



## City of Red Oak

### Minutes - Final City Council Regular Meeting

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Monday, September 10, 2018

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 on Monday, September 10, 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 Mark L. Stanfill  
Councilmember Tim Lightfoot  
Councilmember Scott Lindsey  
Mayor Pro Tem Gordon Toney  
Councilmember Ron Wilson

**Absent (1):**

Councilmember William Drake

**CALL TO ORDER:** Mayor Stanfill 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:** Councilmember Wilson gave the Invocation and led the Pledge of Allegiance.

**CONSENT AGENDA:**

1. Consider approving the following Minutes:
  - August 13, 2018 – Regular Council Meeting
  - August 14, 2018 – Public Hearing & Special Called Meeting

**Approved on the Consent Agenda**
2. Consider approving the change of the Regular City Council Meeting from October 8, 2018, to Tuesday, October 9, 2018, due to the Columbus Day holiday.

**Approved on the Consent Agenda**
3. Consider approval of Ordinance No. 18-032 amending Ordinance No. 17-038, amending the Fiscal Year 2018 Official Budget; appropriating funds to increase revenue from Miscellaneous Revenue and Insurance Proceeds within the General Fund 115 as attached in Exhibit A; appropriating funds to increase expenditures in the General Fund 115 as per attached Exhibit A; providing that expenditures for said Fiscal Year be made in accordance with said amended budget; providing a severability clause; and providing an effective date.

**Approved**  
**Enactment No: ORD 18-032**
4. Consider adoption of Resolution No. 18-037R approving the terms and conditions of an Interlocal Cooperation agreement by, between, and among Ellis County Emergency Service District #4 and the Red Oak Fire Department for emergency response to fire calls within a certain area in the county and contiguous to the City of Red Oak; which agreement is attached hereto and incorporated herein as Exhibit A; authorizing the City Manager to sign said agreement; and providing an effective date.

**Adopted**  
**Enactment No: RES 18-037R**

5. Consider adoption of Resolution No. 18-038R approving a contract with Library Systems & Services, LLC, for library management and operation services for Fiscal Year 2018-2019; authorizing the City Manager to execute the contract; and providing an effective date.

**Adopted**  
**Enactment No: RES 18-038R**

6. Consider adoption of Resolution No. 18-039R approving an agreement between the Red Oak Industrial Development Corporation (ROIDC) and the City of Red Oak for Administrative and Program Support Services for Fiscal Year 2018-2019.

**Adopted**  
**Enactment No: RES 18-039R**

7. Consider adoption of Resolution No. 18-040R approving an agreement between the Red Oak Economic Development Corporation (ROEDC) and the City of Red Oak for Administrative and Program Support Services for Fiscal Year 2018-2019.

**Adopted**  
**Enactment No: RES 18-040R**

8. Consider adoption of Resolution No. 18-041R providing for the appointment Dana D. Huffman as Municipal Court Prosecutor; authorizing the Mayor to execute a two-year Professional Service Agreement with the Prosecutor; providing a repealing clause; and providing for an effective date.

**Adopted**  
**Enactment No: RES 18-041R**

9. Consider adoption of Resolution No. 18-042R approving a negotiated settlement BETWEEN THE Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2018 Rate Review Mechanism Filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement; finding the rates to be set by the attached settlement tariffs to be just and reasonable and in the public interest; approving an attached exhibit establishing a benchmark for pensions and retiree medical benefits; approving an attached exhibit regarding amortization of regulatory liability; requiring the company to reimburse ACSC's reasonable ratemaking expenses; determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the company and the ACSC's Legal Counsel.

**Adopted**  
**Enactment No: RES 18-042R**

10. Discussion, consideration, and action to approve a letter of support of roadway improvements and expansion of FM 664 through the City of Red Oak, approving support for the project moving forward and advancing to the design phase process.

**Approved on the Consent Agenda**

**Mayor Stanfill read the Consent Agenda. Mayor Stanfill 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 on in one motion or separately.**

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

**Ayes (4):** Councilmember Tim Lightfoot  
Councilmember Scott Lindsey

Mayor Pro Tem Gordon Toney  
Councilmember Ron Wilson

### **CITIZENS COMMENTS:**

**Marilyn Bowen**, 105 N. Lenard Street, Red Oak, Texas, spoke regarding code enforcement. She stated that she moved here from Waco 20 years ago for her husband to coach basketball for Red Oak High School. Ms. Bowen stated that for the last four years, the neighborhood has deteriorated. One house on the street is literally a dump site. Code Enforcement has been out multiple times and it seems to not get taken care of. There are other yards that are not taken care of where grass is up to waist-level. She stated that her brother-in-law came to visit from Irving and stated that this [conditions on her street] would not be tolerated one day in that city. Ms. Bowen asked Council why they [Irving, Texas] have higher standards than Red Oak. She asked if the city takes pride in their town to establish higher standards or are they satisfied with these kinds of yards? Does the city only allow lower standards in the old neighborhoods or would this be allowed in the newer ones?

Mayor Stanfill invited Ms. Bowen to contact staff tomorrow so that her questions can be answered. She agreed.

