

**MINUTES OF THE REGULAR MEETING  
OF THE OAK LEAF CITY COUNCIL  
HELD ON NOVEMBER 11, 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

Council Member Absent:

Councilman Mark Bounds (due to illness)

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 and audience members.

**II. AUDIENCE PARTICIPATION:**

No audience participants registered to speak during Audience Participation.

**III. CONSENT AGENDA ITEMS:**

A. Approval of September 24, 2014 Special Meeting Minutes

B. Approval of October 14, 2014 Regular Meeting Minutes

C. Approval of Resolution No. 1406 – A Resolution Designating the Official Newspaper for the City of Oak Leaf

The supporting documentation for each item was reviewed by City Council, and Councilman Rader motioned to approve all items as presented. Councilman Liptak seconded the motion. There was no further discussion of the items, so Mayor Wilson called for a vote.

Ayes: All  
Nays: None  
The motion passed.

**IV. REGULAR AGENDA ITEMS:**

**A. Discussion Regarding a Preliminary Plat of the Eldorado Ranch Subdivision on Locust Drive**

Mayor Wilson asked the council members for their comments concerning the subdivision, and Councilman Liptak inquired about the varying building lines for the lots in the cul-de-sacs. Mr. Alan Lauhoff (engineer for the developer) responded by stating the setbacks were determined by City Code's minimum lot width requirements.

Councilman Rader made inquiries about the time line for the subdivision and the pre-sale of lots prior to plat approval. In response, Mr. Anthony Smith (representative for Oak Cliff KM Ventures) indicated no lots had been pre-sold, and it would be at least two years, depending on the housing market, before the subdivision would be completed. In addition, Mr. Smith mentioned they would not begin development of the property for at least four to six months.

Mayor Pro Tem Pierce inquired about the size of the houses and if the developer would be doing custom designs. Mr. Smith replied that he planned to build larger houses than the minimum amount of 2000 square feet required by code, and there would also be multiple house designs in the subdivision.

**V. RECESS OF REGULAR MEETING:**

Mayor Wilson called for a recess of the Regular Meeting at 7:12 p.m., so the audience participants could register to speak before the City Council regarding the preliminary plat of Eldorado Ranch.

**VI. RECONVENE INTO REGULAR MEETING:**

The Regular Meeting reconvened at 7:16 p.m., and Mayor Wilson invited Mr. Jerry Amman (citizen at 2004 Willow Bend Drive) to speak before the City Council. Mr. Amman voiced his concerns regarding the appearance of the houses to be built, deed restrictions regarding neighborhood aesthetics / accessory structures and storm water stagnating north of Willow Bend Drive instead of flowing south.

Mrs. Jerry Amman (citizen also at 2004 Willow Bend Drive) stated she was concerned about the additional rainwater runoff from Eldorado Ranch, the direction of the rainwater flow and ensuring the subdivision's building standards would be the same or higher than their subdivision.

Mrs. Darrin Ellis (citizen of 2005 Willow Bend Drive) indicated she was also concerned about keeping the building standards high and mentioned that stormwater flows southward on her property from the road and down to the creek.

Councilman Liptak remarked about the high quality homes in the neighborhoods surrounding the proposed subdivision and maintaining the integrity of the existing properties.

Mr. Ernesto Villarroel (citizen at 2028 Willow Bend Drive) commented on the square footage requirement for houses in the Oak Leaf Farms Subdivision as compared to the minimum square footage of 2000 square feet requirement in City Code, "cookie cutter" neighborhoods and how the new subdivision would affect the flood plain. He then inquired if the property buyers would have to use the subdivision's builder or be able to choose their own builder.

Mayor Wilson stated that there are extensive procedures in place to deal with property in a flood plain and that the change to the flood plain boundary on the Willow Bend Drive was the result of property development upstream in Ovilla and Cedar Hill.

Mr. Mike Williams (citizen at 2020 Willow Bend Drive) voiced his concerns regarding the drainage of stormwater from the new subdivision and the low area behind his property where stormwater collects.

Councilman Liptak mentioned that there was a law in effect which prohibited directing additional stormwater onto existing properties.

