



# City of Red Oak

## Minutes - Final City Council Regular Meeting

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Monday, April 11, 2022

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 Monday, April 11, 2022, at 7:00 p.m., with the following members present to wit:

**City Council:**

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

**Absent:**

Councilmember Ron Wilson

**CALL TO ORDER:** Mayor Stanfill called the meeting to order at 7:01 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 Franklin gave the Invocation and led the Pledge of Allegiance.

**PRESENTATIONS:**

➤ Proclamation – National Crime Victims' Rights Week

**Mayor Stanfill and Chief Wolf recognized and proclaimed National Crime Victims' Rights Week to be April 24-30, 2022. They gave a brief history and description of the Crime Victim Rights Week and read it into the record.**

➤ Proclamation – Professional Municipal Clerks Week

**Mayor Stanfill recognized and proclaimed Professional Municipal Clerks Week to be May 1-7, 2022. Mayor Stanfill also recognized the City Secretary, Caryn Stevens, as well as the Deputy City Secretary/Executive Assistant, Sumer Bloyed, for their hard work and dedication as Municipal Clerks for the City of Red Oak.**

➤ Proclamation – National Child Abuse Prevention Month

**Mayor Stanfill recognized and proclaimed National Child Abuse Prevention Month for the month of April. Mayor Stanfill also thanked the advocates that help on of behalf of the children and read the proclamation into the record.**

➤ Introduction – Tanangelia "Tan" Beatty, New Assistant Finance Director

**Finance Director Platt introduced the new Assistant Finance Director, Tanangelia "Tan" Beatty and gave some background on her career. Mayor and Council welcomed her to the City of Red Oak.**

**CITIZENS COMMENTS:**

**Cindy Dooly**, 115 Sunflow Loop, Red Oak, Texas, submitted a form and City Manager Fuller read the following statement into the record:

***“Please consider extended hours for our public library. Red oak students need access that is currently unavailable to them. Thank you, Cindy Dooly, retired ROISD Teacher and Counselor.”***

**Amy Woodward**, 215 Moonlight Drive, Red Oak, Texas, submitted a form and City Manager Fuller read the following statement into the record:

***“The Red Oak library should be open in the evening hours and weekends so we can utilize it. I work full time and am unable to take my kids during the day. We are a family of readers that used it regularly pre-covid. It would be great to be able to use it for the schoolbook reports, research, etc.”***

**Laura Cheek**, 255 Cobblestone Circle, Red Oak, Texas, submitted a form and City Manager Fuller read the following statement into the record:

***“I want to comment on the importance of opening the city library for regular hours. It is impossible for students to visit the library because the limited hours are during school hours. Other city’s libraries are open why isn’t ours? We are paying taxes for a service we cannot utilize.”***

**Bryan Craun**, 114 Forest Park Lane, Red Oak, Texas, President of HOA for Quail Run Estates, spoke regarding “no parking” street signs.

City Manager Fuller responded to Mr. Craun stating that the City cannot enforce signs that the HOA may put up. Also, the HOA is not authorized to put up “no parking” signs on a city right-of-way. City Manager Fuller referred Mr. Craun to the Public Works Director, Scott Williams, so that he may coordinate with the Police Chief and Fire Chief regarding this matter.

Mayor Stanfill stated that the City Council cannot discuss the item further because it is not an item on the agenda.

**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:
  - ❖ March 14, 2022 – Regular Meeting**Approved**
2. Consider adoption of Resolution No. 22-023R of the City Council of the City of Red Oak, Texas, amending the Master Fee Schedule, by amending Chapter 3.00 “Parks, Libraries and Other Public Places” by adding a new Section 3.004 “Red Oak Senior Citizen Center” by providing rental fees; providing a repealing clause; providing a severability clause; and, providing an effective date.  
**Adopted**  
**Enactment No: RES 22-023R**
3. Consider adoption of Resolution No. 22-024R of the City Council of the City of Red Oak, Texas, awarding the bid for mowing and landscape services to Yellowstone Landscape; and approving a contract and/or purchase order in conformance with the bid specification in the amount not to exceed \$65,000.00, which is attached hereto and incorporated herein as Exhibit “A”; and authorizing the City Manager to execute a contract for mowing and landscape services in a form approved by the City Attorney; and, providing an effective date.  
**Adopted**  
**Enactment No: RES 22-024R**
4. Consider adoption of Resolution No. 22-025R of the City of Red Oak, Texas, approving the terms and conditions of the Purchase Agreement from HydroPro Solutions to provide water meters and

