



City of Red Oak

Minutes - Final City Council Regular Meeting

Monday, December 9, 2019

7:00 PM

Red Oak Municipal Center
200 Lakeview Parkway

A Regular Meeting of the Red Oak City Council was held on Monday, December 9, 2019, at 7:00 p.m., in the Council Chambers of the Red Oak Municipal Center, 200 Lakeview Parkway, Red Oak, Texas, with the following members present, to wit:

City Council (4):

Mayor Mark L. Stanfill
Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Absent (1):

Councilmember William Drake

CALL TO ORDER: Mayor Stanfill called the meeting to order at 7:00 p.m., declared a quorum and announced that notices were legally posted pursuant to the Open Meetings Act.

INVOCATION AND PLEDGE OF ALLEGIANCE: Councilmember Wilson gave the Invocation and led the Pledge of Allegiance.

PRESENTATIONS:

- Introductions – Kyle Kelley, Parks and Recreation Director, and Nathan Diaz, Interim Deputy Fire Marshal

City Manager Fuller introduced the new Parks and Recreation Director, Kyle Kelley, to Council. Council welcomed him to Red Oak. An Interim Deputy Fire Marshal, Nathan Diaz, started with Red Oak. He was called to a fire event and was not available for introductions.

CITIZENS COMMENTS:

Brad Norman, 1551 Whiterock Drive, Midlothian, Texas, spoke and introduced himself as a candidate for Ellis County Sheriff. Mr. Norman explained his background and qualifications for the position of Sheriff of Ellis County to Council.

CONSENT AGENDA:

1. Consider approving the following Minutes:
 - November 12, 2019 – Regular Council Meeting
 - November 21, 2019 – Special Called MeetingApproved on Consent Agenda
2. Consider approving the change of the Regular City Council Meeting from Monday, October 12, 2020, to Tuesday, October 13, 2020 due to the Columbus Day holiday.
Approved on Consent Agenda

3. Consider approval of Ordinance No. 19-054 of the City of Red Oak, Texas, amending Ordinance No. 19-042, amending the Fiscal Year 2020 Adopted Budget, appropriating funds to increase revenues and appropriate expenditures in the General Fund as per attached Exhibit A and the Economic Development Fund as per attached Exhibit B and transfer funds between departments in the General Fund as per attached Exhibit C; providing that expenditures for said Fiscal Year be made in accordance with said amended budget; providing a severability clause; and providing an effective date.

Approved

Enactment No: ORD 19-054

4. Consider adoption of Resolution No. 19-074R amending the authorized signers of the bank accounts located at Prosperity of Texas; providing a repealing clause; providing a severability clause; and providing an effective date.

Approved on Consent Agenda

5. Consider approving the absence of Councilmember Ben Goodwyn and Councilmember Ron Wilson from the November 12, 2019, Regular Meeting of the Red Oak City Council.

Approved on Consent Agenda

Mayor Stanfill read the Consent Agenda and explained that these items are considered routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and may be acted upon in one motion or separately.

Councilmember Wilson made the motion, seconded by Councilmember Braly, to approve the Consent Agenda as read. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

COUNCIL BUSINESS – REGULAR SESSION:

6. Presentation of the Plan of Finance and authorization to proceed to issue Series 2020 Tax Note.

Mayor Stanfill read Agenda Item No. 6 into the record.

Jorge Delgado with Hilltop Securities, Inc., spoke and gave a detailed explanation of this agenda item.

City Attorney Hager read the following motion into the record:

As a result of the presentation, Council is asked to consider a motion to authorize staff and Red Oak's financial advisor to issue of the series 2020 Tax Note.

Councilmember Wilson moved that motion, seconded by Mayor Pro Tem Toney. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

7. Conduct a Public Hearing and consider approval of Ordinance No. 19-055 approving a Specific Use Permit (SUP) to allow for an accessory structure to be generally used as a garage/workshop, and to be located at 926 Valley View Avenue, Case Z19001.

Mayor Stanfill read Agenda Item No. 7 into the record. Planning & Zoning Manager Guenzel spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill opened the public hearing at 7:16 p.m. No one spoke.

Councilmember Goodwyn made the motion, seconded by Councilmember Braly, to close the public hearing at 7:17 p.m. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Mayor Pro Tem Toney made the motion, seconded by Councilmember Goodwyn, to approve Ordinance No. 19-055 as presented. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved
Enactment No: ORD 19-055

8. Conduct a Public Hearing and consider approval of Ordinance No. 19-056 approving a Specific Use Permit (SUP) to allow for an accessory structure to be generally used as a garage/workshop, and to be located at 306 Rugged Drive, Case Z19004.

Mayor Stanfill read Agenda Item No. 8 into the record. Planning & Zoning Manager Guenzel spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill opened the public hearing at 7:20 p.m. No one spoke.

