



City of Red Oak

Minutes - Final City Council Regular Meeting

Monday, August 14, 2017

7:00 PM

Red Oak Municipal Center
200 Lakeview Parkway

A Regular Meeting of the Red Oak City Council was held on Monday, August 14, 2017, at 7:00 p.m., in the Council Chambers of the Red Oak Municipal Center, 200 Lakeview Parkway, Red Oak, Texas, with the following members present, to wit:

City Council (5):

Mayor Alan Hugley
Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson*

Absent (1):

Councilmember Scott Lindsey

*NOTE: Councilmember Wilson arrived at 7:03 p.m.

CALL TO ORDER: Mayor Hugley called the meeting to order at 7:02 p.m., declared a quorum and announced that notices were legally posted pursuant to the Open Meetings Act.

INVOCATION AND PLEDGE OF ALLEGIANCE: Councilmember Lightfoot gave the Invocation and led the Pledge of Allegiance.

PRESENTATIONS:

- Proclamation – Constitution Week, September 17th – 23rd

Mayor Hugley spoke, stating that we are here to recognize Constitution Week. He invited the representatives, including Bobby Hill (Old Chisholm Trail Chapter of the National Society of the Daughters of the American Revolution), to come forward for the presentation of the proclamation. Mayor Hugley stated that Hill has been coming here for a long time. He further stated that it is because of the Constitution that we get to gather here as we are doing. Hill then spoke and stated to Mayor Hugley that in appreciation of him and the Red Oak City Council, the National Society of the Daughters of the American Revolution Constitution Week Committee, this Certificate of Award is presented to Alan Hugley, in recognition of outstanding work in upholding and promoting the ideals of the Constitution of the United States of America, presented by Old Chisholm Trail Chapter, NSDAR, JoAnne Causey, Regent, Patricia Thibodeaux, Constitution Week Chair. She then thanked him for all his support. Mayor Hugley added that he will share this with Council and staff and everyone else.

- Recognition – Red Oak White & Blue

Mayor Alan Hugley recognized our Red Oak White & Blue celebration, stating that it takes a ton of work, a lot of planning, and also a lot of support. He continued stating that we have some wonderful people from some wonderful organizations who have, for years, supported our Red Oak White & Blue. Thanking them is a small thing to do for the dollars they put into the event as well as the coordination and cooperation. He asked Nanette Paghi, Casey Hargrove and Lindsey Lehmann to come up for recognition. Mayor Hugley

stated that these plaques are a small token of our appreciation for what you did for us this year and the ongoing thanks we have for you for CNB's support for the past 11 years. He stated further that it's not an inexpensive thing and it is a challenge to make them come off every year. Lindsey Lehmann is here representing The Oaks Fellowship and they have also supported and done a tremendous amount of work through the years allowing us to work in or near their property, and financially. They are very supportive. This year, the Hargrove's of Hargrove Realty, helped with the fireworks as well. Mayor Hugley extended his and Council's appreciation and all have enjoyed working with you. Nanette Paghi of CNB spoke and said that it is exciting that this is the one event that is city-wide. She went on to say this program is big and that the fireworks alone are over \$10,000 every year! She added that she hopes it's around for many more years to come. Casey Hargrove spoke and said that the Red Oak White & Blue is a wonderful event and it certainly has been a big blessing to a lot of our citizens – and certainly worth their support. Lindsey Lehmann stated that she is glad to partner with the City and to serve alongside the other contributors.

Mayor Hugley recognized the staff of the City of Red Oak, stating that they make a tremendous effort. City Manager Fuller spoke and asked Deputy Fire Chief Ben Blanton and Tourism Administrative Assistant McGlothlin to step forward. He stated that there is a committee internally within the City that works with CNB and The Oaks, as well as all of our support staff – Fire Department, Police Department, Public Works crews – and they coordinate this event. He presented Blanton and McGlothlin with Certificates of Recognition and thanked them for their service.

He also recognized Community Development Director Silva-Reyes and Lieutenant Jim Langham for their work.