**Julia Easley**, 123 Shadow Ridge Lane, Red Oak, Texas, spoke and stated that she is the President of the Red Oak Friends of the Library. She stated that she and other members have been to several Council meetings through the years to speak about the value of library, its importance in the community, and how the citizens and members of this community work to support and build up the library. She further stated that Friends are about to celebrate the 4<sup>th</sup> anniversary of their being incorporated. Ms. Easley stated that the library is a hidden jewel in this community and it brings a huge value. For some people, the library is a criteria when considering moving to this community. She stated that the library is doing a fabulous job. She informed Council that the Red Oak Library is the 10<sup>th</sup> smallest physical library in the state of Texas out of 500-plus recorded library locations. Per Google, Red Oak is about the 134<sup>th</sup> largest city in Texas. Ms. Easley reported these statistics to show how small the Red Oak Public Library is to the vastness of Red Oak and the big growth plan that's underway. Ms. Easley reiterated the great job that the library is doing, and stated that it needs to be maximized. She stated that the Friends of the Library supports increasing and enhancing the funding of the library.

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

11. Conduct a Public Hearing to receive public comment regarding the proposed 2018-2019 ad valorem tax rate of \$0.705480/\$100 of assessed valuation.

Mayor Stanfill read Agenda Item No. 11 into the record. He gave an explanation of this agenda item and read a chart with an overview of the proposed uses of the additional revenue. City Manager Fuller then gave a detailed explanation of this agenda item.

Mayor Stanfill opened the Public Hearing at 7:17 p.m.

**John Lister**, 327 Susan Way, Red Oak, Texas, spoke against the tax rate increase. He thanked Mayor and Council for the opportunity to speak about the proposed tax increase. He stated that members of Council are charged with representing all of the Red Oak constituency, not just a select group. This proposed increase must be considered as to whether it is truly the wants of a few at the expense of the many. Mr. Lister quoted a recent Nextdoor (copy given to Council) poll which shows over 90 percent of the respondents against the tax increase. Is a vote for an increase truly representative of that constituency? Mr. Lister further stated that while the Bible commands us to render unto Caesar what is

Caesars, it does not say to render to Caesar and all of his extended family. That is the burden which is currently being felt and being put on the Red Oak taxpayer from many sources, including the City of Red Oak. Admittedly, the City of Red Oak currently provides good services to its residents. Likewise, emergency law enforcement services appear to be top notch, particularly for a city this size. Red Oak's population is only about 15,000. We are not the size of Waxahachie and we're not the size of Cedar Hill that we're being compared to. This is currently being accomplished by the city budget that's in place. Is an increase simply needed or is it simply a want or a desire? Mr. Lister asked what the utilization of the existing facilities was in Red Oak. He has seen no people in the park across from the tax office. He referenced another Nextdoor poll that was given to Council in reference to the issue of parks. Is the want of a new or elaborate children's recreational facility truly a need or is it simply a want of a few at the expense of the many? Mr. Lister concluded by asking Council to consider whether a "yes" vote for an increased tax rate is truly representative of the constituency. If Council determines the increase to be necessary, he encouraged Council, for the sake of transparency, to allow the citizens of Red Oak to vote on the increase rather than having it imposed on them.

Penny Story, 106 S. Summit Street, Red Oak, Texas, spoke against the tax rate increase. She stated that she was speaking as a resident and as a representative of the group, Constitutional Conservative Activists. She stated she is against the tax rate increase from \$0.069000 to \$0.705480. The proposed rollback tax rate is \$0.705481 and the rate increase is \$0.705480. The rollback tax rate is the maximum tax rate allowed by the law without voter approval. Ms. Story asked Council if it was possible that the governing body of Red Oak did not know that when they set this proposed tax rate a fraction below the rollback rate, that it would deny the citizens the right to vote on the increase. In actuality, the proposed tax rate could and should be lowered to the effective tax rate of \$0.609668 to produce the same amount of revenue as produced last year without considering the additional revenue from all the new construction which will be on the books in 2018-2019. She stated that the people are seeking to stop rising property taxes by requesting the governing body to adopt the effective tax rate; otherwise, there's likely a double-dip taxation on the existing tax base while collecting new revenue from new properties added to the tax roll. The justification for adopting the lower effective tax rate is simple: growth should pay for itself. This proposed nearly 6 cent tax rate increase puts the squeeze on struggling families and businesses. Apartment associations and landlords are stating that tax increases adversely impact the homeowners and the renters in the form of higher rents. Ms. Story read a list of counties and cities who have lowered their tax rates: Ellis County, Collin County, Maypearl, Ovilla, Colleyville, Allen, Arlington, Coppell, Dallas, DeSoto, Duncanville, Farmers Branch, McKinney, North Richland Hills, Plano, Rowlett and Wylie. She concluded by asking the governing body to step forward and lower the tax rate and be good stewards of the citizens money. It is the right thing to do for the citizens of Red Oak.

