



RED OAK, TEXAS

**AGENDA  
REGULAR MEETING  
RED OAK CITY COUNCIL  
MONDAY, MARCH 14, 2022, 7:00 P.M.**

**Mayor:**  
**Mark L. Stanfill, DVM**

**Councilmembers:**  
**William Drake**  
**Willie G. Franklin, Jr.**

**City Manager:**  
**Todd Fuller**

**City Attorney:**  
**Robert E. Hager**

**Mayor Pro Tem:**  
**Michael Braly**

**Ben Goodwyn**  
**Ron Wilson**

**Assistant City Manager:**  
**Jonathan Phillips**

**City Secretary:**  
**Caryn Stevens, TRMC**

**IMPORTANT! PLEASE NOTE:**

**This is an open meeting conducted in-person and by videoconference. Citizens, City Council and city staff are encouraged to participate in the meeting by videoconference in order to allow the city to follow the CDC's social distancing guidelines in an effort to slow the spread of the Coronavirus (COVID-19) pandemic. Please see details found at the bottom of the agenda.**

Pursuant to Section 551 of the Texas Government Code, notice is hereby given of a Regular Meeting of the Red Oak City Council to be held on Monday, March 14, 2022, at 7:00 p.m., in the Ronald Reagan Room of the Red Oak Municipal Center, 200 Lakeview Parkway, Red Oak, Texas, and by videoconference as authorized by Section 551.127 of the Texas Government Code, at which time the following will be discussed and considered:

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

**CALL TO ORDER:** *The Mayor will call the meeting to order, declare a quorum, if present, and declare notices legally posted pursuant to the Open Meetings Act.*

**INVOCATION AND PLEDGE OF ALLEGIANCE:** (Drake)

**CITIZENS COMMENTS**

**CONSENT AGENDA:** *Consent Agenda items are considered to be routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*

1. Consider approving the following minutes: (Stevens)
  - ❖ February 14, 2022 – Regular Meeting
  - ❖ February 15, 2022 – Public Hearing and Special Called Meeting
2. Consider adoption of Resolution No. 22-018R of the City Council of the City of Red Oak, Texas, awarding the request for proposal for banking and depository services for the City of Red Oak, Texas, to Prosperity Bank; and authorizing the City Manager or his designee to negotiate the terms of the final Agreement; and, providing an effective date. (Platt)
3. Consider approval of Ordinance No. 22-003 of the City Council of the City of Red Oak, Texas, amending the Code of Ordinances of the City of Red Oak, Texas, by amending Chapter 1 “General Provisions”, Article 1.06, “Finance”, Division 4, “Miscellaneous Fees Charged by the City” by amending Section 1.06.093, Subsection (B); providing a severability clause; providing a savings



clause; and, providing an effective date; and consider adoption of Resolution No. 22-019R of the City Council of the City of Red Oak, Texas, amending the Master Fee Schedule by amending Chapter 2.00 "Administrative and Court Fees", Section 2.002 "Credit Card Processing Fee", Subsection (B); providing a repealing clause; providing a severability clause; and, providing an effective date. (Platt)

4. Consider adoption of Resolution No. 22-020R of the City of Red Oak, Texas, approving the terms and conditions of the renewal purchase order, which is attached hereto and incorporated herein as Exhibit "A", by and between the City of Red Oak, Texas, and Perry Weather, for software and outdoor warning system in the City of Red Oak in an amount not to exceed \$11,059.60; authorizing the City Manager to execute; and, providing an effective date. (Kelley)
5. Consider approval of an expenditure of the Red Oak Economic Development Corporation (ROEDC) in the amount of \$24,413.00 for the renewal of a Professional Services Agreement with Catalyst Commercial and authorizing the City Manager to execute such agreement. (McCleary)
6. Consider adoption of Resolution No. 22-021R, supplementing Resolution No. 22-012R, 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. (Fuller)

