



City of Red Oak

Minutes - Final City Council Regular Meeting

Monday, March 9, 2020

7:00 PM

Red Oak Municipal Center
200 Lakeview Parkway

A Regular Meeting of the Red Oak City Council was held on Monday, March 9, 2020, at 7:00 p.m., in the Council Chambers of the Red Oak Municipal Center, 200 Lakeview Parkway, Red Oak, Texas, 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.

INVOCATION AND PLEDGE OF ALLEGIANCE: Councilmember Drake gave the Invocation and led the Pledge of Allegiance.

PRESENTATIONS:

- Introduction – Nathan Diaz, Fire Marshal

Fire Chief Blanton introduced our new Fire Marshal, Nathan Diaz, to Council and staff.

- Introduction – Danny Weimer, Parks Supervisor

Parks & Recreation Director Kelley introduced our Parks Supervisor, Danny Weimer, to Council and staff.

- Introduction – Kristen Torres, Assistant Director of Finance

Finance Director Platt introduced our new Assistant Finance Director, Kristen Torres, to Council and staff.

- Introduction – Jaylen Merrick, Patrol Officer

Police Chief Wolf introduced our new Patrol Officer, Jaylen Merrick, to Council and staff.

- Promotion – Chris Schleif, Police Sergeant

Police Chief Wolf introduced our newly promoted Police Sergeant, Chris Schleif, to Council and staff.

CITIZENS COMMENTS:

Becky Ramsey, 404 Chad Lane, Red Oak, Texas, spoke regarding a farmers market in Red Oak.

CONSENT AGENDA:

1. Consider approving the following Minutes:
 - February 10, 2020 – Regular Meeting
Approved on Consent Agenda
2. Consider approving an expenditure by the Red Oak Economic Development Corporation (ROEDC) in the amount of \$20,000 to Lloyd D. Nabors Demolition, Inc. for the demolition and removal of debris from 123 Sperry Lane and 126 Sperry Lane for the required right-of-way, roadway extensions and improvements, and storm drainage improvements for Overlook Drive.
Approved on Consent Agenda
3. Consider approving an expenditure by the Red Oak Economic Development Corporation (ROEDC) in the amount of \$20,100 for additional Tasks 6-8 for Professional Civil Engineering Services for the preliminary design, final design, and related tasks required for determining the required right-of-way, roadway extensions and improvements, and storm drainage improvements for Harmony Way, Overlook Drive, and Grand Meadow Drive.
Approved on Consent Agenda
4. Consider approving the absence of Councilmember William Drake from the February 10, 2020, Regular Meeting of the Red Oak City Council.
Approved on Consent Agenda

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 Goodwyn made the motion, seconded by Councilmember Braly, 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:

5. Conduct a Public Hearing and consider approval of Ordinance No. 20-008 changing the zoning from R-3 single family to a Planned Development District (PD) with Commercial District-1 (C-1) uses in a residential building, at 2526 Ovilla Road, City of Red Oak, Ellis County, Texas, Case Z20004.

Mayor Stanfill read Agenda Item No. 5 into the record. City Engineer Hartman spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill opened the Public Hearing at 7:19 p.m.

John Caraway, 2526 Ovilla Road, Red Oak, Texas, spoke in favor of this project.

Councilmember Drake made the motion, seconded by Councilmember Goodwyn, to close the Public Hearing at 7:25 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, Council and staff further discussed this agenda item.

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 20-008 as presented.

Councilmember Goodwyn 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 20-008

- 6. Conduct a Public Hearing and consider approval of Ordinance No. 20-009 amending Planned Development District (PD) generally known as PD-23 to allow for a single-family home at 123 Hillcrest Lane, City of Red Oak, Ellis County, Texas, Case Z20005.**

Mayor Stanfill read Agenda Item No. 6 into the record. City Engineer Hartman spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill opened the Public Hearing at 7:30 p.m. No one spoke.

Councilmember Goodwyn made the motion, seconded by Councilmember Drake, to close the Public Hearing at 7:31 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, Council and staff further discussed this agenda item.

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 20-009 as presented.

Councilmember Goodwyn 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 20-009

- 7. Consider adoption of Resolution No. 20-006R approving the terms and conditions of a license agreement between the City of Red Oak and the Red Oak Soccer Association, Inc. (ROSA), for the use of soccer facilities located in the City of Red Oak, Texas, at the Live Oak and Oakmont Park facilities, as provided in said agreement, which is attached as Exhibit "A"; authorizing the City Manager to sign; repealing all resolutions in conflict; providing a severability clause; and providing an effective date.**

Mayor Stanfill read Agenda Item No. 7 into the record. City Manager Fuller and Parks & Recreation Director Kelley spoke and gave detailed explanations of this agenda item.

