



City of Red Oak

Minutes - Final City Council Regular Meeting

Monday, April 9, 2018

7:00 PM

Red Oak Municipal Center
200 Lakeview Parkway

A Regular Meeting of the Red Oak City Council was held on Monday, April 9, 2018, 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
Councilmember Scott Lindsey
Mayor Pro Tem Gordon Toney

Absent (1):

Councilmember Ron Wilson

CALL TO ORDER: Mayor Hugley called the meeting to order at 7:00 p.m., declared a quorum and announced that notices were legally posted pursuant to the Open Meetings Act.

INVOCATION AND PLEDGE OF ALLEGIANCE: Mayor Hugley gave the Invocation and led the Pledge of Allegiance.

PRESENTATIONS:

- Proclamation – National Crime Victims' Rights Week

Mayor Hugley asked Police Chief Wolf to join him in front of the dais. He stated that April 8-14, 2018, has been designated as National Crime Victims' Rights Week and we want to respect that here in the City of Red Oak. He asked Police Chief Wolf to explain to Council what the Proclamation means to the department. Police Chief Wolf stated this year's theme for National Crime Victims' Rights Week is "Expand the Circle." He further stated that one of the initiatives is to help us supply better support to our victims of crime in our communities. It allows the police department, through our efforts at public education and departmental training, to reach into the community for those victims of crime and provide them resources, be it psychological, financial, or legislative and judicial remedies for their victimization as a result of crime. Police Chief Wolf further explained other actions they are taking to become better at supporting crime victims. Mayor Hugley concluded by reading the proclamation into the record.

CONSENT AGENDA:

1. Consider approving the following Minutes:
 - March 12, 2018 – Regular Council Meeting
 - March 29, 2018 – Public Hearing & Special Called MeetingApproved on the Consent Agenda

2. Consider adoption of Resolution No. 18-016R approving the amendment of authorized signers of the bank accounts located at Prosperity of Texas; providing a repealing clause; providing a severability clause; providing an effective date.

Adopted

Enactment No: RES 18-016R

3. Consider approving the absence of Mayor Pro Tem Gordon Toney from the March 12, 2018, Regular Meeting of the Red Oak City Council.

Approved on the Consent Agenda

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

Ayes (3): Councilmember William Drake
Councilmember Tim Lightfoot
Councilmember Scott Lindsey

Mayor Pro Tem Gordon Toney recused himself from the vote due to Consent Agenda Item No. 3.

CITIZENS COMMENTS:

Mark Stanfill, 919 Country Creek Lane, Red Oak, spoke and thanked Mayor Hugley and Council for their leadership over the years. He stated that Council has brought this city into a better standing and he felt that they needed to be recognized for such.

COUNCIL BUSINESS – REGULAR SESSION:

4. Consider adoption of Resolution No. 18-017R approving the Comprehensive Annual Financial Report (Annual Audit) performed by Judd, Thomas, Smith & Company, P.C., 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.

Mayor Hugley introduced Andrew Moore with Judd, Thomas, Smith & Company and asked him to speak about the audit. Mr. Moore spoke at length, touching on highlights of the audit and stating that the City of Red Oak has a clean audit report.

Mayor Hugley summarized and added to what Mr. Moore stated. He asked Finance Director Richardson to give input on the audit. She gave a brief summary of the process.

Councilmember Drake made the motion, seconded by Councilmember Lightfoot, to adopt Resolution No. 18-017R. The motion carried unanimously.

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

Adopted

Enactment No: RES 18-017R

5. Conduct a Public Hearing and consider approval of Ordinance No. 18-013 approving a zoning change from Highway Oriented (HO) to Planned Development 90 (PD-90) to allow for townhomes for approximately 1 acre, AJ Parks Survey, A-849, City of Red Oak, Ellis County, Texas, located north of Brothers Blvd. and south of Daubitz Dr., requested by Ecosium, LLC.

Mayor Hugley briefly explained the Public Hearing process and read Agenda Item No. 5 and Agenda Item No. 6 into the record. City Manager Fuller gave a detailed explanation of this agenda item.

Mayor Hugley opened the Public Hearing at 7:26 p.m.

O.T. Posadas, 208 Atlantic Avenue, Waxahachie, Texas, spoke and stated that he represents Acker Construction and is working with Naddy Guermi. He is available for questions.

Councilmember Lightfoot made the motion, seconded by Councilmember Drake, to close the Public Hearing at 7:28 p.m. The motion carried unanimously.

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

Mayor Hugley and Council discussed the agenda items at length.

Councilmember Lightfoot made the motion, seconded by Councilmember Drake, to approve Ordinance No. 18-013 as read. The motion carried unanimously.

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

Approved
Enactment No: ORD 18-013

6. Consider approval of a Preliminary Plat for the Red Oak Townhomes; approximately 1 acre, AJ Parks Survey, A-849, City of Red Oak, Ellis County, Texas, located north of Brothers Blvd. and south of Daubitz Dr., requested by Ecosium, LLC.

