

**MINUTES OF THE REGULAR MEETING  
OF THE OAK LEAF CITY COUNCIL  
HELD ON OCTOBER 14, 2014 AT 7:00 P.M.  
AT OAK LEAF CITY HALL**

**I. CALL TO ORDER & ROLL CALL:**

Council Members Present:

Mayor Craig Wilson

Councilman Bob Rader

Councilman Matthew Gardner

Mayor Pro Tem James Pierce

Councilman Joyce Liptak

Councilman Mark Bounds

City Staff Present:

City Secretary Ronda Quintana

**MAYOR WILSON CALLED THE REGULAR MEETING TO ORDER AT 7:03 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.

**II. AUDIENCE PARTICIPATION:**

There were no audience participants.

**III. REGULAR AGENDA ITEMS:**

A. Discussion and Possible Approval of a Variance Request to Construct a Fence at 907 Lark Lane Using Inappropriate Fencing Materials

The Variance Request paperwork was reviewed by City Council. Mayor Wilson stated the property owner, Mr. Martinez, had constructed a sheet metal fence for the purpose of hiding used tires and other items associated with the auto shop and had submitted a variance to keep in place what is currently constructed. All of the property owners within one hundred and fifty (150) feet of 907 Lark Lane had been contacted by Mr. Martinez, and four of the five property owners had signed the request. However, when City Staff confirmed their consents and refusal, two of the property owners had stipulations regarding the fence.

Councilman Liptak made a motion to deny the Variance Request. Mayor Pro Tem Pierce seconded the motion. The council members asked about permitting of the fence and the length of time since it had been installed. Mayor Wilson stated that no fence permit had been obtained from the city, and the fence had been constructed at least two months ago. Mayor Wilson mentioned that City Staff informed the property owner of the fence violation in August, and Mr. Martinez requested a variance to city code in September. However, because the variance

paperwork was submitted towards the end of the month, it could not be considered until the October Council Meeting.

Mayor Pro Tem Pierce asked where the fence was located and was informed that it was on the east side and rear area of the auto and tire shop. Councilman Rader inquired if a wood fence would bring the property into compliance. Mayor Wilson answered in the affirmative. With no further discussion of the item, Mayor Wilson called for a vote.

Ayes: All  
Nays: None  
The motion passed.

B. Discussion and Possible Approval of September 9, 2014 Budget Workshop, Public Hearings and Regular Meeting Minutes

The Minutes were reviewed and Councilman Rader requested a couple of wording changes on Page 2 regarding his conversations with Senator Birdwell, the two meetings with TxDOT and the FM 664 Project bicycle lanes. Councilman Bounds motioned to approve the September 9th Minutes as amended, and Councilman Liptak seconded the motion. With no further comments from City Council, Mayor Wilson called for a vote.

Ayes: Councilman Rader, Councilman Liptak, Councilman Gardner and Councilman Bounds  
Nays: None  
Abstains: Mayor Pro Tem Pierce  
The motion passed.

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

Mayor Wilson indicated the Contract was the typical annual agreement with Ellis County Precinct #4 for road maintenance and other projects. Mayor Pro Tem Pierce made a motion to approve the Interlocal Cooperation Contract, and Councilman Bounds seconded the motion. There was no further discussion by the council members, so Mayor Wilson called for a vote.

Ayes: All  
Nays: None  
The motion passed.

D. Discussion Regarding Carry-over of Personal Time Off into Next Fiscal Year

Mayor Wilson opened discussion of the item by stating City Staff had brought the paid time off (PTO) carry-over matter to his attention, as it was not addressed in the city's Personnel Handbook. City Council reviewed the section of the Handbook pertaining to PTO and discussed how it is accrued and carry-over options.

Councilman Liptak indicated she was in favor of using it or paying it out but not having it carried over. Mayor Pro Tem Pierce supported paying it out and having PTO hours carry over.

