



City of Red Oak

Minutes - Final Public Hearing and Special Called City Council Meeting

Monday, September 18, 2017

6:30 PM

Red Oak Municipal Center
200 Lakeview Parkway

A Public Hearing and Special Called Meeting of the Red Oak City Council was held on Monday, September 18, 2017, at 6:30 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 Scott Lindsey
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Absent (1):

Councilmember Tim Lightfoot

CALL TO ORDER: Mayor Hugley called the meeting to order at 6:32 p.m., declared a quorum and announced that notices were legally posted pursuant to the Open Meetings Act.

COUNCIL BUSINESS – REGULAR SESSION:

1. Consider approval of Ordinance No. 17-043 levying Ad Valorem Taxes for the Year 2018 at a rate of \$0.6490 per one hundred dollars (\$100.00) assessed valuation on all taxable property within the corporate city limits of the city as of January 1, 2017, to provide revenues for current expenses and interest and sinking fund requirements; providing for due and delinquent dates together with penalties and interest; and declaring an effective date.

Mayor Hugley asked Miykael Reeve to legally describe and give specifics on Agenda Item No. 1.

Mayor Hugley asked Council for any discussion. No one spoke. Mayor Hugley asked Miykael Reeve to read the motion into the record, stating:

"I move that the property tax rate be increased by the adoption of a tax rate of \$0.6490, which is effectively a 9.39 percent increase in the tax rate, with a Maintenance and Operation rate of 0.5418 and a debt rate of 0.1072 per \$100 of assessed valuation."

Councilmember Drake moved the motion, seconded by Mayor Pro Tem Toney, to approve Ordinance No. 17-043. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Scott Lindsey
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved
Enactment No: ORD 17-043

2. Consider approval of Ordinance No. 17-044 ratifying the budget for the 2017-2018 Tax Year that raises more revenue from property taxes than in the previous year.

Mayor Hugley stated that we've already passed the budget, but we're required to ratify it this evening. City Manager Fuller stated that it's basically the same budget that Council approved, it just has to be ratified now that Council has done the tax rate.

Councilmember Lindsey read the motion into the record, stating:

"I move that the Council ratify this budget by raising more total property taxes than last year's budget by \$623,221 or a 10.6 percent increase."

Councilmember Lindsey made the motion, seconded by Councilmember Wilson, to approve Ordinance No. 17-044. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Scott Lindsey
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Approved
Enactment No: ORD 17-044

3. Conduct a Public Hearing regarding voluntary annexation of real property generally described as being 82.684 acres, more or less, out of the A.M. Lavender Survey, Abstract No. 630, Parcel No's. 186862 and 230931.

Mayor Hugley explained the Public Hearing process. He then read Agenda Item No. 3 into the record. City Manager Fuller gave a detailed explanation of Agenda Item Nos. 3 and 4, as well as indicating both properties on the monitor as he described the process.

Mayor Hugley explained that, for the process of annexation, there will be a second Public Hearing on both Agenda Item Nos. 3 and 4 tomorrow night, and, therefore, Council won't consider these or vote on them until a further meeting, which will be the October regular Council meeting.

Mayor Hugley opened the Public Hearing at 6:42 p.m.

Casey Hargrove, 213 Rose Garden Way, Red Oak, Texas, spoke in favor of the annexation and said that he would like to voluntarily annex this portion of property into the City. He explained his plans of development for this property, stating that it will fit the use with everything around it.

Councilmember Lindsey made the motion, seconded by Councilmember Drake, to close the Public Hearing at 6:44 p.m. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Scott Lindsey
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

4. Conduct a Public Hearing regarding voluntary annexation of real property generally described as being 68.74 acres, more or less, out of the R.A. Lemmans Survey, Abstract No. 628, Parcel No. 148132.

