



City of Red Oak

Minutes - Final City Council Regular Meeting

Monday, May 11, 2020

7:00 PM

Red Oak Municipal Center
200 Lakeview Parkway

A Regular Meeting of the Red Oak City Council was held via teleconference on Monday, May 11, 2020, at 7:00 p.m., with the following members present, to wit:

City Council (5): *(via teleconference)*

Mayor Mark L. Stanfill
Councilmember Michael Braly
Councilmember William Drake
Councilmember Ben Goodwyn
Mayor Pro Tem Gordon Toney
Councilmember Ron Wilson

CALL TO ORDER: Mayor Stanfill called the meeting to order at 7:04 p.m., declared a quorum and announced that notices were legally posted pursuant to the Open Meetings Act and in accordance with an Order of the Office of the Governor issued on March 16, 2020, and as amended on April 2, 2020, the City Council for the City of Red Oak, Texas, will conduct the regular meeting by telephone conference to advance the public health goal of limiting face-to-face meetings (also called "social distancing") in an effort to slow the spread of the Coronavirus (COVID-19). This is an open meeting conducted by telephone conference, however, there will be no public access to the physical location.

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

PRESENTATIONS:

- Proclamation – National Police Week 2020

Mayor Stanfill read the Proclamation for National Police Week into the record and thanked Police Chief Garland Wolf for his service to the community as well as his fellow officers in Red Oak. Chief Wolf spoke and spoke about this week as an opportunity to reflect on all the officers who sacrificed their lives for the profession.

- Proclamation – National Public Works Week 2020

Mayor Stanfill read the Proclamation for National Public Works Week into the record and thanked Public Works Director Williams for his department and staff. Director Williams thanked Mayor Stanfill for the proclamation and

CITIZENS COMMENTS: No citizens comments.

CONSENT AGENDA:

1. Consider approving the following Minutes:
 - April 13, 2020 – Regular Council Meeting
Approved on Consent Agenda

2. Consider adoption of Resolution No. 20-017R authorizing creation of an Employee Benefits Trust; designating members to be trustees of said trust; and authorizing the Trust to Purchase various forms of insurance for the benefit of City Officers, Employees, Qualified Retirees, and their Dependents.

Adopted

Enactment No: RES 20-017R

3. Consider adoption of Resolution No. 20-018R approving the opening of a bank account located at Prosperity of Texas for Employee Benefits Trust; providing a repealing clause; providing a severability clause; providing an effective date.

Adopted

Enactment No: RES 20-018R

4. Consider adoption of Resolution No. 20-019R finding that Oncor Electric Delivery Company, LLC's application for approval to amend its Distribution Cost Recovery Factor to increase distribution rates within the City should be denied, authorizing participation with Oncor Cities Steering Committee; authorizing the hiring of legal counsel and consulting services.; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of the resolution to the company and legal counsel.

Adopted

Enactment No: RES 20-019R

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.

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

Roll Call Vote: Councilmember Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Ben Goodwyn – Aye
Mayor Pro Tem Gordon Toney – Aye
Councilmember Ron Wilson – Aye

COUNCIL BUSINESS – REGULAR SESSION:

5. Consider adoption of Resolution No. 20-020R 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 Stanfill read Agenda Item No. 5 into the record. Finance Director Platt spoke briefly about this agenda item and introduced Andrew Moore with Judd, Thomas, Smith & Company, P.C. Mr. Moore spoke and gave a detailed explanation of the audit.

Mayor Pro Tem Toney made the motion, seconded by Councilmember Braly, to adopt Resolution No. 20-020R as read. The motion carried unanimously.

Roll Call Vote: Councilmember Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Ben Goodwyn – Aye
Mayor Pro Tem Gordon Toney – Aye
Councilmember Ron Wilson – Aye

Adopted

Enactment No: RES 20-020R

6. Consider adoption of Resolution No. 20-021R amending the terms and conditions of the Interlocal Agreement between the City of Midlothian, Texas, the City of Red Oak, Texas, and the City of Waxahachie, Texas, for shared Public Safety Radio System, which agreement is attached hereto and incorporated herein as Exhibit "A"; authorizing the City Manager to sign said agreement; and providing an effective date.