CONSENT AGENDA:

1. Consider approving the following Minutes:
 - July 06, 2017 – Strategic Planning Workshop
 - July 10, 2017 – Regular City Council Meeting**Approved on the Consent Agenda**

2. Consider adoption of Resolution No. 17-041R declaring certain personal property as obsolete, valueless, and surplusage, authorizing disposal of the same by the City Manager, or his designee; and authorizing the Mayor to sign.
Adopted
Enactment No: RES 17-041R

3. Consider adoption of Resolution No. 17-042R approving the amendment of authorized signers of the bank accounts located at Prosperity of Texas; providing a repealing clause; providing a severability clause; and providing an effective date.
Adopted
Enactment No: RES 17-042R

4. Consider adoption of Resolution No. 17-043R amending authorized representatives to transmit and/or withdraw funds, issue letters of instruction, and take other appropriate actions deemed necessary for investments in the Texas Local Government Investment Pool; and providing an effective date.
Adopted
Enactment No: RES 17-043R

5. Consider adoption of Resolution No. 17-044R authorizing the City Manager to execute a renewal of an annual Contract for a Technical Services Agreement with the Trinity River Authority of Texas in an amount not to exceed \$10,000.00.

Adopted
Enactment No: RES 17-044R

6. Consider adoption of Resolution No. 17-045R to continue election to become eligible to participate in tax abatement and to create reinvestment zones in accordance with Chapter 312 of the Texas Tax Code.

Adopted
Enactment No: RES 17-045R

7. Consider adoption of Resolution No. 17-046R to reestablish the guidelines and criteria governing tax abatement in the City of Red Oak and establish an effective date in accordance with Chapter 312 of the Texas Tax Code.

Adopted
Enactment No: RES 17-046R

8. Consider approving the absences of Mayor Alan Hugley and Councilmember Ron Wilson from the May 8, 2017, Regular Meeting and Councilmember Drake from the June 12, 2017, Regular Meeting of the Red Oak City Council.

Approved on the Consent Agenda

9. Consider adoption of Resolution No. 17-047R approving the terms and conditions of an assignment of city easements and right-of-way, as depicted in the attached Exhibit "A", to Trinity River Authority ("TRA"); authorizing the City Manager to execute the Assignment of Easement on behalf of the City; and providing an effective date.

Adopted
Enactment No: RES 17-047R

Mayor Hugley read the Consent Agenda. Mayor Hugley explained that 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 may be acted upon separately.

Councilmember Lightfoot made the motion, seconded by Councilmember Drake, to approve the Consent Agenda as published. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

CITIZENS COMMENTS:

No one from the public spoke.

COUNCIL BUSINESS – REGULAR SESSION:

10. Consideration and possible action regarding a Proposed Tax Rate for Fiscal Year 2017-2018, take a roll call vote, and schedule two Public Hearings for August 29, 2017, and September 11, 2017.

Budget Director Reeve presented this item. Reeve gave a brief explanation of this item for Council and the public. This item will set the proposed tax rate. She stated that two public hearings are required if the tax rate goes above the effective rate. She stated that Agenda Item 11 deals with scheduling the date for the Operating Budget and it will also be set for September 11th and will adopt the budget at that same meeting. The proposed property tax rate from staff is \$0.6490 and the maintenance and operation rate is \$0.5418.

Councilmember Lightfoot made the motion, seconded by Mayor Pro Tem Toney, that Council propose a maintenance and operation rate of \$0.5418 and a debt rate of \$0.1072 for a total property tax rate of \$0.6490 per \$100 assessed valuation and move the two public hearings be set for the tax rate for August 29, 2017, at 7:00 p.m., and September 11, 2017, at 7:00 p.m. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved

11. Consideration and possible action regarding the scheduled date for a Public Hearing on the Proposed Annual Operating Budget for the Fiscal Year 2017-2018.

Mayor Hugley read Agenda Item No. 11 into the record.

Councilmember Lightfoot made the motion, seconded by Councilmember Drake, to set a Public Hearing on the Proposed Budget for September 11, 2017, at our regularly-scheduled Council meeting. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved

12. Consideration and possible action regarding the scheduled date to adopt the Annual Operating Budget for Fiscal Year 2017-2018.

Mayor Hugley read Agenda Item No. 12 into the record.

