



## City of Red Oak

### Minutes - Final City Council Regular Meeting

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Monday, May 13, 2019

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, May 13, 2019, 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 William Drake  
Councilmember Tim Lightfoot  
Councilmember Scott Lindsey  
Mayor Pro Tem Gordon Toney

**Absent (1):**

Councilmember Ron Wilson

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

**Mayor Stanfill pulled Consent Agenda Item No. 1 in order to allow Councilmembers Lightfoot and Lindsey one last opportunity, as City Councilmembers, to vote.**

1. Consider approving the following Minutes:
  - April 8, 2019 – Regular Council Meeting
  - April 22, 2019 – City Council Special Called Meeting & Public Hearing
  - April 23, 2019 – City Council Special Called Meeting & Public Hearing

**Mayor Stanfill read Consent Agenda Item No. 1 into the record.**

**Councilmember Lindsey made the motion, seconded by Councilmember Lightfoot, to approve the minutes as presented. The motion carried unanimously.**

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

**PRESENTATIONS:**

- Proclamation – Motorcycle Awareness Safety and Awareness Month

**Mayor Stanfill invited the Forsaken Horsemen Motorcycle Club members to join him at the front of Council Chambers. He read the proclamation into the record and presented it to the group, thanking them for all they do for the community.**

- Proclamation – National Police Week 2019

**Mayor Stanfill invited Police Chief Wolf to join him at the front of Council Chambers. He read the proclamation into the record and presented it Chief Wolf. Chief Wolf thanked Mayor Stanfill and spoke about National Police Week.**

- Proclamation – National Public Works Week 2019

**Mayor Stanfill invited Public Works and Parks Director Williams to join him at the front of Council Chambers. He read the proclamation into the record and presented it to Director Williams.**

#### **ADMINISTER OATH OF OFFICE AND PRESENT CERTIFICATES OF ELECTION:**

**City Secretary Argumaniz asked Councilmembers Ben Goodwyn and Michael Braly (Ron Wilson was absent) to come forward. She presented them with their Certificates of Election. City Secretary Argumaniz then administered the Oath of Office to Councilmember Ben Goodwyn and Councilmember Michael Braly.**

**Mayor Stanfill addressed Council and the public, asking them to stand and give a round of applause to the outgoing Councilmembers for their service to Red Oak. He then offered his congratulations to the new Councilmembers and stated that he was looking forward to working with them.**

#### **CONSENT AGENDA:**

2. Consider approval of Ordinance No. 19-014 amending Ordinance No. 18-037, amending the Fiscal Year 2019 Official Budget, appropriating funds to increase revenues and appropriate expenditures in the General Fund as per attached Exhibits A-1 and A-2; approving the reclassification of appropriated expenses in the Water and Sewer Fund as per attached Exhibit B; providing that expenditures for said fiscal year be made in accordance with said amended budget, providing an amended budget; providing a severability clause; and providing an effective date.  
**Approved**  
**Enactment No: ORD 19-014**
3. Consider approval of a Landscape/Entry Feature Plan for Oakmont Phase 1 Residential Subdivision (PD-66R2).  
**Approved**
4. Consider approval of Ordinance No. 19-015, amending Chapter 12, "Traffic and Vehicles", by amending Article 12.07, "Stopping, Standing and Parking", by amending Section 12.07.009 "No Parking Zones", to add No Parking on Sharaf Avenue, Austin Boulevard, Bowie Drive, Crockett Lane, and Bonham Court; providing a repealing clause; providing a severability clause; and providing an effective date.  
**Approved**  
**Enactment No: ORD 19-015**
5. Consider approval of an expenditure of the Red Oak Economic Development Corporation (ROEDC) in the amount of \$27,500.00 for Catalyst Commercial, Inc. Professional Services Agreement for period of June 1, 2019 to May 31, 2020.  
**Approved**
6. Consider approval of an expenditure of the Red Oak Economic Development Corporation (ROEDC) in the amount of approximately \$12,500.00 for ROEDC Annual trip to ICSC in May, 2019.  
**Approved**

7. Consider adoption of Resolution No. 19-019R approving the terms and condition of the Standard Master Services Agreement between the City of Red Oak and Dunaway Associates, L.P. for continuing professional services.