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

7. Consider approval of Ordinance No. 22-004 of the City Council of the City of Red Oak, Texas, providing for the **Voluntary Annexation** of territory generally described as being 147.47 acres, more or less, out of the Robert A. Lemmans Survey, Abstract No. 628, in the City of Red Oak ETJ, Ellis County, Texas, as described in Exhibit "A", which is attached hereto and incorporated herein for all purposes, to the City of Red Oak, Texas, and extending the boundary limits of the city so as to include said property within the city limits and granting to all inhabitants and owners of said property all of the rights and privileges of other citizens and binding all inhabitants by all the ordinances, acts, resolutions and regulations of said city; providing for a service plan, which is attached hereto and incorporated herein by reference; providing a severability clause; and, providing an effective date. (Stevens)
8. Consider adoption of Resolution No. 22-022R of the City Council of the City of Red Oak, Texas, accepting a petition for **Voluntary Annexation** and authorizing the setting of a date, time, and place for a public hearing on the contemplated 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. (Stevens)
9. Conduct a Public Hearing and consider approval of Ordinance No. 22-005 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 District (AG) to Planned Development 137 (PD-137); for a mixture of retail uses on approximately 26.69 acres out of the 836 GC Parks Survey located at 100 Interstate 35E, City of Red Oak, Ellis County, Texas, said property being more particularly depicted in Exhibit "A" attached hereto and incorporated herein; providing for the concept plan, grading plan, utility plan, landscape plan and planned development regulations attached hereto as Exhibits "B" through "F"; 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. (Case ZC22-10) *Requested by Moore Eugene E Et Al* (Hartman)



10. Conduct a Public Hearing and consider approval of Ordinance No. 22-006 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 134 (PD-134); for 114 single family lots, and one commercial lot, on approximately 84.665 acres out of the Lucy Vaughn Survey, Abstract Number 1103, generally located on the southeast corner of Vinson Lane and Pratt Road, City of Red Oak, Ellis County, Texas, said property being more particularly depicted in Exhibit "A", attached hereto and incorporated herein; providing for the planned development regulations, elevations, use summary, development plan and landscape plan attached hereto as Exhibits "B" through "F"; 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. (Case ZC22-05) *Requested by Wildwood Development Company (Hartman)*
11. Consider approval of a Preliminary Plat for the proposed Planned Development 134 (PD-134) for approximately 114 single-family homes, associated open spaces, and one commercial lot on approximately 84.54 acres out of the Lucy Vaughn Survey, Abstract Number 1103, further described as being generally located on the southeast corner of Vinson Lane and Pratt Road, City of Red Oak, Texas. (Case PS22-02) *Requested by Wildwood Development Company (Hartman)*
12. Conduct a Public Hearing and consider approval of Ordinance No. 22-007 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, as heretofore amended, by granting a change in zoning from Commercial District 1 (C-1) to Planned Development 136 (PD-136), to allow for commercial/retail use and to allow for a reduction in landscaping, lot depth and parking requirements on approximately .347 acres at the property addressed as 501 North State Highway 342, City of Red Oak, Ellis County, Texas, said property being more particularly depicted in Exhibit "A" attached hereto and incorporated herein; providing for the site plan, floor plan, floor plan and site photos 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. (Case ZC22-07) *Requested by Ameer Ediab (Hartman)*
13. Conduct a Public Hearing and consider approval of Ordinance No. 22-008 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 10 (PD-10) to Planned Development 10 Revised 1 (PD-10R1) to allow for a reduction in parking and landscaping resulting from right of way expansion by the Texas Department of Transportation (TxDOT) for the widening of FM 664 on approximately 1.155 acres on Lot 1R, Block C, of S&H Business Park, Phase 1, located at 109 Harris Avenue, City of Red Oak, Ellis County, Texas, said property being more particularly depicted in Exhibit "A"; providing for the renewal of the site plan, landscape plan, elevation plan and pole sign plan attached hereto as Exhibits "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. (Case ZC22-08) *Requested by Golden Arch Limited Partnership (Hartman)*
14. Conduct a Public Hearing and consider approval of Ordinance No. 22-009 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 Planned Development 34 (PD-34) as previously revised to Planned Development 34 Revised 5 (PD-34R5) to allow for reduction of landscaping due to right of way expansion by the Texas Department of Transportation (TxDOT) for the widening of FM 664 on approximately 1.417 acres on Lot 2, Block A, of Red Oak Corners Retail, located at 109 East Ovilla Road, City of Red Oak, Ellis County, Texas, said property being more particularly depicted in Exhibit "A"; providing for the renewal of the site plan, landscape plan and sign plan attached hereto as Exhibits "B" through "D"; 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. (Case ZC22-04) *Requested by Brenna Wadleigh (Hartman)*