Councilmember Lightfoot made the motion, seconded by Councilmember Drake, to set the date for September 11, 2017, to adopt the Annual Operating Budget for Fiscal Year 2017-2018 at our regularly scheduled Council meeting. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved

13. Consideration and possible action regarding the scheduled date to adopt the Proposed Tax Rate for Fiscal Year 2017-2018.

Mayor Hugley read Agenda Item No. 13 into the record.

Councilmember Lightfoot made the motion, seconded by Councilmember Drake, recommending that Council set the date for September 18, 2017, at 6:30 p.m. for the final vote on the tax rate. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved

14. Presentation on a Plan of Finance for 2017 Tax Note Authorization to Proceed.

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

Andre Ayala with FirstSouthwest was present to answer questions. Presentations were available to Council in their packets. Per Budget Director Reeve, we still have the best credit rating for a city this size – Double-A.

Mayor Pro Tem Gordon made the motion, seconded by Councilmember Lightfoot, providing staff authorization to proceed on the 2017 Tax Note. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved

15. Consider adoption of Resolution No. 17-048R authorizing approval of a contract with Cigna Health & Life Insurance Company for Employee Major Medical Insurance Administration for Fiscal Year 2017-2018; authorizing the City Manager to execute a contract with Cigna Health & Life Insurance Company, which is attached as Exhibit "A", following review by the City Attorney; repealing all resolutions in conflict; providing a severability clause; and providing an effective date.

Mayor Hugley stated that Agenda Item No. 15 is with regards to our health and life insurance for the city employees through Cigna and Agenda Item No. 16 is with regards to our dental insurance through Aetna.

City Manager Fuller spoke and stated at this point, we have the exact same plan with Cigna and for the exact same price, both through the City as well as to the employees for their dependents. On the dental, there was actually a slight decrease in the price, at about 6 percent. For vision, we still have a current contract on that, so that is the same. Per City Manager Fuller, staff is more than comfortable with these.

Mayor Hugley expressed his appreciation to staff for their hard work on this process and good negotiating.

Councilmember Wilson made the motion, seconded by Councilmember Lightfoot, to approve Resolution No's. 17-048R and 17-049R as read. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Adopted

Enactment No: RES 17-048R

16. Consider adoption of Resolution No. 17-049R authorizing approval of a contract with Aetna Health, Inc. for Employee Dental Insurance Administration for Fiscal Year 2017-2018; authorizing the City Manager to execute a contract with Aetna Health, Inc., which is attached as Exhibit "A", following review by the City Attorney; repealing all resolutions in conflict; providing a severability clause; and providing an effective date.

See Agenda Item 15 above for action taken.

Adopted
Enactment No: RES 17-049R

17. Conduct a Public Hearing and consider approval of Ordinance No. 17-022 approving a zoning change from Agriculture (AG) to Residential-2 Specific Use Permit (R2/SUP) to allow for an accessory building of 1,260 SF, for 333 Methodist St., being approximately 1.1 acres, G C Parks Survey, City of Red Oak, Ellis County, Texas, located north of Red Oak Rd. and west of Methodist Street, requested by Alex Hughes.

Mayor Hugley explained the Public Hearing process.

Mayor Hugley explained that due to changes requested by the Planning & Zoning Commission there will be no action taken on this item at this meeting.

18. Conduct a Public Hearing and consider approval of Ordinance No. 17-023 approving a zoning change from Agriculture (AG) to Planned Development 83 (PD-83) to allow for the development of a single-family subdivision, the proposed Crystal Lake, 67 lots and 3 open space lots (HOA) for approximately 86 acres, Robert A. Lemmans Survey, A-628, City of Red Oak and the ETJ of the City of Red Oak, Ellis County, Texas, located north of Ovilla Rd. and west of Mabry Lane, requested by Harlan Properties, Inc.

Mayor Hugley explained that due to changes requested by the Planning & Zoning Commission there will be no action taken on this item at this meeting.

19. Conduct a Public Hearing and consider approval of Ordinance No. 17-024 approving a text amendment change in the Red Oak Zoning Ordinance by providing additional regulations for Non-Conforming Structures and Uses.

