



City of Red Oak
Minutes - Final
City Council Regular Meeting

Monday, August 9, 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, August 9, 2021, at 7:00 p.m., with the following members present, to wit:

City Council (5):

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

CALL TO ORDER: Mayor Stanfill called the meeting to order at 7:01 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 Wilson gave the Invocation and led the Pledge of Allegiance.

PRESENTATIONS:

- Recognition – Jeremy Trojacek, Chick-fil-A Restaurant of Red Oak

Assistant City Manager Phillips recognized Jeremy Trojacek of the Red Oak Chick-fil-A for providing and leading the 10-week Maxwell Transformative Leadership conference for directors and managers of the City of Red Oak. He thanked him for the engaging and growth-producing opportunity for our leaders.

CITIZENS COMMENTS:

Misty Young, 207 Lily Trail, Red Oak, Texas, spoke on behalf of the Red Oak Football Association regarding charging gate fees for the upcoming football season. She also submitted a form and City Manager Fuller read the following statement into the record:

“Thank you for allowing ROYFA the time to discuss our request to charge gate fees for the upcoming football season. As you are aware, Mr. Kelly [sic] briefly spoke to the council regarding our request for the exemption to the city ordinance. We have graciously provided all of the information requested by him and we would like to provide you with additional information. We are an independent non-profit charitable (501C) organization that supports and engages the youth of Red Oak in football and cheer. Our association strives to give back to the community and provide affordable extracurricular events to our participants; however, since the City of Red Oak purchased to [sic] football field on Live Oak, we have not been able to charge gate fees at home games. These gate fees allow us to pay for overhead operational costs for the season instead of shifting the costs to the parents for registration fees. Our league has seen tremendous growth and we would like to continue to grow without increasing the out-of-pocket costs for parents. At

the July City council meeting, Mr. Kelly stated that we are currently saving \$25K dollars a year because we are not paying for utilities at the field and he did not recommend that we be allowed to charge gate fees. We want to provide some clarification for his. Historically, our association worked with Red Oak ISD on the use of the field and the league has never had to pay utilities for using the field, the ISD was gracious to allow the association to use the field without any out of pocket for utilities. In fact, the most our association has ever paid to use the field is this season with the new agreement we were required to sign to use the field. We would like the opportunity to charge gate fees to help off load the out-of-pocket expenses for our parents and continue to grow our league. Red Oak has grown tremendously, and we have only begun to scratch the surface on reaching out to the youth of Red Oak. Our Board of Directors is a dedicated group of members that volunteer their time and share a vision to reach out to the youth of Red Oak. This past season, our Scholarship Program was a great success, and we were able to bless kids with the ability to play that would not have had the opportunity to play due to financial constraints of the parents. We would like to partner together with the City of Red Oak and continue to reach out to the youth and we are simply asking for our association to be given the same opportunities as other youth football programs and charge gate fees at home games to help with our Scholarship Program, purchase of equipment and help to reduce out-of-pocket expenses for our parents. Charging gate feels is not about trying to turn a profit, it is about having the opportunity to fulfill the mission and values of our association by giving back to the youth. It is not just about football and cheer, it is about teaching life lessons and helping prepare these kids for the next step in their life. So, we ask for the city of Red Oak to please consider our association to be given the same chance as other football associations and charge gate fees. Thank you for your time and have a blessed evening. Signed, ROYFA Board of Directors”

Marvis Mosley, 129 Lake Trail Drive, Red Oak, Texas, spoke on behalf of the Hickory Creek of Red Oak Homeowners Association. City Manager Fuller read the following statement into the record:

“I am the President of the Hickory Creek of Red Oak Homeowners Association and would like to introduce myself and my Board of Directors to the Council. We are looking forward to partnering with the City of Red Oak to better our community.”