Mayor Wilson stated the city would work with Mr. Lauhoff to ensure proper drainage in the proposed subdivision, and if necessary, they would detain the water and include a drainage easement. Mayor Wilson also indicated he would try to quantify how much water would be coming from the new subdivision.

Mayor Pro Tem Pierce stated he was concerned about the style of houses within the subdivision. Councilman Rader remarked about the city imposing tighter restrictions on the new subdivision.

Mr. Amman asked if the developer would be responsible for imposing the higher standards, and Mrs. Amman suggested using their subdivision's deed restrictions as an example. She then inquired about the developer of the subdivision.

Mr. Smith replied that the developer was Oak Cliff KM Ventures. He then stated that the houses would have a minimum of three thousand square feet, and the exterior veneer would be one-hundred percent (100%) brick, stone or stucco. In addition, he planned to build custom houses, not track homes, and the garages would not open to the front of the property.

Mrs. Ellis inquired about Eldorado Ranch having deed restrictions, since all of the subdivisions surrounding it had them.

Councilman Liptak asked if the developer sets the deed restrictions, to which she received an affirmative answer.

Mr. Amman questioned if the deed restrictions are established before lots are sold. Mr. Smith answered in the affirmative. Mayor Wilson also responded by stating he would be reviewing the deed restrictions of the three subdivisions which bordered the proposed subdivision and checking with City Code concerning their approval.

Mr. Williams made inquiries in regards to maintaining the integrity of the city's roads and plans for resurfacing the remaining section of Willow Bend, since the pavement edges are starting to deteriorate. In response, Mayor Wilson stated that the city contracts with Ellis County for routine road maintenance or goes through an independent contractor for larger projects and tries to rehabilitate one to one and a-half miles of road each year. When the city rehabilitated the sections of Locust Drive and Willow Bend Drive a couple of years ago, they needed the most work at the time.

After that, Mayor Wilson postponed discussion of the item until the December Council Meeting.

B. Discussion and Possible Action to Approve Ordinance 1410 – An Ordinance Amending Appendix A of the City Code of Ordinances Regarding Dog Registration Fees

Mayor Wilson stated Chapter 2 of City Code had been amended a couple of month ago to include a three-year dog registration, but the City Code Fee Schedule had not yet been updated to include the three-year registration fees. The Council reviewed the ordinance, and Mayor Pro Tem Pierce motioned to approve Ordinance 1410 as presented. Councilman Gardner seconded the motion. Councilman Rader commented on making all code changes before modifying the Fee Schedule. Mayor Wilson responded that this particular amendment needed to occur now, because the three-year dog registration would go into effect at the beginning of 2015. With no further comments from the council members, Mayor Wilson called for a vote.

Ayes: All

Nays: None

The motion passed.

C. Consideration to Appoint Investment Officers for 2014-2015 Fiscal Year

Mayor Wilson indicated the investment officers must be appointed each year, and he recommended reappointing the current investment officers. Councilman Rader made a motion to appoint Joyce Liptak and James Piece as the investment offices for the 2014-2015 Fiscal Year. Mayor Pro Tem seconded the motion. There was no discussion of the item, so Mayor Wilson called for a vote.

Ayes: All  
Nays: None  
The motion passed.

D. Discussion and Possible Action Regarding Maintenance of 507 Little Creek Trail

Mayor Wilson gave a brief summary of 507 Little Creek Trail's history involving repetitive losses due to flooding, the purchase of the property through a federal government program and the transfer of ownership to Ellis County. Since the ownership transfer, Ellis County has been maintaining the property with the assistance of the Sheriff's Department and their lawn equipment. Mayor Wilson then mentioned that Ellis County Commissioner Ron Brown has approached him several times in regards to city taking over maintenance of the property.

Councilman Liptak mentioned there was an unsafe wooden platform on the property and asked about the size of the lot. She was informed it was three acres.

Councilman Rader commented that a park might bother the neighbors, and as nearby resident, he was also opposed to it. He then asked why the city should assume responsibility for the property if there was no park and suggested that he county continue to maintain the property. Councilman Liptak agreed with Councilman Rader. She then spoke of an unpleasant encounter with the owners of 505 Little Creek Trail while she walked her dog on the lot.