Sean Kelly, Vice President of the Red Oak Baseball and Softball Association and resident of 705 Bells Chapel Road, Red Oak, Texas, spoke in favor of the tax rate increase. He stated that he was speaking as a resident and as a representative of the ROBBSA. He stated that it [tax rate increase] will help the ROBBSA as a youth organization and will have a positive impact. The city owns no athletic facilities. The city has two parks: Watkins Park and Pearson Park. The current baseball and softball association is actually being utilized by the school district. With this increase, our community will have the opportunity to have something of our own. Also, it gives us the opportunity for the city to be able to keep kids and money in the Red Oak. Mr. Kelly stated that in the fall season alone, there were 247 kids who signed up to play baseball and softball in this area. The ROBBSA is very much in favor of this tax increase; not only does it do something for the youth, it also does something for the city as far as giving the city the opportunity to do some water improvements and road improvements, and those are things that are important, too. He stated that there is the opportunity to earn the city lots of money with tournaments and people who show up here instead of losing them to Waxahachie and Cedar Hill. This is long

overdue for the city to do something for our youth. The facilities we have now are so outdated that we are losing people to other cities. Mr. Kelly expressed his appreciation to Council for doing this because it is a big deal.

Dawn Tunnell, 507 Canary Lane, Red Oak, Texas, spoke in favor of the tax rate increase. She thanked Council for the opportunity to speak. She said that she was here to voice her support of the tax rate increase that will allow for recreational and library facilities for the children as well as the adults. It is time for the city to step up and start caring about our children who one day will be the future of this city. Ms. Tunnell urged Council to invest in the children now because they will remember whether they lived in a city that cared about them. In addition to investing in our children, you will be investing in the city. If we are able to provide facilities that can host tournaments of all kinds, it will bring revenue to the city through the fees that are charged for the tournaments, through the restaurants that will be frequented, and the hotel space. She stated that Red Oak wants to be seen as a family-oriented community that invests in its children and residents. Ms. Tunnell noted that some of the revenue raised from the tax rate increase would be used for senior citizens. She thought it would be good if the children and seniors could be brought together where they could learn from one another. She urged Council to vote yes for the tax rate increase.

Chris Moses, 120 Stainback Court, Red Oak, Texas, spoke against the tax rate increase. He stated that there are people in the city who are living on a fixed incomes and are disabled. These people cannot afford to pay higher taxes when they are already paying a higher appraisal value. Per Mr. Moses, the City of Red Oak currently only gives an exemption of \$3,000.00 for a disabled person. A lot of cities around the area, including Ovilla and Waxahachie, are \$10,000.00 or more on a disabled person. He asked Council to keep that in mind that a disabled person is on a fixed income, that they're not going to be able to afford any more with an appraisal increase. Mr. Moses referenced the discussion about the parks saying that there have been two parks bonds which were voted down. There are a lot of people in the Red Oak Baseball & Softball Association that have kids that aren't in the [city] limits of Red Oak and they are not going to be affected by this tax increase; the voters are. Mr. Moses concluded by saying Red Oak citizens voted down the parks bonds twice and they are the ones who elected the city officials who are here at this table.

Brian Sebring, President of Red Oak Pee Wee Football and resident of 301 Valley Ridge Drive, Red Oak, Texas, spoke in favor of the tax rate increase. He stated that this town is starving for youth support. He takes his sons to a select baseball team out of town to Mansfield. Red Oak is losing money in restaurant revenue and hotel revenue and in so many areas. Mr. Sebring stated that he knows people that are building homes in Midlothian because youth facilities are available to them there. Every day, someone is moving to a Waxahachie, Midlothian, or Mansfield, to an opportunity where a kid might have facilities to play. He's heard commentary from several citizens in this community that the kids are starving and need to get into programs to help them become great citizens. Sports helps grow kids into great citizens. Mr. Sebring concluded by saying that Red Oak Pee Wee Football supports the tax increase and would love the opportunity to help grow what we already have and to keep our citizens here as well as bring more in.

Casey Hargrove, 213 Rose Garden Way, Red Oak, Texas, spoke in favor of the tax rate increase. He stated that he sat on Council from 2004-2010 and during those years, Council kept the tax rate the same and actually lowered it on one occasion. Looking back, one of the things that marks that term is what Council didn't accomplish. This Council has a now has a chance. When people talk about fiscal responsibility, it's more than just the tax rate; that is one component of it. Mr. Hargrove stated that a city can have the lowest tax rate, but if it's unable to hire good police officers and get ones that no one wants, and those officers cost the city hundreds of thousands of dollars in liability, the city is being fiscally irresponsible. The city can have the lowest tax rate, but if it's unable to maintain its current parks, it's being fiscally irresponsible. The city can have the lowest tax rate, but if its

citizens are dodging pot holes to and from work every day, it's being fiscally irresponsible. Mr. Hargrove stated that there are cities that go the other way, that have a giant bureaucracy and "churn and burn" through money while offering little to the citizens. He stated that he believes there is a "sweet spot" somewhere in between and that Council is trying to find that. Council has been good stewards with the taxpayer's money and he trusts that whatever move Council makes, they will continue to do that.

Melissa Hauffe, 604 Shallow Creek Drive, Oak Leaf, Texas, spoke in favor of general resources for the Red Oak Public Library. She stated that her children attend Red Oak High School and Shields Elementary and while both of those schools have nice libraries, they are not open after school. She stated that her son is limited to two books a week at his elementary school and that just doesn't cut it. Ms. Hauffe presented and read a letter from her son, Louis. She stated that Louis is the biggest fan of the library, but when they visit the library, it's really a "to go" event because the library isn't big enough to do anything more than to get the books and go. She went on to say that the ballroom used by the library for summer activities is big and she is grateful to have that space. Ms. Hauffe stated that her daughter is on the robotics team which has volunteered a few summers for a STEM demonstration in the ballroom. She concluded that although she is in Oak Leaf, the library brings the communities together and it's more than just education. She thanked Council for considering increasing funding for the library.

