



City of Red Oak

Minutes - Final City Council Regular Meeting

Monday, January 13, 2020

7:00 PM

Red Oak Municipal Center
200 Lakeview Parkway

A Regular Meeting of the Red Oak City Council was held on Monday, January 13, 2020, 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 William Drake
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney

Absent (1):

Councilmember Ron Wilson

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 Braly gave the Invocation and led the Pledge of Allegiance.

PRESENTATIONS:

- Introduction – Mike Ford, Construction Inspector

Public Works Director Williams introduced the new Construction Inspector, Mike Ford. Director Williams spoke about Mr. Ford's background and experience. Council congratulated and welcomed Mr. Ford.

- Recognition – Officer Kirk White, Officer of the Year

Police Chief Wolf recognized Officer Kirk White for achieving Officer of the Year for the City of Red Oak. He went on to explain Officer White's many achievements. Police Chief Wolf then read the script on the trophy and presented it to Officer White. Council congratulated Officer White and thanked him for his dedicated service.

- Recognition – Employee of the Year

City Manager Fuller recognized Interim Fire Chief Ben Blanton and Executive Assistant/Deputy City Secretary Caryn Stevens both as City of Red Oak's Employee of the Year for 2019. Council congratulated both Blanton and Stevens for their achievement.

CITIZENS COMMENTS: No one from the public spoke.

CONSENT AGENDA:

1. Consider approving the following Minutes:
 - December 9, 2019 – Regular Council Meeting
Approved on Consent Agenda

2. Consider adoption of Resolution No. 20-001R approving the terms and conditions of an Interlocal Cooperation Agreement by and between the City of Red Oak, Texas, and Ellis County, Texas, for roadway repairs and maintenance; authorizing the Mayor to sign; authorizing and providing for the terms and conditions; providing an effective date.
Adopted
Enactment No: RES 20-001R

3. Consider approving the absence of Councilmember William Drake from the December 9, 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 Drake made the motion, seconded by Councilmember Braly, to approve the Consent Agenda as read. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember William Drake
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney

COUNCIL BUSINESS – REGULAR SESSION:

4. Consider adoption of Resolution No. 20-002R accepting the donation and approving the terms and conditions of the Charitable Donation Agreement by and between the Red Oak Lions Club and the City of Red Oak, which is attached hereto as Exhibit "A"; authorizing the City Manager to execute the agreement; providing a severability clause; and providing an effective date.

Mayor Stanfill read Agenda Item No. 4 into the record. City Manager Fuller spoke and gave a detailed explanation of this agenda item.

Councilmember Goodwyn made the motion, seconded by Mayor Pro Tem Toney, to adopt Resolution No. 20-002R as presented. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember William Drake
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney

Adopted
Enactment No: RES 20-002R

5. Consider approval of Ordinance No. 20-001 authorizing the issuance of City of Red Oak, Texas, Tax Note, Series 2020 in the approximate amount of \$1,200,000 for Vehicles, Equipment, and costs of issuance; specifying the terms and features of such certificates by the levy of ad valorem tax and a limited pledge of the net revenues from the City's combined Waterworks and Sewer System.

Mayor Stanfill read Agenda Item No. 5 into the record. Finance Director Platt spoke and gave a detailed explanation of this agenda item. Also, Jim Sabonis with Hilltop Securities, Inc., spoke and gave a detailed explanation of this agenda item.

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

City Attorney Hager spoke and made the following motion:

Council is asked to approve Ordinance No. 20-001 and authorize the City Manager to execute the private placement agreement as part of the documents.

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

Ayes (4): Councilmember Michael Braly
Councilmember William Drake
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney

Approved
Enactment No: ORD 20-001

6. Conduct a Public Hearing and consider approval of Ordinance No. 20-002 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 413 Rugged Drive, Case Z19005, requested by Rick Cundieff.

Mayor Stanfill read Agenda Item No. 6 into the record. Planning & Zoning Manager Guenzel spoke and gave a detailed explanation of this agenda item.

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

Rick Cundieff, 413 Rugged Drive, Red Oak, Texas, spoke in favor of this project. He stated that he wants to have a workshop and extra storage for his household.

Councilmember Braly made the motion, seconded by Councilmember Drake, to close the public hearing at 7:29 p.m. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember William Drake
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney

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

Mayor Pro Tem Toney made the motion, seconded by Councilmember Braly, to approve the Ordinance No. 20-002 as presented. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember William Drake
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney

Approved
Enactment No: ORD 20-002

7. Conduct a Public Hearing and consider approval of Ordinance No. 20-003 amending the Development Plan for Planned Development District (PD) PD104 at 321 E. Ovilla, Case Z19008, requested by Soulman's BBQ.

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, Council and City Engineer Hartman further discussed this agenda item.

Mayor Stanfill opened the public hearing at 7:35 p.m. No one spoke.

Councilmember Goodwyn made the motion, seconded by Councilmember Drake, to close the public hearing at 7:35 p.m. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember William Drake
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney

Councilmember Drake made the motion, seconded by Councilmember Braly, to approve Ordinance No. 20-003 as read. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember William Drake
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney

Approved
Enactment No: ORD 20-003

8. Conduct a Public Hearing and consider approval of Ordinance No. 20-004 amending the City of Red Oak, Texas, 2010 Comprehensive Plan, Planning Area 8 (PA-8) to allow for certain Automobile/Vehicle Service Uses, Case A19001, requested by Caliber Collision.

Mayor Stanfill read Agenda Item No. 8 into the record. Planning & Zoning Manager Guenzel spoke and gave a detailed explanation of this agenda item as well as Agenda Item No. 9.

Mayor Stanfill opened the public hearing for both Agenda Item Nos. 8 & 9 at 7:46 p.m.