Mayor Hugley explained this item and City Manager Fuller added the changes will allow improvements to current driveways in non-conforming areas only.

Mayor Hugley opened the Public Hearing at 7:32 p.m.

Danny Douthit, 102 Summit Circle, Red Oak, Texas, spoke and stated that he is adamantly opposed to asphalt driveways.

Councilmember Lightfoot made the motion, seconded by Councilmember Drake, to close the Public Hearing at 7:34 p.m.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Fuller addressed Council's questions regarding the changes to this ordinance.

Councilmember Lightfoot made the motion, seconded by Mayor Pro Tem Toney, to approve Ordinance No. 17-024 as read. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved
Enactment No: ORD 17-024

20. Conduct a Public Hearing and consider approval of Ordinance No. 17-025 approving a zoning change from Planned Development 48 (PD-48) to Planned Development 48 Revised (PD-48R) to amend the ordinance to correct the front building line setback requirement and add development regulations for Lot 2, Block A, Methodist at College Street Addition, 0.1972 acres, City of Red Oak, Ellis County, Texas, requested by Daniel Douthit.

Mayor Hugley read Agenda Item No. 20 into the record.

City Manager Fuller explained this item to Council. He stated they will be putting in a very nice home. Planning & Zoning and Staff recommend approval.

Mayor Hugley opened the Public Hearing at 7:40 p.m.

Daniel Douthit, 200 Pecan Creek Parkway, Waxahachie, Texas, spoke in favor of this item.

Councilmember Wilson made the motion, seconded by Councilmember Lightfoot to close the Public Hearing at 7:41 p.m. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Councilmember Wilson made the motion, seconded by Councilmember Drake, to approve Ordinance No. 17-025 as read. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

**Approved
Enactment No: ORD 17-025**

21. Conduct a Public Hearing and consider approval of Ordinance No. 17-026 approving a zoning change from Agriculture (AG) to Planned Development 81 (PD-81) to allow for a single-family residence at Lot 15, Block 9, Beckley Pike Estates, City of Red Oak, Ellis County, Texas, located north of Roxy Lane, and east of Overlook Dr., requested by Veronica Mejia.

Mayor Hugley read Agenda Item No. 21 into the record.

City Manager Fuller presented this item to Council stating it is to build a single-family residence. He added this property currently has no structures. Planning & Zoning and Staff recommend approval.

Mayor Hugley opened the Public Hearing at 7:45 p.m.

Veronica Mejia, 4727 La Rue St., Dallas, Texas, spoke in favor.

City Manager Fuller added two letters were received from surrounding property owners, both stating they were opposed to the project but with no comment given as to why.

Councilmember Wilson made the motion, seconded by Councilmember Drake, to close the Public Hearing at 7:46 p.m. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Councilmember Wilson made the motion, seconded by Mayor Pro Tem Toney, to approve Ordinance No. 17-026 as read. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

**Approved
Enactment No: ORD 17-026**

22. Conduct a Public Hearing and consider approval of Ordinance No. 17-027 approving a zoning change from Planned Development 55 (PD-55) to Planned Development 55, Revised (PD-55R) to allow for additional building regulations for the property at 650 S IH35E, approximately 1 acre, S Billingsley Survey, A-77, City of Red Oak, Ellis County, Texas, requested by Clay McConnico.

Mayor Hugley read Agenda Item No. 22 into the record.

City Manager Fuller explained this item to Council. This is an existing business on Interstate 35 and the owner would like to make several improvements. He explained the improvements in detail and followed with Planning & Zoning and Staff recommended approval.

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

Clay McConnico, 3911 Shiloh Trail, Midlothian, Texas, spoke in favor. He wants to improve the property and have something to be proud of.

Councilmember Wilson made the motion, seconded by Councilmember Lightfoot, to close the Public Hearing at 7:51 p.m. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Councilmember Drake made the motion, seconded by Councilmember Lightfoot, to approve Ordinance No. 17-027 as read. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

**Approved
Enactment No: ORD 17-027**

23. Conduct a Public Hearing and consider approval of Ordinance No. 17-028 approving a zoning change from Agriculture (AG) to Planned Development 82 (PD-82) to allow for a commercial business with development regulations for Lots 3 and 4, Block 2, Beckley Pike Estates, 0.2905 acres, City of Red Oak, Ellis County, Texas, requested by Maria Gonzalez.