**Adopted**

**Enactment No: RES 19-019R**

**Mayor Stanfill read the Consent Agenda and explained that these items are considered routine in nature and may be acted upon in one motion. Any item requiring additional discussion may be withdrawn from the Consent Agenda by the Mayor, Councilmember or City Manager, and may be acted upon in one motion or separately. Mayor Stanfill also stated that since there are new councilmembers, each consent agenda item will be discussed briefly.**

**City Manager Fuller read through the Consent Agenda Item Nos. 2 through 7.**

**Councilmember Braly spoke and asked to discuss Agenda Item No. 4. He stated that several of the streets listed in the Ordinance (No. 19-015) don't match up with our master street list. Also, there is a Sharaf Avenue described in the ordinance, but it should be Sharaf Drive. Councilmember Braly doesn't believe the ordinance would be enforceable if it goes through like this.**

**City Manager Fuller and Public Works Director Williams spoke about the street names, indicating that the north side is named Sharaf Drive and the south side is named Sharaf Avenue. City Attorney Hager spoke and stated that it would need to be changed and he would make the change to the ordinance.**

**Councilmember Braly also pointed out that several of the other streets' names needed to be corrected.**

**City Manager Fuller asked City Attorney Hager if Council could approve the ordinance tonight contingent upon correcting the names "Avenue" versus "Drive." City Attorney Hager stated yes.**

**Mayor Pro Tem Toney made the motion, seconded by Councilmember Goodwyn, to approve the Consent Agenda with the corrections as noted. The motion carried unanimously.**

**Ayes (4):**  
Councilmember Michael Braly  
Councilmember William Drake  
Councilmember Ben Goodwyn  
Mayor Pro Tem Gordon Toney

**Mayor Stanfill explained the Citizens Comments section of the meeting and read the rules displayed on the monitors.**

#### **CITIZENS COMMENTS:**

**Perry Curry, 201 Anderson Road, Red Oak, Texas, spoke and stated that he sustained water damage from the Camden housing development on Ovilla Road. He stated that he's made a couple of phone calls to the city with no response. The issue is that water drains from this development and has washed out the creek on his property. Mr. Curry asked that someone from the city come and look at the problem. He gave a packet with pictures, videos and thumb drives to City Secretary Argumaniz.**

**David Lyles, 612 Stephenson Road, Red Oak, Texas, spoke regarding the possible annexation of the proposed The Oaks development. Although he and his neighbors live outside the city limits, he understands that their voices are welcomed. He hopes laws will change regarding annexations to accommodate all who may be affected. The proposed**

development does not conform to the City of Red Oak Comprehensive Master Plan, for low-density housing suggested for this area, nor is it in context with the community at large. Mr. Lyles requested that city officials appoint a certified city planner. He asked Council to look to the future of Red Oak in lieu of the short term. He thanked Council for their consideration.

John Sirovica, 410 Butterfly Lane, Red Oak, Texas, spoke regarding the sanitary sewer between Butterfly and Bluebird Lanes. He stated that the sewer isn't big enough to take everything away when it rains heavily. He directed Council to the photos he gave to City Secretary Argumaniz. The photos were passed down to each Councilmember. Mr. Sirovica stated that water was coming into his house along with mosquitos. He suggested that the sewer system be enlarged or backwater valves be put in. He asked Council to look into it.

Keith Nichols, 509 Stephenson Road, Red Oak, Texas, spoke regarding the annexation of the proposed The Oaks development. He, and he believes his neighbors as well, are against high-density properties in Red Oak. He spoke about his love of Texas and its open spaces, being originally from New Jersey. In Texas, he and his family have lived in high-density developments, but wanted to have a house on property and live the country life. They chose Red Oak as the ideal place. He referenced Mayor's biography on the website which reads, "Ellis County is on the verge of growth explosion, whether we like it or not. The key is to manage the growth so that we can enhance the quality of life for all of Red Oak's residents and surrounding communities." He asked city officials to recognize the citizens' desire for an enhanced quality of life and consider the long-term effects of densely-populated housing developments.