Mayor Stanfill read Agenda Item No. 6 into the record. Fire Chief Blanton spoke at length about this agenda item.

Councilmember Drake made the motion, seconded by Councilmember Wilson, to adopt Resolution No. 20-021R as read. The motion carried unanimously.

Roll Call Vote: Councilmember Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Ben Goodwyn – Aye
Mayor Pro Tem Gordon Toney – Aye
Councilmember Ron Wilson – Aye

Adopted

Enactment No: RES 20-021R

7. Consider adoption of Resolution No. 20-022R approving the terms and conditions of an agreement for paramedic ambulance service by and between the City of Red Oak and American Medical Response Ambulance Service, Inc., a Delaware Corporation (AMR), which is attached hereto and incorporated herein as exhibit A; authorizing the Mayor to execute said agreement; and providing an effective date.

Mayor Stanfill read Agenda Item No. 7 into the record. Fire Chief Blanton spoke at length about this agenda item.

Mayor Pro Tem Toney made the motion, seconded by Councilmember Braly, to adopt Resolution No. 20-022R as read. The motion carried unanimously.

Roll Call Vote: Councilmember Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Ben Goodwyn – Aye
Mayor Pro Tem Gordon Toney – Aye
Councilmember Ron Wilson – Aye

Adopted

Enactment No: RES 20-022R

8. Consider adoption of Resolution No. 20-023R, amending Resolution No. 20-012R, extending and amending a State of Emergency and Order as a result of the COVID-19 Virus; providing for interim public safety measures; repealing all resolutions in conflict; providing a severability clause; and providing for an effective date.

Mayor Stanfill read Agenda Item No. 8 into the record. City Manager Fuller spoke at length about this agenda item. City Attorney Hager spoke and directed Council to consider the resolution (20-023R) with version 2 which is the simplified version.

Councilmember Goodwyn made the motion, seconded by Councilmember Drake, to adopt Resolution No. 20-023R, with version 2. The motion carried unanimously.

Roll Call Vote: Councilmember Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Ben Goodwyn – Aye
Mayor Pro Tem Gordon Toney – Aye

Councilmember Ron Wilson – Aye
Adopted
Enactment No: RES 20-023R

BOARD APPOINTMENTS:

9. Appointments/Reappointments to Boards & Commissions – Consider approval regarding the following Boards/Commissions:
- A. Red Oak Economic Development Corporation
 - Reappointment of Alan Hugley, Jack Edwards, Russell McCrady, and Greg Bennett as Regular Members each for two-year terms from June 2020 – June 2022.
 - B. Planning & Zoning Commission
 - Reappointment of Larry Eon and Leroy Klice as Regular Members each for two-year terms from June 2020 – June 2022.
 - C. Parks & Recreation Commission
 - Reappointment of Ginny Lindsey, JoAnn Smith and Maria Dowding as Regular Members each for two-year terms from June 2020 – June 2022.

Mayor Stanfill read Agenda Item No. 9 into the record.

Councilmember Braly made the motion, seconded by Mayor Pro Tem Toney, to accept the board appointments under A, B and C above as read. The motion carried unanimously.

Roll Call Vote: Councilmember Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Ben Goodwyn – Aye
Mayor Pro Tem Gordon Toney – Aye
Councilmember Ron Wilson – Aye

DEPARTMENTAL REPORTS:

10. 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 Department
 - Code Services Report
 - Building Permit and Inspections Report
 - Administrative Monthly Report
 - D. Human Resources
 - Administrative Monthly Report
 - E. Finance Department
 - Finance Report
 - Monthly Investment Report
 - Financial Statement
 - Municipal Court Statistical Highlights

- F. IT Department
 - Major Accomplishments
 - Current Initiatives
 - Challenges

- G. Library
 - YTD Statistics
 - Monthly Newsletter

- H. Parks & Recreation Department
 - Monthly Report

- I. Public Works Department
 - Monthly Operational Report

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 Blanton spoke and updated Council on COVID-19 statistics and information as well as total expenses to date. His staff has been doing training during this time with the rescue boat.