CONSENT AGENDA:

1. Consider approving the following minutes:
 - ❖ July 12, 2021 – Regular Meeting
 - ❖ July 26, 2021 – Special Called Meeting and Budget Workshop II**Approved**

2. Consider adoption of Ordinance No. 21-025 of the City of Red Oak, Texas, amending Ordinance No. 20-026, amending the Fiscal Year 2021 Official Budget; appropriating funds to increase revenue and expenditures within the General Fund, appropriating funds to increase revenue and expenditures within the Streets Capital Project Fund and appropriating funds to increase revenue and expenditures within the Water and Sewer 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.
Approved
Enactment No: ORD 21-025

3. Consider adoption of Resolution No. 21-066R of the City Council of the City of Red Oak, Texas, to issue letters of instruction authorizing representation and take other appropriate actions deemed necessary for investments deposited of bond proceeds for the City of Red Oak Public Improvement District No. 1 with Wilmington Trust, National Association as set forth in Exhibit “A” attached hereto and incorporated herein; authorizing the City Manager or designee to sign all necessary documents; and providing an effective date.
Adopted
Enactment No: RES 21-066R

4. Consideration and possible action regarding approving the proposed Red Oak Industrial Development Corporation (ROIDC) Administrative Services Agreement with the City of Red Oak to provide administrative services for Fiscal Year 2021-2022.
Approved

5. Consideration and possible action regarding approving the proposed Red Oak Economic Development Corporation (ROEDC) Administrative Services Agreement with the City of Red Oak to provide administrative services for Fiscal Year 2021-2022.
Approved

6. Consider adoption of Resolution No. 21-067R authorizing the City Manager to execute a renewal of an annual Contract for a Technical Services Agreement with Trinity River Authority of Texas (TRA) in an amount not to exceed \$10,000.00.
Adopted
Enactment No: RES 21-067R

7. Consider adoption of Resolution No. 21-068R of the City Council of the City of Red Oak, Texas, approving the proposal and specifications between the City of Red Oak Fire Department and Siddons-Martin Emergency Group; for one (1) Pierce Velocity Quint and Equipment as specified, which is attached hereto and incorporated herein as Exhibit "A"; authorizing the Mayor or his designee to sign said proposal; and providing an effective date.
Adopted
Enactment No: RES 21-068R

8. Consider adoption of Resolution No. 21-069R of the City Council of the City of Red Oak, Texas, amending Resolution No. 21-064R, extending and amending a State of Emergency as a result of the COVID-19 Virus; providing for interim public safety measures; providing for a moratorium for enforcement of mobile food vendors; providing for republishing of resolution; providing a severability clause; and providing an effective date.
Adopted
Enactment No: RES 21-069R

9. Consideration and possible action approving a Grant Funding Agreement between the Red Oak Industrial Development Corporation (ROIDC) and Texas State Technical College (TSTC) Foundation in the amount of \$15,000.00 for Red Oak workforce development training.
Approved

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 Wilson made the motion, seconded by Councilmember Drake, to approve the Consent Agenda as read. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
 Councilmember William Drake – Aye
 Councilmember Willie G. Franklin, Jr. – Aye
 Councilmember Ben Goodwyn – Aye
 Councilmember Ron Wilson – Aye

COUNCIL BUSINESS – REGULAR SESSION:

10. Consideration and possible action regarding the scheduled date of August 23, 2021, for a Public Hearing on the Proposed Annual Operating Budget for Fiscal Year 2021-2022.

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

Mayor Stanfill made the following motion: Motion to set the date of August 23, 2021, for the Public Hearing on the Proposed Annual Operating Budget for Fiscal Year 2021-2022.

Councilmember Wilson moved the motion, seconded by Councilmember Franklin. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

11. Consider approval of Ordinance No. 21-026 authorizing the sale and issuance of the City of Red Oak, Texas Combination Tax and Revenue Certificates of Obligation, Series 2021; levying an annual ad valorem tax and providing for the security for and payment of said certificates; providing an effective date; and enacting other provisions relating to the subject.