registers to the City of Red Oak in an amount not to exceed two hundred sixty thousand dollars (\$260,000.00), as provided in Exhibits "A" through "C"; utilizing the Houston-Galveston Area Council Cooperative Purchasing Contract No. WM09-20, competitively bid by the Houston-Galveston Area Council Cooperative Purchasing Program, which is attached hereto and incorporated herein as Exhibit "D"; providing a repealing clause; providing a severability clause; and, providing an effective date.

**Adopted**

**Enactment No: RES 22-025R**

5. Consider adoption of Resolution No. 22-026R of the City Council of the City of Red Oak, Texas, approving the terms and conditions of an Interlocal Agreement with the City of Frisco for the purchase of goods and services, which is attached hereto and incorporated herein as Exhibit "A"; authorizing the City Manager to execute said agreement; and, providing an effective date.

**Adopted**

**Enactment No: RES 22-026R**

6. Consider adoption of Resolution No. 22-027R of the City Council of the City of Red Oak, Texas, awarding of bid and approving the terms and conditions of Fire Station 181 and Fire Station 182 Construction Remodel Contract Agreement by and between the City of Red Oak and JM Construction Solutions for remodeling Fire Station 181 and Fire Station 182; authorizing the City Manager to execute such agreement; and, providing an effective date.

**Adopted**

**Enactment No: RES 22-027R**

**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**

**Mayor Stanfill made the motion to consider approval of the Consent Agenda as presented, excluding Agenda Item 7 which was moved to regular session. 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

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

7. Consider adoption of Resolution No. 22-028R, supplementing Resolution No. 22-021R, 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 publishing of resolution; providing a severability clause; and, providing an effective date.

**Mayor Stanfill read Agenda Item 7 into the record. City Council and staff discussed this item. Mayor Stanfill made a motion to adopt Resolution 22-028R. 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

**Adopted**

**Enactment No: RES 22-028R**

8. Conduct a Public Hearing regarding **Voluntary Annexation** of real property generally described as being 5.406 acres, more or less, out of the M.W. Spencer Survey, Abstract No. 1367, in the City of Red Oak ETJ, Ellis County, Texas, Parcel No. 193210.

**Mayor Stanfill read Agenda Item 8 into the record. City Manager Fuller briefly explained this item.**

**Mayor Stanfill opened the Public Hearing at 7:28 p.m. No one spoke.**

**Mayor Stanfill made the motion to close the Public Hearing at 7:29 p.m. 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

9. Consider approval of Ordinance No. 22-012 of the City Council of the City of Red Oak, Texas, providing for the **Voluntary Annexation** of territory generally described as being 5.406 acres, more or less, out of the M.W. Spencer Survey, Abstract 1367, 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.

**Mayor Stanfill read Agenda Item 9 into the record. City Manager Fuller briefly explained this item. Council and staff discussed this item.**

**Mayor Stanfill made the motion approve Ordinance No. 22-012 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 22-012**

10. Conduct a Public Hearing and consider approval of Ordinance No. 22-013 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 88 Revised (PD-88R) as previously revised to Planned Development 88 Revised 1 (PD-88R1) to allow for addition of land into said PD to provide for development use and maintenance of said property under the Ranchette Estates District (RAE) Standards on approximately 4.56 acres on Lot 3, Block 1, of the Brooks Addition located at 100 Country Ridge Court and part of the tract located north of Red Oak Road and approximately 230 feet west of Hidden Lane, situated in the S. McCommas Survey, Abstract 695, Red Oak, Ellis County, Texas, said property being more particularly depicted in Exhibit "A"; 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 ZC22-11) *Requested by Chris Lofton and Lance Brooks*

