RED OAK, TEXAS

MEETING MINUTES
CITY OF RED OAK
CITY COUNCIL MEETING
JUNE 10, 2024

A Regular Meeting of the Red Oak City Council was held in person and via teleconference on Monday, June 10, 2024, at 7:00 p.m., in the Red Oak Government Center, Council Chamber, 101 S. Live Oak Street, Red Oak, Texas, with the following members present, to wit:

City Council - Present:
Mayor Mark L. Stanfill
Councilmember Willie G. Franklin, Jr.
Councilmember Ben Goodwyn
Councilmember Ricardo Miller
Councilmember Tim Lightfoot
Councilmember and Mayor Pro Tem Jeffrey Smith

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 PLEDGES OF ALLEGIANCE: Councilmember Franklin gave the Invocation and led the Pledges of Allegiance.

PRESENTATIONS:

- In Memoriam: Charles G. Allen, Red Oak City Council, Councilmember Place 2

Mayor Stanfill spoke about the recent passing of former Councilmember Charles G. Allen. He presented the widower, Brenda Allen, with a certificate in memoriam of Mr. Allen and his service to the city and citizens of Red Oak.

CITIZENS COMMENTS: No one spoke.

COUNCIL BUSINESS – CONSENT AGENDA:

1. Consider approving the minutes of the May 13, 2024, Regular meeting of the Red Oak City Council. **(Stevens)**
Approved

2. Consider adoption of Resolution No. 24-045R of the City Council of the City of Red Oak, Texas, relinquishing and adjusting any and all Extraterritorial Jurisdiction described herein pursuant to and in accordance with the property owner's request and petition; such that the City of Red Oak Extraterritorial Jurisdiction shall be and is hereby adjusted and contracted to relinquish the properties described and depicted in Exhibit "A", attached hereto and incorporated herein; to release said properties; and, providing an effective date.
Adopted
Enactment No: RES 24-045R

3. Consider adoption of adoption of Resolution No. 24-046R of the City Council of the City of Red Oak, Texas, accepting and approving Amendment #2 to the Individual Project Order 064449266 with Kimley-Horn and Associates, Inc., in accordance with the terms of the Master Agreement for continuing professional services between the City of Red Oak, Texas, and Kimley-Horn and Associates, Inc., dated December 20, 2011, for the preparation of construction plans and specification, and construction administrative service for the East Ovilla Road TxDOT utility relocations; authorizing the City Manager or his designee to execute the necessary documents in a form approved by the City Attorney; and, providing an effective date.

Adopted
Enactment No: RES 24-046R

4. Consider adoption of Resolution No. 24-047R of the City Council of the City of Red Oak, Texas, approving the amendment to the terms and conditions of the Standard Utility Agreement with the State of Texas, acting by and through the Texas Department of Transportation ("TxDOT"), related to the adjustment, removal, and/or relocation of certain infrastructure facilities of the City of Red Oak; authorizing the City Manager to execute said agreement, which is attached hereto and incorporated herein as Exhibit "A"; providing a repealing clause; providing a severability clause; and, providing an effective date.
   Adopted
   Enactment No: RES 24-047R

5. Consider adoption of Resolution No. 24-041R of the City Council of the City of Red Oak, Texas, Annual Service Plan Update and 2024 Assessment Roll for Public Improvements for the Red Oak Public Improvement District No. 1 in accordance with Chapter 372, Texas Local Government Code, as amended; making various findings and provisions related to the subject, which is attached hereto and incorporated herein as Exhibit "1"; and, providing an effective date.
   Adopted
   Enactment No: RES 24-041R

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 made the following motion: Motion to approve the Consent Agenda as presented.

Councilmember Lightfoot moved the motion, seconded by Councilmember Franklin. The motion passed unanimously.

Roll Call Vote: Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ricardo Miller – Aye
Councilmember Tim Lightfoot – Aye
Mayor Pro Tem Jeffrey Smith – Aye
Approved

<u>**COUNCIL BUSINESS – REGULAR AGENDA**</u>**:**

6. Consider Mayor's recommendation for the annual appointment of a Mayor Pro Tem.

Mayor Stanfill read Agenda Item No. 6 into the record. Mayor Stanfill recommended the appointment of Councilmember Smith as Mayor Pro Tem for a term of one year.

Mayor Stanfill made the following motion: Motion to appoint Councilmember Smith as the Mayor Pro Tem for a term of one year.

Councilmember Goodwyn moved the motion, seconded by Councilmember Miller. The motion carried 4 in the affirmative, 0 in the negative and 1 in abstention. The motion passed.

Roll Call Vote: Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ricardo Miller – Aye
Councilmember Tim Lightfoot – Aye
Councilmember Jeffrey Smith – Abstained
Approved

7. Consider adoption of Resolution No. 24-048R of the City Council of the City of Red Oak, Texas, approving the update to the City's Water Master Plan, which is attached hereto and incorporated

herein as Exhibit "A"; authorizing the City Manager and Mayor to execute any and all necessary documents to effectuate the updates; and, providing an effective date.