Mayor Hugley read Agenda Item No. 23 into the record.

City Manager Fuller presented this item in detail. The project involves two lots fronting southbound Interstate 35. Building will meet all requirements of the City. Fuller stated that Planning & Zoning and Staff recommend approval.

Mayor Hugley opened the Public Hearing at 7:54 p.m.

Maria Gonzalez, 3105 S. Interstate 35, Waxahachie, Texas, owner, spoke in favor of this project.

Councilmember Wilson made the motion, seconded by Councilmember Lightfoot, to close the Public Hearing at 7:55 p.m. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

City Manager Fuller Addressed Council's questions.

Councilmember Drake made the motion, seconded by Mayor Pro Tem Toney, to approve Ordinance No. 17-028 as read. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

**Approved
Enactment No: ORD 17-028**

- 24. Conduct a Public Hearing and consider approval of Ordinance No. 17-029 amending the Code of Ordinances by adopting a new Article 13.13, "On-Site Sewage Facilities", providing regulations applicable to On-Site Sewage Facilities located in the City of Red Oak and providing for inspection of such facilities by a TCEQ-Certified Designated Representative; providing for enforcement; providing for severability; providing a savings clause; providing a repealing clause; providing a penalty of fine not to exceed two thousand dollars (\$2,000) for each violation; and providing for an effective date.**

Mayor Hugley read Agenda Item No. 24 into the record.

Mayor Hugley and City Manager Fuller presented this item in detail. This ordinance allows the City to control the permitting process for septic systems while following and maintaining state requirements. Staff recommends approval.

Mayor Hugley opened the Public Hearing at 8:01 p.m.

No one spoke in favor or against.

Councilmember Wilson made the motion, seconded by Councilmember Lightfoot, to close the Public Hearing at 8:02 p.m. The motion passed unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Council requested clarification on a couple of items.

Councilmember Lightfoot made the motion, seconded by Councilmember Drake, to approve Ordinance No. 17-029 as read. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved
Enactment No: ORD 17-029

25. Conduct a Public Hearing and consider approval of Ordinance No. 17-030 approving a text amendment change in the Red Oak Zoning Ordinance by revising the requirement for a quorum for the Planning & Zoning Commission.

Mayor Hugley read Agenda Item No. 25 into the record.

City Manager Fuller explained the proposed changes to this ordinance. This would reduce the number of regular members required to constitute a quorum and will allow alternate members to participate and vote when a quorum of regular members is not present. Planning & Zoning and Staff recommend approval.

Mayor Hugley opened the Public Hearing at 8:04 p.m.

No one spoke in favor or against.

Councilmember Lightfoot made the motion, seconded by Councilmember Drake, to close the Public Hearing at 8:05 p.m. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Councilmember Lightfoot made the motion, seconded by Councilmember Drake, to approve Ordinance No. 17-030 as read. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved
Enactment No: ORD 17-030

26. Consider approval of Ordinance No. 17-031 amending Chapter 8, "Offenses and Nuisances", by amending Article 8.04, "Junked Vehicles and Abandoned Motor Vehicles", to revise the definition of junked vehicles to ensure the definition is consistent with state law; providing a repealing clause; providing a severability clause; and providing a savings clause.

Mayor Hugley read Agenda Item No. 26 into the record.

Mayor Hugley explained this item to Council stating this will bring our ordinance in line with new state definitions and guidelines.

Councilmember Drake made the motion, seconded by Councilmember Lightfoot, to approve Ordinance No. 17-031 as read. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved
Enactment No: ORD 17-031

27. Consider approval of Ordinance No. 17-032 amending the Code of Ordinances by adopting a new Article 13.12, "Fats, Oils, and Grease Reduction System"; authorizing inspections; requiring drinking water disconnection for noncompliance with grease traps; providing for notice and opportunity to disconnect; providing for enforcement; providing for severability; providing a savings clause; providing a repealing clause; providing a penalty of fine not to exceed two thousand dollars (\$2,000) for each violation; and providing for an effective date.

