

**MINUTES OF THE
REGULAR MEETING, PUBLIC HEARING
AND BUDGET WORKSHOP
OF THE OAK LEAF CITY COUNCIL
HELD ON JUNE 14, 2016 AT 7:00 P.M.
AT OAK LEAF CITY HALL**

I. CALL TO ORDER & ROLL CALL:

Council Members Present:

Mayor Pro Tem James Pierce

Councilman Joyce Liptak

Councilman Susanne Ellis

Councilman Bob Rader

Councilman Jimmie Lamb

City Staff Present:

City Secretary Ronda Quintana

MAYOR PRO TEM PIERCE CALLED THE REGULAR MEETING TO ORDER AT 7:00 P.M. AND ANNOUNCED A QUORUM PRESENT.

A. Invocation:

Mayor Pro Tem Pierce 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. REGULAR AGENDA ITEMS:

NOTE: SOME OF THE AGENDA ITEMS WERE DISCUSSED OUT OF ORDER.

A. Swearing-in of Councilman Jimmie Lamb and Councilman Susanne Ellis

Mayor Pro Tem Pierce administered the Oaths of Office to Councilman Ellis and Councilman Lamb.

E. Discussion and Approval of May 10, 2016 Public Hearing / Regular Meeting Minutes

The May 10, 2016 Public Hearing / Regular Meeting Minutes were reviewed by City Council, and Councilman Liptak motioned to approve them as presented. Councilman Rader seconded the motion. There was no further discussion of the item, so Mayor Pro Tem Pierce called for a vote.

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

- F. Discussion and Approval of May 23, 2016 Public Hearing / Special Meeting Minutes
The May 23, 2016 Public Hearing / Special Meeting Minutes were review by Council, and Councilman Liptak motioned to approve them as presented. Councilman Rader seconded the motion. There was so further discussion of the item, so Mayor Pro Tem Pierce called for a vote.

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

- B. Discussion and Possible Action to Fill the Vacant Position of Mayor
After a short discussion and acceptance of the mayoral position by Councilman Rader, Councilman Liptak motioned to appoint Bob Rader as Mayor of Oak Leaf. Councilman Ellis seconded the motion. The council members had no further comments, so Mayor Pro Tem Pierce called for a vote.

Ayes: All
Nays: None
The motion passed.

- C. Discussion and Appointment of a Mayor Pro Tempore
The mayor pro tempore position was briefly discussed by the Council, and they agreed to reappoint Councilman Pierce. Councilman Liptak made motion to reappoint Councilman Pierce as mayor pro tempore, and Councilman Rader seconded the motion. There was no further discussion, so Mayor Pro Tem Pierce called for a vote.

Ayes: All
Nays: None
The motion passed.

III. AUDIENCE PARTICIPATION:

Corey Green (Atmos Energy representative), Ms. Priscilla Alderman and Mr. Gary Wilson (citizens at 1404 Lariat Circle), Mr. and Mrs. Phillip Stewart (citizens at 698 Horseshoe Trail), Mrs. Jimmie Lamb (citizen at 123 Walnut Court), Mr. and Mrs. Mike Fenton (property owners on Westmoreland Road), Larry Kuykendall (citizen at 509 Winding Creek

Trail), Mr. and Mrs. LaGrange (property owners on Westmoreland Road) and family, Mr. Dustin Jordan (citizen at 136 Forest Brook Drive), Mr. Larry Voyles (citizen at 3700 S. Hampton) and Mrs. Danny Montgomery (citizen at 804 Lark Lane) were present in the audience. Only Mr. Larry Voyles and Mrs. Montgomery registered to speak during audience participation.

Mayor Pro Tem Pierce invited Mrs. Montgomery to speak before the City Council and she voiced her concerns regarding an auto repair shop (Catracho's Auto Care #5) located at 907 Lark Lane. Mrs. Montgomery commented regarding the numerous vehicles on the lot, questioned the type of business being conducted there. She then asked for an audit of the sales tax permit to determine the scope of business and an update on the TCEQ lawsuit concerning the leaking underground fuel tanks.

Mr. Voyles was then asked to speak, and he inquired about replacing water infrastructure along S. Hampton Road from the 3700 Block of S. Hampton Road to the intersection of E. Highland Road and the installation of more fire hydrants for the development of properties along the west side of the road. The council members responded with interest.

IV. REGULAR AGENDA ITEMS (CONTINUED):

G. Discussion and Approval of a Variance Request to Build a Fence in the Front Plane of the Property on Westmoreland

The variance request paperwork was reviewed by City Council, and Mr. LaGrange was asked about the type of fence material to be used. Mr. LaGrange indicated it would be aluminum or a decorative metal fence with brick columns in the front and a wooden privacy fence in back of the property. Types of metal fencing were mentioned by Council, and Mr. LaGrange presented fence pictures to the council members. Mayor Pro Tem Pierce then made note of Mr. and Mrs. Fenton's comments on the Variance Request Form regarding distance of the fence from the street, and they were invited to speak regarding their concern. After their comments were received, Mr. LaGrange responded that he planned to build the fence back so on-coming traffic could be seen.

