented that he had spoken with Mayor Pro Tem Pierce about facility monitoring and the alarm system at city hall, and additional pieces will be ordered.
- Mayor Wilson indicated the Recreation Trail Grant he was applying for would not be a good match for the city based on the park's features. Councilman Bounds asked if the mayor knew of other park grants coming available. Mayor stated he will continue to check the Texas Parks and Wildlife Department website for upcoming small community park grants that would be more suitable.
- City Secretary Quintana stated the city was again receiving a Mixed Beverage Gross Receipts Tax Allocation from the State Comptroller. For the fourth quarter of 2013, the city received \$103.06.
- City Secretary Quintana mentioned the new emergency radio equipment had been installed and has been made fully operational.
- Mayor Wilson remarked that he would be focusing his attention again planning of the new public works building with the assistance of Assistant City Secretary Ellis.

X. ADJOURNMENT:

With no further comments from the City Council, Councilman Liptak motioned to adjourn at 8:27 p.m. Councilman Bounds seconded the motion.

PASSED THIS _____ DAY OF _____, 2014

Craig Wilson, Mayor

ATTEST: _____
Ronda Quintana, City Secretary