Mayor Stanfill read Agenda Item No. 11 into the record. Jorge Delgado with Hilltop Securites spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 21-026 as presented.

Councilmember Franklin moved the motion, seconded by Councilmember Drake. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

**Approved
Enactment No: ORD 21-026**

12. Consider approval of Ordinance No. 21-027 authorizing the sale and issuance of the City of Red Oak, Texas Tax Note, Series 2021A; levying an annual ad valorem tax and providing for the security for and payment of said notes; providing an effective date; and enacting other provisions relating to the subject.

Mayor Stanfill read Agenda Item No. 12 into the record. Finance Director Platt spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 21-027 as presented.

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

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

**Approved
Enactment No: ORD 21-027**

13. Conduct a Public Hearing and consider adoption of Resolution No. 21-070R of the City of Red Oak, Texas, adopting guidelines and criteria for tax abatement agreements within the City of Red Oak; providing the City of Red Oak eligible in granting tax abatement; providing a repealing clause; and providing an effective date.

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

Mayor Stanfill opened the Public Hearing at 7:34 p.m. No one spoke.

Councilmember Wilson made the motion, seconded by Mayor Pro Tem Braly, to close the Public Hearing at 7:35 p.m. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to adopt Resolution No. 21-070R as presented.

Councilmember Wilson moved the motion, seconded by Councilmember Drake. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

Adopted

Enactment No: RES 21-070R

- 14.** Conduct a Public Hearing and consider approval of Ordinance No. 21-028 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 Agricultural Zoning (AG) to a Planned Development Zoning District 125 (PD-125), for approximately 17.25 acres out of the McKinney & Williams Survey, Abstract 751, for real property to construct townhomes not to exceed 170 residential single homes and including neighborhood amenities and open spaces; at the northwest corner of west Red Oak Road and the ROW of the railroad; said property being more particularly described in Exhibit "A", which is attached hereto and incorporated herein; providing site plan, landscape plan, sign plan and lighting plan, elevations and development regulations, in Exhibits "B" through "D", respectively, which are attached hereto and incorporated herein; 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.

Mayor Stanfill read Agenda Item No. 14 into the record. City Manager Fuller and Planning & Zoning (P&Z) Manager Guenzel spoke and gave detailed explanations of this agenda item.

Mayor Stanfill opened the Public Hearing at 7:44 p.m.

Naveen Khammampati, Project Manager, Turnkey Tract, 2770 Main Street, #171, Frisco, Texas, spoke in favor of this project.

Councilmember Goodwyn made the motion, seconded by Councilmember Franklin, to close the Public Hearing at 7:54 p.m. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 21-028 as presented.

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

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

Approved

Enactment No: ORD 21-028

- 15.** Consider approving a preliminary plat for Oak Pointe Townhomes to consist of a mix of different styles and types of townhomes not to exceed 170 units, to include neighborhood amenities and open spaces, on approximately 17.25 acres, from two parcels out of the McKinney & Williams Survey, Abstract 751, further described as being generally at the northwest corner of west Red Oak Road and the ROW of the railroad, the development will provide access to north Main Street and west Red Oak Road, in the City of Red Oak, Texas.

Mayor Stanfill read Agenda Item No. 15 into the record. P&Z Manager Guenzel spoke and gave a brief explanation of this agenda item.

Mayor Stanfill made the following motion: Motion to approve the preliminary plat as presented.

Mayor Pro Tem Braly moved the motion, seconded by Councilmember Franklin. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

Approved

- 16.** Conduct a Public Hearing and consider approval of Ordinance No. 21-029 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning from Highway Oriented Zoning (HO) to Planned Development Highway Oriented Zoning District (PD) on approximately 0.095± acres of land being Lot 1, Block A, of the Annadon Development located at 106 E. Ovilla Road, an addition of the City of Red Oak, Ellis County, Texas, and being depicted as provided in Exhibit "A", which is attached hereto and incorporated herein, to allow for the development, use and maintenance of uses as permitted under the HO designation subject to the development regulations provided; 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.

