



## City of Red Oak

### Minutes - Final City Council Regular Meeting

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Tuesday, October 12, 2021

7:00 PM

Red Oak Municipal Center  
200 Lakeview Parkway

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A Regular Meeting of the Red Oak City Council was held in person and via teleconference on Tuesday, October 12, 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 7:00 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:** Councilmember Drake gave the Invocation and led the Pledge of Allegiance.

**PRESENTATIONS:**

- Proclamation – Breast Cancer Awareness Month and “Pink Out” Day

**Mayor Stanfill recognized Breast Cancer Awareness Month and “Pink Out” Day in the City of Red Oak and read the proclamation into the record.**

- Proclamation – Fire Prevention Month

**Mayor Stanfill recognized October, 2021, as Fire Prevention Month and read the proclamation into the record. Fire Chief Blanton also spoke regarding Fire Prevention Month.**

- Proclamation – Red Ribbon Week

**Mayor Stanfill recognized October 23-31, 2021, as Red Ribbon Week Month and read the proclamation into the record.**

- Introductions:
  - Olivia Coleman, Administrative Assistant
  - Melina Villanueva, Executive Assistant – Fire
  - Ethan Huff, Parks Maintenance Technician I – Parks & Recreation
  - Ricky Morgan, Utilities Crew Leader – Public Works

**Assistant City Manager Phillips, Fire Chief Blanton, Parks & Recreation Director Kelley and Public Works Director Williams introduced their new employees. Council welcomed them 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. I wanted to follow up on my request for speedbumps to be put on Post Oak Drive within the Hickory Creek community from the last meeting. Also, I would like to know if the new apartments being build [sic] on the corner of Red Oak Rd and Hickory Creek will be part of low income-housing.”**

**Mayor Stanfill and City Manager Fuller briefly responded to Mr. Larmouth’s comments.**

## **CONSENT AGENDA:**

1. Consider approving the following minutes:
  - ❖ September 13, 2021 – Regular Meeting
  - ❖ September 27, 2021 – Special Called Meeting**Approved**
  
2. Consider approving the absence of Councilmember Ron Wilson from the September 13, 2021, Regular Meeting of the Red Oak City Council.  
**Approved**
  
3. Consider approval of an expenditure in the amount of \$69,000 by the Red Oak Industrial Development Corporation (ROIDC) for a Regional Wastewater Study for the eastern side of the city and the eastern portion of the city’s extraterritorial jurisdiction.  
**Approved**
  
4. Consider adoption of Resolution No. 21-080R of the City Council of the City of Red Oak, Texas, authorizing the City Manager to accept an offer from TxDOT for Right-of-Way and Easement acquisitions on three city-owned parcels for the expansion of FM 664, Red Oak, Ellis County, Texas, for Parcel No. 140, 14E-P0017676 for \$22,265.00 as Exhibit “A”; Parcel No. 138 for \$22,561.00 as Exhibit “B” and Parcel No. 127 Pts 1, 2 and 127E-P00017663 for \$44,371.00 as Exhibit “C”, which as attached hereto and incorporated herein; authorizing the City Manager and/or Mayor to Execute the appropriate documents upon tender of the funds in the total amount of \$89,197.00; and, providing an effective date.  
**Adopted**  
**Enactment No: RES 21-080R**
  
5. Consider adoption of Resolution No. 21-081R of the City Council of the City of Red Oak Texas, accepting and approving Task Order 15 with Westfall Engineering, PLLC, as part of the Master Agreement for continuing professional services between the City of Red Oak and Westfall Engineering, PLLC, dated September 5, 2017, for the design and preparation of construction plans for Uhl Rd from Ovilla Rd (FM 664) to Harmony Way; and authorize the City Manager to execute a contract in a form approved by the City Attorney; and, providing an effective date.  
**Adopted**  
**Enactment No: RES 21-081R**
  
6. Consider adoption of Resolution No. 21-082R of the City of Red Oak, Texas, approving the terms and conditions of the Interlocal Cooperation Agreement by, between, and among Ellis County Emergency Service District #4 and the Red Oak Fire Department for emergency response to fire calls within a certain area in the county and contiguous to the City of Red Oak, Which agreement is attached hereto and incorporated herein as Exhibit “A”; authorizing the City Manager to sign said agreement; and, providing an effective date.  
**Adopted**  
**Enactment No: RES 21-082R**