Mayor Stanfill read Agenda Item No. 7 into the record. Assistant Public Works Director Binford spoke and gave a detailed explanation of this agenda item. Mayor, Council and staff discussed the agenda item.

Mayor Stanfill made the following motion: Motion to appoint Councilmember Smith as the Mayor Pro Tem for a term of one year.

Councilmember Lightfoot moved the motion, seconded by Mayor Pro Tem Smith. The motion carried 5 in the affirmative and 0 in the negative. The motion passed unanimously.

Roll Call Vote: Mayor Pro Tem Jeffrey Smith – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ricardo Miller – Aye
Councilmember Tim Lightfoot – Aye

Adopted
Enactment No: RES 24-048R

8. Consider adoption of Resolution No. 24-049R of the City Council of the City of Red Oak, Texas, terminating the offer of an agreement for Architectural Services Agreement with Hoefer Welker, attached hereto and incorporated herein as Exhibit "A"; and, approving the terms and conditions of the Architectural Services agreement, which is attached hereto and incorporated herein as Exhibit "B", by and between the City of Red Oak, Texas, and Komatsu for Fire Station 3 in the amount not to exceed Six Hundred Sixty-Four Thousand Two Hundred Thirty-Three Dollars ($664,233.00); authorizing the City Manager to execute a contract in a form approved by the City Attorney; and, providing an effective date.

Mayor Stanfill read Agenda Item No. 8 into the record. Fire Chief Blanton spoke and gave a brief explanation of this agenda item. Mayor, Council and staff discussed the agenda item.

Mayor Stanfill made the following motion: Motion to adopt Resolution No. 24-042R as presented.

Councilmember Franklin moved the motion, seconded by Councilmember Miller. The motion carried 5 in the affirmative and 0 in the negative. The motion passed unanimously.

Roll Call Vote: Mayor Pro Tem Jeffrey Smith – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ricardo Miller – Aye
Councilmember Tim Lightfoot – Aye

Adopted
Enactment No: RES 24-049R

9. Consider adoption of Resolution No. 24-050R of the City Council of the City of Red Oak, Texas, terminating the offer of an agreement for Construction Manager Services Agreement with Fitzpatrick Design Construction Services Group, LLC, attached hereto and incorporated herein as Exhibit "A", and, approving the terms and conditions of the Construction Manager Services Agreement, which is attached hereto and incorporated herein as Exhibit "B", by and between the City of Red Oak, Texas, and Johnson, Mirmiran & Thompson, Inc. (JMT), for Construction Manager Agent Service (Project Management) for the design and construction of Fire Station 3 in the amount not to exceed Two Hundred Seventy-Six Thousand Five Hundred Twenty Dollars ($276,520.00); authorizing the City Manager to execute said agreement; and, providing an effective date Financial Report audited by Patillo, Brown & Hill, L.L.P., 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. 9 into the record. Fire Chief Blanton spoke and gave a brief explanation of this agenda item. Mayor, Council and staff discussed this agenda item.

Mayor Stanfill made the following motion: Motion to adopt Resolution No. 24-050R as presented.

Councilmember Miller moved the motion, seconded by Councilmember Lightfoot. The motion carried 5 in the affirmative and 0 in the negative. The motion passed unanimously.

Roll Call Vote: Mayor Pro Tem Jeffrey Smith – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ricardo Miller – Aye
Councilmember Tim Lightfoot – Aye

Adopted
Enactment No: RES 24-050R

10. Continue a Public Hearing and consider approval of Ordinance No. 24-020 of the City Council of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, as heretofore amended, by granting a change in zoning from Planned Development 66 Revised 5 (PD-66R5) to Planned Development 66 Revised 6 (PD-66R6) to allow for the use, construction and maintenance of a data center and auxiliary structures on the property described as Lot 2, Block A (39.915± acres) of the Benjamin Frazier Survey, Abstract No. 371, Edmund Sherly Survey, Abstract No. 1013, and the John Spoon Survey, Abstract No. 1014, (property) located approximately 1,000 feet north of Ovilla Road and east of North Austin Boulevard, in the City of Red Oak, Ellis County, Texas; said properties being more particularly described in Exhibit "A", which is attached hereto and incorporated herein; providing site plan, landscape plan and elevation plan, which are attached hereto and incorporated herein as Exhibits "B" through "D", respectively; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense; and, providing an effective date.

City Manager Fuller spoke and stated that the applicant has withdrawn their request and will resubmit at a later date. No action was taken.

11. Conduct a Public Hearing and consider approval of Ordinance No. 24-023 of the City of Red Oak, Texas, amending the Comprehensive Zoning Ordinance and Map of the City of Red Oak, Texas, as heretofore amended, by granting a chance in zoning from Planned Development 66 Revised 5 (PD-66R5) to Planned Development 173 (PD-173), for the development of a convenience store with gas pumps on site on approximately 1.862± acres of real property located on the northwest corner of Cole Road and Ovilla Road within the Edmond Shirley Survey, Abstract No. 1013, City of Red Oak, Ellis County, Texas, as provided in Exhibit "A", which is attached hereto and incorporated herein; providing for development plan, concept plan, landscape plan, elevation plans, and planned development regulations, attached hereto and incorporated herein as Exhibits "B" through "G", respectively; providing a repealing clause; providing a severability clause; providing a savings clause; providing a penalty of fine not to exceed the sum of Two Thousand Dollars ($2,000.00) for each offense; and, providing an effective date.

