



RED OAK, TEXAS

**AGENDA  
REGULAR MEETING  
RED OAK CITY COUNCIL  
MONDAY, FEBRUARY 8, 2021, 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, February 8, 2021, 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, February 8, 2021, 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 the Open Meetings Act.*

**INVOCATION AND PLEDGE OF ALLEGIANCE:** (Braly)

**PRESENTATIONS**

- Proclamation – Love Your Library Month (Mayor Stanfill)
- Recognition – Zachary Abrahams, Officer of the Year (Fuller/Wolf)
- Introductions – Tyler Fain and Hunter Wilson, new Firefighters;  
Sutton Jones, promotion to Driver/Engineer (Fuller/Blanton)

## 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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*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)**
  - ❖ January 11, 2021 – Regular Meeting
2. Consider approval of Ordinance No. 21-003 of the City of Red Oak, Texas, amending Ordinance No. 20-026, amending the Fiscal Year 2021 Official Budget; appropriating funds to increase revenue within the General Fund 115 and appropriating funds to increase expenditures within the General Fund 115 and appropriating funds to increase expenditures within the Park Improvement Fund as attached in Exhibit "A"; providing that expenditures for said fiscal year be made in accordance with said amended budget; providing a severability clause; and, providing an effective date. **(Platt)**
3. Consider adoption of Resolution No. 21-010R of the City Council of the City of Red Oak, Texas, supplementing Resolution No. 21-004R, extending and amending a State of Emergency as a result of the COVID-19 Virus; providing for interim public safety measures; providing for health and safety policy; providing for face covering for patrons and employees; providing for face coverings in public places; providing for republishing of resolution; providing a severability clause; and, providing an effective date. **(Fuller)**
4. Consider adoption of Resolution No. 21-011R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of the Interlocal Cooperation Agreement by, between, and among Ellis County, Texas for the operation of a COVID-19 Vaccination HUB related to the COVID-19 Pandemic Emergency Response, which agreement is attached hereto and incorporated herein as Exhibit "A"; authorizing the Mayor to sign said agreement; and, providing an effective date. **(Blanton)**

## COUNCIL BUSINESS – REGULAR SESSION:

5. Consider adopting Resolution No. 21-012R of the City Council of the City of Red Oak, Texas, ordering the General Election to be held on May 1, 2021, for the purpose of electing three (3) Councilmembers to the Red Oak City Council for Mayor, Councilmember Place One (1), and Councilmember Place Three (3) for a three (3) year term; establishing procedure for said election, designating locations of polling places; designating filing deadlines; designating presiding election judge and alternate presiding judge; providing for the publication and posting of Notice; providing for authorization to enter into a Joint Election Agreement with Ellis County to conduct such election; providing a severability clause; and, providing an effective date. **(Stevens)**
6. Consider adoption of Resolution No. 21-013R of the City Council of the City of Red Oak, Texas, approving a candidate nomination for the Ellis Appraisal District Board of Directors vacancy for the year 2021. **(Fuller)**
7. Consider adoption of Resolution No. 21-014R of the City Council of the City of Red Oak, Texas, approving the use of additional funding from the Street Repair Fund for the purchase of a pavement condition assessment in an amount not to exceed \$10,700.00; and, providing an effective date. **(Williams)**
8. Consider adoption of Resolution No. 21-015R of the City Council of the City of Red Oak, Texas, authorizing the City Manager to approve and accept the monetary offer of Trinity River Authority of Texas to grant a monetary easement for ROCRWS Red Oak Creek Relief Interceptor , Segment 40RO-3, Parcel No. 1 located in Pecan Street, Samuel Billingsley Survey, Abstract No. 77, Red Oak, Ellis County, Texas, described therein as provided in Exhibit "1" attached hereto and incorporated herein; authorizing the City Manager to execute the necessary documents; and, providing an effective date. **(Kelley)**