City Attorney Hager read Agenda Item No. 16 into the record and gave a detailed explanation of this agenda item.

Mayor Stanfill opened the Public Hearing at 8:28 p.m.

Mayor Stanfill made the following motion: Motion to continue this agenda item until the September 13, 2021, Council meeting.

Mayor Pro Tem Braly moved the motion, seconded by Councilmember Drake. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

17. Conduct a Public Hearing and consider approval of Ordinance No. 21-030 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, as heretofore amended, be and the same is hereby amended by granting a change in zoning Agricultural Zoning (AG) to a Planned Development Zoning District (PD) to add a Special Use Permit (SUP) to allow for a church, with a child day care, martial arts studio; on approximately 1.24± acres, Lot 1, and located at 122 S. SH-342, an addition of Abundant Grace, Red Oak, Ellis County, Texas, and being more particularly depicted in Exhibit "A", which is attached hereto and incorporated herein; providing for development regulations and landscaping requirements set forth herein; 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.

Mayor Stanfill read Agenda Item No. 17 into the record. P&Z Manager Guenzel spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill opened the Public Hearing at 8:36 p.m. No one spoke.

Councilmember Franklin made the motion, seconded by Councilmember Goodwyn, to close the Public Hearing at 8:37 p.m. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 21-030 as presented.

Councilmember Wilson moved the motion, seconded by Councilmember Drake. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

**Approved
Enactment No: ORD 21-030**

18. Conduct a Public Hearing and consider approval of Ordinance No. 21-031 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map, as heretofore amended, by granting a change in zoning, by amending a Residential Planned Development 11/12 (PD 11/12) to allow for a solar panel system as an accessory use greater than 650 square feet located at 103 Autumn Trail, Lot 2, Block B, Fox Hollow Estates, Phase, I, City of Red Oak, Ellis County, Texas, more particularly described as set forth in the attached Exhibit "A"; providing development regulations as depicted in the plot plan with roof plan, roof plan and modules, electric plan, attachment detail and equipment specifications as provided in Exhibit "B" through "F", respectively, attached hereto; providing that this ordinance shall be cumulative of all ordinances; providing a

severability clause; providing a penalty for violations hereof; providing a savings clause; providing for publication in the official newspaper; and providing an effective date.

Mayor Stanfill read Agenda Item No. 18 into the record. P&Z Manager Guenzel spoke and gave a brief explanation of this agenda item.

Mayor Stanfill opened the Public Hearing at 8:42 p.m. No one spoke.

Councilmember Wilson made the motion, seconded by Councilmember Drake, to close the Public Hearing at 8:43 p.m. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 21-031 as presented.

Councilmember Franklin moved the motion, seconded by Mayor Pro Tem Braly. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

Approved

Enactment No: ORD 21-031

- 19.** Conduct a Public Hearing and consider approval of Ordinance No. 21-032 of the City of Red Oak, Texas, amending the Code of Ordinances of the City of Red Oak, Texas, by amending Chapter 2 “Animal Control”; by amending Article 2.01 “General Provisions”, by adding definition of “Poultry” and by adding a new Section 2.01.016 “Chickens” to provide regulations to permit keeper including definition; providing a penalty of fine not to exceed the sum of five hundred dollars (\$500.00) for each offense; providing a severability clause; providing a savings clause; and providing an effective date.

Mayor Stanfill read Agenda Item No. 19 into the record. P&Z Manager Guenzel spoke and gave a brief explanation of this agenda item.

Mayor Stanfill opened the Public Hearing at 8:50 p.m.

John Vincent Roberts, 213 S. Hillside Street, Red Oak, Texas, spoke in favor of this agenda item.

Councilmember Wilson made the motion, seconded by Councilmember Franklin, to close the Public Hearing at 8:52 p.m. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 21-032 as presented.