Mayor Stanfill made the following motion: Motion to adopt Resolution No. 20-006R as presented.

Councilmember Goodwyn 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

Adopted

Enactment No: RES 20-006R

DEPARTMENTAL REPORTS:

8. 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 activities within his department.

Police Chief Wolf spoke and updated Council on activities within his department.

City Engineer Hartman spoke and updated Council on activities within his department.

Human Resources Director Monsivais was absent.

Finance Director Platt spoke and updated Council on activities within her department.

IT Director Binford spoke and updated Council on activities within his department.

Library Director Ragsdale spoke and updated Council on activities within his department.

Parks and Recreation Director Kelley spoke and updated Council on activities within his department.

Public Works Director Williams spoke and updated Council on activities within his department.

CLOSED SESSION:

9. 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.*, Cause No. 19-CV-1007-RP, W.D. Tex.
10. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** concerning pending litigation: *City of Red Oak, Tex. V. USDA et al.*, Civil Action No. 19-cv-02761-S, N.D. Tex.
11. 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.
12. 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 Oak[s] Boulevard, Red Oak, Texas.
 - B. Discuss or deliberate acquisition, sale and/or exchange of Real Properties generally located east of Houston School Road, west of SH 342, south of the Ellis County line, and north of Ovilla Road, Red Oak, Texas.
 - C. Discuss or deliberate acquisition, sale and/or exchange of Real Properties generally located east of Uhl Road, west of I-35E, south of Ellis County line, and north of Ovilla Road, Red Oak, Texas.

Mayor Stanfill read Agenda Item Nos. 9, 10, 11 and 12 for Closed Session into the record and moved Council into Closed Session at 7:56 p.m. He invited City Manager Fuller, Economic Development Director McCleary, City Attorney Hager and James Parker into Closed Session.

REGULAR SESSION:

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

Council reconvened into Regular Session at 9:59 p.m. Please see below for action taken.

- i. Consider adoption of Resolution No. 20-007R of the City Council of the City of Red Oak, Ellis County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Red Oak, Texas; for property located adjacent to the west and southeast of Pearson as depicted and described in Exhibit "A" within Red Oak, Ellis County, Texas; providing the necessity and public purpose for the acquisition for expansion of public hike and bike trail and public park, to wit: Pearson Park; authorizing the City Attorney to file proceedings in eminent domain to acquire said property; and providing an effective date.

Mayor Stanfill read the above into the record and made the following motion: Motion to adopt Resolution No. 20-007R as presented.

Councilmember Braly 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 20-007R

- ii. Consider adoption of Resolution No. 20-008R of the City Council of the City of Red Oak, Ellis County, Texas, authorizing the exercise of Eminent Domain by the City Council of the City of Red Oak, Texas; for property located on the north side of Ovilla Road at the intersection with Austin Blvd. and Ovilla Road, within Red Oak, Ellis County, Texas; providing the necessity and public purpose for the acquisition to extend roadway, drainage, water and electrical utilities and improvements for Austin Road [Blvd.] on the property described in Exhibit "A" attached hereto, within the City of Red Oak, Ellis County, Texas; authorizing the City Attorney to file proceedings in eminent domain to acquire said property; and providing an effective date.

Mayor Stanfill read the above into the record and made the following motion: Motion to adopt Resolution No. 20-008R as presented.

Councilmember Goodwyn 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

Adopted

Enactment No: RES 20-008R

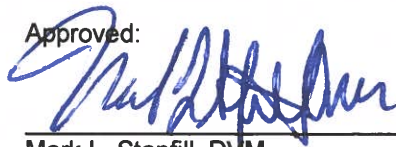
ADJOURNMENT:

Councilmember Goodwyn made the motion, seconded by Councilmember Wilson, to adjourn the meeting at 10:02 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

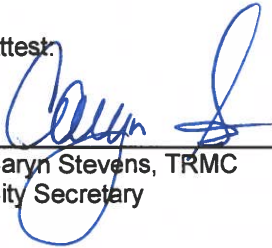
PASSED AND APPROVED AND RATIFIED by the Red Oak City Council at a Regular Meeting held on September 13, 2021.

Approved:



Mark L. Stanfill, DVM
Mayor

Attest:



Caryn Stevens, TRMC
City Secretary