Mayor Hugley read Agenda Item No. 27 into the record.

Mayor Hugley explained the history with this item. City Manager Fuller added that this will help to protect the city against sewer overflows due to blockages by fats, oil and grease on a commercial level. Assistant City Manager Lawrence followed with additional detail. Council's questions were addressed. Staff recommends approval.

Councilmember Lightfoot made the motion, seconded by Councilmember Wilson, to approve Ordinance No. 17-032 as read. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved
Enactment No: ORD 17-031

28. Consider approval of Ordinance No. 17-033 amending Chapter 13 of the Code of Ordinances, by adopting a new Article 13.12, Right-of-Way Management; establishing regulations for construction, placement, and excavation in rights-of-way and public easements; amending the Master Fee Schedule to adopt fees for the administration of the Right-of-Way Management Ordinance; amending or repealing conflicting ordinances; providing a severability clause; providing a savings/repealing clause; providing for a penalty of fine; providing an effective date; and, providing for the publication of the caption hereof.

Mayor Hugley stated Items 28, 29 and 30 would be discussed in Closed Session. See Closed Session for action taken.

Approved
Enactment No: ORD 17-033

29. Consider approval of Ordinance No. 17-034 adopting the City of Red Oak Design Manual for the Installation of Nodes and Node Support Poles in the City Rights-of-Way, pursuant to Texas Local Government Code, Chapter 284; and designating Design Districts for the installation of Nodes and Nodes Support Poles, to be designated therein; providing a repealing clause; providing a severability clause; and providing an effective date.

To be discussed in Closed Session.

Approved

Enactment No: ORD 17-034

30. Consider adoption of Resolution No. 17-050R amending the Master Fee Schedule by adding Chapter 12, "Utilities, Right of Way Master Fees", and Sections 12.01 "Right of Way" and Section 12.02 "Telecommunications"; and providing an effective date.

To be discussed in Closed Session.

Adopted

Enactment No: RES 17-050R

DEPARTMENTAL REPORTS:

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

A. Fire Department

- July Monthly Activity Report

B. Police Department

- July Monthly Report

C. Community Development

- July Code Services Report
- July Building Permit and Inspections Report
- July Animal Control Report

D. Public Works Department

- July Operational Report
- July Administrative Monthly Report

E. Human Resources

- June Administrative Monthly Report

F. Finance Department

- Finance Report
- Cash Balance Report
- Financial Statement

G. IT Department

- Major Accomplishments
- Current Initiatives
- Challenges

H. Library

- YTD Statistics
- Monthly Newsletter
- Legacy Data

I. Court

- July Statistical Highlights

All departmental reports were submitted to Council and addressed individually as needed. Significant updates given included:

Fire Chief Thompson informed Council that the ISO Rating process is complete and the City maintains a 2 rating. Mayor Hugley added that this is an awesome rating for a city our size. Thompson stated his appreciation for those who attended the Dedication Service for the new engine.

Police Chief Wolf announced that he has a recruit at the academy, leaving a vacancy of four in the department. Lt. Langham is at training at the Leadership Command College through the Law Enforcement Management Institute of Texas.

Code/Community Development Director Silva-Reyes was not in attendance due to training out of town. Assistant City Manager Lawrence stated that residential permits have doubled and inspections are up as well. He added that we are utilizing Bureau Veritas to assist with the work overload and also researching permitting software that will help to make this process run smoothly.

Human Resources Director Lawson stated she is in the process of implementing the new insurance plan for the upcoming year.

Finance Director Reeve stated that water and sewer rates are down a little.

IT Director Binford informed Council he was able to find a savings in an old AT&T circuit which will save the City approximately \$10,000 per year.

Library Director Ragsdale was not in attendance due to vacation.

Court Administrator Collins was not in attendance due to training out of town.

City Manager Fuller introduced our new Finance Director, Ginger Richardson.

CLOSED SESSION:

31. 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.
32. Pursuant to the Texas Government Code, Section §551.071 – **To seek legal advice from the City Attorney regarding Senate Bill 1004, enacted at the regular 85th Legislative Session.**

Mayor Hugley read Agenda Item No's. 31 and 32 for Closed Session. He invited Assistant City Manager Lawrence and Economic Development Director McCleary and moved Council into Closed Session at 8:21 p.m.