Mayor Stanfill read Agenda Item No. 11 into the record. Planning & Zoning Manager Chetuya spoke and gave a detailed explanation of this agenda item.

Mayor Stanfill opened the Public Hearing at 7:29 p.m.

Brad White, Vaquero Ventures, 2627 Tillar Street, Ft. Worth, Texas, spoke in favor of this agenda item.

Mayor Stanfill made the following motion: Motion to close the Public Hearing at 7:34 p.m.

Councilmember Goodwyn moved the motion, seconded by Councilmember Miller. The motion carried 5 in the affirmative and 0 in the negative. The motion passed unanimously.

Roll Call Vote: Mayor Pro Tem Jeffrey Smith – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye

Councilmember Ricardo Miller – Aye
Councilmember Tim Lightfoot – Aye

Mayor, Council and staff discussed this agenda item.

Councilmember Lightfoot moved the motion, seconded by Councilmember Franklin. The motion carried 5 in the affirmative and 0 in the negative. The motion passed unanimously.

Roll Call Vote: Mayor Pro Tem Jeffrey Smith – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ricardo Miller – Aye
Councilmember Tim Lightfoot – Aye

Approved
Enactment No: ORD 24-023

BOARD/COMMISSION BUSINESS:

12. Consider approval of the appointment, reappointment, resignation or removal of membership on the City of Red Oak Boards and Commissions as follows:

A. Economic Development Corporation:
- Reappointment of Alan Hugley, Greg Bennett, Jack Edwards and Karen O. Stanfill as Regular Members for two-year terms from June 2024 – June 2026.

B. Planning & Zoning Commission:
- Reappointment of Michael Braly, Susie Mendoza and Karen O. Stanfill as Regular Members for two-year terms from June 2024 – June 2026.
- Reappointment of Bryan Bell as an Alternate Member for a two-year term from June 2024 – June 2026.

Mayor Stanfill read Agenda Item No. 12 into the record.

Mayor Stanfill made the following motion: Motion to approve the members for the Economic Development Corporation and Planning & Zoning Commission as presented.

Councilmember Lightfoot moved the motion, seconded by Councilmember Franklin. The motion carried 5 in the affirmative and 0 in the negative. The motion passed unanimously.

Roll Call Vote: Mayor Pro Tem Jeffrey Smith – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ricardo Miller – Aye
Councilmember Tim Lightfoot – Aye

Approved

DEPARTMENTAL REPORTS:

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

A. Fire **(Ben Blanton, Fire Chief)**
- Monthly Activity Report
- Project Updates/Initiatives

B. Police **(Garland Wolf, Police Chief)**
- Monthly Report
- Hiring Status
- Update on Animal Control Building Renovations

C. Communications & Marketing **(Alexa Beasley, Director)**

- Monthly Report

D. Development Services **(Ben Hartman, City Engineer)**
- Development Projects Status
- Building Permit and Inspections Report
- Code Compliance Report

E. Finance **(Gloria Platt, Director)**
- Finance Report
- Monthly Investment Report
- Financial Statement
- Municipal Court Statistical Highlights

F. Human Resources **(Amanda Monsivais, Director)**
- Administrative Monthly Report

G. Information Technology **(John Binford, Director)**
- Major Accomplishments
- Current Initiatives
- Challenges

H. Library **(Elise Cook, Director)**
- YTD Statistics
- Monthly Newsletter

I. Parks & Recreation **(Kyle Kelley, Director)**
- Update on Projects, Events & Operations

J. Public Works **(Scott Williams, Director)**
- Monthly Operational Report
- Project Updates/Initiatives

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

CLOSED SESSION:

14. 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.

15. Texas Government Code, §551.072 **– Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property.**

REGULAR SESSION:

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

Council did not convene into Closed Session.

ADJOURNMENT:

Mayor Stanfill made the following motion: Motion to close the Public Hearing at 7:52 p.m.

Councilmember Franklin moved the motion, seconded by Councilmember Miller. The motion carried 5 in the affirmative and 0 in the negative. The motion passed unanimously.

Roll Call Vote: Mayor Pro Tem Jeffrey Smith – Aye
Councilmember Willie G. Franklin, Jr. – Aye
Councilmember Ben Goodwyn – Aye
Councilmember Ricardo Miller – Aye
Councilmember Tim Lightfoot – Aye

PASSED AND APPROVED by the Red Oak City Council at a Regular Meeting held on July 8, 2024.

CITY OF RED OAK
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Approved:

Mark L. Stanfill, DVM
Mayor

Attest:

Caryn Stevens, TRMC
City Secretary