Amy Hedtke, 106 Vanderbilt, Waxahachie, Texas, spoke against the tax rate increase. She explained that she has friends and family in Red Oak. She further stated that she used to live here and was on the Library Board and Parks Board. She referenced the student, Louis (Hauffe), and stated that while he is probably a good kid, he's not the one paying for this tax hike. Ms. Hedtke stated that this is a great run around to get other people to pay for something that people who don't live in the city want. The voters have clearly told Council this, not just the Nextdoor poll and not just the discussion on Facebook. Ms. Hedtke said that she didn't know who Council was talking to, but people in the city limits have stated repeatedly that they are not ready to pay for this stuff. It is not a family-friendly policy to tax people out of their homes. Taxes are already too high. People have been trying to tell you that in these elections. They need tax relief. They don't need another park. Ms. Hedtke further stated that when families are evicted from their homes because they can't pay the taxes, they can't sleep in a library, or in a school, or in the parks. What is the number of economically disadvantaged students in your district that are already on your free and reduced meals programs at the schools? There are families that can barely afford to put food on the table and Council wants to talk about them subsidizing the entertainment desires of a minority of people. She stated that Council was hiding behind five zeros; \$0.000001 cent before Council would have to take this to the voters for an election. She said that if Council is so convinced that the voters in this city want this, put it to a vote. Council knows it can't do that because it would lose again. If the residents want parks, libraries and road improvements, put a bond out there. Let the people decide on these things; you have that option. Don't hide behind five zeros; put it out to a vote. You can at least look people in the eye without having to lie about what you think the majority of people want. Ms. Hedtke stated that Council knows it's a lie because the election records show it. Two park elections failed. School bonds failed. She concluded by asking Council not to do this to the community.

Ginny Lindsey, 312 N. Highland Avenue, Red Oak, Texas, spoke in favor of the tax rate increase. She explained that she was speaking on behalf of the Red Oak Parks & Recreation Commission. She stated that she has had the pleasure of serving for a little over 10 years. In her voluntary capacity as a Parks & Recreation Commission member, she has heard from citizens on how much the city needs the Parks & Recreation Board and the facilities for citizens not just old, but the young ones as well. She and the commission has worked hard to provide what they could with the funds for the park improvements and enhancements to both Watkins and Pearson Parks. What they've not been able to do is

provide recreation facilities for soccer fields and football field and the basketball association and softball and baseball. She stated that the Parks & Recreation Commission has done pretty good with the funds they've been given. She stated that it is her understanding that for a little bit of money per month on a home, it will be able to provide a lot more. Senior citizens are not going to get a tax increase or have their taxes raised. There frozen. Ms. Lindsey stated that through Council's commitment, we will see that our citizens have facilities to enjoy right here in the place that we love and call home – Red Oak, Texas. As a board [Parks & Recreation Commission], we support the sales tax that's being spent before and after games, and let's keep that here. Let's do these facilities for the betterment of our children and our grandchildren. She thanked Council for allowing this and she pledged her support.

Manuel Esquivel, 318 Bob White Drive, Red Oak, Texas, spoke in favor of the tax rate increase. He explained that he is speaking on behalf of the Red Oak Soccer Association. Since December 26, 2015, the Red Oak Soccer Association has been without a home. They have no location for the kids to play the game they love. This amounts to 990 days, 142 weeks, 33 months and five completed soccer seasons ago. All of this hard work and dedication has been done in a neighboring city, a city that has stepped up and allowed the Red Oak players to play as guests in their town and in their fields. Mr. Esquivel stated that he feels gratitude to Waxahachie for stepping up. It is hard for us to understand why Red Oak can't get fields for the kids in the city we love and reside in. He further stated that Council now has the opportunity to do something, to finally make a difference in our youth's future – to bring to this city what our neighboring cities already have. He stated that he realizes that ball fields are not a money-making endeavor, but believes the quality of life it [ball fields] brings to our residents is a fair trade. This will ultimately lead to happier residents and a home for our kids to play. Mr. Esquivel reported that for local business and overall financial benefits, neighboring teams will come and spend money in Red Oak by visiting local restaurants, gas stations, retail stores, and hotels. Bringing fields to Red Oak is a win-win for everyone. The ROBSA has worked very hard over the years, being involved in the city to make an impact, and to give back, all without a place to play in Red Oak. Imagine what we can do once we have our own fields. Now is the time and this is the opportunity, and Council can finally make it happen.

Ralph Madden, 101 Enchanted Court, Red Oak, Texas, spoke in favor of the tax rate increase. He stated that in 2010, someone stepped down from the Council and he stepped up. He was on Council those eight years when the tax rates stayed the same. He is a senior citizen and so this tax rate is not going to affect him personally; however, taxes still go up thanks to our appraisal district. The appraisal district is really the one that says how much a homeowner is going to pay in taxes. He stated he believes that most people received the maximum increase this year of 10 percent. This is a pretty healthy increase without doing a thing on residents' behalf. Mr. Madden said that he personally wouldn't get so excited about one of those items on the list until he knew how much money was being considered. Are we talking about the sports facilities? If that brought in an extra million [dollars] for example, but \$10,000 comes over to sports, that's not going to help a whole lot. He stated that he needs to see more figures on how Council will split up that money. He concluded by stating that he appreciates all that city staff does, what the governing body does, and is a big fan of the city.

