



City of Red Oak

Minutes - Final City Council Regular Meeting

Monday, September 13, 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, September 13, 2021, at 7:00 p.m., with the following members present, to wit:

City Council (4):

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

Absent (1):

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 both in-person and via 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).

INVOCATION AND PLEDGE OF ALLEGIANCE: Mayor Stanfill gave the Invocation and led the Pledge of Allegiance.

PRESENTATIONS:

- Proclamation – Constitution Week, September 17-23, 2021

Mayor Stanfill recognized September 17-23, 2021, as Constitution Week in the City of Red Oak and introduced Sandra Conley of the Daughters of the American Revolution (DAR) as he read the proclamation into the record. Ms. Conley also presented a proclamation to Mayor Stanfill and the City of Red Oak.

- Proclamation – National IT Professionals Day

Mayor Stanfill recognized September 21, 2021, as National IT Professionals Day, read the proclamation into the record, and thanked the IT staff for their service.

- Proclamation – National Preparedness Month

Mayor Stanfill recognized September as National Preparedness Month and read the proclamation into the record.

- Recognition – New firefighters, Lane Dotson and Justin Judd

Fire Chief Blanton introduced new firefighters Lane Dotson and Justin Judd. Council welcomed both to Red Oak.

- Recognition – New police officers, Omar Marquez, Steve Perez and Taylor Rawls

Lieutenant Schroeder introduced new police officers Omar Marquez, Steve Perez and Taylor Rawls. Council welcomed all to Red Oak.

CITIZENS COMMENTS:

John Larmouth, Jr., 106 Post Oak, Red Oak, Texas, submitted a form and City Manager Fuller read the following statement into the record:

“Hello to all. My name is John Larmouth, Jr. I live at 106 Post Oak Drive. I am submitting an urgent request for speed bumps to be placed on Post Oak Drive. Post Oak Drive is used as a cut through for Red Oak Rd. Cars are cutting through and speeding at a high rate. There was a single car accident a few months ago that lead to a car running into one of the neighbors’ car, flipping over and damaging another neighbor’s mailbox. I fear that someone will get hurt or at the worst get killed by speeding cars cutting through the neighborhood. The neighbors along with me are afraid of our children getting hit by a speeding car. Please take this public appeal as a last resort for something to change. I contacted public works and they put a slow down sign up after 5 months of back-and-forth communication. I was told by Red Oak Police that those signs don’t work. Based on what I have witnessed since the signs were put up, it does not work.”

CONSENT AGENDA:

1. Consider approving the following minutes:

- ❖ August 9, 2021 – Regular Meeting
- ❖ August 13, 2021 – Special Called Meeting
- ❖ August 21, 2021 – Special Called Meeting
- ❖ August 23, 2021 – Special Called Meeting
- ❖ March 9, 2020 – Regular Meeting

Approved

2. Consider adoption of Resolution No. 21-072R of the City Council of the City of Red Oak, Texas, approving a negotiated settlement between the Atmos Cities Steering Committee (“ACSC”) and Atmos Energy Corp., Mid-Tex Division regarding the company’s 2020 Rate Review Mechanism filing; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC’s reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC’s legal counsel.

Adopted

Enactment No: RES 21-072R

3. Consider approval of Ordinance No. 21-037 of the City of Red Oak, Texas, providing for the appointment of Scott Kurth as Municipal Court Judge; providing a severability clause; and providing an effective date.

Approved

Enactment No: ORD 21-037

4. Consider adoption of Resolution No. 21-073R of the City Council of the City of Red Oak, Texas, approving a two-year Professional Services Agreement of Scott Kurth, as Judge of the City of Red Oak Municipal Court; authorizing the Mayor to execute the same agreement; providing a repealing clause; and providing an effective date.

Adopted

Enactment No: RES 21-073R

5. Consider adoption of Resolution No. 21-074R of the City Council of the City of Red Oak Texas, providing for the appointment of Dana D. Huffman as Prosecutor of the City of Red Oak Municipal Court, and approving the terms and conditions of the Professional Services Agreement attached as Exhibit "A" and incorporated herein; and authorizing the Mayor to execute such agreement; providing a repealing clause; and providing an effective date.