Mayor Pro Tem Pierce stated he was also in favor of Ellis County continuing to take care of the property.

Mayor Wilson then instructed City Secretary Quintana to notify Ellis County Precinct #4 of their decision.

E. Consideration and Action Regarding Antiquated and Damaged City Street Signs

Mayor Wilson indicated City Staff had prepared a list of antiquated and/or damaged street signs to be removed from the city's public works inventory. After City Council reviewed the list and accompanying pictures, Mayor Wilson asked City Secretary Quintana to explain the removal process. She stated the signs could be sold or recycled per the Disposal of Assets Policy. City Secretary Quintana also mentioned that a representative from the City of Dallas had been consulted regarding their street sign disposal procedures, and that is what they do. In addition, the representative recommended not selling the stop or yield signs, because citizens might try to use them in improper locations along the streets.

Councilman Rader motioned to make the street signs available for sale to the public based on the advice of the City of Dallas representative and to recycle any damaged and remaining signs after the sale. Councilman Liptak seconded the motion. Council made no further comments, so Mayor Wilson called for a vote.

Ayes: All  
Nays: None  
The motion passed.

F. Discussion and Action to Dispose of Outdated City Records

Mayor Wilson invited City Secretary Quintana to speak about the records to be disposed of. She mentioned that the records listed had exceeded their records retention schedule. These records included expired dog rabies certificates, meeting sign-in sheets, insurance policy documents, sales and property tax documents, correspondence, financial records, etc.

Councilman Rader made a motion to dispose of the outdated records, and Councilman Gardner seconded the motion. There was no further discussion of the item, so Mayor Wilson called for a vote.

Ayes: All  
Nays: None  
The motion passed.

**VII. OLD BUSINESS:**

A. Discussion and Possible Action Regarding Proposed Meeting Room Rental Agreement

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

- Giving priority to citizens over non-citizens if reservations were made with-in a twenty-four hour period.
- The non prohibition of any member of the public based on race, color, religion, sex, sexual orientation, age, national origin or disability.

After that, Councilman Rader made a motion to approve the Meeting Room Rental Agreement as revised, and Councilman Liptak seconded the motion. No additional comments were made by the council members, so Mayor Wilson called for a vote.

Ayes: All  
Nays: None  
The motion passed.

B. Discussion Regarding the Amendment of the Oak Leaf Personnel Policy Handbook Concerning Section IV – What You Can Expect from the City – Subsection F. – Paid Time Off (“PTO”)

Mayor Wilson opened discussion of the item and the council members agreed to carry over the PTO hours into the next fiscal year. Mayor Pro Tem Pierce made a motion to remove the words “120 hours of PTO/year” from Subsection F. and Councilman Rader seconded the motion. There was no further discussion of the item, so Mayor Wilson called for a vote.

Ayes: All  
Nays: None  
The motion passed.

## **VIII. REPORTS:**

### A. Land and Building

There were no updates.

### B. Legal

- Litigation

- 907 Lark Lane TCEQ Litigation

- There was no update.

### C. Public Works

- Road Maintenance and Repairs

- Mayor Wilson mentioned the pothole repairs throughout the city had been completed, and he had also contacted Birkhoff, Hendricks and Conway (the city’s engineers) about requesting Quality Excavation perform crack sealing along Locust Drive and Willow Bend Drive before the road maintenance agreement expired at the end of November. However, if they were unable to do the work, Mayor Wilson indicated he would bring the matter before City Council for approval as a preventative maintenance.

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

Mayor Pro Tem Pierce stated Constant Contact has been billing him personally for services to the city, and he made a request for the city to take over the payments. Mayor Pro Tem Pierce also stated his concern for the size of the lots in the proposed subdivision.

**X. ADJOURNMENT:**

With no further comments from the City Council, Mayor Pro Tem Pierce motioned to adjourn at 8:45 p.m. Councilman Gardner seconded the motion. Mayor Wilson called for a vote.

Ayes: All  
Nays: None  
The motion passed.

PASSED THIS 9th DAY OF December, 2014

*Craig Wilson*

Craig Wilson, Mayor

ATTEST:

*Ronda Quintana*

Ronda Quintana, City Secretary