15. Conduct a Public Hearing and consider approval of Ordinance No. 22-010 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 86 (PD-86) to Planned Development 86 Revised 1 (PD-86R1) for twenty-six (26) single-family lots with a minimum six thousand, five hundred square foot (6,500 sq. ft.) lots and associated open spaces on approximately 6.694 acres out of the Robert Bell Survey, Abstract Number 60, described as being generally located north of Pierce Road and approximately 157 feet west of Dunn Street, City of Red Oak, Ellis County, Texas, being more particularly depicted in Exhibit "A", which is attached hereto and incorporated herein; providing development plan, development regulations, entryway plan, landscape plan, mailbox plan, and detention plan attached hereto as Exhibits "B" through "G"; 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. (Case ZC22-09) *Requested by JTMN Corp/Johnny and Tommy Nguyen (Hartman)*
16. Consider approval of a Preliminary Plat for the proposed Planned Development District-86R1 (PD-86R1) for the development of twenty-six (26) single-family residential lots and seven (7) common area lots on approximately 6.694 acres out of the Robert Bell Survey, Abstract Number 60, further described as being generally located north of Pierce Road and approximately 157 feet west of Dunn Street, City of Red Oak, Texas. (Case PS22-04) *Requested by JTMN Corp/Johnny and Tommy Nguyen (Hartman)*
17. Conduct a Public Hearing and consider approval of Ordinance No. 22-011 of the City of Red Oak, Texas, amending the City of Red Oak Future Land Use Plan and the Map thereof, as amended, by amending the land uses from single family residential to Industrial for Plan Area 5 (PA5) in the City of Red Oak, Ellis County, Texas, as provided in Exhibit "A" which is attached hereto and incorporated herein; providing a repealing clause; providing a severability clause; providing a savings clause; providing for a penalty clause of a fine not to exceed two thousand dollars (\$2,000.00) for each offense; and, providing an effective date. (Hartman)
18. Consider approval of an expenditure of the City of Red Oak Industrial Development Corporation (CROIDC) in the amount of \$7,614,150.00, plus additional closing costs, if any, for the acquisition of 203.044± acres land located east of Lowrance Road, west of Pratt Road, south of Pierce Road, and north of FM 2377, Red Oak, Ellis County, Texas. (McCleary)
19. Consider approval of an expenditure of the City of Red Oak Industrial Development Corporation (CROIDC) in the amount of \$6,126,236.00, plus additional closing costs, if any, for the acquisition of 159.123± acres of land located east of Lowrance Road, west of Pratt Road, south of Pierce Road, and north of FM 2377, Red Oak, Ellis County, Texas. (McCleary)
20. Consider a plan of financing prepared by Hilltop Securities for the issuance of Industrial Development Corporation Sales Tax Revenue Refunding and Improvement Bonds, Taxable Series 2022, authorizing city staff and financial advisors to move forward with the proposed financing plan to issue bonds. (Platt)
21. Consider approval of an expenditure of the Red Oak Economic Development Corporation (ROEDC) in the amount of \$650,000.00, plus related costs, for acquisition of certain real property located east of Uhl Road, west of Interstate 35E, south of Red Oak Road, and north of the Oaks Boulevard, Red Oak, Ellis County, Texas, and authorize the City Manager and City Attorney to execute the appropriate documents. (McCleary)
22. Discuss the Comprehensive Land Use Plan and Park Plan. (Hartman)

#### **BOARD APPOINTMENTS:**



23. Appointments/Reappointments/Resignations for Boards & Commissions – Consider approval regarding the following Boards/Commissions:
- A. Library Advisory Board:
    - Appointment of Kevin Lee as a Regular Member for the remainder of a two-year terms from October 2020 – October 2022.
    - Appointment of Lauren Crain as an Alternate Member for the remainder of a two-year terms from October 2020 – October 2022.

**DEPARTMENTAL REPORTS:**

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

- A. Fire (Ben Blanton, Fire Chief)
  - ❖ Monthly Activity Report
- B. Police (Garland Wolf, Police Chief)
  - ❖ Monthly Report
- C. Communications & Marketing (Alexa Beasley, Communications & Marketing Director)
  - ❖ Monthly Report
- D. Development Services (Ben Hartman, City Engineer)
  - ❖ Code Services Report
  - ❖ Building Permit and Inspections Report
  - ❖ Administrative Monthly Report
- E. Human Resources (Amanda Monsivais, Human Resources Director)
  - ❖ Administrative Monthly Report
- F. Finance (Gloria Platt, Finance Director)
  - ❖ Finance Report
  - ❖ Monthly Investment Report
  - ❖ Financial Statement
  - ❖ Municipal Court Statistical Highlights
- G. Information Technology (John Binford, IT Director)
  - ❖ Major Accomplishments
  - ❖ Current Initiatives
  - ❖ Challenges
- H. Library (Logan Ragsdale, Library Director)
  - ❖ YTD Statistics
  - ❖ Monthly Newsletter
- I. Parks & Recreation (Kyle Kelley, Parks & Recreation Director)
  - ❖ Monthly Report
- J. Public Works (Scott Williams, Public Works Director)
  - ❖ Monthly Operational Report
- K. Administration (Jonathan Phillips, Assistant City Manager)
  - ❖ Monthly Report on Municipal Center Project