Adopted

Enactment No: RES 21-074R

7. Consider adoption of Resolution No. 21-076R 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 Prime Source Construction, Inc., for the roof repair of a city building located at 101 Live Oak, Red Oak, Texas, (Municipal Center) in an amount not to exceed \$780,300, as provided in Exhibit "A" attached hereto and incorporated herein; authorizing the City Manager to execute the necessary documents; and providing an effective date.

Adopted

Enactment No: RES 21-076R

8. Consider adoption of Resolution No. 21-077R of the City Council of the City of Red Oak, Texas, amending Resolution No. 21-069R, 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 21-077R

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 asked for Agenda Item Number 6 to be moved to the regular session.

Councilmember Franklin made the motion, seconded by Councilmember Drake, to approve the Consent Agenda minus Agenda Item No. 6. 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

COUNCIL BUSINESS – REGULAR SESSION:

6. Consider adoption of Resolution No. 21-075R of the City Council of the City of Red Oak, Texas, authorizing approval of a Funding Agreement with the Red Oak Area Chamber of Commerce to provide funding in the amount of eight thousand dollars (\$8,000.00) for events benefiting the business community and citizens of the City of Red Oak; authorizing the Mayor to execute the funding agreement with the Red Oak Area Chamber of Commerce, which is attached hereto as Exhibit "A", following review by the City Attorney; repealing all resolutions in conflict; providing a severability clause; and providing an effective date.

Mayor Stanfill read Agenda Item No. 6 into the record.

Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to adopt Resolution No. 21-075R as presented.

Councilmember Goodwyn moved the motion, seconded by Councilmember 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

Adopted

Enactment No: RES 21-075R

9. Consider adoption of Resolution No. 21-078R of the City of Red Oak, Texas, designating an official and alternate newspaper for the City of Red Oak, Texas; and providing an effective date..

Mayor Stanfill read Agenda Item No. 9 into the record. City Manager Fuller spoke and gave a brief explanation of this agenda item.

Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to adopt Resolution No. 21-078R designating the Waxahachie Daily Light as the official newspaper and the Dallas Morning News as the alternate newspaper for the City of Red Oak.

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

Adopted

Enactment No: RES 21-078R

10. Consider adoption of Resolution No. 21-079R of the City Council of the City of Red Oak, Texas, accepting a Voluntary Annexation petition and authorizing the setting of a date, time, and place for a public hearing on the contemplate annexation described in Exhibit "A" and depicted in Exhibit "B" attached hereto and made a part hereof for all purposes ("Annexation Area"), by the City of Red Oak, Texas; authorizing and directing city staff to publish notice of such hearing, with the institution of the annexation proceedings, by adoption of the annexation ordinance to occur at a special called city council session, and to prepare a service plan for the annexation area; said annexation area being more particularly described in Exhibit "A" and depicted in Exhibit "B"; and providing an effective date.

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

Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to adopt Resolution No. 21-079R as presented, setting the date for the public hearing for October 18, 2021, at 7:00 p.m.

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

Adopted

Enactment No: RES 21-079R

11. Conduct a Public Hearing and consider approval of Ordinance No. 21-038 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 Agriculture (AG) to Planned Development (PD-128) based on Commercial-1 to allow for auto repair uses and related improvements on approximately .85 acres on Lot 15 of Bowmar Acres, at 2527 Ovilla Rd., City of Red Oak, Ellis County, Texas, as provided in Exhibit "A", attached hereto and incorporated herein; providing for a site plan and elevations which are attached hereto and incorporated herein as Exhibits "B" and "C"; 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. 11 into the record. Planning & Zoning (P&Z) Manager Guenzel spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill opened the Public Hearing at 7:39 p.m.

Kal Takeddin, 3321 University Park Lane, Irving, Texas, spoke in favor of this project.

Councilmember Drake made the motion, seconded by Councilmember Goodwyn, to close the Public Hearing at 7:40 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

Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 21-038 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

Approved
Enactment No: ORD 21-038

12. Conduct the continued 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 (HO) to Planned Development Highway Oriented Zoning District (PD) on approximately 0.0975± 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.

Mayor Stanfill read Agenda Item No. 12 into the record. P&Z Manager Guenzel spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill opened the Public Hearing at 7:53 p.m.

Mike Boyd, owner of Red Oak Donuts, 106 E. Ovilla Road, Red Oak, Texas, spoke regarding this project.

