

**MINUTES OF THE REGULAR MEETING
OF THE OAK LEAF CITY COUNCIL
HELD ON APRIL 8, 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:

Mr. Robert Morris, citizen at 111 Locust Drive, indicated he would be replacing portions of the wooden/chain link fence in his back yard and asked Council about a variance for the placement of the fence posts. Mayor Wilson informed him per code the steel posts must be placed on the inside of the fence, and a variance would involve getting permission of all property owners within two hundred feet of the property. Mr. Morris stated he would like to put the wood-on-wood fence in the same location as the existing fence, but inward facing poles would create a maintenance issue later on. Councilman Rader asked about ownership of the chain link sections and was informed the neighbors are relatively new to the area and know nothing about the history of the fence. Councilman Liptak inquired if Mr. Morris had a survey of the property showing property lines, which will be needed when the fence permit is pulled. Mr. Morris responded by stating it cannot be located. Councilman Rader asked if Mr. Morris had already contacted the neighbors about placement of the poles, to which Mr. Morris replied he had not. Mayor Wilson then indicated the matter would be discussed with City Staff. Then, he would be contacted regarding procedures to be taken.

III. CONSENT AGENDA ITEMS:

A. Approval of the February 11, 2014 Regular Meeting Minutes

- B. Approval of Ordinance 1403 – An Ordinance Canceling the May 10, 2014 General Election and Declaring Each Unopposed Candidate Elected to Office
- C. Approval of an Interlocal Cooperation Contract for the Lease of Voting Machines Between Ellis County, Texas and City of Oak Leaf

Councilman Liptak inquired about the voting machine rental fee listed in the Interlocal Cooperation Contract. City Secretary responded by stating the amount would not change even though the General Election had been cancelled. Councilman Rader made a motion to approve Items A, B and C as presented. Councilman Bounds seconded the motion. Mayor Wilson called for a vote.

Ayes: All
Nays: None
The motion passed.

IV. REGULAR AGENDA ITEMS:

- A. Discussion of Ordinance 1404 – an Ordinance Amending Chapter 1, All Articles and All Sections – General Provisions
Mayor Wilson explained the ordinance approval process involving city code and then invited Councilman Rader to comment on changes to Chapters 1 and 2. Councilman Rader mentioned he had made substantive and nonsubstantive modifications, which had been submitted to the council members for review prior to the April meeting. Mayor Pro Tem Pierce commented favorably on the occupation code and state statute referrals. Councilman Liptak indicated she had not yet compared the 2013-2014 Financial Policy to the changes made to Article 1.700 (Financial Policy). Councilman Rader stated a modification had been made to Section 1.401 (Necessity of Notice) of Article 1.400 (Notice of Claims) in which all claims must be made in writing, not orally. Mayor Wilson stated office procedures had also been modified to accept only written complaints. Additionally, Councilman Rader commented on removal of Section 1.106 (c) pertaining to strict liability, in which he indicated accidents should not be accountable. Mayor Wilson then postponed discussion of the item for a future Council Meeting.
- B. Discussion of Ordinance 1405 – an Ordinance Amending Chapter 2, All Articles and All Sections – Animal Control
Councilman Rader mentioned that there were more substantive changes in Chapter 2 than in Chapter 1, and he gave examples in regards to unprovoked dog attacks (Section 2.805) and offensive, unsanitary conditions (Section 2.901). Councilman Liptak suggested including unprovoked attacks on other animals based on her personal experiences. Councilman Rader indicated that most cities derive their codes on dangerous dogs from state statutes. Both state and city codes have onerous consequences if a dog is determined to be dangerous. Mayor Wilson recommended researching codes of surrounding cities concerning dangerous dogs with particular

attention to the City of Ovilla's code, since Ovilla provides animal control services to Oak Leaf. Discussion of the item was then postponed to a future Council Meeting.

C. Action to Dispose of Outdated City Records

Mayor Pro Tem Pierce motioned to dispose of the outdated documents, and Councilman Bounds seconded the motion. Then, Mayor Pro Tem Pierce inquired about the type of records to be destroyed and was informed they were primarily old dog vaccination records and financial records dating from 2003 to 2006. With no further discussion on 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 informed Council he had received a letter from the auditor explaining the correction to Page 9 of the Audit Report amending the 2012 property tax revenue from \$45,801.00 to \$345,801.00. The page was reviewed by the council members, and there was no further discussion of the item.

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 the ordinance had been discussed at previous meetings, and he was in favor of proceeding with its adoption. Mayor Pro Tem Pierce made a motion to approve Ordinance 1401, and Councilman Bounds seconded the motion. Councilman Liptak inquired about the necessity of the changes to the code. Mayor Wilson responded by stating recent permitting issues concerning extensive remodeling projects have prompted the necessity to establish an appropriate time frame for them. Councilman Bounds commented on the improved situation for future remodel projects within the city. With no further comments from City Council, Mayor Wilson called for a vote.

Ayes: All
Nays: None
The motion passed.

VI. **REPORTS:**

A. **LAND/BUILDING:**

- Repair of City Hall Columns
Mayor Wilson indicated the new outer casings of columns at city hall had been installed.

B. LEGAL:

- Litigation
 - a. 907 Lark Lane TCEQ Litigation
There is no update.

On a matter related to the soil contamination issue at the former 907 Lark Lane CITGO, Mayor Wilson mentioned the city had received a letter from T & G Environmental, LLC indicating they were removing the four underground gasoline storage tanks upon the request of the property owner. In addition, soil and water samples were taken from the storage tank pit and the pipe chase and were sent to TTI Laboratories for testing. The letter also states a representative from TCEQ was present when all work was performed.