Councilmember Braly made the motion, seconded by Councilmember Goodwyn, to close the public hearing at 7:21 p.m. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Councilmember Goodwyn made the motion, seconded by Mayor Pro Tem Toney, to approve Ordinance No. 19-056 as read. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved
Enactment No: ORD 19-056

9. Conduct a Public Hearing and consider approval of Ordinance No. 19-057 amending Planned Development District (PD) PD-24R3 to amend the development plan on lot 3 Block A and use, generally known as 106 Plaza Drive, Case Z19003.

Mayor Stanfill read Agenda Item No. 9 into the record. Planning & Zoning Manager Guenzel spoke and gave a detailed explanation of this agenda item. City Manager Fuller spoke and added a brief explanation to this agenda item.

Mayor Stanfill opened the public hearing at 7:26 p.m.

A gentleman spoke during the public hearing who was for the project, but his voice was inaudible.

Councilmember Wilson made the motion, seconded by Councilmember Braly, to close the public hearing at 7:28 p.m. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Mayor, Council and City Manager Fuller further discussed this agenda item.

Mayor Stanfill made the motion to approve Ordinance No. 19-057 as presented.

Councilmember Goodwyn moved the motion, seconded by Mayor Pro Tem Toney. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved
Enactment No: ORD 19-057

- 10. Conduct a Public Hearing and consider approval of Ordinance No. 19-058 amending Planned Development District (PD) PD-107 to amend and provide for a development plan for approximately 8.4 acres in the general vicinity of the North West corner of IH-35 and Ovilla Road within the City of Red Oak, Case Z19002.**

Mayor Stanfill read Agenda Item No. 10 into the record. City Engineer Hartman spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill opened the public hearing at 7:39 p.m.

Councilmember Goodwyn made the motion, seconded by Councilmember Wilson, to close the public hearing at 7:40 p.m. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Councilmember Goodwyn praised the project.

Mayor Stanfill made the motion to approve Ordinance No. 19-058 as presented.

Councilmember Braly moved the motion, seconded by Mayor Pro Tem Toney. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved
Enactment No: ORD 19-058

11. Conduct a Public Hearing and consider approving a Preliminary Plat of the J. Nugent Survey, Abstract No. 796, approximately 67.13 acres in the general vicinity of the North West corner of IH-35 and Ovilla Road within the City of Red Oak, Case P19001.

Mayor Stanfill read Agenda Item No. 11 into the record. City Engineer Hartman spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill opened the public hearing at 7:42 p.m. No one spoke.

Councilmember Goodwyn made the motion, seconded by Councilmember Wilson, to close the public hearing at 7:43 p.m. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Council and City Engineer Hartman further discussed this agenda item.

Mayor Stanfill made the motion to approve the Preliminary Plat for Case No. P19001 as presented.

Councilmember Wilson moved the motion, seconded by Mayor Pro Tem Toney. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved

12. Consider adoption of Resolution No. 19-075R amending the Master Fee Schedule for the City of Red Oak, as amended, by amending the Chapter 11 Utility Fees, Section 11.004, Garbage Collection Charges, Subsection (A) and Subsection (B) to the Master Fee Schedule, to amend residential rates; providing a repealing clause; and providing an effective date.

Mayor Stanfill read Agenda Item No. 12 into the record. Public Works Director Williams spoke and gave a detailed explanation of this agenda item.

City Manager Fuller spoke briefly to explain this agenda item.

Mayor Stanfill made the motion to adopt Resolution No. 19-075R as presented.

Councilmember Goodwyn moved the motion, seconded by Mayor Pro Tem Toney. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Adopted

Enactment No: RES 19-075R

13. Consider adoption of Resolution No. 19-076R approving votes cast to elect directors for the Ellis Appraisal District for years 2020-2021.

Mayor Stanfill read Agenda Item No. 13 into the record.

John Knight, 114 Nob Hill, Ovilla, Texas, spoke and introduced himself to Council and asked for their votes for Ellis Appraisal Board of Directors.

Mayor Stanfill gave some background on this agenda item.

City Attorney Hager spoke and read the following motion into the record:

Motion to cast 102 votes for John Knight for the Ellis Appraisal District for years 2020-2021.

Councilmember Wilson moved the motion, seconded by Councilmember Goodwyn, to adopt Resolution No. 19-076R as presented in the motion read by City Attorney Hager. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Adopted
Enactment No: RES 19-076R

BOARD APPOINTMENTS:

14. Appointments/Reappointments to Boards & Commissions – Consider approval regarding the following Boards/Commissions:
 - A. Parks & Recreation
 - Appointment of Shapale White as an Alternate Member for the remainder of a two-year term from June 2019-June 2021.

Mayor Stanfill read Agenda Item No. 14 into the record.

Councilmember Wilson made the motion, seconded by Councilmember Braly, to appoint Shapale White as an Alternate Member for the remainder of a two-year term from June 2019 – June 2021. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

DEPARTMENTAL REPORTS:

15. The City Council may deliberate and make inquiry into any item listed in the Departmental Reports.
 - A. Fire Department
 - Monthly Activity Report
 - B. Police Department
 - Monthly Report
 - C. Engineering & Community Development
 - Code Services Report
 - Building Permit and Inspections Report
 - Animal Control Report

- D. Human Resources
 - Administrative Monthly Report

- E. Finance Department
 - Finance Report
 - Cash Balance Report
 - Financial Statement

- F. IT Department
 - Major Accomplishments
 - Current Initiatives
 - Challenges

- G. Library
 - YTD Statistics
 - Monthly Newsletter

- H. Court
 - Statistical Highlights

- I. Public Works Department
 - Monthly Operational Report

All departmental reports were submitted to Council and addressed individually as needed. Mayor Stanfill asked the Directors to present anything significant if needed.