**CLOSED SESSION:**



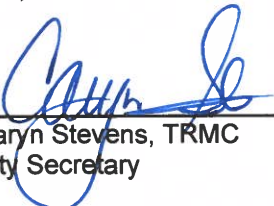
25. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** concerning pending litigation: *Rockett Special Utility District v. Botkin, et al.*, Civil Action No. 19-cv-1007-RP, W.D. Tex.; *City of Red Oak, Tex. v. USDA et al.*, Civil Action No. 19-cv-02761-S, N.D. Tex.; *ex Parte-City of Red Oak v. 201<sup>st</sup> Judicial District Court of Travis County*, Cause No. D-1GN-20-002116; *Rockett Special Utility District v. City of Red Oak, Texas*, Case No. 3:20-cv-1320; *City of Red Oak v. USDA, et al.*, Case No. 1:20-cv-00483-RP, W.D. Tex.; and *Rockett Special Utility District v. Botkin, et al.*, Civil Action No. 20-cv-1207-RP, W.D. Tex.
26. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** regarding pending litigation styled as *Cassandra Preston Insurance and Financial Services, Inc. v. City of Red Oak*, et al, Cause Number 103467, filed in 443<sup>rd</sup> Judicial District Court of Ellis County, Texas.
27. 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.
28. Pursuant to the Texas Government Code, Section §551.072 – **Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property.**
  - A. Discuss or deliberate acquisition, sale and/or exchange, lease or value of Real Properties generally located east of Lowrance Road, west of Batchler Road, north of FM 2377/Louise Ritter Road, and south of the city limits line, Red Oak, Texas.
  - B. Discuss and deliberate acquisition, sale and/or exchange, lease or value of Real Properties generally located east of Uhl Road, west of I-35E, north of The Oaks Boulevard, and south of FM664/Ovilla Road, Red Oak, Texas.
  - C. Discuss and deliberate acquisition, sale and/or exchange, lease or value of Real Properties generally located east of Uhl Road, west of I-35E, north of FM664/Ovilla Road, and south of Harmony Way, Red Oak, Texas.

**REGULAR SESSION:**

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

**ADJOURNMENT:**

CERTIFICATION: I certify that the above agenda of items to be considered by the Red Oak City Council was posted on the Red Oak Municipal Center bulletin board on March 11, 2022, before 7:00 p.m. in accordance with the Texas Government Code, Chapter 551.

  
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 Caryn Stevens, TRMC  
 City Secretary



**ACCESSIBILITY STATEMENT**

The Red Oak Municipal Center is wheelchair accessible with an entry ramp and accessible parking spaces located in front of the building. Request for accommodations must be made 48 hours prior to the meeting by contacting the City Secretary's office at (972) 617-6831.



To submit public comments, email [citysecretary@redoaktx.org](mailto:citysecretary@redoaktx.org) and title the email "Public Comment". All public comments submitted by 5:00 p.m. on March 14, 2022, will be provided to the City Council and entered into the record for the March 14, 2022, Regular City Council Meeting.

**Link to Citizens' Comments Form:**

<http://www.redoaktx.org/FormCenter/Meetings-9/City-Meetings-Citizens-Comments-62>

The public dial-in number to access the telephone meeting is 1-346-248-7799. Once connected, enter Access Code: 961 3225 5614, Passcode: 705825.

**Citizens will be able to watch the meeting via live-stream at:**

<https://www.youtube.com/channel/UCntzB1px9caZvdivvHlnEMQ/>

**Join Zoom Meeting**

<https://us06web.zoom.us/j/99098862219?pwd=eVFxVWpkciszVDhWbUVrYjJvZ3RyZz09>

Meeting ID: 990 9886 2219

Passcode: 705825

One tap mobile

+13462487799,,99098862219#,,,,\*705825# US (Houston)

+16699006833,,99098862219#,,,,\*705825# US (San Jose)

Dial by your location

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+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

Meeting ID: 990 9886 2219

Passcode: 705825

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