**Mayor Stanfill read Agenda Item 10 into the record. Planning and Zoning (P&Z) Manager Chetuya read a request to the Mayor and Council for this item.**

***"Good evening Mayor and Council. This is a request to re-zone proposing Lot 3, Block 1, of the Brooks Addition from PD-88R and Single-Family Residential Districts 1 to Ranchette Estate District***

***in order to bring the existing 3,000 square foot barn into conformance and to have one zoning district on both properties. The current zoning district allows for a 650 square foot accessory structure and the tract of land currently has a barn without a primary structure. An accessory structure is required to have a primary structure on the same lot. By changing the zoning of this property into one zoning district, the property can be platted into one lot.***

**P&Z Manager Chetuya stated that the Planning and Zoning Commission recommended approval of this request.**

**City Engineer Hartman briefly explained this item.**

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

**City Manager Fuller read a letter request from Chris Lofton about the item.**

***"I, Christopher Lofton, am trying to rezone a property to include a house making it 4.56 acres. The back 4 acres are a barn, pond, and a gazebo area. I am not looking to build anything particular too soon, I just would like to utilize it as a backyard. Maybe at some point a mother-in-law's quarters, but that's not on the table any time soon. Remove the lot line to include acreage as 100 Country Ridge Court making it all one property."***

**Mayor Stanfill made the motion to close the Public Hearing at 7:40 p.m. 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

**City Council and staff discussed this item.**

**Mayor Stanfill made the motion to approve Ordinance No. 22-013. Councilmember Goodwyn 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 22-013**

- 11. Conduct a Public Hearing and consider approval of Ordinance No. 22-014 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 135 (PD-135) being approximately 147.287 acres for single-family homes and associated open spaces out of the Robert A. Lemmans Survey, Abstract 628, generally located on the southwest corner of Poe Road and west Pratt Road, 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 development regulations, concept plan, landscape plan, signage and amenities, in Exhibits "B" through "F", respectively, which are 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 ZC22-006) *Requested by First Texas Homes***

**Mayor Stanfill read Agenda Item 11 into the record. City Engineer Hartman briefly explained this item.**

**Mayor Stanfill opened the Public Hearing at 8:02 p.m.**

**Todd Winters, 201 Windco Circle, Wylie, Texas, 75098, spoke regarding Creekwood Estates.**

**Mike Gary, 1512 Stainback, Red Oak, Texas, spoke on Creekwood Estates and concerns of the road on the intersection of Stainback and Pratt.**

**Larry Duke, 300 Valley Trail, Red Oak, spoke on concerns of Stainback and Pratt with the new development of houses for Creekwood Estates.**

**Chris Moses, 120 Stainback Ct., Red Oak, Texas, spoke on concerns of Stainback and Pratt with the development of houses for Creekwood Estates.**

**Stoney Pate, 1543 Stainback, Red Oak, Texas, spoke on the development of Creekwood Estates.**

**Mayor Stanfill made the motion to close the Public Hearing at 8:23 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

**Council and staff discussed this item.**

**Mayor Stanfill made the motion to approve Ordinance No. 22-014. 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 22-014**

- 12. Consider approval of a Preliminary Plat for the proposed Planned Development 135 (PD-135) for approximately 147 single-family homes and associated open spaces on approximately 147.47 acres out of the Robert A. Lemmans Survey, Abstract 628, further described as being generally located on the southwest corner of Poe Road and west Pratt Road, in the City of Red Oak, Texas. (Case PS22-05) *Requested by First Texas Homes***

**Mayor Stanfill read Agenda Item 12 into the record. City Engineer Hartman briefly explained this item. Council and staff discussed this item.**

**Mayor Stanfill made the motion to approve the Preliminary Plat for the proposed Planned Development 135 (PD-135). Councilmember Franklin 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

**Approved**

- 13. Consider approval of an expenditure by the Red Oak Economic Development Corporation (ROEDC) in the amount of \$12,000.00 for an annual subscription to "Placer.ai" for location analytics software.**