Police Chief Wolf spoke and praised Fire Chief Blanton on his researching and reporting of COVID-19 statistics. He stated that his department is receiving approximately 10-20 calls per day regarding what people can and cannot do during the COVID-19 crisis, making sure citizens are aware of the current Orders and the changes the governor makes.

City Engineer Hartman spoke and stated that permits were down in April likely due to lack of inventory. Since the end of April, 190 lots have been released for development, for new home permits. There's still a demand for homes in Red Oak. Inspections have gone forward with special precautions. His staff is still working at 100 percent and doing a fantastic job.

Assistant City Manager Phillips spoke regarding the Human Resources Department. He stated that the department is still administering the Families First Coronavirus Relief [Response] Act on a daily basis with staff and their families. He also informed the Mayor and Council that Red Oak has hired a new HR Director named Amanda Monsivais. She will be starting on June 1st. Assistant City Manager Phillips gave more detail and background information on Ms. Monsivais.

Finance Director Platt spoke and updated Council on latest sales tax collection. For the month of March, numbers are actually up over this same time period last year. There were also increases in on-line sales. Director Platt is watching these numbers during this crisis. Revenues are down. Additionally, the hotel tax is down. The department has been working with utility customers on payments plans.

IT Director Binford spoke and stated that more staff have been set up to work remotely. He's brought in a second server as a load balancer server to accommodate so many people logging in remotely. The cost was minimal. His department is working with the electrical engineers on the Live Oak facility project regarding the location of IT closets, air conditioning and heat loads, etc. A large software update to the police and fire crimes software will occur tomorrow, for Red Oak, Ovilla and Midlothian, and hopefully all will go smoothly.

Library Director Ragsdale spoke and updated Council on activities within his department. He is doing four virtual programs per week. Two story time programs for toddlers and two book chats for adults. The library is also providing social media postings with resources for those parents who are homeschooling their children. stated that he is now participating more at all city-wide events representing the Library. He announced that the library is launching an online service to increase resources of ebooks, emagazines and audiobooks.

Parks and Recreation Director Kelley spoke and stated that he has three members on his staff now and they are hard working. They've been working on Pearson Park and getting it ready and safe for when the parks open back up. The benches and other areas of the parks are being treated with disinfectant every morning. He and other directors of Parks and Recreation departments in the DFW area, as well as the Texas Parks & Recreation Society, have been working on a COVID-19 parks reopening plan to stay in compliance. City Manager Fuller asked Director Kelley for an update on the Live Oak ball fields. Director Kelley spoke at length about the plans. Councilmember Braly asked the director a few questions.

Public Works Director Williams spoke and stated that his department and crew are persevering during these times and he thanked them for their hard work. Councilmember Braly responded and thanked Director Williams and his department for all they do.

CLOSED SESSION:

11. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** concerning pending litigation: *Rockett Special Utility District v. Botkin, et al.*, Cause No. 19-CV-1007-RP, W.D. Tex.; *City of Red Oak, Tex. V. USDA et al.*, Civil Action No. 19-cv-02761-S, N.D. Tex.; and *ex Parte-City of Red Oak v. 201st Judicial District Court of Travis County*, Cause No. D-1GN-20-002116.
12. 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.

Mayor Stanfill read Agenda Item Nos. 11 and 12 for Closed Session into the record and moved Council into Closed Session at 8:04 p.m.

REGULAR SESSION:

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

Council reconvened into Regular Session at 9:22 p.m. No action taken.


ADJOURNMENT:

Councilmember Goodwyn made the motion, seconded by Councilmember Wilson, to adjourn the meeting at 9:23 p.m. The motion carried unanimously.

Roll Call Vote: Councilmember Michael Braly – Aye
Councilmember William Drake – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ron Wilson – Aye

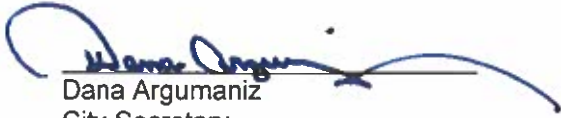
PASSED AND APPROVED by the Red Oak City Council at a Regular Meeting held on June 8, 2020.

Approved:



Mark L. Stanfill, DVM
Mayor

Attest:


Dana Argumaniz
City Secretary