Bobby Dan Roberts, Victory Real Estate Development, preferred developer for Caliber Collision, 8201 Preston Road, Suite 700, Dallas, Texas, spoke in favor of this project. He gave background on Caliber Collision and a slideshow was presented on the monitors.

Kofi Addo, P.E., Bowman Consulting, 8201 Preston Rd., Suite 700B, Dallas, Texas, spoke in favor of the project. He gave background information on the project.

Russell Smith, 315 Sondra Way, Red Oak, Texas, spoke and stated that he did not have a problem with an auto repair business, per se, but does have concerns about the location. He thinks it would be better located on I-35E, more visible and less noise.

Mayor Stanfill, Council, City Manager Fuller, Mr. Roberts and Mr. Addo discussed this agenda item at length.

Councilmember Goodwyn made the motion, seconded by Mayor Pro Tem Toney, to close the public hearing at 8:03 p.m. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember William Drake
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney

Mayor Stanfill, Council, City Manager Fuller, Mr. Roberts and Mr. Addo further discussed this agenda item.

Mayor Stanfill made the motion to approve Ordinance No. 20-004 amending the 2010 Comprehensive Plan.

Councilmember Braly moved the motion, seconded by Councilmember Goodwyn. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember William Drake
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney

Approved
Enactment No: ORD 20-004

9. Conduct a Public Hearing and consider approval of Ordinance No. 20-005 amending a Planned Development District (PD), generally known as PD-10 and to remove Lot 4, Block A of Red Oak Corner Retail from PD-10 to create a new and separate PD for Auto Body Service, Case Z19007, requested by Caliber Collision.

Mayor Stanfill read Agenda Item No. 9 into the record. Planning & Zoning Manager Guenzel spoke and gave additional comment on this agenda item. (See public hearing action and discussion on Agenda Item No. 8.)

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

City Attorney Hager spoke and made the following motion:

Council is asked to approve Ordinance No. 20-005 with the amendment of using either decorative metal or masonry in lieu of chain link for the fencing.

Councilmember Goodwyn moved the motion, seconded by Councilmember Braly. The motion carried 3-1. 3 Yeas; 1 Nay.

Ayes (3): Councilmember Michael Braly
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney

Nays (1): Councilmember William Drake
Approved
Enactment No: ORD 20-005

10. Consider adoption of Resolution No. 20-003R approving the purchase of one (1) Vactor 2103i Combination Sewer Cleaning Truck for the Public Works Department and authorizing the City Manager to execute necessary documents for such equipment in an amount not to exceed \$285,000 as provided in the formal quote, which is attached hereto and incorporated herein as Exhibit "A"; and, providing an effective date.

Mayor Stanfill read Agenda Item No. 10 into the record. Public Works Director Williams spoke and gave a detailed explanation of this agenda item.

Mayor, Council, City Manager Fuller and Public Works Director Williams further discussed this agenda item.

Councilmember Goodwyn made the motion, seconded by Councilmember Drake, to adopt Resolution No. 20-003R as presented. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember William Drake
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney

Adopted

Enactment No: RES 20-003R

DEPARTMENTAL REPORTS:

11. 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 stated that he had no further updates, but was available for questions.

Police Chief Wolf spoke and stated that he had no further updates, but was available for questions.

City Engineer Hartman spoke and updated Council on numbers and statistics for permitting and inspections in Engineering/Community Development Department. He mentioned that the city needs to appoint a Zoning Board of Adjustments (ZBOA) board with five members. City Manager Fuller gave a brief explanation of the ZBOA.

Human Resources Director Lawson spoke and stated that she he had no further updates, but was available for questions.

Finance Director Platt spoke and updated Council on activities within her department.

IT Director Binford spoke and stated that he is still working on instituting the new Cyber Security class. He believes they will start in mid-February.

Library Director Ragsdale spoke and updated Council on activities within his department. He informed Council of upcoming January events.

Parks & Recreation Director Kelley spoke and stated that he is currently hiring for three new positions: supervisor and two maintenance workers. He's assessing vehicle and equipment needs. He and Mayor Stanfill met with all the leaders of the sports associations regarding status of the parks.

Public Works Director Williams spoke and updated Council on activities within his department. He spoke about his staff and the awards they've received, which was also included in their report. City Manager Fuller thanked the department for their hard work on the demo of the ball fields.

CLOSED SESSION:

12. 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.
13. 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.

Mayor Stanfill read Agenda Item Nos. 12 and 13 for Closed Session into the record and moved Council into Closed Session at 8:32 p.m.

REGULAR SESSION:

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

Council reconvened into Regular Session at 8:53 p.m. No action taken.

ADJOURNMENT:

Councilmember Goodwyn made the motion, seconded by Councilmember Drake, to adjourn the meeting at 8:54 p.m. The motion carried unanimously.

Ayes (4): Councilmember Michael Braly
Councilmember William Drake
Councilmember Ben Goodwyn

Mayor Pro Tem Gordon Toney

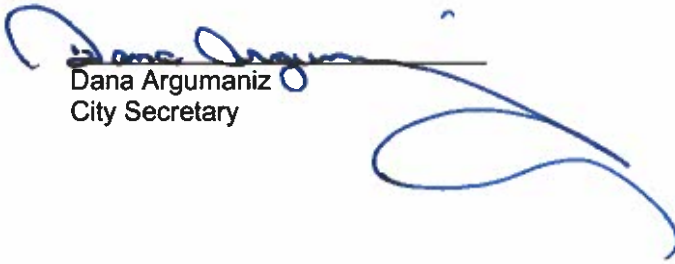
PASSED AND APPROVED by the Red Oak City Council at a Regular Meeting held on February 10, 2020.

Approved:



Mark L. Stanfill, DVM
Mayor

Attest:



Dana Argumaniz
City Secretary