**Mayor Stanfill read Agenda Item 13 into the record. City Manager Fuller briefly explained this item. Council and staff discussed this item.**

Mayor Stanfill made the motion to approve expenditure by the Red Oak Economic Development Corporation (ROEDC) in the amount of \$12,000.00 for an annual subscription to "Placer.ai" for location analytics software. Councilmember Goodwyn 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

14. Consider adoption of Resolution No. 22-029R of the City of Red Oak, Texas, approving of an expenditure in the amount of \$650,000.00 by the Red Oak Economic Development Corporation (ROEDC), plus additional costs, if any, for the acquisition of approximately 7.507± acres of real property generally 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, providing an effective date.

Mayor Stanfill read Agenda Item 14 into the record. City Manager Fuller briefly explained this item. Council and staff discussed this item.

Mayor Stanfill made the motion to adopt Resolution No. 22-029R. Councilmember Drake moved the motion, seconded by Mayor Pro Tem 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 22-029R

**DEPARTMENTAL REPORTS:**

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

All departmental reports were submitted to Council and addressed individually as needed/ mayor Stanfill asked the Directors to present anything significant if needed.

A. Fire:

Chief Blanton reported that the Fire crews have been out in Mineral Wells, Gatesville, Copperas Cove, Childress, and West Texas since March 18, 2022, assisting with wildfires. Chief Blanton also reported that they went out to Appleton Wisconsin for three days to conduct the pre-construction of the new Fire Truck being built. The Truck is on track to be completed by the end of 2022. Chief Blanton thanked City Council, City Management, and Finance to help pre-pay for the firetruck to receive for the department. Chief Blanton also recognized crews that helped with a large grass fire on March 19, 2022, on FM 983. Chief Blanton finished his report by stating that he submitted his annual report for the Council's review.

B. Police:

Chief Wolf stated that he submitted the 2021 annual report to the Council for the Police Department. This report can be found on the city website under the Police departments transparency portal. Chief Wolf stated that part of that analysis of information, they also provided the analysis of their pursuits and response to resistance which is use of force and necessity for use of force.

C. Communications and Marketing:

Communications and Marketing Director Beasley stated that on March 4, 2022, her department partnered with the HR department to celebrate Employee Appreciation Day and stopped by each department to deliver goody baskets. She also stated that in April, she initiated an internal survey to gauge employee interest in a newsletter. She reported that 32 percent of the staff has responded and once the survey is closed, there will be a review of the feedback.

D. Developmental Services:

City Engineer Hartman reported that the Permits Team and Building Inspector issued 79 single family permits in the month of March. The total permits for the month of March were the most the department has issued. This year, January through March Hartman reported that there were 234 permits issued and it has been more residential permits that has been issued by the department between the years 2010 through 2019. Hartman ended his report stating that there was a total of \$800,00.00 in permit revenue from the city.

E. Human Resources:

Director of Human Resources Monsivais gave an update on recruitment of employees to the city. For the Month of March there has been two new employees added Tanangelia Beatty and Facilities and Event Attendant. Monsivais ended her report with having stated that there nine vacant positions posted on the city website.

F. Finance:

Finance Director Platt highlighted from the monthly report revenue and expenses are in line with the 2022 Budget. Platt stated that building permits are at a record high. Platt gave stats of the revenue. Platt also stated that the department started their Budget process for the Fiscal year of 2023 and preparing forms for it. Platt ended her report with having stated that they will be receiving preliminary numbers from the Ellis County Appraisal District this month.

G. Information Technology:

IT Director Binford highlighted that there have been Evergreen Conversions for the PC and laptops. Binford stated that he is preparing and configuring the laptop for the upcoming Assistant Fire Chief and ordered a new PC for the new Assistant Police Chief. Binford stated that he also has been working on the new Windows 11 upgrades. Binford highlights that he has finished the Detailed Plan for the Live Oak building and will be going out to bid. Binford highlighted that he has started the new budget strategic planning and will be using Microsoft SharePoint. Binford ended his report by sharing that the IT department is in the process of viewing applications for the open position in the department.

