



City of Red Oak

Minutes - Final City Council Regular Meeting

Monday, January 11, 2021

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, January 11, 2021, 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
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
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 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 William Drake gave the Invocation and led the Pledge of Allegiance.

PRESENTATIONS:

- Introduction – Alexa Beasley, Communications & Marketing Manager

Assistant City Manager Phillips introduced our new Communications & Marketing Manager, Alexa Beasley to Council and staff. Council and staff welcomed her to the City of Red Oak.

CITIZENS COMMENTS:

No one spoke.

CONSENT AGENDA:

1. Consider approving the following Minutes:
 - December 14, 2020 – Regular Meeting
 - December 15, 2020 – Public Hearing and Special Called Meeting**Approved on Consent Agenda**
2. Consider approving the absence of Councilmember Ron Wilson from the December 14, 2020, Regular Meeting of the Red Oak City Council.
Approved on Consent Agenda
3. Consider adoption of Resolution No. 21-001R of the City Council of the City of Red Oak, Texas, declaring personal property as obsolete, valueless, and surplusage; providing for disposal of the same by the City Manager or his designee; authorizing the Mayor to execute; providing a severability clause; providing a repealing clause; and, providing an effective date.

Adopted
Enactment No: RES 21-001R

4. Consider adoption of Resolution No. 21-002R of the City Council of the City of Red Oak, Texas, approving the purchase of in-car and body worn camera systems through a Texas Department of Information Resources to maintain compliance with racial profiling statutes and to allow for review of in-field activity as required by law; authorizing the City Manager to execute the necessary documents; and, providing an effective date.

Adopted
Enactment No: RES 21-002R

5. Consider adoption of Resolution No. 21-003R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of a Municipal Advisory Agreement for Professional Services regarding municipal securities and any municipal financial products by and between Hilltop Securities, Inc. and the City of Red Oak, Texas, which is attached hereto and incorporated herein as Exhibit "A"; authorizing the City Manager to execute said agreement; and, providing an effective date.

Adopted
Enactment No: RES 21-003R

6. Consider adoption of Resolution No. 21-004R amending Resolution No. 20-071R, 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.

Adopted
Enactment No: RES 21-004R

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.

Mayor Pro Tem Toney made the motion, seconded by Councilmember Wilson, 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:

7. Consider adoption of Resolution No. 21-005R 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.

Mayor Stanfill read Agenda Item No. 7 into the record. City Manager Fuller spoke and gave detailed explanations of this agenda item. Mayor Stanfill spoke and suggested a candidate for nomination.

Mayor Stanfill made the following motion: Motion to adopt Resolution No. 21-005R nominating Charles "Chuck" Aris as the candidate for the Ellis Appraisal District Board of Directors vacancy for the year 2021.

Councilmember Goodwyn moved the motion, seconded by Mayor Pro Tem Toney. 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 21-005R

8. Consider adoption of Resolution No. 21-006R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of the agreement by and between JP Morgan Chase Bank, N.A. for the Chase One Card Program through an Interlocal Agreement with Tarrant County to provide purchasing cards through JP Morgan Chase Bank in the City of Red Oak, Ellis County, Texas, as providing in Exhibit "A" attached hereto and incorporated herein; authorizing the City Manager to negotiate and execute the necessary documents; and, providing an effective date.

Mayor Stanfill read Agenda Item No. 8 into the record. Finance Director Platt spoke and gave a brief explanation of this agenda item.

Mayor Stanfill, Council and Staff discussed the agenda item briefly.

Mayor Stanfill made the following motion: Motion to adopt Resolution No. 21-006R as presented.

Councilmember Drake 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 21-006R

9. Consider adoption of Resolution No. 21-007R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of the Public Improvement District Administration Services Agreement by and between the City of Red Oak and P3Works, LLC to provide consultant services for the Public Improvement District No. 1 in the City of Red Oak, Ellis County, Texas, 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.

Mayor Stanfill read Agenda Item No. 9 into the record. Finance Director Platt spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill made the following motion: Motion to adopt Resolution No. 21-007R as presented.

Councilmember Drake moved the motion, seconded by Councilmember Wilson. 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 21-007R

10. Consider adoption of Resolution No. 21-008R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of a Master Agreement for the purchase and sale of electric energy and related services with ENGIE Resources, LLC ("ENGIE") and the City of Red Oak,

Texas, which is attached hereto and incorporated herein as Exhibit "A"; authorizing the City Manager to execute said agreement; and, providing an effective date.

Mayor Stanfill read Agenda Item No. 10 into the record. Finance Director Platt spoke and gave a detailed explanation of this agenda item. City Manager Fuller also spoke and gave a brief explanation of this agenda item.

Mayor Stanfill made the following motion: Motion to adopt Resolution No. 21-008R as presented.