City Attorney Hager made the motion: Motion to close the Public Hearing [at 7:56 p.m.] and set a date to deliberate and consider the proposed tax rate for September 17, 2018. Councilmember Lightfoot moved the motion, seconded by Councilmember Wilson. The motion was unanimous.

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

Councilmember Ron Wilson

**Mayor Stanfill spoke and stated there will be more information that is forthcoming once it is all finalized and once Council can see the budgetary items and how that money is going to be distributed. He asked the citizens to trust Council and be assured that they have a plan.**

**Mayor Pro Tem Toney spoke and stated that he would like to make a comment before Council moves on. He stated that he is not speaking for every Councilmember, because he wouldn't do that, but he thinks it's important that someone says something. Otherwise, one might look upon this body [Council] as arrogant and non-caring. That's not the case. Everyone needs to understand that Council has spent countless hours discussing the merits of this [tax rate increase]. This is something that is important to us, important to you, and it is not taken lightly. Mayor Pro Tem Toney further stated that his whole life, he's taught history and government, and his belief was that the number one job of government is to take care of the people. He added that he takes that responsibility seriously. He assured the citizens that Red Oak does have the best fire and police protection. He added that he has watched these department heads of the other departments of the city work with the budget and try to accomplish what we needed to do with almost nothing . . . and they get it done. When you look at what we want to do and accomplish with this [tax rate increase], it's not just the park and it's not just for a select group as someone said. Is it needed or desired? It is needed. Someone said that nobody wants this and the bonds have always been defeated. The last vote was very close. Mayor Pro Tem Toney stated that he has lived in this town since 1984 with the exception of three years. He has been told every year that our kids need something. He stated that he and his wife weren't able to have kids. As far as a park or ball field, he'll never step foot on one and won't have a kid or grandchild to do it. But he cares about the kids in this town and they deserve something. He talked about other larger cities dropping their tax rates and this was due in part to more sales tax revenue. He hoped that Red Oak would be able to do that one day, too. At this point, it can't be done. There are things that need to be done as a city that right now, we have no choice. This is not being taken lightly. We struggle with it. We didn't argue about it, however, because we all care. Everyone expressed concerns that you've expressed. Do not think that Council does not care. We do. This is important to the entire citizenry of Red Oak. He knows of some people who are choosing not move here because their children do not have a place to go.**

**Mayor Pro Tem Toney went on to say that there is something about which he is offended and angry. He addressed Ms. Hedtke and stated that he does indeed look people in the eye and has never lied to anyone about this. He said that he found it offensive that she said that he did [lie]. He said that Council cares about this community and this town. He concluded by thanking everyone for listening to him. He assured the citizens that every Councilmember cares.**

**Councilmember Lindsey spoke and thanked everyone who attended and spoke at the Public Hearing. He stated that this is a very important topic and assured everyone that their comments were heard. He stated that he understand that anytime money is discussed, it is a very emotional issue. Councilmember Lindsey further stated that he's been on Council for 11½ years and has watched the city grow into one he is proud of today. He has been happy to vote for no tax increases several times. As an elected position official, he has tried to listen to citizens and do the best for all citizens of Red Oak. He stated that he knows there is no way that he will make everybody happy. However, he feels strongly that the city is at a cross roads. Council has been given an opportunity in this budget to make a positive impact on the young and old alike for years to come. Councilmember Lindsey further stated that as Council takes this [tax rate increase] into consideration, he hopes that the citizens will understand that we live in a great city and that we're extremely blessed. The library to the police department, to all of the services, to the volunteers, and everyone who gets off their butt for the betterment of the city, he appreciates them. No matter the decision that is**



made, the community will remain strong or it should – a strong place to visit, a strong place to live, a strong place to show our children and grandchildren the spirit of cooperation and community, something that is lacking in many places today. He added that he is thankful it is not [lacking] here. This should not be a divisive issue. We will not all agree, but we can all come together and make the best of this situation going forward, together, without insults and without negativity. There are several thousand registered voters and many times, elections are done by hundreds. We need to be involved. He has heard personal attacks and criticism, and to those, he stated that they will not sway him from voting the way he feels he should. He concluded that he is taking all comments into consideration and praying over them, and will make the decision he feels is right. He also stated that he takes it very personally when someone threatens to put him out of office – for a volunteer job. He stated that it is cowardly and very inappropriate and very unnecessary in our city. He believes this city is great and the people who serve this city are amazing. Council must make this decision and move forward, hopefully together, as one.

Councilmember Wilson spoke and stated that he wholeheartedly agrees with what the other Councilmembers shared. He stated that he's been on Council, in and out, and on various other boards voluntarily and has put up with a lot of crap. He's had people go to his home and call him a louse when they didn't agree with him. He said he loves this little town and has been here since 1985. His kids went to school here. He added that he's seen a lot of growth and seen a lot of wonderful people who've done tremendous things, people who actually want something because they live here. He reminisced about voting on past Councils and being proud of not raising taxes, but things are expensive. It's amazing the different things that have happened here in just a short period of time. The explosion happened between 2000 and 2004 where things really started generating. He reiterated that he is proud of this town and proud of Ellis County, and proud that Ellis County has Red Oak as its gateway. He is proud that when people drive through here, knowing they're in a place that's special. He further stated that he prays for this town, for the Police Chief and his men and women, the Fire Chief and his men and women, and all those who care for us and go beyond. Our volunteers care so much about where they live that they give their time and effort, and he's proud of what this city has done for him. He thanked the citizens for letting him be a part of this community.

