

**MINUTES OF THE
REGULAR MEETING
OF THE OAK LEAF CITY COUNCIL
HELD ON FEBRUARY 09, 2016 AT 7:00 P.M.
AT OAK LEAF CITY HALL**

I. CALL TO ORDER & ROLL CALL:

Council Members Present:

Mayor Craig Wilson
Councilman Joyce Liptak
Councilman Mark Bounds

Councilman Bob Rader
Councilman Matthew Gardner

Council Member Absent:

Mayor Pro Tem James Pierce (absent due to business)

City Staff Present:

City Secretary Ronda Quintana

**MAYOR WILSON CALLED THE REGULAR MEETING TO ORDER AT 7:01 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. and Mrs. John Little (citizens at 1907 Morningside Lane), Mr. Tom Leverenz (citizen at 707 Locust Drive), Mr. John Smith (citizen at 805 Little Creek Trail) and Mr. Gihad Wazwaz (citizen at 105 Woodhaven Court) were present in the audience. Mr. Little and Mr. Wazwaz registered to speak, and Mr. Little deferred his comments until discussion of the Master Park Plan.

Mayor Wilson invited Mr. Wazwaz to speak before the City Council, and Mr. Wazwaz distributed papers containing an aerial photograph of 105 Woodhaven Court and general property information. Mr. Wazwaz then addressed the Council regarding the possibility of keeping two pygmy goats as pets on the property and indicated they were small sized, social, nonaggressive animals. Mayor Wilson suggested that he speak with City Staff regarding a variance request, since there may be an issue regarding enough grazing area for the animals and the close proximity to the neighbors' living quarters. The council members then inquired about the property lines shown on the photograph and his knowledge of keeping animals and

recommended he should speak with the neighbors before getting the variance. After that, Mr. Wazwaz asked about lowering the variance request fee.

III. CONSENT AGENDA ITEMS:

- A. Approval of the December 8, 2015 Meeting Minutes
- B. Approval of Ordinance 1601 – an Ordinance Calling the May 7, 2016 General Election
- C. Approval of Joint Election Agreement Between the Red Oak Independent School District and the City of Oak Leaf
- D. Action to Reappoint Municipal Court Judge Rodney Ramsey
- E. Approval of Audited Financial Statements, September 31, 2015
- F. Approval of Quarterly Investment Report

All items were reviewed by Council, and Councilman Rader motioned to remove Item E. from the Consent Agenda. Councilman Liptak seconded the motion. Mayor Wilson then called for a vote.

Ayes: Councilman Rader, Councilman Liptak, Councilman Gardner and Councilman Bounds

Nays: None

The motion passed

After that, Councilman Liptak made a motion to approve the remaining items and Councilman Gardner seconded the motion. Mayor Wilson called for a vote.

Ayes: Councilman Rader, Councilman Liptak, Councilman Gardner and Councilman Bounds

Nays: None

The motion passed

IV. REGULAR AGENDA ITEMS:

- A. Approval of Audited Financial Statements, September 31, 2015

Councilman Rader inquired about the change in net assets as shown on Page 9, and Councilman Liptak asked about the line items concerning repairs and maintenance and the building inspection fees. The discussion of Item A. was then tabled until the next Council Meeting.

B. Discussion and Possible Approval of a Variance Request for 805 Little Creek Trail to Build an Additional Accessory Building Exceeding Square Footage Allowed by Code

Mayor Wilson indicated the property owners, Mr. and Mrs. John Smith, had submitted a variance request to build an additional accessory building, which would exceed the square footage allowance for the lot size. The twenty-four hundred square feet building would be in addition to an existing one hundred and sixty square foot shed. All property owners within one hundred and fifty feet of the property had been contacted by the Smith's regarding the variance request, and their consents have been verified by City Staff. Councilman Bounds motioned to approve the variance request, and Councilman Gardner seconded the motion. There was no discussion of the item, so Mayor Wilson called for a vote.

Ayes: Councilman Rader, Councilman Liptak, Councilman Gardner and Councilman Bounds

Nays: None

The motion passed

C. Discussion and Possible Action Regarding Concealed and Open Carry Signage for City Hall

Mayor Wilson informed City Council that House Bill 910 had come into effect in January, which allows a person with a handgun license to carry a gun in a concealed manner or openly in a holster. With the enactment of this law, many cities in Texas are considering posting signage to ban them during open meetings. The council members discussed the item briefly, and Councilman Rader made a motion to take no action. Councilman Gardner seconded the motion. No further discussion followed the motions, so Mayor Wilson called for a vote.