After that, Councilman Liptak motioned to approve the variance request with the stipulation that the fencing material be of the same caliber as the images provided by Mr. LaGrange. Councilman Lamb seconded the motion. There was no further discussion from Council, so Mayor Pro Tem Pierce called for a vote.

Ayes: All
Nays: None
The motion passed.

Councilman Liptak then made motion to approve the variance request with the stipulation that the fence is built at least twenty feet from the center of Westmoreland Road. Councilman Ellis seconded the motion. Council made no further comments on the item, so Mayor Pro Tem Pierce called for a vote.

Ayes: All
Nays: None
The motion passed.

H. Discussion and Approval of a Variance Request to Build an Accessory Building Exceeding Square Footage Allowed by Code

The variance request paperwork was reviewed by Council, and they inquired about any existing accessory structures at 136 Forest Brook Drive, the location of the septic lines, size of the lot, the height of the building, the new building's roofline, its purpose and whether there was a fence. Mr. Jordan responded that the one existing accessory structure would be removed before the new building was assembled, the septic lines were far from the building, the roof would be ten to twelve feet at pitch, it would be used for recreational and storage purposes, and there is a fence. He then shared simulated pictures of the building on his tablet with the council members.

Councilman Lamb made a motion to approve the variance request, and Councilman Liptak seconded the motion. There were no further comments from City Council, so Mayor Pro Tem Pierce called for a vote.

Ayes: All
Nays: None
The motion passed.

V. RECESS REGULAR MEETING AND CONVENE INTO PUBLIC HEARING:

The Regular Meeting recessed and the Public Hearing convened at 7:30 p.m.

• Replat of 1404 Lariat Circle and 698 Horseshoe Trail

Mayor Pro Tem Pierce indicated the replat of the two properties would give 698 Horseshoe Trail (a .4949 acre lot) an additional .4995 acres, so Mr. Stewart could replace his failing septic system with an aerobic system. The additional land would be used to locate the spray heads.

There were no comments from the audience members.

VI. ADJOURN FROM PUBLIC HEARING AND RECONVENE INTO REGULAR MEETING

The Public Hearing was adjourned and the Regular Meeting reconvened at 7:35 p.m.

- I. Discussion and Approval of a Replat of 1404 Lariat Circle and 698 Horseshoe Trail
Councilman Rader motioned to approve the Replat of 1404 Lariat Circle and 698 Horseshoe Trail, and Councilman Liptak seconded the motion. There were no additional comments from the council members, so Mayor Pro Tem Pierce called for a vote.

Ayes: All
Nays: None
The motion passed.

- J. Approval of Resolution 1603 – a Resolution Authorizing Continued Participation with the Steering Committee of Cities Served by Oncor

The resolution and accompanying paperwork was review by Council, and Councilman Ellis inquired about the number of residents serviced by Oncor. She was informed half of the city used Oncor. Councilman Rader asked about the fee for the continued participation and was informed the fee would be around \$150.00. He then made a motion to adopt Resolution 1603. Councilman Liptak seconded the motion. Council made no additional comments, so Mayor Pro Tem called for a vote.

Ayes: All
Nays: None
The motion passed.

- K. Discussion and Possible Action Regarding Recommendations from City’s Legal Department on Ordinance 1603 – an Ordinance Amending Chapter 3 Articles 3.100 – 3.1500

Mayor Pro Tem Pierce postponed the item to a future Council Meeting.

- L. Discussion and Approval of an Ordinance Approving a Negotiated Settlement Between the Atmos Cities Steering Committee and Atmos Energy Corp, Mid-Tex Division Regarding the Company’s 2016 Rate Review Mechanism Filings; Declaring Existing Rates to be Unreasonable...

Mayor Pro Tem Pierce invited Mr. Cory Green, representative for Atmos, to speak regarding the settlement for Atmos’ 2016 RRM Filings, and he explained both the past and current past rate filing processes. Mr. Green then informed Council concerning the proposed 2016 rate, which would be an increase of 2.43% or \$1.26 more a month for a residential customer and \$3.00 more a month for a commercial customer.

Mayor Pro Tem Pierce asked if Atmos had to approach each member city of the Atmos Cities Steering Committee, to which Mr. Green responded in the affirmative. Councilman Rader asked how many Oak Leaf households would be affected by the rate increase and was informed there were three. He then made a motion to adopt the

ordinance and Councilman Liptak seconded the motion. There was no further discussion of the item, so Mayor Pro Tem Pierce called for a vote.

Ayes: All
Nays: None
The motion passed.

M. Discussion and Action Regarding the Removal and Appointment of Check Signers to all Oak Leaf Bank Accounts

After a short discussion, Councilman Rader made a motion to remove Craig Wilson and Matthew Gardner and add Bob Rader and Susanne Ellis as check signers. Councilman Rader and Councilman Ellis will join James Pierce and Patty Ellis as signers to all City of Oak Leaf bank accounts. Councilman Liptak seconded the motion. There was no discussion, so Mayor Pro Tem Pierce called for a vote.