7. Consider adoption of Resolution No. 21-083R of the City Council of the City of Red Oak, Texas, rejecting all bids for the above ground storage tank installation and underground storage tank removal; and, providing an effective date.  
**Adopted**  
**Enactment No: RES 21-083R**
8. Consider adoption of Resolution No. 21-084R of the City Council of the City of Red Oak, Texas, approving additional funding for Reytech Services to the contract in the amount of \$12,764.52 for the Live Oak site work and drainage 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.  
**Adopted**  
**Enactment No: RES 21-084R**
9. Consider adoption of Resolution No. 21-085R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of an Interlocal Agreement (ILA) with the City of North Richland Hills, Texas, for the purchase of goods and services; and, providing an effective date.  
**Adopted**  
**Enactment No: RES 21-085R**
10. Consider adoption of Resolution No. 21-086R of the City Council of the City of Red Oak, Texas, accepting and approving the Project Order 064449244 with Kimley-Horn and Associates, Inc., as part of the Master Agreement between Kimley-Horn and Associates, Inc., and the City of Red Oak, Texas, in accordance with the terms of the Master Agreement for continuing professional services dated December 20, 2011, for the preparation of construction plans and specification, and construction administrative service for the elimination and abandonment of Cobblestone Lift Station; and authorize the City Manager to execute a contract in a form approved by the City Attorney; and, providing an effective date.  
**Adopted**  
**Enactment No: RES 21-086R**
11. Consider adoption of Resolution No. 21-087R, supplementing Resolution No. 21-077R, extending and amending a State of Emergency as a result of COVID-19 Virus; providing for interim public safety measures; providing for a moratorium for enforcement of mobile food vending; providing for republishing of resolution; providing a severability clause; and, providing an effective date.  
**Adopted**  
**Enactment No: RES 21-087R**

**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 Franklin made the motion, seconded by Councilmember Drake, to approve the Consent Agenda as presented. 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:**

12. Consider adoption of Resolution No. 21-088R approving Candidate Nominations for Ellis Appraisal District Board of Directors for the years 2022-2023.

**Mayor Stanfill read Agenda Item No. 12 into the record. City Manager Fuller spoke and gave a brief explanation of this agenda item.**

**No action taken.**

13. Consider adoption of Resolution No. 21-089R of the City Council of the City of Red Oak, Texas, accepting and approving the Project Order 064449246 with Kimley-Horn and Associates, Inc., as part of the master Agreement for continuing professional services between the City of Red Oak, Texas, and Kimley-Horn and Associates, Inc., dated December 20, 2011, for their work updating the City's Water and Wastewater Impact Fees and providing a Roadway Impact Fee Study for consideration in the amount of \$110,000; and authorizing the City Manager to execute a contract in a form approved by the City Attorney; 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. Public Works Director Williams also spoke and gave a brief explanation of this item.**

**Mayor, Council and staff discussed this agenda item.**

**Mayor Stanfill made the following motion: Motion to adopt Resolution No. 21-089R as presented.**

**Councilmember Goodwyn moved the motion, seconded by Councilmember Wilson.**

**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 21-089R**

14. Conduct a Public Hearing and consider approval of Ordinance No. 21-042 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. 14 into the record. City Manager Fuller and P&Z Manager Guenzel spoke and gave detailed explanations of this agenda item.**

**Mayor Stanfill opened the Public Hearing at 7:31 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 had concerns about parking.**

**Mayor Pro Tem Braly made the motion, seconded by Councilmember Franklin, to close the Public Hearing at 7:34 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. 21-042 as presented.**

**Councilmember Goodwyn moved the motion, seconded by Councilmember Wilson. The motion carried 3-2. The motion passes.**

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

**Approved**

**Enactment No: ORD 21-042**

15. Consider approval of the Preliminary Plat for related Planned Development Zoning District (PD-27R2) 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. 15 into the record. City Engineer Hartman spoke and gave a brief explanation of this agenda item.**

**Mayor Stanfill made the following motion: Motion to approve the Preliminary Plat as presented.**

**Mayor Pro Tem Braly 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**

16. Conduct a Public Hearing and consider approval of Ordinance No. 21-043 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 77 Revised 2 (PD-77R2) to Planned Development 77 Revised 2.1 (PD-27R2.1); to amend the uses on Lot 3 of Block A, Ovilla Corner II Addition, from restaurant and retail to those uses allowed by right and by SUP on Exhibit "A" which is attached hereto and incorporated herein; being approximately 2.2 acres, City of Red Oak, Ellis County, Texas; 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. 16 into the record. P&Z Manager Guenzel spoke and gave detailed explanations of this agenda item.**

