



City of Red Oak

Minutes - Final City Council Regular Meeting

Monday, July 13, 2020

7:00 PM

Red Oak Municipal Center
200 Lakeview Parkway

A Regular Meeting of the Red Oak City Council was held via teleconference on Monday, July 13, 2020, at 7:00 p.m., with the following members present, to wit:

City Council (5):

Mayor Mark L. Stanfill
Councilmember Michael Braly
Councilmember William Drake (*via teleconference*)
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson (*via teleconference*)

CALL TO ORDER: Mayor Stanfill called the meeting to order at 7:05 p.m., declared a quorum and announced that notices were legally posted pursuant to the Open Meetings Act and in accordance with an Order of the Office of the Governor issued on March 16, 2020, and as amended on April 2, 2020, the City Council for the City of Red Oak, Texas, will conduct the regular meeting by telephone conference to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) in an effort to slow the spread of the Coronavirus (COVID-19). This is an open meeting conducted partially by telephone conference, however, there will be no public access to the physical location.

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

PRESENTATIONS:

- Recognition – Barry Maners, P&Z Commissioner

Mayor Stanfill recognized Barry Maners for his many years of service, including his expertise and sacrifice, to the City of Red Oak, and expressed the city’s great appreciation for his leading the Planning & Zoning Commission. He then read and presented a plaque to Mr. Maners.

CITIZENS COMMENTS:

Ralph Madden, 101 Enchanted Court, Red Oak, Texas, emailed a comment and City Manager Fuller read it into the record.

“I would like to comment on agenda item number 3 concerning consultants for the Parks and Trails Master Plan and the Comprehensive Plan. Several years ago, a ‘Master Plan’ was developed for Red Oak. Some years later another ‘Master Plan’ was developed. Yet now, years later, few if any of these ‘Master Plan’ trails have been created. Consultants were paid, the Parks & Rec Board was involved, and a new ‘Master Plan’ was created with each piece of city owned property included, the possible uses of each property, ranked in priority of what use was preferred and ranked in order of importance. Few, if any, of these were ever started, much less completed. At the time, it was stressed that this new ‘Master Plan’ should, and would not, become another dust collector. Yet that is exactly what happened. Now it is being proposed to do this again. Unless there are dates assigned to each task and check-point dates established, and

accountability assigned, this plan too shall become a dust collector and the only ones to benefit from this effort will be the consultants.”

Mayor Stanfill spoke and stated that he would respond to Mr. Madden’s comments under Agenda Item No. 3.

CONSENT AGENDA:

1. Consider approving the following Minutes:
 - June 8, 2020 – Regular MeetingApproved 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 Braly made the motion, seconded by Mayor Pro Tem Toney, to approve the Consent Agenda as read. The motion carried unanimously.

Roll Call Vote: Councilmember Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Ben Goodwyn – Aye
Mayor Pro Tem Gordon Toney – Aye
Councilmember Ron Wilson – Aye

COUNCIL BUSINESS – REGULAR SESSION:

2. Presentation, discussion and possible action in the review of the proposed façade designs and architectural plans for the Red Oak Municipal Center.

Mayor Stanfill read Agenda Item No. 2 into the record. City Manager Fuller spoke and gave a brief explanation of this agenda item. Architect Barry Maners spoke and gave a detailed explanation of this agenda item.

Mayor, Council, Staff and Architect Maners discussed this agenda item further.

Mayor Stanfill polled Council and all agreed for Architect Maners to proceed with the project.

Roll Call Vote: Councilmember Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Ben Goodwyn – Aye
Mayor Pro Tem Gordon Toney – Aye
Councilmember Ron Wilson – Aye

3. Discussion and possible action concerning approval of the Consultants for the Parks and Trails Master Plan and the Comprehensive Plan.

Mayor Stanfill read Agenda Item No. 3 into the record. City Manager Fuller spoke and briefly explained this agenda item.

Mayor Stanfill, Council and Staff discussed this agenda item further.

City Manager Fuller stated that he would move forward with obtaining costs and will bring that information back to Council.

4. Consider adoption of Resolution No. 20-028R approving a Mutual Aid Agreement between Member Agencies of the Southern Regional Response Group Special Response Team "SRRG SRT" which is attached hereto and incorporated herein as Exhibit "A"; authorizing the Mayor to execute; providing a severability clause; providing a repealing clause; and providing an effective date.

Mayor Stanfill read Agenda Item No. 4 into the record. Police Chief Wolf spoke at length about this agenda item. City Manager Fuller also briefly spoke about this agenda item.

Mayor Stanfill made the motion to adopt Resolution No. 20-028R as presented.

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

Roll Call Vote: Councilmember Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Ben Goodwyn – Aye
Mayor Pro Tem Gordon Toney – Aye
Councilmember Ron Wilson – Aye

Adopted

Enactment No: RES 20-028R

5. Consider adoption of Resolution No. 20-029R approving an Agreement between the State of Texas, Office of Governor and the City of Red Oak, Texas, to apply and receive funding under the Coronavirus Aid Relief and Economic Security Act (CARES Act) under the terms and conditions set forth dated May 11, 2020 and in Exhibits A, B and C providing administration of such funding; authorizing execution of the agreement by the City Manager; and providing an effective date.

