



**AGENDA
REGULAR MEETING
RED OAK CITY COUNCIL
MONDAY, MAY 13, 2024, 7:00 P.M.**

Mayor:
Mark L. Stanfill, DVM

Councilmembers:
Willie G. Franklin, Jr.
Ben Goodwyn

City Manager:
Todd Fuller

City Attorney:
Robert E. Hager

Mayor Pro Tem:
William Drake

Tim Lightfoot
Jeffrey Smith

Deputy City Manager:
Jonathan Phillips

City Secretary:
Caryn Stevens, TRMC

Councilmember-Elect:
Ricardo Miller

Pursuant to Section 551 of the Texas Government Code, notice is hereby given of a Regular Meeting of the Red Oak City Council to be held on Monday, May 13, 2024, at 7:00 p.m., in the Council Chamber, 101 S. Live Oak Street, Red Oak, Texas, and by videoconference as authorized by Section 551.127 of the Texas Government Code, at which time the following will be discussed and considered:

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

CALL TO ORDER: *The Mayor will call the meeting to order, declare a quorum, if present, and declare notices legally posted pursuant to the Open Meetings Act.*

INVOCATION AND PLEDGES OF ALLEGIANCE: (Mayor Pro Tem Drake)

PRESENTATIONS:

- **Recognition and Pinning:** JaMichael Howard, Firefighter (Blanton)
- **Recognition:** (Wolf)
 - Matthew Pettit, Police Officer
 - Jalen Merrick, Detective
 - Steven Nelson, Detective
 - Andrew Trim, Sergeant
- **Introduction:** Jennifer Sowell, Police Officer (Wolf)
- **Proclamations:**
 - National Peace Officers Memorial Day and Police Week (Wolf)
 - Emergency Medical Services (EMS) Week (Blanton)
 - National Public Works Week (Williams)
 - Motorcycle Safety Awareness Month (Mayor Stanfill)

COUNCIL BUSINESS – OFFICIAL CANVASS:

1. Consider adoption of Resolution No. 24-037R of the City Council of the City of Red Oak, Texas, canvassing the returns of a General Election held on May 4, 2024, declaring the results and providing for the election of Mayor, Councilmember Place One (1) and Councilmember Place Three (3); providing a severability clause; and, providing an effective date. (Stevens)



ADMINISTER OATH OF OFFICE AND PRESENT CERTIFICATE OF ELECTION:

- Mark L. Stanfill, DVM, Mayor
- Willie G. Franklin, Jr., Councilmember Place 1
- Ricardo Miller, Councilmember Place 3

CITIZENS COMMENTS: *The public is invited to address City Council on any topic. Speakers should complete a Citizens Comments form and submit it to the City Secretary prior to the beginning of the meeting. To submit written comments via email, see instructions at the bottom of the agenda. The Texas Open Meetings Act prohibits City Council from discussing or taking action on issues not posted on the agenda; however, the Mayor, City Manager or designee may provide specific factual information, recite an existing policy, or schedule a discussion of the issue for possible placement on a future agenda. **Speakers are limited to a maximum of three (3) minutes.***

COUNCIL BUSINESS – CONSENT AGENDA: *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 acted upon separately.*

2. Consider approving the following minutes of the Red Oak City Council: (Stevens)
 - April 8, 2024 – Regular Meeting
 - May 9, 2024 – Special Called Meeting
3. Consider adoption of Resolution No. 24-038R of the City Council of the City of Red Oak, Texas, declaring certain personal property as obsolete, valueless and surplus; providing for disposal of same by the City Manager or his designee; authorizing the Mayor to execute; providing a severability clause; providing a repealing clause; and, providing an effective date. (Platt)
4. Consider adoption of Resolution No. 24-039R of the City Council of the City of Red Oak, Texas, awarding a bid and approving the terms and conditions of the Cooperative Purchasing Agreement by and between the City of Red Oak, Texas, and the North Carolina Sheriffs' Association, Inc. (NCSA) Purchasing Program; providing for the purchase of goods and services, as provided in Exhibit "A", attached hereto and incorporated herein; authorizing the City Manager to execute said agreement; and, providing an effective date. (Platt)
5. Consider adoption of Resolution No. 24-040R 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 owners' request and petitions; such that the City of Red Oak, Texas, Extraterritorial Jurisdiction shall be and is hereby adjusted and contracted to relinquish the property described and depicted in Exhibit "A", attached hereto and incorporated herein; to release said property; and, providing an effective date. *Requested by Albino and Emeregilda Maulion* (Hartman)
6. Consider adoption of Resolution No. 24-041R of the City Council of the City of Red Oak, Texas, awarding a bid and approving the terms and conditions of an agreement with C&M Concrete Contracting, in an amount not to exceed Ninety-Five Thousand Dollars (\$95,000.00) for concrete street repairs in various locations as provided in Exhibit "A", attached hereto and incorporated herein, located in Red Oak, Texas, upon approval as to form by the City Attorney; and, authorizing the City Manager, or his designee, to sign. (Williams)
7. Consider approval of an expenditure of funds by the Red Oak Economic Development Corporation ("ROEDC") in an amount not to exceed Forty-Five Thousand Dollars (\$45,000.00) for the renewal of a Professional Services Agreement ("Agreement") with Catalyst Commercial, Inc. (McCleary)
8. Consider approval of an expenditure of funds by the Red Oak Economic Development Corporation ("ROEDC") in an amount not to exceed Nine Thousand Seven Hundred Fifty Dollars (\$9,750.00) for a proposal from Farmers Environmental for asbestos abatement for the former Happy House Daycare Center located at 2518 Ovilla Road in Red Oak, Texas. (McCleary)