Ayes: All
Nays: None
The motion passed.

VII. OLD BUSINESS ITEMS:

A. Discussion and Possible Action Regarding Reestablishment of Economic Business Development Board

City Secretary Quintana was asked to explain the process to remove and appoint a new Economic Business Development Board. After a brief discussion, Mayor Pro Tem Pierce motioned to resign the former board members (Rick King, Ray Brindle, Pat Mahlstedt, Bill Miller, Ron Spurlock, Susan Walker and Craig Wilson) and appoint new board members (Bill Miller, Craig Wilson, Rick Whitley, Ronda Quintana, Patty Ellis, Jimmie Lamb and James Pierce). Councilman Ellis seconded the motion. No further discussion ensued, so Mayor Pro Tem Pierce called for a vote.

Ayes: All
Nays: None
The motion passed.

B. Discussion and Approval of Revisions to City Master Plan

The revisions to the City Master Plan were reviewed and Councilman Liptak inquired about the annual and five-year reviews of the Plan. She was directed to Section 11-Implementation Strategies on Pages 39 and 40, in which both are mentioned. Councilman Liptak then motioned to approve the City Master Plan and Councilman Lamb seconded the motion. There was no further discussion, so Mayor Pro Tem Pierce called for a vote.

Ayes: All
Nays: None
The motion passed.

C. Discussion and Possible Action Regarding Selection of City Logo

Mayor Pro Tem Pierce indicated Staff had prepared different color variations of the logo selected by Council at the previous meeting. However the “seal” logo had no defining characteristics as other cities in the area, and he recommended using a professional logo designer. Councilman Liptak was in agreement with Mayor Pro Tem Pierce’s suggestion, and Councilman Rader asked about the possibility of using one of the previously submitted logos from City Staff.

Mrs. Montgomery interjected that the Red Oak High School has a phenomenal art department, which could design a logo. Councilman Ellis suggested holding a logo contest for the high school students with a scholarship incentive. Councilman Lamb indicated the branch of Texas State Technical Institute in Red Oak would also be a viable option for logo designs. The item was then postponed to the next Council Meeting.

VIII. REPORTS:

A. Land and Building:

There were no updates.

B. Legal:

1. 701 Lark Lake – Multiple Vehicles and Debris Violations

City Secretary Quintana mentioned the violations were continuing, and the property owner would be summoned to appear in court in July.

2. 101 Forest Brook Drive – Multiple Vehicles and Parking Violations

City Secretary Quintana indicated the renters were no longer living at 101 Forest Brook Drive and the violations had ceased. Therefore, they would not be summoned to appear in court.

C. Public Works:

• Road Maintenance and Repairs

City Secretary Quintana stated pothole repairs in the city had been scheduled since April, but sporadic weather conditions had made it difficult to complete. She also informed City Council that a layer of gravel had been applied to Little Creek Trail and Winding Creek Trail to reduce the amount of asphalt emulsion being tracked onto citizens’ driveways.

D. Investment:

• Quarterly Investment Report

The Investment Report was reviewed and Councilman Liptak stated that she did not reinvest the InterBank funds due to the low interest rates available for commercial accounts. She indicated the city was averaging .893% interest on its investments and the target rate was .5%. Councilman Lamb asked if the city had an Investment Policy. He was informed it did, and all investments had to be FDIC insured.

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

A. Reminder for June 18th Self Defense Class

City Secretary Quintana mentioned there would be a Self Defense Class offered on Saturday, June 18th.

B. Update on Rental of Meeting Room at City Hall on June 11th

City Secretary Quintana commented that the Meeting Room had been rented for a graduation party on June 11th, and the citizen using the room was satisfied with facilities.

X. CONVENE INTO 2016-2017 BUDGET WORKSHOP

The Budget Workshop convened at 8:14 p.m., and Council discussed the tentative Budget and Tax Rate Planning Calendar.

Councilman Liptak remarked about attending a Local Government Fiscal Workshop in Plano, Texas recently regarding property taxes and the decision making, and she found it extremely interesting. Mayor Pro Tem Pierce indicated he would be interested in having fiscal workshop at city hall. Councilman Liptak mentioned the next meeting would be in February, and they would be speaking about bonds.

XI. ADJOURN FROM 2016-2017 BUDGET WORKSHOP AND RECONVENE INTO REGULAR MEETING:

The Budget Workshop adjourned and the Regular Meeting reconvened at 8:26 p.m.

XII. REGULAR AGENDA ITEMS (CONTINUED):

D. Possible Swearing-in of New Mayor

City Secretary Quintana administered the Oath of Office to Mayor Bob Rader.

XIII. ADJOURNMENT:

Councilman Lamb motioned to adjourn at 8:28 p.m., and Councilman Liptak seconded the motion. Mayor Pro Tem Pierce called for a vote.

Ayes: All
Nays: None
The motion passed.

PASSED THIS 5th DAY OF July, 2016

Bob Rader
Bob Rader, Mayor

ATTEST: Ronda Quintana
Ronda Quintana, City Secretary