9. Conduct a Public Hearing and consider approving Ordinance No. 21-004 of the City of Red Oak, Texas, amending the Code of Ordinances by amending Chapter 14 "Zoning", by amending Article 14.03 "Comprehensive Plan" by adding Planning Area 3 (PA-3) to the permitted planning areas for high density residential, by amending Planning Area 3 (PA-3) to allow residential uses for single family and apartments with less than 16 dwelling units per acre; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and, providing an effective date. (Hartman)
10. Conduct a Public Hearing and consider approving Ordinance No. 21-005 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, and amending Planned Development District PD-27 to PD-27R to provide for a development plan for a multi-family development for a 17.1 acre tract located at the northwest corner of Red Oak Road and Hickory Creek Drive (Case Z20021) within the plan, landscape plan and architectural elevations; making this ordinance cumulative of prior ordinances; providing a severability clause; and, providing an effective date. (Hartman)
11. Consider approving a Preliminary Plat of The Emerson at Red Oak Addition, being approximately 33 acres out of the G.C. Parks Survey, generally at the northwest corner of Red Oak Road and Hickory Creek Drive, City of Red Oak, Texas. (Case P21004) *Requested by Louis Leibowitz* (Hartman)
12. Conduct a Public Hearing and consider approving Ordinance No. 21-006 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance of the City of Red Oak, Texas, as heretofore amended, by amending regulations for Planned Development 101 (PD-101) relating to property located at 1008 E. Ovilla Road, in the City of Red Oak, Ellis County, Texas, said property being more particularly described in Exhibit "A", which is attached hereto and incorporated herein; amending regulations previously approved by Ordinance No. 18-048, Section 2, Subsection C "Area Regulations" to amend the minimum front yard setback from 30 feet to 20 feet; providing a repealing clause; providing a severability clause; providing a savings clause; and, providing an effective date. (Hartman)
13. Consider adoption of Resolution No. 21-016R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of Soccer Facilities License Agreement by and between the City of Red Oak and Red Oak Soccer Association, Inc. ("ROSA") for the use of the City's Live Oak Facility Multi-Use Sports Field as described therein as provided in Exhibit "A", attached hereto and incorporated herein; authorizing the City Manager to execute the necessary documents; and, providing an effective date. (Kelley)
14. Consider adoption of Resolution No. 21-017R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of Live Oak Multi-Use Sports Field License Agreement by and between the City of Red Oak and Red Oak Pee Wee Football Association ("ROPWFA") for the use of the City's Live Oak Facility Multi-Use Sports Field as described therein as provided in Exhibit "A", attached hereto and incorporated herein; authorizing the City Manager to execute the necessary documents; and, providing an effective date. (Kelley)
15. Consider adoption of Resolution No. 21-018R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of Live Oak Multi-Use Sports Field License Agreement by and between the City of Red Oak and Red Oak Baseball/Softball Association ("ROBSA") for the use of the City of Red Oak Baseball and Softball Fields at Live Oak Sports Complex as described therein as provided in Exhibit "A", attached hereto and incorporated herein; authorizing the City Manager to execute the necessary documents; and, providing an effective date. (Kelley)

**BOARD APPOINTMENTS:**

16. Appointments/ Reappointments to Red Oak Boards & Commissions – Consider approval regarding the following Boards/Commissions:

- A. Industrial Development Corporation:
  - Reappointment of Casey Hargrove as a Regular Member for a three-year term from February 2021-2024;
  - Reappointment of Weylan McAnally as a Regular Member for a three-year term from February 2021-2024;
- B. Planning & Zoning Commission:
  - Reassignment of Lance Brooks from a Regular Member to an Alternate Member for the remainder of a two-year term from June 2020-June-2022.

**DEPARTMENTAL REPORTS:**

17. 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:**

18. 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. 201<sup>st</sup> 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.

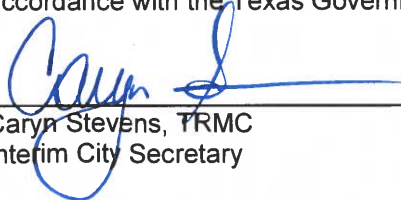
19. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** regarding pending litigation styled as *Cassandra Preston Insurance and Financial Services, Inc. v. City of Red Oak*, et al, Cause Number 103467, filed in 443<sup>rd</sup> Judicial District Court of Ellis County, Texas.
20. 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.
21. 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.

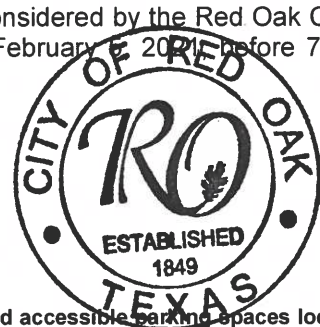
**REGULAR SESSION:**

22. 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 February 7, 2021, 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 [citysecretary@redoaktx.org](mailto:citysecretary@redoaktx.org) and title the email "Public Comment". All public comments submitted by 5:00 p.m. on February 8, 2021, will be provided to the City Council and entered into the record for the February 8, 2021, Regular City Council 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=eVFhVWpka3RyZ3RyZz09>

Meeting ID: 990 9886 2219

Passcode: 705825

One tap mobile

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+16699006833,,99098862219#,,,,\*705825# US (San Jose)

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+1 301 715 8592 US (Washington DC)

+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/anYoCDFEc>