Councilmember Lightfoot spoke and stated that he agreed with what the other Councilmembers shared. He stated that he's been on Council for quite a while and been a councilmember during the years when they didn't raise taxes, and he said that the decisions were very calculated to be able to do that. As Council has gone through the budget process each year, city employees and department heads have come to Council with what they need to accomplish their jobs. Most of the time, Council heard that departments needed more people or more capital items – these are the things that the growth within the city pays for mostly. This is why Council has been able to keep the tax rate where it is. If you grow by a certain number of people, there's additional taxes on that and you get a new business, there's additional taxes on that, and that allows you to do some of those things you need to do to manage that growth. Councilmember Lightfoot added that the city has a very small budget for road improvements. Council sets money aside to handle those things and that's what the operational budget is. There are things that have come up in the past that our yearly budget wouldn't allow for. In those cases, Council has made some very strategic debt moves in order to get money at the cheapest rates in history. This has allowed us to catch up on some of the street repairs that were needed and some of the park improvements that we wanted to do. However, there comes a time when there are things that need to get done that the yearly budget just won't cover. You have to borrow money to do those things. He referenced the list stating that it outlines things that the city has needed for a long time. If the citizens attended budget meetings, then they heard our directors asking us for these things. He referenced the need for more space for the library as an example. There's a cost that growth doesn't always pay for, at least in the short term. At some point, you have to step back and say 'what do we need to provide, what are people

asking for, and how much does it cost.' Councilmember Lightfoot talked about the budget process. He discussed that these needed items are things that we can't get out of our budget. He concluded by stating that no one on Council likes the idea of raising taxes, but things have to get paid for.

Mayor Stanfill spoke and stated that our great government allows us to choose a rate that may not have to go to the public for a vote. We have that luxury of being able to go up to that point and it still be legal. This city needs to grow. He concluded by saying that we can either get swallowed up or we can ride it.

12. Conduct a Public Hearing on the Fiscal Year 2018-2019 Annual Operation Budget and discuss and consider an Ordinance No. 18-0XX approving the adoption of the Fiscal Year 2018-2019 Annual Operating Budget.

Mayor Stanfill read Agenda Item No. 12 into the record. City Manager Fuller spoke and stated that in order to continue working on the budget as well as take in the comments made tonight, it is recommended that Council hold the Public Hearing on the budget, but not adopt the budget until next week when the tax rate is adopted.

Mayor Stanfill opened the Public Hearing at 8:17 p.m.

City Attorney Hager spoke and stated that we can take all of the comments, either pro or con, on the tax rate and incorporate those into the budget for Council's consideration as well so that no one has to get up and repeat themselves. Citizens may, however, come up and speak again if they choose to. No one spoke.

City Attorney Hager made the motion to close the Public Hearing and to deliberate and consider the proposed 2018-2019 Fiscal Year Budget to be voted on September 17, 2018.

Councilmember Lindsey moved the motion and it was seconded by Councilmember Wilson. The motion was unanimous. The Public Hearing closed at 8:18 p.m.

**Ayes (4):** Councilmember Tim Lightfoot  
Councilmember Scott Lindsey  
Mayor Pro Tem Gordon Toney  
Councilmember Ron Wilson

13. Conduct a Public Hearing and consider approval of Ordinance No. 18-033 approving a Zoning Change from Agricultural (AG) to Commercial-1 (C-1) for a commercial shopping center for Lot 21, Block A, Bowmar Acres, City of Red Oak, Ellis County, Texas, requested by Hayoung Huh.

Mayor Stanfill read Agenda Item No. 13 into the record. City Manager Fuller gave a detailed explanation of this agenda item.

Mayor Stanfill opened the Public Hearing at 8:21 p.m. No one spoke.

Councilmember Lightfoot made the motion, seconded by Mayor Pro Tem Toney, to close the Public Hearing at 8:22 p.m. The motion carried unanimously.

**Ayes (4):** Councilmember Tim Lightfoot  
Councilmember Scott Lindsey  
Mayor Pro Tem Gordon Toney  
Councilmember Ron Wilson

Council and City Manager Fuller spoke about this agenda amongst themselves.

**Councilmember Lightfoot made the motion, seconded by Councilmember Wilson, to approve Ordinance No. 18-033 as read. The motion carried unanimously.**

**Ayes (4):** Councilmember Tim Lightfoot  
Councilmember Scott Lindsey  
Mayor Pro Tem Gordon Toney  
Councilmember Ron Wilson

**Approved**  
**Enactment No: ORD 18-033**

14. Conduct a Public Hearing and consider approval of Ordinance No. 18-034 approving a Zoning Change from Planned Development 61, Revised 4 (PD61-R4) zoning to Planned Development 61, Revised 5 (PD61-R5) by allowing for development changes at the Cove of Hickory Creek, senior component of Hickory Creek, approximately 10.6 acres, George C. Parks Survey, A-836, City of Red Oak, Ellis County, Texas, requested by Casey Hargrove.

