



RED OAK, TEXAS

**AGENDA  
REGULAR MEETING  
RED OAK CITY COUNCIL  
MONDAY, MAY 9, 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, May 9, 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:** (Braly)

**PRESENTATIONS:**

- Proclamations:
  - National Peace Officers Memorial Day and Police Week (Wolf)
  - National Public Works Week (Williams)
  - National Economic Development Week (McCleary/Fuller)
  - Motorcycle Safety and Awareness Month (Stanfill)
- Recognition – Red Oak High School Student Council (Franklin)

**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 Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and acted upon separately.*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)
  - April 11, 2022 – Regular Meeting
2. Consider approving the absence of Councilmember Ron Wilson from the April 11, 2022, Regular Meeting of the Red Oak City Council. (Stevens)



3. Consider adoption of Resolution No. 22-030R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of an Event License Agreement by and between The Oaks Fellowship Assembly of God d/b/a Oaks Church and the City of Red Oak; providing for the City Manager to execute such license agreement; and, providing an effective date. (Beasley)
4. Consider adoption of Resolution No. 22-031R, supplementing Resolution No. 22-028R, extending and amending a State of Emergency as a result of COVID-19 Virus; providing for interim public safety measures; providing for the City Manager to provide reasonable regulations and access hours for city public facilities; providing for republishing of resolution; providing a severability clause; and, providing an effective date. (Fuller)

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

5. Consider adoption of Resolution No. 22-032R of the City Council of the City of Red Oak, Texas, approving the Annual Comprehensive Financial Report audited by Patillo, Brown & Hill, L.L.P., which is attached hereto and incorporated herein as Exhibit "A"; providing for filing in the office of the City Secretary; and, providing an effective date. (Platt)
6. Consider adoption of Resolution No. 22-033R approving a resolution of the City of Red Oak Industrial Development Corporation (CROIDC) authorizing the issuance and sale of Sales Tax Revenue Refunding and Improvement Bonds, Taxable Series 2022, by the Corporation; approving a Sales Tax Remittance Agreement; and, enacting other provisions relating to the subject. (Platt)
7. Consider adoption of Resolution No. 22-034R 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 regular 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)
8. Consider adoption of Resolution No. 22-035R of the City Council of the City of Red Oak, Texas, rejecting all bids for the Live Oak north concrete walkway for the lack of funds to cover said project; authorizing the City Manager or his designee to execute the appropriate documents; and, providing an effective date. (Kelley)
9. Conduct a Public Hearing and consider approval of Ordinance No. 22-015 of the City of Red Oak, Texas, amending the City of Red Oak Future Land Use Plan, Comprehensive Plan and the Map thereof, as amended, by amending the land uses from Planning Area 5 (PA5) to Special Planning Area 1 (SPA 1) to permit multi-family units and duplex uses for a 17.23-acre tract located south of South Central Boulevard and east of North Highway 77 in the J. Lawrence Survey, Abstract 653, in the City of Red Oak, Ellis County, Texas, described 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 of fine not to exceed two thousand dollars (\$2,000.00) for each offense; and, providing an effective date. (Case ZC22-14) *Requested by Naddy Guermi* (Hartman)
10. Conduct a Public Hearing and consider approval of Ordinance No. 22-016 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, and amending Planned Development 108 (PD-108) to Planned Development 108 Revised (PD-108R) for the development, use and maintenance of multi-family units and duplexes for seniors on property generally located south of South Central Boulevard and east of North Highway 77 on approximately 17.23-acre tract situated in the J. Lawrence Survey, Abstract 653, in the City of Red Oak, Texas, described in Exhibit "A", which is attached hereto and incorporated herein; providing for elevations, prospective, floor plan, landscape and fence plan as provided in Exhibits "B" through "F"; providing a



severability clause; and, providing an effective date. (Case ZC22-12) *Requested by Naddy Guermi (Hartman)*

11. Conduct a Public Hearing and consider approval of Ordinance No. 22-017 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 Industrial (I) and Highway-Oriented (HO) Zoning District to Planned Development 138 (PD-138) in accordance with the Comprehensive Plan on the properties located west of Interstate-35 Highway (I-35) and approximately 1,645 feet north of Sperry Lane with Property ID Numbers 196885 and 188569, in the City of Red Oak, Ellis County, Texas, and being more particularly described in Exhibit "A", which is attached hereto and incorporated herein; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and, providing an effective date. (Case ZC22-15) *Requested by City of Red Oak Staff (Hartman)*
12. Conduct a Public Hearing and consider approval of Ordinance No. 22-018 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 42 (PD-42) to Planned Development 42 Revised 1 (PD-42R1) for the construction of a daycare facility on Lot 1, Block 1, of Josey Acres Addition located on the southwest corner of Louise Ritter Road and Lowrance Road addressed as 201 Josey Lane, City of Red Oak, Ellis County, Texas; said property being more particularly described in Exhibit "A", which is attached hereto and incorporated herein in 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 ZC22-13) *Requested by Red Oak Academy, LLC. (Hartman)*
13. Discussion regarding the feasibility of Pratt Road serving as a viable north/south collector and potential improvement recommendations for Pratt Road due to increased traffic with the opening of Loop 9. (Braly)
14. Discussion regarding aesthetic enhancements to the proposed Ovilla Road bridge crossing the Burlington Northern Santa Fe (BNSF) Railroad right-of-way and State Highway 342. (Hartman)

#### **BOARD APPOINTMENTS:**

15. Appointments/Reappointments/Resignations for Boards & Commissions – Consider approval regarding the following Boards/Commissions:
  - A. Economic Development Corporation:
    - Reappointment of Alan Hugley, Greg Bennett and Jack Edwards as Regular Members for two-year terms from June 2022 – June 2024.
    - Appointment of Karen O. Stanfill as a Regular Member for a two-year term from June 2022 – June 2024.

#### **DEPARTMENTAL REPORTS:**

16. 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. Finance (Gloria Platt, Finance Director)
  - Finance Report
  - Monthly Investment Report
  - Financial Statement
  - Municipal Court Statistical Highlights
  
- F. Human Resources (Amanda Monsivais, Human Resources Director)
  - Administrative Monthly Report
  
- 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:**

- 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. 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.
  
- 18. 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.
  
- 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, Section §551.072 – Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property.**

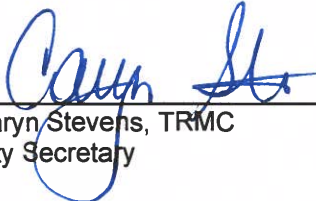
- A. Discuss or deliberate acquisition, sale and/or exchange, lease or value of Real Properties generally located east of I-35E, west of State Highway 342, north of US 77, and south of Red Oak Road, Red Oak, Texas.

**REGULAR SESSION:**

21. 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 May 6, 2022, before 7:00 p.m. in accordance with the Texas Government Code, Chapter 551.

  
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 May 9, 2022, will be provided to the City Council and entered into the record for the May 9, 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=eVFhVWpkciszVDhWbUVrYjVjZ3RyZz09>

Meeting ID: 990 9886 2219

Passcode: 705825

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Passcode: 705825

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