Melissa Lindelow, Attorney at Law, Shupe Ventura, PLLC, Dallas, Texas, spoke on behalf of Mike Boyd regarding this project.

Chris Moses, 120 Stainback Court, Red Oak, Texas, spoke regarding this project.

Councilmember Franklin made the motion, seconded by Mayor Pro Tem Braly, to close the Public Hearing at 8:00 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

Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to postpone this agenda item to the Special Called City Council meeting on September 27, 2021.

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

13. Conduct a Public Hearing and consider approval of Ordinance No. 21-039 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 Planned Development 27 (PD-27) to Planned Development 27-Revised (PD-27R2) to allow the development for up to fifty-four (54) single family detached homes including neighborhood amenities and open spaces of approximately 14 acres on Lot 2, Block A, of the Emerson Addition, 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 site plan, development plan, site views elevations and planned development conditions, Exhibits "B", "C", "D", "E", and "F", respectively, which are attached hereto and incorporated herein as development regulations; 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. 13 into the record. P&Z Manager Guenzel spoke and gave a brief explanation of this agenda item.

Mayor Stanfill opened the Public Hearing at 8:22 p.m.

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

John Larmouth, 106 Post Oak, Red Oak, Texas, spoke and asked about the location of the project.

Councilmember Drake made the motion, seconded by Councilmember Goodwyn, to close the Public Hearing at 8:24 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

Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 21-039 as presented.

Councilmember Goodwyn moved the motion, seconded by Councilmember Drake.

Mayor Stanfill took a roll call vote.

Ayes (2) Councilmember William Drake
Councilmember Ben Goodwyn

Nays (2) Mayor Pro Tem Michael Braly
Councilmember Willie G. Franklin, Jr.

Mayor Stanfill cast the tie-breaking vote:

Nay (1) Mayor Mark L. Stanfill

FAILED
ORD 21-039

City Attorney Hager spoke stating that as a result of your action on Agenda Item No. 13, Mayor was instructed to make a motion to deny the Preliminary Plat in Agenda Item No. 14.

14. Consider approval of the Preliminary Plat for related Planned Development Zoning District (PD-27R), for a single-family development, on approximately 14 acres on Lot 2, Block A of The Emerson Addition, further described as being generally west of Hickory Creek Drive, in the City of Red Oak, Texas.

Mayor Stanfill read Agenda Item No. 14 into the record.

Councilmember Franklin made the motion, seconded by Mayor Pro Tem Braly, to deny the Preliminary Plat. The motion passed 3-2.

Mayor Stanfill took a roll call vote.

Ayes (3) Mayor Pro Tem Michael Braly
Councilmember William Drake
Councilmember Willie G. Franklin, Jr.

Nays (1) Councilmember Ben Goodwyn

15. Conduct a Public Hearing and consider approval of Ordinance No. 21-040 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 to authorize a Specific Use Permit (SUP) to allow for an accessory structure to be generally used as a garage/workshop, being approximately 1,500 sq. ft. in the Ranchette District (RAE) on approximately .91 acres to be set back behind the house, within the City of Red Oak, Texas; providing a severability clause; providing for the violations of this ordinance; providing a penalty clause; and providing an effective date.

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 opened the Public Hearing at 8:53 p.m.

Chris Moses, 120 Stainback Court, Red Oak, Texas, spoke regarding this project.

Councilmember Franklin made the motion, seconded by Councilmember Goodwyn, to close the Public Hearing at 8:55 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

Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to approve Ordinance No. 21-040 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

Approved
Enactment No: ORD 21-040

DEPARTMENTAL REPORTS:

16. 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.

Public Works Director Williams spoke and gave a project update for his department. The Highland Meadows Street and asphalt overlay reconstruction project has been completed. The Stainback Road project is now completed as far as reconstruction and repaving. There are still some drainage issues. The 20-inch water line is now installed on Austin Boulevard. Public Works has installed a new water line on Overlook where the road is going in for the Legacy Square area. Councilmember Goodwyn complimented Scott and his department on the great job on Stainback Road.

Parks and Recreation Director Kelley spoke and stated football, baseball and soccer have had record-breaking turn out for the sports. He spoke about House Bill 1927, an open carry bill, and asked Council for input on how this affects the parks. There have been concerns expressed regarding the city regulating weapons at the sports facilities and he wanted Council to be aware of those concerns. City Manager Fuller spoke and added that staff is looking into the situation to see what, if anything, we can do or if we have any authority. He gave some background on this matter. If it is a professional, intercollegiate or school event, then a person cannot carry a weapon. For a youth sporting event, it is unknown where in the law that is regulated. City Attorney Hager spoke and stated that he will review and report back to Council.

