

**MINUTES OF THE REGULAR MEETING
OF THE OAK LEAF CITY COUNCIL
HELD ON MAY 13, 2014 AT 7:00 P.M.
AT OAK LEAF CITY HALL**

I. CALL TO ORDER & ROLL CALL:

Council Members Present:

Mayor Craig Wilson

Councilman Mark Bounds

Mayor Pro Tem James Pierce

Councilman Matthew Gardner

Council Members Absent:

Councilman Bob Rader (due to business)

Councilman Joyce Liptak (due to illness)

City Staff Present:

City Secretary Ronda Quintana

MAYOR WILSON CALLED THE REGULAR MEETING TO ORDER AT 7:00 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. Thomas Leverentz, citizen at 707 Locust Drive, was invited to speak before Council, and he asked the council members to consider issuing a three-year dog registration, since veterinarians are now giving three-year rabies shots. Mr. Leverentz also mentioned creating a tree ordinance to address clear-cutting by subdivision developers and what trees citizens could remove from their property, if the need arose. Mayor Wilson thanked Mr. Leverentz for his comments.

III. CONSENT AGENDA ITEMS:

A. Approval of the April 8, 2014 Regular Meeting Minutes

The April 8, 2014 Minutes were reviewed, and Councilman Bounds motioned to approve the minutes as presented. Councilman Gardner seconded the motion. Mayor Wilson called for a vote.

Ayes: Mayor Pro Tem Pierce, Councilman Gardner and Councilman Bounds

Nays: None

The motion passed.

IV. REGULAR AGENDA ITEMS:

A. Consideration and Approval of a Variance Request to Build an Accessory Building at 1801 Indian Ridge with Garage Doors Facing the Front Property Line

Mayor Wilson introduced the item stating all property owners within two hundred feet of Mr. Augustus' lot had been contacted regarding the variance request and their consents had been confirmed by City Staff. Councilman Bounds made a motion to approve the variance request, and Councilman Gardner seconded the motion. Mayor Pro Tem Pierce asked why Mr. Augustus wished to have the doors face forward, and Mr. Augustus responded that he would like the eaves and gables on the accessory building to match the existing house. No further comments were made by Council, so Mayor Wilson called for a vote.

Ayes: Mayor Pro Tem Pierce, Councilman Bounds and Councilman Gardner

Nays: None

The motion passed.

B. Discussion and Approval of Resolution 1401 – a Resolution of the City Council for the City of Oak Leaf, Texas, Denying the Rate Increase Requested by Atmos Energy Corp., Mid-Tex Division Under the Company's 2014 Annual Rate Review Mechanism Filing in all Cities Exercising Original Jurisdiction; Requiring the Company to Reimburse Cities' Reasonable Ratemaking Expenses Pertaining to Review of the RRM; Authorizing the Cities' Participation with Atmos Cities Steering Committee in any Appeal Filed at the Railroad Commission of Texas by the Company; Requiring the Company to Reimburse Cities' Reasonable Ratemaking Expenses in any such Appeal to the Railroad Commission; Determining that this Resolution was passed in Accordance with the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; and Requiring Delivery of this Resolution to the Company and the Steering Committee's Legal Counsel

Mayor Wilson introduced the item and asked Mr. Ray Granado, representative for Atmos Energy, to give a summary concerning the resolution. Mr. Granado stated Atmos had filed its second Rate Review Mechanism (RRM) to increase its natural gas rates, which would affect Oak Leaf and the other 163 participating cities of the Atmos Cities Steering Committee (ACSC). Both the ACSC and Atmos had worked to find a compromise and settlement this time, but the differences were too great. So, a resolution was created to deny the rate increase and get an opinion of a third party (the Railroad Commission) as to what the rates should be. After that, Mayor Pro Tem Pierce motioned to approve Resolution 1401. Councilman Gardner seconded the motion. There were no comments from City Council, so Mayor Wilson called for a vote.

Ayes: Mayor Pro Tem Pierce, Councilman Gardner and Councilman Bounds

Nays: None

The motion passed.

C. Consideration and Approval of Resolution 1402 – a Resolution Authorizing Continued Participation with the Steering Committee of Cities Served by Oncor; and Authorizing the Payment of Eleven Cents per Capita to the Steering Committee to Fund Regulatory and Legal Proceedings and Activities to Oncor Electric Delivery Company, LLC.

After the resolution was introduced, Mayor Wilson inquired if the payment per capita was higher than in previous years. City Secretary Quintana stated it was one cent per capita higher than the previous five years. Pro Tem Pierce made a motion to approve Resolution 1402. No second motion was made, so the motion failed.

V. OLD BUSINESS ITEMS:

A. Discussion of Ordinance 1404 – an Ordinance Amending Chapter 1, All Articles and All Sections – General Provisions

The changes made by City Staff regarding Section 1.505 (Override) were reviewed, and discussion of the item was postponed until the next Regular Council Meeting.

B. Discussion of Ordinance 1405 – an Ordinance Amending Chapter 2, All Articles and All Sections – Animal Control

The changes made by City Staff regarding Article 2.100 (Definitions) concerning public nuisances, Section 2.205 (Running at Large Prohibited), and Section 2.301 (Registration) and Section 2.602 (Animal Control Authority or Designee to Investigate Incidents; to Rule on Dangerous Dogs; Appeals) were reviewed. Mayor Wilson stated he had requested at the previous Council meeting to have city code match Texas and the City of Ovilla animal control codes to avoid confusion when enforcement would be necessary. He also requested the revision of code to include a three-year registration for dogs. Councilman Bounds mentioned some veterinarians give a three-year rabies shot and some give a one-year shot, and it would benefit the citizens to have options available. With no further discussion of the item, it was postponed until the next Regular Council Meeting.

VI. REPORTS:

A. LAND/BUILDING:

There is no update.

B. LEGAL:

- Litigation

- a. 907 Lark Lane TCEQ Litigation

- Mayor Wilson informed the council members that due to the negative soil testing results from TTI Laboratories, the TCEQ has discontinued their pursuit of the matter, and it has been turned over to the state for payment of fees and fines.

b. 806 Locust Drive – Animal Registration Violation

The property owner pleaded guilty to the dog registration violations, and fees and fines have been accessed.

C. PUBLIC WORKS:

• Road Maintenance and Repairs

Mayor Wilson stated the first layer of chip seal had been applied to Indian Ridge, Indian Trail, Elm Drive and Hackberry Drive, and the driveways had not been tied-in yet. As for the work on Locust Court, Walnut Drive, Walnut Court, it will be done as soon as the weather has stabilized. Councilman Gardner asked if the base material consisted of cement, to which Mayor Wilson responded it would most likely be flex base or some type of gravel.

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

- Councilman Bounds indicated the previous Self Defense Class was well attended and also had three teenager participants. Then, he mentioned there would be another Self Defense Class on Saturday, May 17th from 9:00 to 11:00 a.m.
- Mayor Wilson stated there would be a Special Meeting on May 20th at 8:30 a.m. to canvass the Special Election results.

VIII. ADJOURNMENT:

With no further comments from the City Council, Councilman Gardner motioned to adjourn at 7:35 p.m. Councilman Bounds seconded the motion.

PASSED THIS 8th DAY OF July, 2014

Craig Wilson
Craig Wilson, Mayor

ATTEST: Ronda Quintana
Ronda Quintana, City Secretary