9. Consider adoption of Resolution No. 24-042R of the City Council of the City of Red Oak, Texas, approving of an expenditure of funds by the Red Oak Economic Development Corporation ("ROEDC") in an amount not to exceed Seventy-Two Thousand Fifty Dollars (\$72,050.00) for a proposal from Veit National for the demolition and debris removal for the former Happy House Daycare Center located at 2518 Ovilla Road in Red Oak, Texas; and, providing an effective date. (McCleary)

COUNCIL BUSINESS – REGULAR AGENDA:

10. Consider adoption of Resolution No. 24-043R of the City Council of the City of Red Oak, Texas, approving the Annual Comprehensive 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. (Platt)
11. Consider adoption of Resolution No. 24-044R of the City of Red Oak, Texas, creating the Capital Improvements Advisory Committee, setting forth the rules for and the duties thereof, all in compliance with the impact fee statutes found in Chapter 395 of the Local Government Code; making various findings and provisions related to the creation of the Capital Improvements Advisory Committee; setting a date for a public hearing to discuss and consider the City's proposed land use assumptions and capital improvements plan; and, providing an effective date. (Williams)
12. Discussion and providing direction on the future use and/or renovation of the Red Oak Municipal Center following a Facility Assessment and Conceptual Designs presentation. (Beasley)
13. Conduct a Public Hearing and consider 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. (Case ZC24-08) *Requested by Alamo Mission, LLC.* (Hartman)
14. Conduct a Public Hearing and consider Ordinance No. 24-021 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 Single-Family Ranchette Estates (RAE) to Planned Development 172 (PD-172) for reduced side yard setback requirements on the sites identified as Lots 21, 22 and 23, Block B, of Hidden Creek Phase 3, an addition to the City of Red Oak, Ellis County, Texas, and addressed as 449, 455 and 461 Whispering Way; and site plans for each said lot are described and depicted in Exhibits "A", "B" and "C", respectively, which are attached hereto and incorporated herein; 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. (ZC24-07) *Requested by Dewayne C. Bryant* (Hartman)

DEPARTMENTAL REPORTS:

15. 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 and Director)
 - 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

CLOSED SESSION:

- 16. Pursuant to the Texas Government Code, Section §551.071 – **Consultation with the City Attorney** to seek legal advice regarding Section 11.36 of the Texas Tax Code related to property tax exemption for qualified childcare facilities; and, to see legal advice from the City Attorney concerning social media, Texas Open Meeting closed sessions, and Councilmember immunity and SCOTUS decision in *Lindke v. Freed*.
- 17. 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.

18. Pursuant to Texas Government Code, §551.072 – Deliberations Regarding the Purchase, Exchange, Lease, or Value of Real Property.

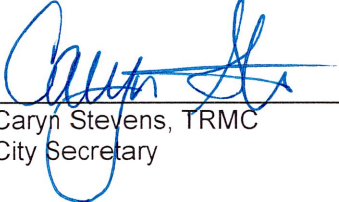
- A. Discuss or deliberate regarding acquisition, sale and/or exchange, lease or value of Real Properties generally located south of Pierce Road, north of FM 2377, west of Batchler Road, and east of Goodloe Lane, Red Oak, Texas.

REGULAR SESSION:

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

ADJOURNMENT:

CERTIFICATION: I hereby certify that the above agenda of items to be considered by the Red Oak City Council was posted in the Red Oak Government Center kiosk on May 10, 2024, before 7:00 p.m. in accordance with the Texas Government Code, Chapter 551.


Caryn Stevens, TRMC
City Secretary



ACCESSIBILITY STATEMENT

The Red Oak Government Center is wheelchair accessible with entry ramps and accessible parking spaces located in the front and east side of the building. Request for accommodations must be made 48 hours prior to the meeting by contacting the City Secretary's office at (469) 218-1207.

Instructions for Citizens Comments:

To speak during Citizens Comments, you must attend the City Council meeting in person. Speakers should complete a Citizens Comments Form and submit it to the City Secretary prior to the meeting. Forms are available online (see [Link to Citizens Comments Form](#) below) and at the Council meeting. If you cannot attend in person, but still wish to comment, you may submit written comments via email. To submit comments, email your name, address, phone number, email address and topic to citysecretary@redoaktx.org, and title the subject of the email "Citizens Comments." Alternatively, you may click on the link below entitled [Link to Citizens Comments Form](#) to submit your comments electronically. Your comments must be received by 5:00 p.m. on the day of the meeting or they will not be accepted.

Link to Citizens Comments Form:

<http://www.redoaktx.org/FormCenter/Meetings-9/City-Meetings-Citizens-Comments-62>

Citizens may watch the meeting via live-stream at:

<https://www.youtube.com/channel/UCntzB1px9caZvdivvHInEMQ/>