REGULAR SESSION:

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

Council reconvened into Regular Session at 8:53 p.m. See below for action taken for Agenda Item Nos. 28, 29, 30, and 32. No other action taken.

28. Consider approval of Ordinance No. 17-033 amending Chapter 13 of the Code of Ordinances, by adopting a new Article 13.12, Right-of-Way Management; establishing regulations for construction, placement, and excavation in rights-of-way and public easements; amending the Master Fee Schedule to adopt fees for the administration of the Right-of-Way Management Ordinance; amending or repealing conflicting ordinances; providing a severability clause; providing a savings/repealing clause; providing a penalty of fine; and providing an effective date; providing for the publication of the caption hereof.

Mayor Hugley explained Items 28, 29, and 30 which are all related. Council had no comment or discussion.

Councilmember Wilson made the motion, seconded by Mayor Pro Tem Toney, to approve Ordinance No. 17-033, Ordinance 17-034, and Resolution No. 17-050R as stated. The Motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved
Enactment No: ORD 17-033

29. Consider approval of Ordinance No. 17-034 adopting the City of Red Oak Design Manual for the Installation of Nodes and Node Support Poles in the City Rights-of-Way, pursuant to Texas Local Government Code, Chapter 284; and designating Design Districts for the installation of Nodes and Nodes Support Poles, to be designated therein; providing a repealing clause; providing a severability clause; and providing an effective date.

See Item 28 above for action taken.

Approved
Enactment No: ORD 17-034

30. Consider adoption of Resolution No. 17-050R amending the Master Fee Schedule by adding Chapter 12, "Utilities, Right of Way Master Fees", and Sections 12.01 "Right of Way" and Section 12.02 "Telecommunications"; and providing an effective date.

See Item 28 above for action taken.

Adopted
Enactment No: RES 17-050R

32. Pursuant to the Texas Government Code, Section §551.071 –**To seek legal advice from the City Attorney regarding Senate Bill 1004, enacted at the regular 85th Legislative Session.**

Councilmember Lightfoot made the motion, seconded by Councilmember Drake, to approve the joinder of the City of Red Oak with the City of McAllen and other Texas Municipalities to contest the legal applicability and validity of SB1004, passed by the 85th Legislature; and, to authorize the payment of lawsuit joinder sum of up to \$2,000.00; approve the hiring of Bickerstaff, Heath, Delgado and Acosta, L.L.P. for such joinder fee; and, to authorize the City Attorney and City Manager to execute the engagement letter; and, to authorize the same to take appropriate and authorized action, express and implied, to further the City of Red Oak interest. The motion passed unanimously.

Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney

Councilmember Ron Wilson

Approved

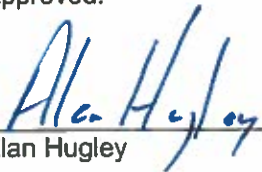
ADJOURNMENT:

Councilmember Wilson made the motion, seconded by Councilmember Lightfoot, to adjourn the meeting at 8:59 p.m. The motion carried unanimously.

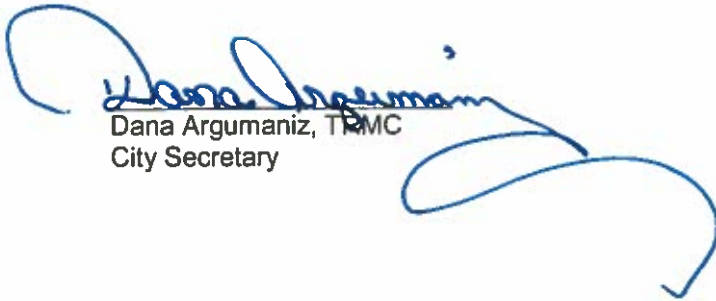
Ayes (4): Councilmember William Drake
Councilmember Tim Lightfoot
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

PASSED AND APPROVED by the Red Oak City Council at a Called Meeting held on August 29, 2017.

Approved:


Alan Hugley

Attest:


Dana Argumaniz, TRMC
City Secretary