Mayor Stanfill read Agenda Item No. 5 into the record. Assistant City Manager Phillips spoke and briefly explained this agenda item. Finance Director Platt then spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill and Council briefly discussed this agenda item.

Mayor Stanfill made the motion to adopt Resolution No. 20-029R as presented.

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

Roll Call Vote: Councilmember Michael Braly
Councilmember William Drake
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Adopted

Enactment No: RES 20-029R

6. Consider adoption of Resolution No. 20-030R, amending Resolution No. 20-027R, extending and amending a State of Emergency as a result of the COVID-19 Virus; providing for interim public safety measures; repealing all resolutions in conflict; providing a severability clause; and providing for an effective date.

Mayor Stanfill read Agenda Item No. 6 into the record. City Manager Fuller spoke and briefly discussed this agenda item.

Mayor Stanfill made the motion to adopt Resolution No. 20-030R as presented.

Councilmember Drake moved the motion, seconded by Mayor Pro Tem Toney. The motion carried 4-1. The motion passed.

Roll Call Vote: Councilmember Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Ben Goodwyn – Aye
Mayor Pro Tem Gordon Toney – Aye

Nay(s): Councilmember Ron Wilson

Adopted
Enactment No: RES 20-030R

DEPARTMENTAL REPORTS:

7. 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 Department
 - Code Services Report
 - Building Permit and Inspections Report
 - Administrative Monthly Report
- D. Human Resources
 - Administrative Monthly Report
- E. Finance Department
 - Finance Report
 - Monthly Investment Report
 - Financial Statement
 - Municipal Court Statistical Highlights
- F. IT Department
 - Major Accomplishments
 - Current Initiatives
 - Challenges
- G. Library
 - YTD Statistics
 - Monthly Newsletter
- H. Parks & Recreation Department
 - Monthly Report
- 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.

Fire Chief Blanton spoke and updated Council on COVID-19 statistics, information and total expenses to date, for city, county, state and U.S. He encouraged everyone to continue to be vigilant with proper hygiene and recommended precautions against spreading the virus.

City Manager Fuller spoke and stated that due to the difficulty in hearing the directors, asked Council to refer to the reports submitted in the packet and get with the directors with any questions. He updated Council regarding the Finance Department, stated that the certified values from the appraisal district by July 24th and stated that a follow up workshop will be scheduled sometime after that date. City Manager Fuller also stated that in May, there was another big increase in sales tax, half of that being Compass. The city is still planning on moving forward with employee raises as discussed previously and based on the sales tax numbers.

Parks and Recreation Director Kelley spoke and stated that the Live Oak project is in the second week of construction and the football field will be wrapped up in approximately 10 days. He went into detail on the items left to finish on that project. Director Kelley stated that he plans to compose and distribute a project update about every other week to keep everyone informed. He expounded on his departmental report. He updated Council and staff on the progress of the Oakmont Park project, including the pavilion and the walking trails. The soccer association is planning to hold an event there on August 18th.

City Engineer Hartman spoke and updated Council on permit numbers as well as projects that will be addressed at the next Council meeting. He stated that Compass is in the process of building two major buildings at their site. A couple of subdivisions will be wrapping up in the next 5-6 months. City Engineer Hartman stated that there will be a lot of activity in the quadrant northwest of Ovilla Road (off Harmony Way) over the next couple of years. He answered questions from Mayor Stanfill.

CLOSED SESSION:

8. 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.; *City of Red Oak, Tex. V. USDA et al.*, Civil Action No. 19-cv-02761-S, N.D. Tex.; and *ex Parte-City of Red Oak v. 201st Judicial District Court of Travis County*, Cause No. D-1GN-20-002116; and *Rockett Special Utility District v. City of Red Oak, Texas*, Case No. 3:20-cv-1320.
9. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** concerning pending litigation styled as *Cassandra Preston Insurance and Financial Services, Inc. v. City of Red Oak, et al.*, Cause Number 103467, filed in 443rd Judicial District Court of Ellis County, Texas.
10. 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.
11. Pursuant to the Texas Government Code, Sections §551.076 and 551.074 – **To Seek Legal Advice from the City Attorney and deliberate on the duties of a public employee to wit: City Manager, Annual Evaluation.**

Mayor Stanfill read Agenda Item Nos. 8, 9, 10 and 11 for Closed Session into the record and moved Council into Closed Session at 8:29 p.m.

REGULAR SESSION:

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

Council reconvened into Regular Session at 9:05 p.m. No action taken.

ADJOURNMENT:

Councilmember Ben Goodwyn made the motion, seconded by Councilmember Gordon Toney, to adjourn the meeting at 9:06 p.m. The motion carried unanimously.

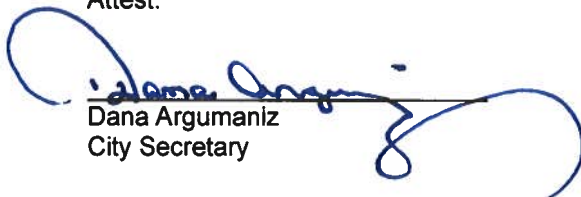
Roll Call Vote: Councilmember Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Ben Goodwyn – Aye
Mayor Pro Tem Gordon Toney – Aye
Councilmember Ron Wilson – Aye

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

Approved: 

Mark L. Stanfill, DVM
Mayor

Attest:



Dana Argumaniz
City Secretary