Mayor Hugley read Agenda Item No. 4 into the record. City Manager Fuller gave a detailed explanation of Agenda Item No. 4 again, stating that it is a developer-driven annexation, but is slightly different than Agenda Item No. 3. By virtue of previous non-annexation agreements done in the past, if something were to be developed, it would have to come into the City limits and conform to our development standards and zoning regulations.

Mayor Hugley opened the Public Hearing at 6:46 p.m.

Craig S. Smiley, Vice President of USA Professional Services Group, 1525 Viceroy Drive, Dallas, Texas, spoke and stated that he represents the owner of the property, Harlan Properties. He further stated that he is available for any questions.

Richard Wise, 143 Mabry Lane, Red Oak, spoke and indicated the area where he lives. He spoke about the large pond that is next to his driveway and stated that anytime it rains or anytime anything happens, it goes directly into that pond and it swells up. With all the development happening and the area being a low area, he wondered if the pond was going to remain there or go away, and if removed, what would happen to all that water.

Councilmember Wilson made the motion, seconded by Councilmember Drake, to close the Public Hearing at 6:49 p.m. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Scott Lindsey
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

Mayor Hugley spoke and explained why the City wants these properties coming in under City standards. City Manager Fuller added that the developers are only at the conceptual stage. He further explained the process, what the developers intend to do, what will be required of them, and stated that some changes may occur with the new development.

Craig Smiley spoke and stated that his client sees the lake as an amenity and every land plan that has been done embraces the lake. There is a proposed roadway for the south side of the lake. It will be in an HOA lot and the intention of the development will be to detain what is needed through that facility there.

Mayor Hugley added that a challenge to building here, as with anywhere, is having enough detentionary. They will rarely ever do away with detentionary because it is a requirement. The City works with the developer to make sure what they are doing doesn't exacerbate a problem.

Mayor Hugley concluded saying that there be another Public Hearing on this tomorrow evening and Council will not be voting on it until October.

CLOSED SESSION:

5. Pursuant to Texas Government Code, Sections §551.071 and §551.072 – To Seek Legal Advice from the City Attorney and to Deliberate the Sale, Exchange, Purchase of an Interest in Real Property for the extension or expansion of municipal infrastructure for property located within the jurisdictional limits of the City of Red Oak.

Mayor Hugley read Agenda Item No. 5 for Closed Session. He moved Council into Closed Session at 6:54 p.m.

REGULAR SESSION:

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

Council reconvened into Regular Session at 7:00 p.m. See below for action taken on Agenda Item No. 5.

Mayor Pro Tem Toney read the following motion into the record: Motion to authorize the City Manager to acquire a water transmission utility easement and temporary construction easement from MSC-1, LTD, Owner, for the sum of \$50,465.00 paid, and to receive and acknowledge a donation from said landowner for any excess, fair market value, and to authorize the City Manager or Mayor to execute the appropriate documents. Mayor Pro Tem Toney moved on the motion, seconded by Councilmember Drake. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Scott Lindsey
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

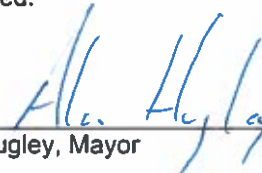
ADJOURNMENT:

Councilmember Wilson made the motion, seconded by Councilmember Drake, to adjourn the meeting at 7:02 p.m. The motion carried unanimously.

Ayes (4): Councilmember William Drake
Councilmember Scott Lindsey
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

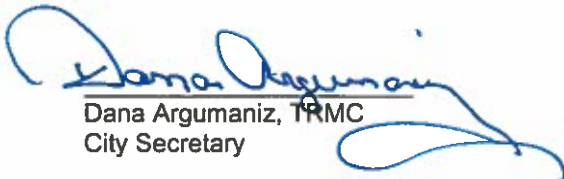
PASSED AND APPROVED by the Red Oak City Council at a Regular Meeting held on October 10, 2017.

Approved:



Alan Hugley, Mayor

Attest:


Dana Argumaniz, TRMC
City Secretary