**Mayor Stanfill opened the Public Hearing at 7:50 p.m.**

**Tom DeCicco, 6546 Briarmeade Drive, Dallas, Texas, spoke in favor of this project.**

**Councilmember Franklin made the motion, seconded by Mayor Pro Tem Braly, to close the Public Hearing at 7:52 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. 21-043 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 21-043**

17. Conduct a Public Hearing and consider approval of Ordinance No. 21-044 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 Highway Oriented (HO) to Planned Development 130 (PD-130) to allow for a design, construction, maintenance and use of a truck stop; providing for definition of truck stop and providing for development regulations to be located on approximately 7.3 acres in 161 M.D. Bullion Survey Abstract, City of Red Oak, Ellis County, Texas, being more particularly described in Exhibit "A", which is attached hereto and incorporated herein; providing as specifically set forth in the development site plan, elevations, landscape plan and design attached hereto as Exhibit "B" through "E", 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. 17 into the record. P&Z Manager Guenzel spoke and gave detailed explanations of this agenda item.**

**Mayor Stanfill opened the Public Hearing at 8:05 p.m.**

**Mohamad Sharaf, Vice President of Victron Group, spoke in favor of this project and gave a presentation.**

**Mayor Pro Tem Braly made the motion, seconded by Councilmember Franklin, to close the Public Hearing at 8:26 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. 21-044 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

**BOARD APPOINTMENTS:**

18. Appointments/ Reappointments to Red Oak Boards & Commissions – Consider approval regarding the following Boards/Commissions:

A. Library Advisory Board:

- Reappointment of Rob Shamel as a Regular Member for a two-year term from October 2021 – October 2023.
- Reappointment of Mary Sneed as an Alternate Member for a two-year term from October 2021 – October 2023.
- Appointment of Cindy Belote as a Regular Member for a two-year term from October 2021 – October 2023.

Mayor Stanfill read Agenda Item No. 18 into the record.

Mayor Pro Tem Braly made the motion, seconded by Councilmember Goodwyn, to accept the above reappointments and appointment above 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

Approved

**DEPARTMENTAL REPORTS:**

19. 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 his department participated with the Red Oak Library and Logan Ragsdale, the Library Director, during story time outside of the Municipal Center. The firefighters enjoyed working with the kids and showing them the fire trucks. He encouraged everyone to stay weather-aware due to the possibility of heavy rain over the next couple of days. The Red Oak area will be under a flood watch. Fire Chief Blanton updated Council on COVID-19 statistics and information, stating that Ellis County is starting to see a decrease in COVID-19 numbers. He reminded Council and the public that the monoclonal antibody therapy center is open and can treat residents of Ellis County who have contracted COVID-19. You need to seek treatment within the first 10 days of the onset of symptoms. It is free of charge and no insurance is required.**

**Police Chief Wolf spoke and stated that due to some savings and funds in the budget at the end of the [fiscal] year, his department was able to acquire some forensic extraction software for cellphones and computers. Without the software, the department has had to go out to other agencies to obtain those services. Police Chief Wolf has converted an area in the police annex into an electronics crime lab and will continue to build this resource within the agency. He thanked the Finance Department for helping to put the finances together to make this purchase. He thanked Council for their support and allowing the department to bring this online for Red Oak. Mayor Pro Tem Braly thanked Police Chief Wolf for the professionalism and help of his officers when they visited his home. He also thanked Fire Chief Blanton for the care and help of the paramedics.**

**Communications & Marketing Manager Beasley spoke and gave a short presentation on the city's social media presence. Our number one communication tool is the City of Red Oak website. The more people that like and share the city's posts, the more the city 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.**

**City Engineer Hartman spoke and updated Council on several projects. Austin Boulevard will begin paving in the next 30 days. Also, at the corner of Hickory Creek and Red Oak Road, construction activity on the Emerson Apartments has begun; they are clearing and grading the land. Oakmont subdivision, Phase 2, did finish last month and they are starting to turn in permits on 154 lots. They have also started the rough grading for Phase 3. City Manager Fuller added that a license agreement will need to be approved by the Red Oak Industrial Development Corporation, but the idea is that they are going to have a temporary batch (concrete) plant at Austin Boulevard to the side of the First Baptist Church.**

**HR Director Monsivais spoke and updated Council on recruitment. There have been about 14 new positions posted for applications over the last couple of months and from the introductions earlier this evening, we've onboarded four new employees this month and should be hiring four to five new employees in the next couple of weeks. The positions are a combination of job vacancies and newly created positions. One of the newly created positions is the Purchasing Manager position which has been filled and the new hire will begin on November 1<sup>st</sup>.**

**Finance Director Platt spoke and stated the report given this month is preliminary since September is the last month of the fiscal year. Finance will continue to record items and make**



adjustments leading up to the financial audit at year's end. The department has almost completed the software conversion. This conversion project has lasted about one year with heavy activity in January, with Finance, Utility Billing and IT spending many hours with the project. She also stated that the October collections for sales tax are in and these increased 23.82 percent over the previous year. Revenues are looking good to complete the end of the year. Finance Director Platt mentioned the new Purchasing Manager starting in November and she thanked Council for that position. Council asked questions about taxes, water revenues and miscellaneous revenues and both Ms. Platt and City Manager Fuller responded.