Interim Fire Chief Blanton spoke and invited Council and the public to attend a breakfast with a firefighter on Wednesday, December 18 from 8:00 to 10:00 a.m. at Chick-fil-A. Twenty percent of the sales will go back into the foster fund for children in Red Oak. Also, on Friday, December 20, Red Oak fire crews will deliver toys with Santa and the Chick-fil-A cow to some needy families adopted by Red Oak firefighters.

Lieutenant Schroeder spoke and stated that the police department conducted two training sessions in the month of November. The first training session covered Tactical Combat Casualty Care and Downed Officer Recovery training and the other covered Rescue Task Force. Approximately 120 personnel from Red Oak, Glenn Heights, Red Oak ISD, Ennis ISD and Ferris ISD Police Departments, Red Oak and Glenn Heights fire departments, and AMR Ambulance Service participated in these trainings.

City Engineer Hartman spoke and stated that he had no other updates besides his submitted departmental report, but was available for questions.

Human Resources Director Lawson spoke and invited Council to the Employee Appreciation Luncheon on Friday, December 20th at 11:00 a.m.

Finance Director Platt spoke and stated that she had no other updates beside her submitted departmental report, but was available for questions.

IT Director Binford spoke and updated Council on the Cyber Security training required for Council and staff. The deadline is June of 2020. He will keep everyone posted.

Library Director Ragsdale was absent.

Public Works Director Williams spoke and stated that he had no other updates besides his submitted departmental report, but was available for questions. He provided Council with his department's annual report.

CLOSED SESSION:

16. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** concerning pending litigation: *Rockett Special Utility District v. Botkin, et al.*, Cause No. 19-CV-1007-RP, W.D. Tex.
17. Pursuant to the Texas Government Code, Section §551.087 – **Deliberations Regarding Economic Development Negotiations.**
 - A. Discuss or deliberate regarding commercial or financial information from a business prospect that seeks to locate, stay or expand in the City of Red Oak.
 - B. Discuss or deliberate the offer of a financial or other incentive, if any, with such business prospect.
18. Pursuant to the Texas Government Code, Section §551.072 – **Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property.**
 - A. Discuss or deliberate acquisition, sale and/or exchange of Real Properties generally located east of Uhl Road, west of I-35E, south of Red Oak Road, and north of the Oaks Boulevard, Red Oak, Texas.
 - B. Discuss or deliberate acquisition, sale and/or exchange of Real Properties generally located east of Houston School Road, west of SH 342, south of the Ellis County line, and north of Ovilla Road, Red Oak, Texas.
 - C. Discuss or deliberate acquisition, sale and/or exchange of Real Properties generally located east of Uhl Road, west of IH 35E, south of the Ellis County line, and north of Ovilla Road, Red Oak, Texas.

Mayor Stanfill read Agenda Item Nos. 16, 17 and 18 for Closed Session into the record and moved Council into Closed Session at 7:59 p.m. Economic Development Director McCleary was invited into Closed Session.

COUNCIL BUSINESS – REGULAR SESSION:

19. Reconvene into Regular Session and take any action necessary as a result of the Closed Session.

Council reconvened into Regular Session at 8:28 p.m. See below for action taken.

Scott Green, Forrester, Texas, spoke and asked Council if they would accept the asphalt which has been poured (on his property) to be accepted versus him having to take it back up. He stated that he could upgrade it to what's around it. He asked for more time (2 years) to change it.

City Manager Fuller spoke and instructed Mr. Green on how to go about getting his zoning changed. City Attorney Hager advised Mr. Green to speak with City Engineer Hartman or Planning and Zoning Manager Guenzel regarding his issues.


ADJOURNMENT:

Councilmember Goodwyn made the motion, seconded by Councilmember Wilson, to adjourn the meeting at 8:35 p.m. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

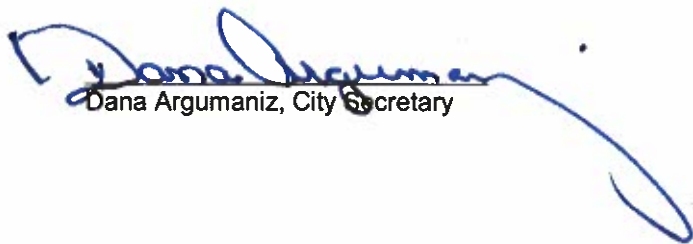
PASSED AND APPROVED by the Red Oak City Council at a Regular Meeting held on January 13, 2020.

Approved:



Mark L. Stanfill, DVM
Mayor

Attest:



Dana Argumaniz, City Secretary