Ayes: Councilman Rader, Councilman Liptak, Councilman Gardner and Councilman Bounds

Nays: None

The motion passed

D. Discussion Regarding New City Logo

Mayor Wilson mentioned that City Staff had created several city logos for consideration by City Council and they were reviewed. After a brief discussion, the item was postponed until the next Council Meeting.

E. Selection of Dates for Spring and Fall Clean-up Events

City Council conferred regarding the selection of the Community Clean-up Event Days for 2016 and agreed to designate April 23rd as Spring Clean-up Day and April 30th as the back-up date. October 15th was selected as the Fall Clean-up Day with October 22nd as the back-up date.

F. Discussion Regarding Reestablishment of Economic Business Development Board

Mayor Wilson stated that members of Council had requested the reestablishment of the Economic Business Development (EBD) Board in order to utilize some of the EBD funds for the city park facilities. He then invited City Secretary Quintana to report her findings. She informed the City Council that the previous EBD board member positions would need to be resigned and seven new members would need to be appointed. She then recommended having two members from the City Council, two employees and three Oak Leaf residents on the Board. The discussion was then postponed until the next Council Meeting.

IV. OLD BUSINESS:

NOTE: ONE OF THE AGENDA ITEMS WAS DISCUSSED OUT OF ORDER.

A. Discussion and Possible Action Regarding Revisions to City Master Plan

Mayor Wilson invited Councilman Liptak to speak about the City Master Plan. She mentioned that the Master Plan Committee had met on February 1st and several revisions were made. Councilman Liptak then made reference to the changes on Page x.1 regarding the annual review of the plan and updating it every five years. She indicated Council should review the Master Plan annually, since council terms expire every two years. In addition, new council members need to be aware of the Master Plan's existence and review it as a matter of course. Discussion of the item was then postponed until the next Council Meeting.

B. Discussion and Regarding Revisions to City Park Master Plan

Mayor Wilson invited Mr. John Little to address the Council, and Mr. Little made mention of the mayor's comments from the city's most recent newsletter regarding park facilities being available by early summer. Mr. Little then indicated he had researched the city's park grant options through the Texas Parks and Wildlife Department and discovered at least twenty different agencies the city would have to comply with if grant funding were accepted. After that, Mr. Little remarked about a personal experience regarding improvement to land he owned in Wise County and his refusal of grant money due to constraints. He then recommended that the city not apply for the park grants, use only the money from the Economic Business Development Fund and work on implementing the park elements in the approved Park Master Plan.

Mayor Wilson stated the city had also researched the park grants and had begun working on a simplified and generalized Master Park Plan. He then indicated that a fee proposal quote from SRA had been received, and the scope of work was in accordance with what he had requested. Councilman Liptak inquired about a timeframe for the city to do the engineering, and Mayor Wilson replied that there was not one yet. Discussion of the item was then postponed until the next Council Meeting.

C. Discussion Regarding City Park and Park Funding

Mayor Wilson stated the park work would not be difficult, but that the city needed to use caution on doing any work over \$50,000 because of the procurement regulations. He then reviewed Mr. Little's list of federal and state agencies and indicated that the city would be subject to them for any work done on the city's property. Councilman Liptak commented on getting the project started and agreed with using appropriate funding practices. Mayor Wilson asked if the Council wished to proceed with the grant process, and Councilman Liptak indicated if the city waited for grant approval, it would delay the project even more.

Councilman Rader commented about Texas Municipal Procurement Statutes mandating a formal bidding process for city projects over \$50,000.00, which also includes plans that are done step-by-step. Councilman Bounds commented favorably about the pavilion and mentioned keeping it within budget constraints. Mayor Wilson stated that if the Council wished to do the city park in a piecemeal fashion, the city would need to verify the legality of the action.

Councilman Liptak then spoke about grading the park area before the pavilion is installed, and Mayor Wilson indicated a survey would have to be done to create a contour map and lay a profile for the walking path. The discussion of the item was then postponed until the next Council Meeting.

D. Discussion and Possible Action Regarding a Special Warranty Deed to Transfer Ownership of 507 Little Creek Trail to the City

Mayor Wilson invited Councilman Rader to speak, and he gave a summary of his findings with in regards to transferring ownership of 507 Little Creek Trail. Councilman Rader then gave his opinion regarding the County's intentions concerning the property. After that, Mayor Wilson indicated whoever (individual, city or county) owns the property it will have to be maintained regularly. He then informed the council members that if the county leased the property to an individual, a formal bidding process would have to be done. Councilman Bounds commented on the county's sporadic maintenance of the property since it was deeded to them.