IT Director Binford spoke and stated his department has completed server upgrades this past month. The document management server was upgraded with a new version of software and extra memory was added to the finance server. He also reconfigured the phone system for the Finance Department due to issues with dropped calls. In the future, IT will address the number of incoming lines. Finally, the IT department built the Cellebrite forensic server for CID that Chief Wolf mentioned in his report which should be online very soon.

Library Director Ragsdale spoke and stated that he appreciated Fire Chief Blanton and Parks & Recreation Director Kelley for allowing him to participate in their activities. The Library will be a part of the Fall Festival on October 23<sup>rd</sup> at Pearson Park this year. He apologized to Council for errors in his statistical report. The total circulation of both in-person and e-print, however, was over half of pre-COVID numbers, which is remarkable. Normally, circulation is approximately 20,000 and for this year, circulation is about 12,000. E-materials numbers did increase.

Parks and Recreation Director Kelley spoke and invited Council to the Fall Festival on Saturday, October 23<sup>rd</sup>, from 3:00 p.m. to 7:00 p.m., on the west side of Pearson Park and the municipal center. The first 250 kids will receive a bag filled with candy and coupons. He updated Council on the basketball courts and pricing. He gave Council facts and figures regarding the courts. Director Kelley also updated Council on House Bill 1927 which is the open carry law. Essentially, the city cannot regulate this law in our parks. The school district teams and other organizations who come into the park to play games will have to supply their own signage stating that no open or concealed carry is allowed during the time the teams are on the premises. Police Chief Wolf added an explanation of this law. Mayor Stanfill asked Director Kelley to reach out to the sports leagues to let them know.

Public Works Director Williams spoke and updated Council on the striping project on Red Oak Road between I-35E and State Highway 342. He spoke about the recent challenges. There was a large water main break on Hickory Creek with a split in a pipe six feet under a residential driveway. Public Works personnel was able to get on site and turn the water off in one hour and repairs made by the next morning. Another challenge was the water disconnects and reconnects last month with the COVID-19 hold expiring and disconnects enforcement resumed. There was good coordination with utility billing in getting the information and the water accounts reconnected promptly. Director Williams invited Council to the annual Trash Off event on October 23<sup>rd</sup> from 7:30 a.m. to 10:30 a.m. at Oaks Church. Council asked questions and Director Williams responded. Assistant City Manager Phillips spoke and commended the city's employees for their excellent example of teamwork during the utility disconnects. As you recall, disconnects were suspended to assist residents during the 18 months of the COVID-19 pandemic. He mentioned specific departments and employees and their part in the successful outcome of the more than 250-300 disconnects affecting Red Oak. It was a huge team effort and aside from a few issues affecting some residents, overall, the planning, preparation and execution of the event couldn't have run any smoother.

Assistant City Manager Phillips responded to a Council question regarding the new municipal center project.

#### **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 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, 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.
  - C. Discuss or deliberate acquisition, sale, and/or exchange, lease or value of Real Properties generally located east of I-35E, west of FM 2377/Louise Ritter Drive, and south 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 9:35 p.m. He invited Council, City Manager Fuller, Assistant City Manager Phillips, Economic Development Director McCleary and City Attorney Hager 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 10:18 p.m. No action taken.


#### **ADJOURNMENT:**

Councilmember Wilson made the motion, seconded by Councilmember Franklin, to adjourn the meeting at 10:19 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

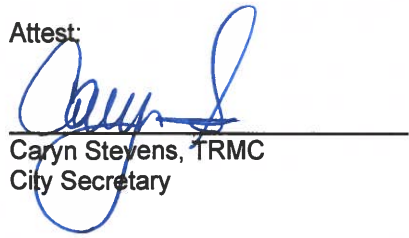
**PASSED AND APPROVED** by the Red Oak City Council at a Regular Meeting held on November 8, 2021.

Approved:



Mark L. Stanfill, DVM  
Mayor

Attest:

  
Caryn Stevens, TRMC  
City Secretary