- b. 506 Roaring Creek Drive – Animal Registration Violation
The property owner has paid all fees and fines due regarding the registration of her dog, and the case has been closed.
- c. 806 Locust Drive – Animal Registration Violation
The property owner will be summoned to appear in Municipal Court on April 20th for not registering her dogs.

C. PUBLIC WORKS:

- Road Maintenance and Repairs
Mayor Wilson stated the road base work for Indian Ridge, Indian Trail, Elm Drive, Hackberry Drive, Walnut Drive and Walnut Court has been completed, and the road crew has been waiting for consistent warm and dry weather conditions to finalize their work.

Mayor Wilson made comments about his and Kyle Butler's (Ellis County Precinct #4 foreman) efforts to get the section of S. Hampton Road between the Little Creek Bridge and Ovilla Road resurfaced. He stated the work has finally been approved by the City of Glenn Heights. However, because the authorization of it was delayed, the road work may be rescheduled for the fall of this year.

City Secretary Quintana mentioned she had spoken with Ellis County Precinct #4 foreman regarding work on Lariat Circle, and it has been scheduled to be completed during the week. Mayor Wilson informed the council members that complaints had been received concerning a potentially dangerous section of Lariat Circle. After visiting the site, he noted the east side of the road culvert pipe had become blocked by a stand of trees and debris. Because of the obstructions, storm water would pool up and run over Lariat Circle causing

erosion to the west side of the road and culvert pipe. As a result of his findings, Mayor Wilson contacted Ellis County Precinct #4 about excavating the old culvert pipe and replacing it.

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

- City Secretary Quintana informed Council that the Spring/Summer Newsletter would be published in the next couple of weeks.
- City Secretary Quintana commented on a refund letter received from TXU Energy for an error involving streetlight energy usage for calendar years 2008, 2009 and 2010 in the amount of approximately \$132.00.
- City Secretary Quintana mentioned the first quarter interest for 2014 earned on the city's investment accounts with Texas Telcom (\$486.31) and Citizens National Bank (\$339.03).
- City Secretary Quintana stated preliminary subdivision drawings had been submitted for the Council to review and could possibly be a discussion item on the May Agenda. The new subdivision would be off of Locust Drive on the property owned by KM Ventures.
- City Secretary Quintana indicated the May 10th Special Election would involve the reauthorization of the sales and use tax of one-fourth of one percent (.25%) for road maintenance. Early voting will start on April 28th and continue until May 6th.
- Councilman Bounds spoke about an Emergency Management Class for Donations which was held at city hall on March 25th and 26th and sponsored by Ellis County Office of Emergency Management. Both he and City Secretary Quintana, emergency management personnel from surrounding cities and representatives of local outreach organizations were in attendance. The class was taught by David Stone, a disaster preparedness expert for FEMA (Federal Emergency Management Agency) and George Barnette, a representative of the TDEM (Texas Department of Emergency Management). The power point slide shows, sharing of personal experiences, and field trip to the Waxahachie Salvation Army facilities were very informative and useful. Councilman Bounds recommended that the other council members also attend emergency management classes when available, so they could be better prepared in an emergency situation.
- Councilman Bounds mentioned the March 15th Self Defense Class was well attended, and there would be another Self Defense Class on April 26th at city hall. He invited all persons at the Council Meeting to come and participate. Mayor Pro Tem Pierce indicated that sign-up information for the class would be sent through Constant Contact.
- Mayor Pro Tem Pierce stated that an order for security system equipment has been prepared and would need to be bought with a city purchasing card. The amount of the order would be approximately \$779.00.

- Mayor Pro Tem Pierce also mentioned surveying the citizens using Constant Contact for their opinions on points of interest, such as the projected park project.
- Mayor Wilson indicated he had attended the April 7th ESD #4 Meeting at the Red Oak Fire Department, and the Emergency Services District Tax Rate Election has been tentatively scheduled for May 2015. He explained it could not be scheduled for the November Uniform Election Day, because the Cities of Ovilla and Red Oak Fiscal Budgets would already be set in October. As part of conducting the election, ESD #4 will finance five or six early voting locations, eight or nine May Election Day voting locations, and all promotional expenses.

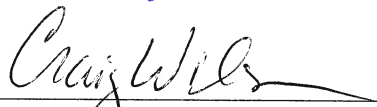
Also in this meeting, Red Oak Fire Chief Thompson mentioned that the department is researching the possibility of providing ambulance service to the city and ESD #4.

Councilman Bounds mentioned that the Ovilla Fire Service Contract with ESD #4 would terminate at the end of the fiscal year. Mayor Wilson stated it was his opinion from the previous discussions with the City of Ovilla's city administrator, mayor and assistant fire chief that they would likely request their Council continue to honor the contract with ESD #4 if a Tax Rate Election was scheduled. Mayor Wilson also stated he will be promoting the Tax Rate Election and attend any upcoming Ovilla City Council and ESD #4 meetings.

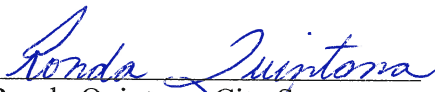
vIII. ADJOURNMENT:

With no further comments from the City Council, Councilman Liptak motioned to adjourn at 8:56 p.m. Councilman Bounds seconded the motion.

PASSED THIS 13th DAY OF May, 2014



Craig Wilson, Mayor

ATTEST: 
Ronda Quintana, City Secretary