Library Director Ragsdale spoke and stated that he was honored to represent the city and library as a Hometown Hero award recipient beside both Police Chief Blanton and Police Chief Wolf. He is continuing to host story time outdoors with about 54 parents and kids attending the most recent events.

IT Director Binford spoke and stated his department has completed the network out to the concession stand at Live Oak [facility] and will be completing the camera system there soon. A document management program was started for Public Works so they can scan in some of their documents and drawings.

Finance Director Platt spoke and stated that the city received its first allocation of the Coronavirus local fiscal recovery funds in the amount of approximately \$1.6 million. We have several projects in next year's budget that will be funded by those funds. Also, Utility Billing staff have been working on the conversion to Incode and were able to complete it. Utility bills are now going out through the new software.

Assistant City Manager Phillips spoke on behalf of the HR Department and announced that Amanda [HR Director] is transitioning back to full time work after her maternity leave. There were a few new hires since the last meeting, one in Public Works and also in Tourism. The Administrative Assistant position was filled by Olivia Coleman. Ms. Coleman brings a lot of experience in event coordinating. She also had internships with municipal government in the past. The city had a successful open enrollment for benefits for city employees. He thanked Amanda for getting that accomplished and thanked and recognized Bailey, Amanda's assistant, for filling in while Amanda has been out. Amanda spoke and thanked everyone for their help.

City Engineer Hartman spoke and updated Council on several projects. In the Creekbend subdivision, they've wrapped up all their landscaping and are starting to submit permits. The last phase of the Harmony subdivision are 100 percent complete as far as permitting and almost done building houses in this area. [indicated on screen] In the Oakmont subdivision, they are almost completely done with all the houses in the first phase. They are wrapping up the streets and sewer and water in the second phase. They should be ready for permits within a couple of weeks. Grading and improvements are almost ready for phase three. City Manager Fuller asked City Engineer Hartman for an update on the Trinity River Authority line along State Highway 342. Hartman stated that it's been completed and now in the testing phase.

Lieutenant Schroeder spoke and updated Council on current hiring and application process. They received over 115 applications and 26 of those are scheduled for the physical examination this

Sunday. Ten applicants are awaiting the scheduling of the written examination and 48 are in the preliminary review process.

Fire Chief Blanton spoke and stated that they've had a couple of new hires and are getting them trained. There has been an increase in calls last month. Fire Chief Blanton updated Council with extensive COVID-19 information and statistics. He informed Council of the new monoclonal antibody therapy center open for Ellis County that can treat residents of Ellis County who have contracted COVID-19. It is free of charge, and you do not need insurance. The treatment center is located at the Ferris Scout House at 514 Mable Street, Ferris, Texas, from 8:30 a.m. to 2:30 p.m., Sunday through Saturday, now through November 15th. He then explained the therapy process. He also mentioned a new strain of the virus called Mu and that it may have some properties that could evade our current vaccines.

Communications & Marketing Manager Beasley spoke and said that the city is steadily increasing our following on social media. The more people that like and share our posts, the more we can get information out to the public. She stated that she has been working with the fire department and is migrating all of their information from their third-party website to our city website.

CLOSED SESSION:

- 17. 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.**
- 18. 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.**
- 19. 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.
- 20. 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.
 - B. Discuss or deliberate acquisition, sale, and/or exchange, lease or value of Real Properties generally located east of Lowrance Road, west of Batchler Road, north of FM2377/Louise Ritter Road, and south of the city limits line, Red Oak, Texas.

Mayor Stanfill read Agenda Item Nos. 17, 18, 19, and 20 for Closed Session into the record and moved Council into Closed Session at 9:30 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 10:41 p.m. No action taken.

ADJOURNMENT:

Councilmember Goodwyn made the motion, seconded by Councilmember Drake, to adjourn the meeting at 10:41 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

PASSED AND APPROVED by the Red Oak City Council at a Regular Meeting held on October 12, 2021.

Approved:



Mark L. Stanfill, DVM
Mayor

Attest:



Caryn Stevens, TRMC
City Secretary