Josh Edelman, 180 Hunters Glen Drive, Waxahachie, Texas, spoke regarding the annexation of the proposed The Oaks development. He stated that he understood development will come and it's for the benefit of everyone, even those in the county. However, it needs to be managed in a quality manner. His concerns about the plans are density and the transition of the area into high-density housing with potential environmental impacts. He referenced the Comprehensive Master Plan stating that low density is indicated for this area. He mentioned that the solution is not to become Frisco or Prosper, and that we appreciate the rural nature in Red Oak. He believes there is no need for this level of density in Red Oak. He concluded by stating the buffer being proposed, a six-foot privacy fence, is insufficient.

Mayor Stanfill then asked Councilmember Ben Goodwyn to share about the recent passing of a long-time resident and dedicated servant of the City of Red Oak, Johnny Pearson, Sr.

Councilmember Ben Goodwyn stood and stated that Johnny Pearson, Sr., passed away last Saturday night. He spoke about Mr. Pearson's background and life story, including his service in the Army as an Airborne Ranger. Johnny was on the Army pistol team and ranked third in the entire United States. He met and married Ann while stationed at Ft. Hood, and had two children. When the Vietnam War broke out, Johnny was sent as a LERPS commander, which stands for long-range reconnaissance patrol. He would locate enemy troop concentrations and call for air strikes and artillery shells upon them. He never lost a man while he was there. He also had a monkey with him and it was reputed to be better than a guard dog. Johnny was awarded the Bronze Star Medal for Valor. The Pearsons settled in Red Oak and lived here over 45 years. He went into the glass business and owned Fashion Glass. He eventually sold it and retired. He was very involved in his children's sports and was responsible for bringing soccer to Red Oak. Johnny was the chairman of the Parks & Recreation Board. The park outside of the Municipal Center is named Pearson Park after Johnny. Councilmember Goodwyn stated that Johnny was a warm, generous gentleman, who wasn't confrontive, but was a loveable, community-oriented individual. He will be truly missed by Councilmember Goodwyn and all.

**COUNCIL BUSINESS – REGULAR SESSION:**

- 8. Conduct a public hearing and consider approving Ordinance No. 19-016 for a zoning change from Highway Oriented (HO) to Highway Oriented Specific Use Permit (HO/SUP) for a multi-tenant offsite sign for approximately 1.1 acres, Lot 1, Block A, Millennium Park, City of Red Oak, Ellis County, Texas, requested by JHH Company, LLC.

**Mayor Stanfill read Agenda Item No. 8 into the record. City Engineer Hartman spoke and gave a detailed explanation of this agenda item. City Manager Fuller also spoke about this agenda item.**

**Mayor Stanfill opened the public hearing at 8:00 p.m. No one spoke.**

**Councilmember Drake made the motion, seconded by Councilmember Goodwyn, to close the public hearing at 8:01 p.m. The motion carried unanimously.**

**Ayes (4):** Councilmember William Drake  
Councilmember Michael Braly  
Councilmember Ben Goodwyn  
Mayor Pro Tem Gordon Toney

**Mayor Stanfill made the motion to approve Ordinance No. 19-016 as presented.**

**Councilmember Braly moved the motion, seconded by Councilmember Drake, to approve Ordinance No. 19-016. The motion carried unanimously.**

**Ayes (4):** Councilmember William Drake  
Councilmember Michael Braly  
Councilmember Ben Goodwyn  
Mayor Pro Tem Gordon Toney

**Approved  
Enactment No: ORD 19-016**

- 9. Consider approval of Ordinance No. 19-017 providing for the voluntary annexation into the City of Red Oak territory generally described as being a 210.29 acres tract of land, more or less, in the A. Frederick Survey, Abstract 375; J. Chapman Survey, Abstract No. 214; J.S. Davis Survey, Abstract No. 923; J.S. Patton Survey, Abstract No. 842; and, the James Patton Survey, Abstract No. 839, in the City of Red Oak, Ellis County.