**Mayor Stanfill read Agenda Item No. 14 into the record. City Manager Fuller gave a detailed explanation of this agenda item. Planning & Zoning as well as staff recommended approval.**

**Mayor Stanfill opened the Public Hearing at 8:30 p.m.**

**Casey Hargrove, 213 Rose Garden Way, Red Oak, Texas, spoke and gave a detailed history of the subdivision. He spoke about the tough logistics of the street lights. Each street light would need to be metered individually instead of being charged a flat rate to the city. The cost per light per month would be \$35.00 and would be charged to the HOA. The HOA would be burdened by the unsightly boxes (meters) but with the fee as well. Mr. Hargrove stated that he had to go with a different option. They looked at solar street lights. For the solar lights, the HOA won't be burdened with the maintenance for five years. Mr. Hargrove stated that despite the expense, this is the right thing to do for this community. He spoke about the setback issue and that the streets being are off a couple of feet in size. He indicated the area on the monitor. He discussed the affected lots and the options for correcting the mistake. In an effort not to alter the building pads themselves, the corrective measures discussed are the only options at this point.**

**Councilmember Wilson made the motion, seconded by Councilmember Lightfoot, to close the Public Hearing at 8:35 p.m. The motion carried unanimously.**

**Ayes (4):** Councilmember Tim Lightfoot  
Councilmember Scott Lindsey  
Mayor Pro Tem Gordon Toney  
Councilmember Ron Wilson

**Council and City Manager Fuller spoke about this agenda amongst themselves as well as with Casey Hargrove.**

**Councilmember Lightfoot made the motion, seconded by Councilmember Lindsey, to approve Ordinance No. 18-034 as read. The motion carried unanimously.**

**Ayes (4):** Councilmember Tim Lightfoot  
Councilmember Scott Lindsey  
Mayor Pro Tem Gordon Toney  
Councilmember Ron Wilson

**Approved**  
**Enactment No: ORD 18-034**

15. Consider approval of Ordinance No. 18-035 readopting, ratifying, republishing and extending the Code of Ordinances, Chapter 8 "Offenses and Nuisances", Article 8.09 "Curfew", Sections 8.09.001 through 8.09.006; providing for curfew hours for minors, for a period of three (3) years; providing a repealing clause; providing a severability clause; and providing for an effective date.

**Mayor Stanfill read Agenda Item No. 15 into the record. Police Chief Wolf spoke and gave a detailed explanation of this agenda item.**

**Council and City Manager Fuller discussed this agenda amongst themselves as well as with Police Chief Wolf.**

**Mayor Pro Tem Toney made the motion, seconded by Councilmember Wilson, to approve Ordinance No. 18-035 as presented. The motion carried unanimously.**

**Ayes (4):** Councilmember Tim Lightfoot  
Councilmember Scott Lindsey  
Mayor Pro Tem Gordon Toney  
Councilmember Ron Wilson

**Approved**  
**Enactment No: ORD 18-035**

16. Consider approval of Ordinance No. 18-036 to increase the rate of deposits to the Texas Municipal Retirement System by the employees of the City of Red Oak.

**Mayor Stanfill read Agenda Item No. 16 into the record. City Manager Fuller gave a detailed explanation of this agenda item.**

**Council and City Manager Fuller discussed this agenda amongst themselves.**

**Councilmember Lindsey made the motion, seconded by Councilmember Wilson, to approve Ordinance No. 18-036 as presented. The motion carried unanimously.**

**Ayes (4):** Councilmember Tim Lightfoot  
Councilmember Scott Lindsey  
Mayor Pro Tem Gordon Toney  
Councilmember Ron Wilson

**Approved**  
**Enactment No: ORD 18-036**

17. Consider adoption of Resolution No. 18-043R designating an official and alternate newspaper for the City of Red Oak.

**Mayor Stanfill read Agenda Item No. 17 into the record. City Manager Fuller gave a detailed explanation of this agenda item.**

**Council and City Manager Fuller discussed this agenda amongst themselves.**

**Councilmember Lightfoot made the motion, seconded by Councilmember Wilson, to adopt Resolution No. 18-043R designating Waxahachie Daily Light as the official newspaper for the City of Red Oak and Ellis County Press as the alternate newspaper for the City of Red Oak. The motion carried unanimously.**

**Ayes (4):** Councilmember Tim Lightfoot  
Councilmember Scott Lindsey  
Mayor Pro Tem Gordon Toney  
Councilmember Ron Wilson

**Adopted**  
**Enactment No: RES 18-043R**

**18.** Appointments/Reappointments to Boards & Commissions – Consider approval regarding the following Boards/Commissions:

- Red Oak Library Advisory Board
  - A. Reappointment of a Regular Member, Cynthia Sublette, for a two-year term from October 2018 – October 2020.
  - B. Appointment of a Regular Member, Karen Owens Stanfill, for a two-year term from October 2018 – October 2020.

