



**AGENDA  
REGULAR MEETING  
RED OAK CITY COUNCIL  
MONDAY, JULY 12, 2021, 7:00 P.M.**

**Mayor:**

**Mark L. Stanfill, DVM**

**Council:**

**Michael Braly, Mayor Pro Tem  
William Drake, Councilmember  
Willie G. Franklin, Jr., Councilmember  
Ben Goodwyn, Councilmember  
Ron Wilson, Councilmember**

**City Manager:**

**Todd Fuller**

**Assistant City Manager:**

**Jonathan Phillips**

**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, July 12, 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, July 12, 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:**

- Recognition – Red Oak White & Blue (Mayor Stanfill)
- Proclamation – Parks and Recreation Month (Kelley)

**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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*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)
  - ❖ June 14, 2021 – Regular Meeting
  - ❖ June 29, 2021 – Special Called Meeting
  - ❖ July 7, 2021 – Strategic Planning Workshop and Budget Workshop
2. Consider adoption of Resolution No. 21-057R of the City Council of the City of Red Oak, Texas, declaring certain 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. (Stevens)
3. Consider adoption of Resolution No. 21-058R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of the Amended Card Services Agreement by and between the City of Red Oak, Texas, and Open Edge for merchant processing services for the Municipal Court and other city departments, as provided in Exhibit “A” attached hereto and incorporated herein; authorizing the City Manager to execute the necessary documents; and, providing an effective date. (Platt)
4. Consider adoption of Resolution No. 21-059R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of the Grant Agreement by and between the U.S. Department of Treasury and the City of Red Oak, Texas, as provided in Exhibit “A” attached hereto and incorporated herein; authorizing the City Manager to execute the necessary documents; and, providing an effective date. (Platt)
5. Consider adoption of Resolution No. 21-060R of the City Council of the City of Red Oak, Texas, approving an amendment to the Master Service Agreement with CivicPlus to add the CivicRec module for one year with renewal option in the amount not to exceed \$7,463.00 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)
6. Consider adoption of Resolution No. 21-061R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of the Splash Pad Service Agreement by and between H2O Splash Pad, Inc. and the City of Red Oak, Texas, to provide appropriate certified pool operator certificate for records, as providing in Exhibit “A” attached hereto and incorporated herein; authorizing the City Manager to execute the necessary documents; and, providing an effective date. (Kelley)
7. Consider adoption of Resolution No. 21-062R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of the TIPS Vendor Agreement by and between the City of Red Oak, Texas, and Castro Roofing of Texas, LLC., for the roof repair of a city building located at 207 W. Red Oak Road, Red Oak, Texas, (Old Lions Club Building) in an amount not to exceed \$81,245.55, 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)
8. Consider adoption of Resolution No. 21-063R of the City Council of the City of Red Oak, Texas, awarding the bid for fuel, unleaded gasoline and diesel, to the lowest bidder, Fikes Wholesale, Inc.; and authorizing the City Manager to execute a contract for fuel, unleaded gasoline and diesel, in a form approved by the City Attorney; and, providing an effective date. (Williams)
9. Consider approval of a preliminary plat for The Oaks, a residential development for approximately 211 acres, out of the A. Fredrick Survey, A-375, J. Chapman Survey, A-214, J.S. Davis Survey, A-923, J.S. Patton Survey, A-842, James Patton Survey, A-839, generally located south of Stephenson Road and west of IH-35E, generally known as Planned Development 98 (PD-98), in the City of Red Oak, Texas. (Case P21008) *Requested by John Hutchison (Hartman)*
10. Consider adoption of Resolution No. 21-064R of the City Council of the City of Red Oak, Texas, supplementing Resolution No. 21-044R, extending and amending a State of Emergency as a result of the COVID-19 Virus; providing for interim public safety measures; providing for a face covering



requirement in City buildings and facilities; providing for a moratorium for enforcement of mobile food vending; providing for republishing of resolution; providing a severability clause; and, providing an effective date. (Fuller)