**Mayor Stanfill read Agenda Item No. 9 into the record. City Manager Fuller spoke, gave a detailed explanation of this agenda item and indicated the area on the monitor. City Engineer Hartman added a brief explanation of this agenda item.**

**Mayor, Council and City Manager Fuller discussed the agenda item at length. Randell Curington with James M. Brown Partners spoke to Council about the property and the development project with specific facts and figures.**

**Mayor Stanfill made the motion to approve Ordinance No. 19-017 as presented.**

**Councilmember Goodwyn moved the motion, seconded by Mayor Pro Tem Toney. The motion carried unanimously.**

**Ayes (4):** Councilmember William Drake  
Councilmember Michael Braly  
Councilmember Ben Goodwyn  
Mayor Pro Tem Gordon Toney

**Approved**

**Enactment No: ORD 19-017**

10. Consideration of approving a Preliminary Plat for Meadow Ridge, 86 family lots and 146 town homes, approximately 40 acres, J Nugent Survey, A-796, City of Red Oak, Ellis County, Texas, requested by RPS Group, Inc.

**Mayor Stanfill read Agenda Item No. 10 into the record. City Engineer Hartman spoke and gave a detailed explanation of this agenda item.**

**Mayor, Council and City Engineer Hartman discussed the agenda item at length.**

**Mayor Stanfill made the motion to approve the Preliminary Plat as presented.**

**Councilmember Drake moved the motion, seconded by Councilmember Braly. The motion carried unanimously.**

**Ayes (4):** Councilmember William Drake  
Councilmember Michael Braly  
Councilmember Ben Goodwyn  
Mayor Pro Tem Gordon Toney

**Approved**

11. Consideration of approving a Preliminary Plat for Summerwood Estates, 250 family lots and 18 common/open space lots, approximately 67 acres, J Nugent Survey, A-796, City of Red Oak, Ellis County, Texas, requested by Engineering Concepts and Design, LP.

**Mayor Stanfill read Agenda Item No. 11 into the record. City Engineer Hartman gave a detailed explanation of this agenda item.**

**Mayor, Council, City Manager Fuller and City Engineer Hartman discussed the agenda item at length.**

**Councilmember Drake made the motion, seconded by Mayor Pro Tem Toney, to approve the Preliminary Plat as presented. The motion carried unanimously.**

**Ayes (4):** Councilmember William Drake  
Councilmember Michael Braly  
Councilmember Ben Goodwyn  
Mayor Pro Tem Gordon Toney

**Approved**

12. Consider adoption of Resolution No. 19-020R approving a candidate nomination for the Ellis Appraisal District Board of Directors vacancy for the year 2019.

**Mayor Stanfill read Agenda Item No. 12 into the record. City Manager Fuller spoke and gave a detailed explanation of this agenda item.**

**Mayor Stanfill nominated General Charles "Chuck" Aris, a practicing lawyer serving in the National Guard as a Brigadier General. Deployed multiple times, General Aris was in charge at Kandahar, Afghanistan. Mayor Stanfill gave some additional background and recommended General Aris for the candidate nomination from the City of Red Oak.**

**Mayor Pro Tem Toney made the motion, seconded by Councilmember Drake, to approve Resolution No. 19-020R nominating Charles "Chuck" Aris as candidate for Ellis Appraisal District Board of Directors vacancy for the year 2019. The motion carried unanimously.**

**Ayes (4):** Councilmember William Drake

Councilmember Michael Braly  
Councilmember Ben Goodwyn  
Mayor Pro Tem Gordon Toney

Approved

### **BOARD APPOINTMENTS:**

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

A. Red Oak Economic Development Corporation

- Accept Resignation of Ralph Madden as a Regular Member, effective May 1, 2019.
- Appointment of Tim Lightfoot as a Regular Member for a two-year term from June 2019 – June 2021.