Councilman Rader recommended removing the words “per year” pertaining to accrual and indicated he was in favor of carrying over of a certain amount of hours into the next fiscal year. Councilman Bounds also recommended the carry-over of PTO hours and made mention of a situation involving a former employer in which the employees had to use their time off before the end of the year or forfeit them, which resulted in a shortage of workers.

Mayor Wilson then tabled the item until the next Council Meeting.

E. Discussion of Proposed Meeting Room Rental Agreement

The Rental Agreement was reviewed by City Council and comments were made to revise the following topics:

- Reservations being made by only citizens of at least twenty-one years of age
- Giving priority to a resident over a non-resident
- The cancellation of a reservation resulting in forfeiture of all rental fees
- A balance due date
- The right of the city to cancel any reservation
- The right of the city to deny any caterer’s services on the premises
- Allowing a user to leave personal, rental or catering service property before and/or after an event
- The circulation of advertisements, tickets, and other written material on municipal building grounds
- The prohibition of political campaign-related functions or events and campaign materials

Councilman Liptak requested the addition of a section to address renting the meeting room on a regular basis. Mayor Wilson then tabled the discussion of the item until the next Council Meeting.

**IV. REPORTS:**

A. Land and Building

There were no updates.

B. Financial

• End of Year Report

Councilman Liptak explained the target investment rate listed in the Oak Leaf Investment Policy is 0.5 percent, and the average interest rate for the Telcom Credit Union and CNB Certificate of Deposits (CD’s) was 0.556 percent. However, the remaining portion of city’s funds with Prosperity Bank was earning 0.20 percent interest, which brought down the total investment rate to 0.33 percent. She informed City Council that Vintage Bank was offering 0.4 percent interest on their jumbo CD’s and suggested transferring some of the funds into a

Vintage CD to increase the total investment rate. Councilman Rader reminded Councilman Liptak of the FDIC insurance limit of \$250,000.00 per bank account. In response, Councilman Liptak stated she would purposely keep it below the limit, which would allow for interest accrual and that the amount would be fully insured by the FDIC. After that, Mayor Pro Tem Pierce and the other council members indicated their support of transferring \$247,000.00 into a Vintage Bank CD.

C. Legal

- Litigation

- 907 Lark Lane TCEQ Litigation

- City Secretary Quintana stated the Texas Commission for Environmental Quality (TCEQ) would be installing three wells in November to monitor the soil contamination levels at 907 Lark Lane.

D. Public Works

- Road Maintenance and Repairs

- Mayor Wilson mentioned pot holes were developing again, and City Staff would be scheduling the road repairs with Ellis County Precinct #4.

**V. COMMENTS BY MAYOR, CITY COUNCIL AND CITY SECRETARY:**

City Secretary Quintana informed Council that city hall would be the Polling Location for Precinct #110 on Election Day, November 4th.

Councilman Rader commented on Ovilla's resolution not to serve the ESD #4 after September 30th.

Councilman Liptak mentioned her efforts to calculate the value of emergency service runs based on a percentage of taxable properties per allocated emergency service funds for the Cities of Ovilla, Red Oak and Oak Leaf.

Mayor Pro Tem Pierce stated he had surveyed the citizens of Oak Leaf regarding the Widening of FM 664 Project during the National Night Out Event and through the city's Constant Contact e-mail. Out of the eighty-one responses from citizens, forty-four were in favor of a four-lane road, twenty-seven were in favor of a six-lane road and ten made no response.

**VI. ADJOURNMENT:**

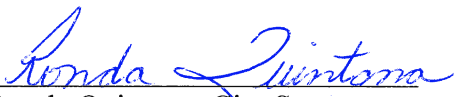
With no further comments from the City Council, Mayor Pro Tem Pierce motioned to adjourn at 8:40 p.m. Councilman Bounds seconded the motion. Mayor Wilson called for a vote.

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Ayes: All  
Nays: None  
The motion passed.

PASSED THIS 11th DAY OF November, 2014

  
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Craig Wilson, Mayor

ATTEST:   
Ronda Quintana, City Secretary