### **COUNCIL BUSINESS – REGULAR SESSION:**

11. Consider approval of Ordinance No. 21-016 of the City Council of the City of Red Oak, Texas, providing for the **Voluntary Annexation** territory generally described as being 206.285 acres, more or less, out of the Gaz B. Lamar Survey, Abstract 657, and the James M. Riggs Survey, Abstract 902, in the City of Red Oak ETJ, Ellis County, Texas, 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. (Fuller/Stevens)
12. Consider approval of Ordinance No. 21-017 of the City Council of the City of Red Oak, Texas, providing for the **Voluntary Annexation** territory generally described as being 223.493 acres, more or less, out of the John Bell Survey, Abstract 61, and the William H. Morris Survey, Abstract 725, in the City of Red Oak ETJ, Ellis County, Texas, 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. (Fuller/Stevens)
13. Conduct a Public Hearing and consider approval of Ordinance No. 21-020 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and the Map of the City of Red Oak, Texas, as heretofore amended, by creating Planned Development 120 (PD-120) located on approximately 207 acres of land, of the Gaz B. Lamar Survey, Abstract 657 and the James M. Riggs Survey, Abstract 902 and approximately 224 acres of land of the John Bell Survey, Abstract 61 and the William H. Morris Survey, Abstract 725, in the City of Red Oak, Ellis County, Texas which is attached hereto as Exhibit “A”; providing for approval of the development plan, attached hereto as Exhibit “B”; providing for a base zoning of Single-Family residential (SF) with deviations to allow for limited non-residential land uses as considered upon future amendments; providing that this ordinance shall be cumulative of all ordinances; providing for a conflicts clause, providing a repealing clause; providing a severability clause; providing a penalty for penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for violations hereof; providing a savings clause; and, providing an effective date. (Z21010) Requested by Casey Hargrove (Hartman)
14. Conduct a Public Hearing and consider approval of Ordinance No. 21-021 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, as heretofore amended, by approving a change in zoning from Commercial 1 (C1) to Planned Development 124 (PD-124) for property located at 301 S. SH-342, Lot 4, Block A, Red Oak Business Park, City of Red Oak, Ellis County, Texas and being more particularly depicted in Exhibit “A”, which is attached hereto and incorporated herein; providing for zoning of Commercial 1 (C-1) to allow for a deviation in landscaping, parking and setback requirements and providing for special conditions; providing for approval of the site plan, attached hereto as Exhibit “B”; providing that this ordinance shall be cumulative of all ordinances; providing for a conflicts clause; providing a repealing clause; providing a severability clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for violations hereof; providing a savings clause; and, providing an effective date. (Case Z21016) Requested by Gracie Cleveland (Hartman)





15. Conduct a Public Hearing and consider approval of Ordinance No. 21-022 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, as heretofore amended, by granting a change in zoning from Commercial 1 (C-1) to Planned Development 121 (PD-121) for property located at 309 S. SH-342, City of Red Oak, Ellis County, Texas; said property being more particularly described in Exhibit "A", which is attached hereto and incorporated herein; providing for base zoning as Commercial 1 (C-1); providing for approval of and use of the property in accordance with the site plan, landscape plan, floor plan, and elevations attached hereto as Exhibits "B" through "D", and incorporated herein; providing that this ordinance shall be cumulative of all ordinances; providing for a conflicts clause; providing a repealing clause; providing a severability clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for violations hereof; providing a savings clause; and, providing an effective date. (Case Z21014) *Requested by Benito Juarez (Hartman)*
  
16. Conduct a Public Hearing and consider approval of Ordinance No. 21-023 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, as heretofore amended, by granting a change in zoning from Commercial 1 (C-1) to Planned Development 123 (PD-123) for property located on approximately 0.36 acres of land on 31 B of the Country Ranch Estates Addition, an addition to the City of Red Oak, Ellis County, Texas, said property being more particularly described in Exhibit "A", which is attached hereto and incorporated herein, providing for zoning of Commercial 1 (C-1) to allow for a deviation in landscaping and parking requirements and providing for special conditions; providing for approval of the site plan, attached hereto as Exhibit "B"; providing that this ordinance shall be cumulative of all ordinances; providing for a conflicts clause; providing a repealing clause; providing a severability clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for violations hereof; providing a savings clause; and, providing an effective date. (Case Z21015) *Requested by Jimmie Wade (Hartman)*
  