Mayor Pro Tem Braly moved the motion, seconded by Councilmember Drake. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

Approved
Enactment No: ORD 21-032

- 20.** Conduct a Public Hearing and consider approval of Ordinance No. 21-033 of the City of Red Oak, Texas, amending the Red Oak Zoning Code by amending Article 7 “Supplementary Use Regulations” by adding Section 9 “Solar Panels Systems”; providing a conflicts resolution clause; providing a severability clause; providing a savings clause; providing for penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date.

Mayor Stanfill read Agenda Item No. 20 into the record. P&Z Manager Guenzel spoke and gave a brief explanation of this agenda item.

Mayor Stanfill opened the Public Hearing at 8:57 p.m. No one spoke.

Councilmember Goodwyn made the motion, seconded by Councilmember Franklin, to close the Public Hearing at 8:58 p.m. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 21-033 as presented.

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

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

Approved
Enactment No: ORD 21-033

- 21.** Consideration and direction regarding approving the addition of recreational basketball courts.

Mayor Stanfill read Agenda Item No. 21 into the record. Parks & Recreation Director Kelley spoke and gave a brief explanation of this agenda item.

Mayor, Council and staff discussed this agenda item.

- 22.** Appointments/Reappointments to Boards & Commissions – Consider approval regarding the following Boards/Commissions:

- A. Library Advisory Board:
- Accept the resignation of Natasha Gordon effective July 30, 2021.

Mayor Stanfill read Agenda Item No. 22 into the record.

Mayor Stanfill made the following motion: Motion to approve the resignation of Natasha Gordon.

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

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

Approved

DEPARTMENTAL REPORTS:

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

- A. Fire
 - Monthly Activity Report
- B. Police
 - Monthly Report
- C. Development Services
 - Code Services Report
 - Building Permit and Inspections Report
 - Administrative Monthly Report
- D. Human Resources
 - Administrative Monthly Report
- E. Finance
 - Finance Report
 - Monthly Investment Report
 - Financial Statement
 - Municipal Court Statistical Highlights
- F. Information Technology
 - Major Accomplishments
 - Current Initiatives
 - Challenges
- G. Library
 - YTD Statistics
 - Monthly Newsletter
- H. Parks & Recreation
 - Monthly Report
- I. Public Works
 - 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 stated that they've hired two firefighters. They begin their two-week orientation on August 16. They will be introduced at the September Council meeting. The department has been doing a lot of in-house training. Fire Chief Blanton updated Council with extensive COVID-19 information and statistics, specifically regarding the uptick of the Delta variant infections.

Police Chief Wolf spoke and updated Council stated that the three recruits passed the academy and will be taking their state licensing exam tomorrow. There has been a slight uptick in requests for radar trailers and enforcement of speed related issues and have it on a rotation plan and officers are being deployed in those areas with issues to start enforcement.

City Engineer Hartman spoke and updated Council on subdivision development in Red Oak with almost 1,200 lots in various stages of post zoning: under construction or under engineering design or engineering review. Approximately half are going to be ready for new home construction by the end of the year.

Assistant City Manager Phillips spoke on behalf of the HR Department and announced that Amanda [HR Director] gave birth to a healthy baby girl and all are doing well. Amanda is now out on maternity leave. He updated Council regarding multiple positions open with the city: Executive Assistant position at the police department, Tourism Administrative Assistant, Police Officer positions, and Maintenance position. He asked Council to encourage anyone they know who may be interested in a good job to go to the city website and apply. Open enrollment [for medical benefits] starts in a couple of weeks and information will be going out to employees regarding that process. Most all benefits stayed the same with no increases.