Councilmember Goodwyn moved the motion, seconded by Mayor Pro Tem Toney. 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 21-008R

11. Consider adoption of Resolution No. 21-009R of the City Council of the City of Red Oak, Texas, amending Resolution No. 20-045R approving a contract with Library Systems & Services, LLC (LS&S) for library management and operation services for Fiscal Year 2020-2021, which is attached hereto and incorporated herein as Exhibit "A"; authorizing the City Manager to execute the contract; and, providing an effective date.

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

Mayor Stanfill made the following motion: Motion to adopt Resolution No. 21-009R as presented.

Councilmember Drake moved the motion, seconded by Councilmember Goodwyn. 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 21-009R

12. Conduct a Public Hearing and consider approval of Ordinance No. 21-001 of the City Council of the City of Red Oak, Texas, to amend the Code of Ordinances of the City of Red Oak, Texas, by amending Chapter 3, "Building Regulations", by amending Article 3.07, "Soil Erosion and Sedimentation Control", by amending Section 3.02.002 "General Guidelines", to add a soil stabilization requirement of disturbed areas; providing a repealing clause; providing a severability clause; providing a savings clause; and, providing an effective date.

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

Mayor Stanfill opened the Public Hearing at 7:29 p.m. No one spoke.

Councilmember Goodwyn made the motion, seconded by Councilmember Braly, to close the Public Hearing at 7:30 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

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 21-001 as presented.

Councilmember Drake moved the motion, seconded by Councilmember Wilson. 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

**Approved
Enactment No: ORD 21-001**

13. Consider approval of Ordinance No. 21-002R of the City Council of the City of Red Oak, Texas, providing for the **Voluntary Annexation** territory generally described as being 1.351 acres of land, more or less, as described in Exhibit "A", which is attached hereto and incorporated herein for all purposes, to the City of Red Oak, Texas, and extending the boundary limits of the city so as to include said property within the city limits and granting to all inhabitants and owners of said property all of the rights and privileges of other citizens and binding all inhabitants by all the ordinances, acts, resolutions and regulations of said city; providing for a service plan, which is attached hereto and incorporated herein by reference; providing a severability clause; and, providing an effective date.

Mayor Stanfill read Agenda Item No. 13 into the record. City Engineer Hartman spoke and gave a brief explanation of this agenda item.

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 21-002 as presented.

Councilmember Wilson moved the motion, seconded by Councilmember Drake. 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

**Approved
Enactment No: ORD 21-002**

14. Appointments/ Reappointments to Boards & Commissions – Consider approval regarding the following Boards/Commissions:
- A. Planning & Zoning Commission:
 - Accept resignation of Philip Sikes;
 - Appointment of L. Scott Lindsey as a Regular 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 Goodwyn made the motion, seconded by Councilmember Drake, to accept the resignation and board appointment under A above 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

Approved

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 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 stated that there were a few house fires at the end of December. He stated they are currently interviewing for three vacant positions.

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 all the new homes coming into Red Oak, stating that 2020 was a good year for growth in Red Oak. There was a record number of new home permits issued totaling 337 for the year.

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

Finance Director Platt spoke and stated we are on track with the collection of property taxes. She also stated that sales tax is still trending up. She then answered Council's questions.

IT Director Binford spoke and stated he's working with the finance department on their new Incode server. He has now run fiber out to the new concession stand for communications, cameras and Wi-Fi. He is in the process of setting up Microsoft teams for the police department.

Library Director Ragsdale was experiencing technical difficulties and was unable to be heard.

Parks and Recreation Director Kelley spoke and highlighted activities and projects given in his monthly report. He thanked the public works and information technology departments for their help with the Live Oak project construction.

Public Works Director Williams spoke and stated that the department just wrapped up the grease and fats collection from Thanksgiving through Christmas holidays and collected 175 gallons of grease and fats for proper disposal.

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** 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.
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.

Mayor Stanfill read Agenda Item Nos. 16, 17, 18 and 19 for Closed Session into the record and moved Council into Closed Session at 7:48 p.m. He invited City Manager Fuller, Assistant City

Manager Phillips, Economic Development Director McCleary, City Attorney Hager and James Parker into Closed Session.

REGULAR SESSION:

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

Council reconvened into Regular Session at 8:04 p.m. No action was taken.

ADJOURNMENT:

Councilmember Wilson made the motion, seconded by Councilmember Drake, to adjourn the meeting at 8:05 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

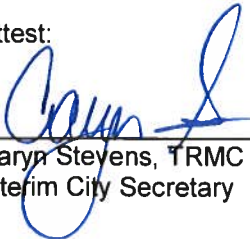
PASSED AND APPROVED by the Red Oak City Council at a Regular Meeting held on February 8, 2021.

Approved:



Mark L. Stanfill, DVM
Mayor

Attest:



Caryn Stevens, TRMC
Interim City Secretary