17. Conduct a Public Hearing and consider approval of Ordinance No. 21-024 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, as heretofore amended, by granting a change in zoning Commercial 1 (C-1) to Planned Development 122 (PD-122) for property located on +0.186 acres of land on Lot 10, Block 8, Hilltop Addition, City of Red Oak, Ellis County, Texas, which is attached hereto as Exhibit "A"; providing for a zoning of Commercial 1 (C-1) to allow for the development of a restaurant with parking and landscaping requirements and dumpster access; providing for approval of a site plan, dumpster plan, landscape plan, floor plan and elevations, attached as Exhibits "B" through "F"; providing that this ordinance shall be cumulative of all ordinances; providing for a conflicts clause; providing a repealing clause; providing a severability clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for violations hereof; providing a savings clause; and, providing an effective date. (Case Z21011) *Requested by Ronnie Moore (Hartman)*
  
18. Consider adoption of Resolution No. 21-065R of the City Council of the City of Red Oak, Texas, approving a change order in Earthwork Quantities to the contract resulting in an overall increase to the contract in the amount of \$40,317.75 for the Austin Boulevard paving, drainage and waterline improvements as provided in Exhibit "A" attached hereto and incorporated herein; authorizing the City Manager to execute the necessary documents; and, providing an effective date. (Hartman)

**DEPARTMENTAL REPORTS:**

19. The City Council may deliberate and make inquiry into any item listed in the Departmental Reports.
  - A. Fire (Ben Blanton, Fire Chief)
    - ❖ Monthly Activity Report
  
  - B. Police (Garland Wolf, Police Chief)
    - ❖ Monthly Report



- C. Development Services (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 (Gloria Platt, Finance Director)
  - ❖ Finance Report
  - ❖ Monthly Investment Report
  - ❖ Financial Statement
  - ❖ Municipal Court Statistical Highlights
  
- F. Information Technology (John Binford, IT Director)
  - ❖ Major Accomplishments
  - ❖ Current Initiatives
  - ❖ Challenges
  
- G. Library (Logan Ragsdale, Library Director)
  - ❖ YTD Statistics
  - ❖ Monthly Newsletter
  
- H. Parks & Recreation (Kyle Kelley, Parks & Recreation Director)
  - ❖ Monthly Report
  
- I. Public Works (Scott Williams, Public Works Director)
  - ❖ Monthly Operational Report

**CLOSED SESSION:**

- 20. 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.
  
- 21. 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.
  
- 22. 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.
  
- 23. Pursuant to the Texas Government Code, Section §551.072 – **Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property.**



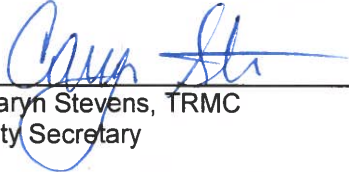
- A. Discuss or deliberate acquisition, sale, and/or exchange, lease or value of Real Properties generally located east of I-35E, west of SH 342, south of FM 664/Ovilla Road, and north of Red Oak Road, Red Oak, Texas.

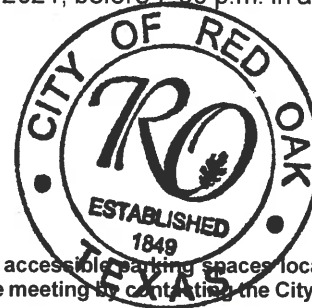
**REGULAR SESSION:**

24. 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 July 9, 2021, before 7:00 p.m. in accordance with the Texas Government Code, Chapter 551.

  
Caryn Stevens, TRMC  
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 July 12, 2021, will be provided to the City Council and entered into the record for the July 12, 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=eVFxVWpkciswVDhWbUVrYjJvZ3RyZz09>

Meeting ID: 990 9886 2219

Passcode: 705825

One tap mobile

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+1 929 205 6099 US (New York)

Meeting ID: 990 9886 2219

Passcode: 705825

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