Finance Director Platt spoke and stated that in looking closely at sales tax as an economic indicator, the July revenue collection have decreased for the first time this fiscal year by 7.78 percent as compared to the previous year in July. The fiscal year to date still was increased overall by 13.88 percent. She explained further and stated that the difference in percentages is all due to the collection of our use tax which actually makes up 19 percent of that number from last year. If that number were taken out and just compare the general sales tax, we would actually have a 14.51 percent increase over previous year in July. Finance Director Platt highlighted the accomplishment of the city's bond rate increase going AA- to AA. She brought up the remaining budget schedule with Council mentioning the August 21 and August 23 meetings regarding the budget and tax rate.

IT Director Binford spoke and stated his department has been busy over at the Live Oak [facility] this month installing fiber all the way out to the concession stand. The network closets are built out on both ends so once NextLink finishes the termination, there will be connectivity out to the concession stand for network. This connectivity will be handy for camera systems and for any future Wi-Fi. The network switches for Live Oak are in and about half of those have been configured. IT Director Binford also stated that the city gave new iPads to all Planning & Zoning Commission members, and they will be using SharePoint just like Council.

Library Director Ragsdale spoke and stated that for the whole month of July, the library has been open for appointments for just one family at a time. There were 130 visitors in July. He stated that he has had some outdoor story time with 37 kids and parents along with one therapy dog. City Manager Fuller spoke and added that today is National Book Lovers Day.

Parks and Recreation Director Kelley spoke and stated that fall youth sports numbers in Red Oak have been amazing so far. Red Oak Football has come in with 205 registrants producing 7 youth teams and 62 cheerleaders. Red Oak Soccer is still in progress and has not reported numbers yet. Red Oak Baseball and Softball will be closing out their fall registration on Saturday; right now, they are at 265 registrants for the fall. Parks & Recreation Director Kelley also thanked his employees for doing an excellent job keeping up with all the mowing. He did obtain the certified Pool and Spa Operator certification so his department can take care of the splash pad and be in compliance.

Public Works Director Williams spoke and stated that his department just completed the review of their utility relocate plans and they are at 90 percent completion. The next phase will be taking the plans to TxDOT for approval. Precinct 4 of Ellis County has completed most of the make-ready process at the Highland Meadows street and pavement reconstruction project. Director Williams has been in communication with the contractor that is going to be doing the reconstruction on Stainback Road and as of now, they are still scheduled for tomorrow or Wednesday. The Live Oak site and drainage improvement project is well underway. The contractor has done a great deal of the rough grading. At the Austin Boulevard project, there has been approximately 1,000 feet of water line installed. The pavement condition assessment is going through some iterations and its completion is anticipated within the next three to four weeks; it will then be provided to Council.

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. 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.
21. 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.
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, Sections § 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.

Mayor Stanfill read Agenda Item Nos. 20, 21, 22, and 23 for Closed Session into the record and moved Council into Closed Session at 10:00 p.m. He invited Council, City Manager Fuller, Assistant City Manager Phillips, Economic Development Director McCleary, City Attorney Hager and James Parker into Closed Session.

REGULAR SESSION:

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

Council reconvened into Regular Session at 11:07 p.m. No action taken.

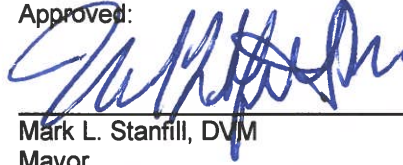
ADJOURNMENT:

Councilmember Wilson made the motion, seconded by Councilmember Goodwyn, to adjourn the meeting at 11:08 p.m. The motion carried unanimously.

Roll Call Vote: Mayor Pro Tem Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

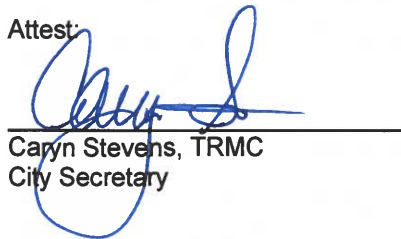
PASSED AND APPROVED by the Red Oak City Council at a Regular Meeting held on September 13, 2021.

Approved:



Mark L. Stanfill, DVM
Mayor

Attest:


Caryn Stevens, TRMC
City Secretary