**Mayor Stanfill read Agenda Item No. 18 into the record. City Manager Fuller gave a detailed explanation of this agenda item.**

**Councilmember Wilson made the motion, seconded by Councilmember Lindsey, to approve the reappointment of Regular Member Cynthia Sublette for a two-year term from October 2018 – October 2020, and the appointment of Regular Member Karen Owens Stanfill for a two-year term from October 2018 – October 2020 to the Red Oak Library Advisory Board. The motion carried unanimously.**

**Ayes (4):** Councilmember Tim Lightfoot  
Councilmember Scott Lindsey  
Mayor Pro Tem Gordon Toney  
Councilmember Ron Wilso

**Approved**

#### **DEPARTMENTAL REPORTS:**

**19.** 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 Thompson spoke and stated that August brought the beginning of school and with that, ROFR partnered with the ROISD police department for Safety Week, going into the schools to educate the students and teachers on fire drills and tornado drills. He stated that they will continue to partner with them and will have more joint training next month. As busy as ROFR was, they still maintained a 5-minute response time in the city and 4-minute and 10-second response time for the EMS, and he expressed his pride in that fact. Fire Chief Thompson further stated that the incidents are increasing with 66 overlapping incidents last month. Fires in August were up; there were grass fires and larger structure fires. The rain gave us a reprieve.**

**Police Chief Wolf spoke and stated that the police department handled about 3,700 calls last month. ROPD has maintained a 5-minutes and 1-second response time. Chief Wolf stated that he will be highlighting a few officers for their life-saving heroism in the line of duty, one incident being an attempted suicide and one a choking infant. He announced that October 2<sup>nd</sup> is National Night Out and described the event to Council and the public. It is free of charge.**

**Interim Community Development Director Bray spoke and stated that last year, the Building Inspection Department utilized a third-party [company] to help with inspections and such, but are moving away from that now. There were 21 new homes last month and 12 new commercial. The department is very, very busy. He concluded by stating that he was available for questions. City Manager Fuller added that the city does still have a contract with Bureau Veritas and we utilize it for all of our health sanitation inspections, but we also have them available if we get stacked up like we've done in the past. With the growth that's coming, there's a very good change we may have to utilize them in the future as well as with larger projects. He added also that as a bridge between Community Development and Public Works, we have a new City Engineer starting work next Monday. Johnny Bray is handling Community Development side of things with the permits, the building and construction end and Scott Williams handling our Public Works, and the last piece of the puzzle is starting next Monday.**

**Public Works Director Williams spoke and stated pointed out to Council the new style of the monthly report for Public Works. Councilmember Lindsey complimented Public Works Director Williams on the graphs used in the report.**

**Human Resources Director Lawson spoke and stated that the city completed the employee open enrollment process. She concluded by stating that she was available for questions.**

**Finance Director Richardson spoke and stated that she and staff on working on the final budget. Councilmember Lindsey asked her about the sales tax number. She did not have the figure, but would get it on Monday, at the Budget Workshop.**

**IT Director Binford spoke and stated that his department is continuing to work with AT&T. He concluded by stating that he was available for questions.**

**Library Director Ragsdale spoke and thanked Council and city administration for their support for the Library. He thanked all the members of the Friends of the Library club. He reported a few highlights to Council. Over the past 11 months, in the last fiscal year, the library averaged 46 new library cards. Councilmember Lindsey asked about the pirate program. Library Director Ragsdale answered him.**

**Court Administrator Collins (inaudible)**

#### **CLOSED SESSION:**

**20. 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.

**21. Pursuant to the Texas Government Code, Section §551.071 – Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property.**

- A. Discuss or deliberate acquisition, sale, and/or exchange of Real Properties generally located east of I-35E, west of SH 342, south of FM 664/Ovilla Road, and north of US 77, Red Oak, Texas.
- B. Discuss or deliberate acquisition, sale, and/or exchange of Real Properties generally located east of Uhl Road, west of I-35E, south of the Ellis County Line, and north of FM 664/Ovilla Road, Red Oak, Texas.

**Mayor Stanfill read Agenda Item Nos. 20 and 21 for Closed Session into the record and moved Council into Closed Session at 9:04 p.m. He invited Dr. Michael Goddard, Superintendent, Kevin Freels, John Anderson and John Hawkins, all of ROISD into Closed Session.**

**City Attorney Hager made the following statement for the record: The school district and the city have partnered together to try and look at both the deliberations regarding economic development negotiations and the purchase, sale or exchange of real property, and that is the reason ROISD staff and trustees are needed in closed session because it is a joint effort between the city and the school district.**

#### **REGULAR SESSION:**

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

**Council reconvened into Regular Session at 10:41 p.m. No action taken.**

#### **ADJOURNMENT:**

**Councilmember Wilson made the motion, seconded by Councilmember Lightfoot, to adjourn the meeting at 10:42 p.m. The motion carried unanimously.**

**Ayes (4): Councilmember Tim Lightfoot**

Councilmember Scott Lindsey  
Mayor Pro Tem Gordon Toney  
Councilmember Ron Wilson

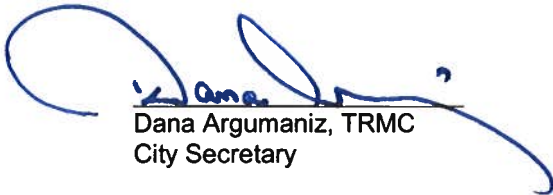
**PASSED AND APPROVED** by the Red Oak City Council at a Regular Meeting held on October 9, 2018.

Approved:



Mark L. Stanfill, DVM, Mayor

Attest:



Dana Argumaniz, TRMC  
City Secretary

