



RED OAK, TEXAS

AGENDA
REGULAR MEETING
RED OAK CITY COUNCIL
MONDAY, DECEMBER 14, 2020, 7:00 P.M.

Council:

*Mark L. Stanfill, DVM, Mayor
Gordon Toney, Mayor Pro Tem
Michael Braly, Councilmember
William Drake, Councilmember
Ben Goodwyn, Councilmember
Ron Wilson, Councilmember*

City Manager:

Todd Fuller

Assistant City Manager:

Jonathan Phillips

Interim City Secretary:

Caryn Stevens, TRMC

IMPORTANT! PLEASE NOTE:

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 a City Council Regular Meeting by telephone and/or video conference at 7:00 p.m. on Monday, December 14, 2020, in order 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) pandemic.

This is an open meeting conducted by telephone and/or video conference. There will be no public access to a physical location. City Staff and City Council are encouraged to participate in the meeting by telephone and/or video conference in order to allow the City to follow the CDC’s social distancing guidelines. Please see details found at the bottom of the agenda.

Pursuant to Section 551 of the Texas Government Code, notice is hereby given of a Regular Meeting of the Red Oak City Council to be held on Monday, December 14, 2020, at 7:00 p.m., at which time the following will be discussed and considered:

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

CALL TO ORDER: *The Mayor will call the meeting to order, declare a quorum, if present, and declare notices legally posted pursuant to Open Meetings Act.*

INVOCATION AND PLEDGE OF ALLEGIANCE: (Toney)

PRESENTATIONS

- Introduction – Alexa Beasley, Communications and Marketing Manager (Fuller/Phillips)

CITIZENS COMMENTS

CONSENT AGENDA: *Consent Agenda items are considered to be 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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*

1. Consider approving the following Minutes: (Stevens)
 - ❖ November 9, 2020 – Regular Meeting
2. Consider approving the change of the Regular City Council Meeting from Monday, October 11, 2021, to Tuesday, October 12, 2021, due to the Columbus Day holiday. (Stevens)
3. Consider adoption of Resolution No. 20-068R of the City Council of the City of Red Oak, Texas, approving the purchase of one (1) Echologic Leakfinder, one (1) Echologic Leaktuner, ten (10) Echologic remote pressure monitors, one (1) Ridgid Navitrack Scout Locator with Transmitter, and two (2) CST/Berger Magna-Trak MT202 Magnetic Locators for the Public Works Department and authorizing the City Manager to execute the necessary documents for such equipment in an amount not to exceed \$88,935.00 as provided in the formal quote, which is attached hereto and incorporated herein as Exhibits “A” and “B”; and, providing an effective date. (Williams)
4. Consider adoption of Resolution No. 20-069R of the City of Red Oak, Texas, 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; and, providing an effective date. (Williams)
5. Consider adoption of Resolution No. 20-070R of the City of Red Oak, Texas, accepting and approving a Project Order 064449240 with Kimley-Horn and Associates, Inc., as part of the Master Agreement for continuing professional services between the City of Red Oak and Kimley-Horn and Associates, Inc., dated December 20, 2011, for the preparation of construction plans and specification, and construction administrative services for protecting in place or utility relocation for the underground 36-inch water transmission line at Houston School Road; and authorize the City Manager to execute a contract in a form approved by the City Attorney; and, providing an effective date. (Williams)
6. Consider adoption of Resolution No. 20-071R amending Resolution No. 20-064R, 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 an effective date. (Fuller)

COUNCIL BUSINESS – REGULAR SESSION:

7. Consider approval of Ordinance No. 20-042 of the City Council of the City of Red Oak, Texas, amending the Code of Ordinances of the City of Red Oak, Texas, by amending Chapter 1 “General Provisions”, Article 1.09 “Emergency Management”, Section 1.09.007 by adding Subsection (C) by providing violation of Article 1.09, Emergency Management to be a Class C Misdemeanor; providing a penalty for a fine not to exceed five hundred dollars (\$500.00) for each offense; providing a severability clause; providing a savings clause; and, providing an effective date. (Fuller/Hager)
8. Consider all matters incident and related to the issuance and sale of “City of Red Oak, Texas, Tax Note, Series 2021”, including the approval of Ordinance No. 20-043 authorizing the issuance of such tax note and approving all other matters related thereto. (Platt)
9. Conduct a Public Hearing regarding **Voluntary Annexation** of real property generally described as being 1.351 acres, more or less, out of the Robert A. Lemmans Survey, Abstract No. 628, in the City of Red Oak ETJ, Ellis County, Texas, Parcel No. 148132. (Stevens)
10. Conduct a Public Hearing on a petition by 212 Red Oak, L.P. for the creation of Red Oak Public Improvement District encompassing approximately 210.410 acres, which petition is on file at the city. (Hartman)
11. Consider adoption of Resolution No. 20-072R authorizing and creating Red Oak Improvement District No. 1 in accordance with Chapter 372 of the Texas Local Government Code; providing for related matters; and, providing an effective date. (Hartman)