Councilman Rader also mentioned his attempt to have an adjoining property owner lease the property, and the property owner was receptive to the idea for privacy and security reasons. He then stated since the county is not willing to lease the property to an individual, he was inclined to let the county keep it.

No action was taken on this item due to lack of interest.

E. Regarding an Ordinance to Amend Chapter 3 – Building and Construction, Articles 3.100 to 3.1500

Mayor Wilson commented about updating the floodplain section of Chapter 3 before the ordinance was adopted and that he had obtained three modified versions from FEMA for Council to review.

Councilman Rader commented on the city attorney's memorandum regarding Article 3.700 (Penalties) and indicated that daily penalties would be appropriate in immediate dangerous health or safety circumstances. He then suggested adding it to Section 1.106 of City Code. Mayor Wilson asked what authority would make the decision for immediate dangerous circumstances and was informed it would be the person issuing the citation. Councilman Bounds commented on the possibility of the penalties being abused, and Councilman Rader explained that there would be a burden of proof for the immediate danger. The discussion of the item was then postponed until the next Council Meeting.

V. REPORTS:

A. Land and Building:

There were no updates.

B. Legal:

There were no updates.

C. Public Works:

• Road Maintenance and Repairs

Mayor Wilson stated that a list of streets to be resurfaced had been submitted to the county commissioner, which includes Meadowbrook Drive, Forest Brook Drive, Woodhaven Court and the back portion of Willow Bend.

As another public works matter, Mayor Wilson also stated there has been no update from the state regarding the Woodhaven Bridge Project other than announcement of the company awarded the contract.

VI. COMMUNITY INTEREST ANNOUNCEMENTS BY MAYOR, CITY COUNCIL AND CITY SECRETARY:

A. Use of City Hall on March 1, 2016 as a Voting Site for Primary Election

City Secretary Quintana remarked about city hall being used as a voting site for the March 1st Primary Election.

B. Update on Election Law Seminar

City Secretary Quintana informed City Council concerning changes to the election application, open carry laws, ballots by mail and reallocation of city sales tax.

C. Reminder about February 20th Self Defense Class

Councilman Bounds mentioned that there would be a Self Defense Class at city hall on Saturday, February 20th and invited the Council and members of the audience to attend.

D. Comments Regarding December 26th, 2015 Tornado Event

Mayor Wilson indicated the December 26th tornado skirted west of the city limits, and he had witnessed power flashes as the tornado approached. Councilman Liptak Councilman Bounds remarked about them, too. After the tornado had passed, Mayor Wilson mentioned he had driven through the city to access the damage and discovered a fallen tree on the S. Hampton Road at the Little Creek Bridge. He then stated Councilman Bounds had assisted him with blocking the opposite side of the road until the tree was removed.

However, the most extensive damage occurred on Red Oak Creek Drive and Westmoreland Road. Lancaster Fire and the Texas Department of Public Safety (DPS) cleared Red Oak Creek Drive, and there were power lines down on the south side of the road. Mayor Wilson then mentioned the Ovilla Public Works Department and citizens in the area also assisted.

Councilman Liptak commented on the county's involvement and suggested that citizens should clear the portion of road in front of their house. Mayor Wilson replied that there was too much damage to the houses and road side vegetation.

After that, Mayor Wilson spoke about the recovery efforts made regarding Shield's Elementary on December 27th and the multitude of volunteers that showed up to help relocate the usable school property over to the Acorn Academy Building. Councilman Bounds mentioned there had been some looting in the storm damaged areas; however on a positive note, many churches and other organizations had donated food and water to the volunteers and law enforcement. There were also chainsaw crews besides the Texas Baptist Men helping with the clean-up efforts.

Mayor Wilson commented favorably about community involvement during a time of crisis. He then indicated he had received a call from the mayor of Red Oak offering assistance during the evening of the twenty-sixth, but the damage had not been fully assessed. Mayor Wilson had also made contact with County Commissioner Butler that evening and was informed he and his crew was working on damage in the Mattie Lane area off of Westmoreland Road.

VII. ADJOURNMENT:

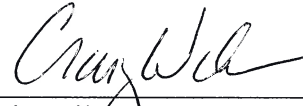
Councilman Liptak motioned to adjourn at 9:09 p.m. and Councilman Bounds seconded the motion. Mayor Wilson called for a vote.

Ayes: Councilman Rader, Councilman Liptak, Councilman Gardner and Councilman
Bounds

Nays: None

The motion passed.

PASSED THIS 8th DAY OF March, 2016



Craig Wilson, Mayor

ATTEST:


Ronda Quintana, City Secretary