H. Library:

Library Director Ragsdale highlighted that there is an opening for a part time position for 20 hours a week within the library. Ragsdale stated that he hoped to fill the position before their busy season with the Summer Reading Club Program. Ragsdale stated that the library has opened back up with normal hours. Ragsdale was proud of the work that they have done with the Parks and Recreation Department with the movies in the park and other special events. Ragsdale ended his report by letting the Council know that the library will do fundraising in the future for family friendly furniture at the new location on Live Oak.

I. Parks and Recreation:

Parks and Recreation Director Kelley spoke about the Easter Egg hunt to take place on Wednesday, April 13<sup>th</sup>, at 6:30 p.m., and invited Council to the event. Director Kelley reported that on the following Friday, the Library in conjunction with the Parks & Recreation Department will be showing the movie, "Peter Rabbit," at 8:00 p.m. here at the Municipal Center. Director Kelley also



informed Council about the donation of 500 catfish for the Pearson Park pond by the Texas Parks and Wildlife Foundation.

J. Public Works:

Public Works Director Williams updated Council on the site work, drainage, and fire lane on the Oak project. Director Williams stated that the contractor, Reytech, filed for bankruptcy and were no longer actively working the job. The next step is to work within the Performance Bond and an agency which will provide the third party and the bond for the job.

K. Administration:

Assistant City Manager (ACM) Phillips updated Council on the wall breaking ceremony that took place at the Live Oak building. ACM Phillips highlighted that the demolition at the Live Oak project is coming along. The interior side of the building is almost completely demolished, and the exterior demolition is coming along as well. ACM Phillips stated that the concrete must be redone to meet ADA guidelines. He informed Council about a new Utility Billing payment kiosk being purchased by utilizing COVID reimbursements to the city. The kiosk will be a drive-up reverse ATM where citizens can pay water bills, court fees and other fees.

**CLOSED SESSION:**

16. 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.
17. 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.
18. 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.
19. 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 Houston School Road, west of Pratt Road, north of Red Oak Road, and south of the city limits line, 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 FM 2377/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 Uhl Road, west of I-35E, north of The Oaks Boulevard, and south of FM 664/Ovilla Road, Red Oak, Texas.

20. Pursuant to the Texas Government Code, Sections § 551.071 and §551.074 – **To Seek Legal Advice from the City Attorney on Personnel Matters** and to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public employee; to wit: City Manager, Annual Evaluation.
- 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.

**Mayor Stanfill moved the Council into Closed Session at 9:28 p.m. City Manager Fuller invited Assistant City Manager Phillips, Economic Development Director McCleary, City Engineer Hartman, and City Attorney Hager into Closed Session.**

**REGULAR SESSION:**

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

**Mayor, Council and staff reconvened into Regular Session at 11:10 p.m. The following actions were taken:**

**City Attorney Hager made the motion to instruct the City Manager to propose, for the FY 2022-23 annual budget, an improved compensation package for employees of the City of Red Oak. 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**

**City Attorney Hager made the motion to provide consent to the City Manager to consider an enhanced compensation retention program, within the existing budget, for the director-level positions in the organization to promote continuity in the leadership positions of the administrative staff and municipal government. 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  
**Approved**

**City Attorney Hager made the motion to authorize an amendment to the compensation of the City Manager the annualized amount of \$250,000.00 consisting of \$241,000.00 base salary and \$9,000.00 wellness incentive; and authorize the Mayor to amend contract accordingly. Councilmember Goodwyn moved the motion, seconded by Mayor Pro Tem 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  
Approved


**ADJOURNMENT:**

Mayor Stanfill made the motion to adjourn the City Council Meeting at 11:14 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

**PASSED AND APPROVED by the Red Oak City Council at a regular Meeting held on May 9, 2022.**

Approved:

  
\_\_\_\_\_  
Mark L. Stanfill, DVM  
Mayor

Attest:

  
\_\_\_\_\_  
Caryn Stevens, TRMC  
City Secretary