12. Conduct a Public Hearing and consider approval of Ordinance No. 20-044 amending the City of Red Oak's Zoning Ordinance to allow a permanent cosmetic/tattoo service, with limitations, as an ancillary use in certain non-residential districts. (Case Z20019) *Requested by Staff (Hartman)*
13. Conduct a Public Hearing and consider approval of Ordinance No. 20-045 changing the zoning from Commercial (C-1) to a Planned Development District (PD) with uses generally from Commercial District-1 (C-1) and allowing for a vertical mixed-use building to include apartments on upper floor(s), at 109 S. Main Street, City of Red Oak, Texas. (Case Z20016) *Requested by Zeke Gonzalez (Hartman)*
14. Consider adoption of Resolution No. 20-073R of the City of Red Oak, Texas, amending the Master Fee Schedule, by amending; also, by amending Chapter 11.00, "Utility Fees" by amending Section 11.004, Garbage Collection Charges, Subsection (A), and Subsection (B), to establish new rates; providing a repealing clause; providing a severability clause; and, providing an effective date. (Williams)

DEPARTMENTAL REPORTS:

15. The City Council may deliberate and make inquiry into any item listed in the Departmental Reports.

- A. Fire Department (Ben Blanton, Fire Chief)
 - ❖ Monthly Activity Report
- B. Police Department (Garland Wolf, Police Chief)
 - ❖ Monthly Report
- C. Engineering & Community Development Department (Ben Hartman, City Engineer)
 - ❖ Code Services Report
 - ❖ Building Permit and Inspections Report
 - ❖ Administrative Monthly Report
- D. Human Resources (Amanda Monsivais, Human Resources Director)
 - ❖ Administrative Monthly Report
- E. Finance Department (Gloria Platt, Finance Director)
 - ❖ Finance Report
 - ❖ Monthly Investment Report
 - ❖ Financial Statement
 - ❖ Municipal Court Statistical Highlights
- F. IT Department (John Binford, IT Director)
 - ❖ Major Accomplishments
 - ❖ Current Initiatives
 - ❖ Challenges
- G. Library (Logan Ragsdale, Library Director)
 - ❖ YTD Statistics
 - ❖ Monthly Newsletter
- H. Parks & Recreation Department (Kyle Kelley, Parks & Recreation Director)
 - ❖ Monthly Report
- I. Public Works Department (Scott Williams, Public Works Director)
 - ❖ Monthly Operational Report

CLOSED SESSION:

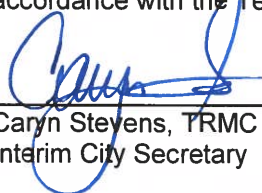
- 16. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** concerning pending litigation: *Rockett Special Utility District v. Botkin, et al.*, Civil Action No. 19-cv-1007-RP, W.D. Tex.; *City of Red Oak, Tex. v. USDA et al.*, Civil Action No. 19-cv-02761-S, N.D. Tex.; *ex Parte-City of Red Oak v. 201st Judicial District Court of Travis County*, Cause No. D-1GN-20-002116; *Rockett Special Utility District v. City of Red Oak, Texas*, Case No. 3:20-cv-1320; *City of Red Oak v. USDA, et al.*, Case No. 1:20-cv-00483-RP, W.D. Tex.; and *Rockett Special Utility District v. Botkin, et al.*, Civil Action No. 20-cv-1207-RP, W.D. Tex.
- 17. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** regarding 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.
- 18. 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.
- 19. 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.

REGULAR SESSION:

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

ADJOURNMENT:

CERTIFICATION: I certify that the above agenda of items to be considered by the Red Oak City Council was posted on the Red Oak Municipal Center bulletin board on December 11, 2020, before 7:00 p.m. in accordance with the Texas Government Code, Chapter 551.



Caryn Stevens, TRMC
Interim City Secretary



ACCESSIBILITY STATEMENT

The Red Oak Municipal Center is wheelchair accessible with an entry ramp and accessible parking spaces located in front of the building. Request for accommodations must be made 48 hours prior to the meeting by contacting the City Secretary's office at (972) 617-6831.

To submit public comments, email cstevens@redoaktx.org and title the email "Public Comment". All public comments submitted by 5:00 p.m. on December 14, 2020, will be provided to the City Councilmembers and entered into the record for the December 14, 2020, City Council Regular Meeting.

Link to Citizens' Comments Form:

<http://www.redoaktx.org/FormCenter/Meetings-9/City-Meetings-Citizens-Comments-62>

The public dial-in number to access the telephone meeting is 1-346-248-7799. Once connected, enter Access Code: 961 3225 5614, Passcode: 705825.

Citizens will be able to watch the meeting via live-stream at:

<https://www.youtube.com/channel/UCntzB1px9caZvdivvHlnEMQ/>

Join Zoom Meeting

<https://zoom.us/j/99098862219?pwd=eVFXVWpkciswVDhWbUVrYjJvZ3RyZz09>

Meeting ID: 990 9886 2219

Passcode: 705825

One tap mobile

+13462487799,,99098862219#,,,,,0#,,705825# US (Houston)

+16699006833,,99098862219#,,,,,0#,,705825# US (San Jose)

Dial by your location

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+1 253 215 8782 US (Tacoma)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

Meeting ID: 990 9886 2219

Passcode: 705825

Find your local number: <https://zoom.us/u/ad7jFpc0e6>