**Councilmember Goodwyn moved the motion, seconded by Mayor Pro Tem Toney, to accept the resignation of Ralph Madden as a Regular Member effective May 1, 2019, and to appoint Tim Lightfoot as a Regular Member for a two-year term from June 2019 – June 2021. The motion carried unanimously.**

**Ayes (4):** Councilmember William Drake  
Councilmember Michael Braly  
Councilmember Ben Goodwyn  
Mayor Pro Tem Gordon Toney

B. Planning & Zoning Commission

- Accept Resignation of Michael Braly as an Alternate Member, effective May 13, 2019.

**Councilmember Drake moved the motion, seconded by Councilmember Goodwyn, to accept the resignation of Michael Braly as an Alternate Member effective May 13, 2019. The motion carried unanimously.**

### **DEPARTMENTAL REPORTS:**

14. 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. Engineering & Community Development

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

D. Public Works & Parks 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
  
- I. Court
  - Statistical Highlights

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

**(Fire Chief Thompson is attending the Red Oak ISD School Board meeting on which he is a member) Deputy Fire Chief / Fire Marshal Blanton spoke and updated Council on activities within his department. He stated that Red Oak Fire Rescue members raised \$8,681.00 for MDA. It is the only fire department in Ellis County to have every personnel credentialed as a Rope Rescue Technician. Crews spent over 1,000 hours on training in the month of April.**

**Police Chief Wolf spoke and updated Council on activities within his department. He has one vacant position open at this time.**

**City Engineer Hartman spoke and updated Council on activities within his department. He asked Council to consider appointing a few people to the Zoning Board of Adjustments for potential appeals of zoning decisions or determinations.**

**Human Resources Director Lawson was absent due to a medical issue. City Manager Fuller provided an update to Council. There is one opening in the Police Department. City Engineer Hartman is looking at some construction inspectors to hire. The city received 149 applications for the Assistant City Manager position and it's been narrowed down to the top five candidates.**

**Finance Director Richardson spoke and updated Council on activities within her department. She stated that her new employee, Elvido Lechuga-Munoz, is working out well. Revenues are doing well and expenses are at or under budget.**

**IT Director Binford spoke and updated Council on activities within his department. The new AT&T internet link is up and running well. Voice circuit transferred with no issues. There is now an open position in the IT department for an Application Specialist.**

**Library Director Ragsdale spoke and updated Council on activities within his department. He stated that he is now participating more at all city-wide events representing the Library.**

**Court Administrator Collins spoke and stated she had no other updates at this time, but was available for questions.**

**Public Works & Parks Director Williams spoke and updated Council on activities within his department. He informed Council about the water conservation and drought contingency plan. He also addressed the sewer issues brought up by the speaker Butterfly Lane.**



**CLOSED SESSION:**

15. 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.
16. Pursuant to the Texas Government Code, Section §551.072 – **Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property.**
- A. Discuss or deliberate acquisition, sale, and/or exchange 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. 15 and 16 into the record and moved Council into Closed Session at 8:51 p.m. He invited Economic Development Director McCleary to Closed Session.**

**REGULAR SESSION:**

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

**Council reconvened into Regular Session at 10:27 p.m. No action taken.**

**ADJOURNMENT:**

**Councilmember Braly made the motion, seconded by Councilmember Drake, to adjourn the meeting at 10:28 p.m. The motion carried unanimously.**

**Ayes (4):** Councilmember William Drake  
Councilmember Michael Braly  
Councilmember Ben Goodwyn  
Mayor Pro Tem Gordon Toney

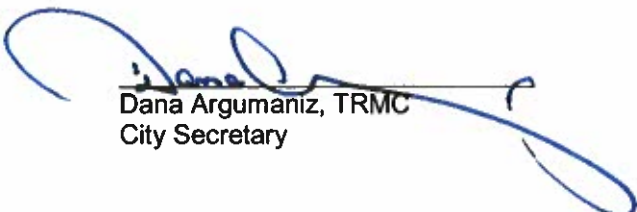
**PASSED AND APPROVED by the Red Oak City Council at a Regular Meeting held on June 10, 2019.**

Approved:



Mark L. Stanfill, DVM, Mayor

Attest:



Dana Argumaniz, TRMC  
City Secretary