Councilmember Lindsey made the motion, seconded by Councilmember Lightfoot, to approve the Preliminary Plat for Red Oak Townhomes as described. The motion carried unanimously.

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

Approved

7. Conduct a Public Hearing and consider approval of Ordinance No. 18-014 approving a text amendment change in the Red Oak Zoning Ordinance by amending Section 15, Special Yard, Height and Railroad Access Requirements, 6.15.2, Outside Storage; providing for regulations and definitions.

Mayor Hugley read Agenda Item No. 7 into the record and gave a brief explanation of this agenda item. City Manager Fuller added that P & Z and staff approved this item.

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

Brenda Ross, 217 Pecan Creek Street, Red Oak, Texas, spoke and asked if the need arose, could she (or anyone) ask for an additional month over the 60 (days) time frame for the outside storage, and asked Council to consider this request for special circumstances.

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

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

Mayor Hugley, City Manager Fuller and Council discussed the agenda item at length. City Attorney Hager also spoke during the discussion.

Councilmember Lightfoot made the motion, seconded by Councilmember Drake, to approve Ordinance No. 18-014 as read. The motion carried unanimously.

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

**Approved
Enactment No: ORD 18-014**

- 8. Conduct a Public Hearing and consider approval of Ordinance No. 18-015 approving a text amendment change in the Red Oak Zoning Ordinance by adding a new Section 20, Gas Well Drilling and Production to Article 6; providing for regulations, zoning districts and definitions.**

Mayor Hugley read Agenda Item No. 8 into the record and gave a brief explanation of this agenda item. City Manager Fuller gave a further, more detailed explanation. City Attorney Hager also gave a thorough explanation and overview.

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

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

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

Mayor Hugley, City Manager Fuller and Council discussed the agenda item at length. City Attorney Hager also spoke during the discussion.

Councilmember Drake made the motion, seconded by Councilmember Lightfoot, to approve Ordinance No. 18-015 as read. The motion carried unanimously.

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

**Approved
Enactment No: ORD 18-015**

DEPARTMENTAL REPORTS:

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

- A. Fire Department
 - Monthly Activity Report
- B. Police Department
 - Monthly Report
- C. Community Development
 - Code Services Report
 - Building Permit and Inspections Report
 - Animal Control Report
- D. Public Works Department
 - Operational Report
 - Administrative Monthly Report
- E. Human Resources
 - 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
 - Statistical Highlights

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

Fire Chief / Interim Assistant City Manager Thompson thanked the Public Works Department and the IT Director for their hard work on a joint project building their perimeter fence. It saved a lot of tax dollars by doing it the way it was done. He further mentioned the police and fire joint, cooperative-effort drill performed on Friday with the school district and other municipalities stating that it was a huge success.

Police Chief Wolf informed Council that PD has selected its Officer of the Year for 2017, which is Drew Whittenberg. Police Chief Wolf stated that he would bring Officer Whittenberg to Council next month. He updated Council on the two officers in field training and two officers starting the academy. He concluded by giving Council an update on the joint drill or exercise done on Friday with the fire department and other agencies. Per Wolf, everyone was pleased with their successes achieved during the drill. City Manager Fuller added that this is cutting edge activity not seen in other cities our size. He extended his deep appreciation and thanks to Police and Fire, as well as the school, for

making this happen. Mayor Hugley also added his appreciation and admiration of our fire and police departments, particularly Chiefs Thompson and Wolf, and what they've brought to our emergency services.

Community Development (CD) / Public Works (PW) Director Silva-Reyes spoke and updated Council on the Chick-fil-A restaurant soft opening today. He had no other updates at this time, but was available for questions.

Finance Director Richardson stated she had no updates at this time, but was available for questions. Mayor Hugley thanked her for her work on the audit.

Library Director Ragsdale stated that the Library circulated close to 2,500 items this last month and had over 1,800 visitors. He also told Council that it is National Library Week, which started on Sunday. Other than that, he had no other updates, but was available for questions.

CLOSED SESSION:

9. 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.
10. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with City Attorney** concerning Road Expansion Contract #2964-12-003/2964-12-001.
11. Pursuant to the Texas Government Code, Section §551.072 – **Deliberate an Offer for Sale, Acquisition or Exchange of Real Properties south of Ovilla Road, north of Red Oak Road, east of I-35, and west of State Hwy 342.**

Mayor Hugley read Agenda Item Nos. 9, 10 and 11 for Closed Session. He moved Council into Closed Session at 8:03 p.m.

REGULAR SESSION:

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

Council reconvened into Regular Session at 9:36 p.m. No action taken.

ADJOURNMENT:

Councilmember Lightfoot made the motion, seconded by Councilmember Drake, to adjourn the meeting at 9:37 p.m. The motion carried unanimously.

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

PASSED AND APPROVED by the Red Oak City Council at a Regular Meeting held on May 14, 2018.

Approved:



Mark L. Stanfill, DVM
Mayor

Attest:



Dana Argumaniz, TRMC
City Secretary

