

Meeting Minutes

Special Meeting of the Oak Point City Council

Oak Point City Hall  
100 Naylor Road  
Oak Point, Texas 75068

Thursday, April 18, 2019  
6:00 P.M.



**1. Call to Order, Roll Call, and Determination of Quorum.**

Mayor Palmer called the meeting to order at 6:00 p.m. with the following roll call:

Keith Palmer	Mayor	Present
John Lusk	Mayor Pro Tem	Present
Lynn Harpold	Deputy Mayor Pro Tem	Present
Don Lindemann	Council Member	Present
Tim Freeman	Council Member	Present
Dena Meek	Council Member	Present

**City staff present:**

Stephen Ashley	City Manager
Joni Vaughn	City Secretary
Donna Boner	Finance Manager
Mike Shackelford	Director of Public Safety

And with a quorum present the following items were addressed:

**2. Invocation**

Councilmember Harpold led the invocation.

**3. Pledge of Allegiance**

Mayor Palmer led the Pledge of Allegiance and Pledge to the Texas Flag.

**4. Items of Community Interest**

City Manager Ashley announced that Springfest had to be cancelled due to severe weather, however we were able to donate the candy filled eggs to a local daycare for their egg hunt this week and the food we had purchased through our caterer for Springfest was donated to the Little Elm Food Bank. Saturday, April 27<sup>th</sup> from 8am - 2pm is our annual Community Garage Sale. Maps will be available in the front of each neighborhood as well as on our City website. Saturday, April 27<sup>th</sup> from 4 - 6 pm in the Community Room or the Pavilion (weather permitting), there will be a presentation by the Blackland Prairie Raptor Center on the raptors of North Texas.

**5. Public Input**

No one requested to speak.

**6. Presentation and discussion of the following reports:**

- Financial Report for March 2019
- Municipal Court Report for March 2019
- Permits Report for March 2019
- Department of Public Safety (DPS) Report for the month of March 2019
- Zoning and Development Activity Report for March 2019

Finance Manager Donna Boner gave the financial report and answered Council's questions. City Manager Ashley gave the zoning and development activity report and answered questions.

### **CONSENT AGENDA**

7. **Consider and act upon the minutes for the March 18, 2019 Regular City Council meeting.**
8. **Consider and act upon Resolution 2019-04-007R authorizing the Director of Public Safety to execute an Interlocal Cooperation Agreement with Denton County regarding a Shared Government Communications and Dispatch Services System for FY 2019-2020.**
9. **Consider and act upon a request for a preliminary plat of a 108.949-acre tract of land, consisting of 333 residential lots of Wildridge Phase 5 and 6 situated in the Elizabeth A. Shahan Survey, Abstract No. 1204; John McNeil Survey, Abstract No. 884; and the William McNeil Survey, Abstract No. 814, City of Oak Point, Denton County, Texas, being a portion of a called 191.237-acre tract, described as Tract 10A in a Special Warranty Deed to LH Wildridge, LLC, recorded in Document No. 2017-20269, Deed Records, Denton County, Texas.**

Motion to approve the Consent Agenda consisting of the minutes from the March 18, 2019 meeting, Resolution 2019-04-007R for an Interlocal Agreement with Denton County for Communication and Dispatch services for FY 2019-2020, and a preliminary plat for 333 residential lots of Wildridge Phases 5 and 6 was made by Councilmember Lusk; seconded by Councilmember Harpold.

**Motion Passed 5-0**

### **REGULAR AGENDA**

10. **Presentation of the Annual Financial Report for FY2017-2018 by LaFollet and Abbott PLLC and consider and act upon Resolution 2019-04-008R approving the Annual Financial Report for FY2017-2018.**

Rod Abbott of LaFollet and Abbott PLLC presented the annual financial report to the City Council and answered questions.

Motion to approve Resolution 2019-04-008R accepting the annual financial report for FY 2017-2018 was made by Councilmember Freeman; seconded by Councilmember Lusk.

**Motion Passed 5-0**

11. **Consider and act upon Resolution 2019-04-009R nominating one candidate to a slate of nominees for the Board of Managers of the Denco Area 9-1-1 District.**

Councilmember Lindemann made a motion to nominate Sue Tejml as a candidate for the Board of Managers of the Denco Area 9-1-1 District; seconded by Councilmember Harpold.

**Motion Passed 5-0**

12. **Consider and act upon Resolution 2019-04-010R authorizing continued participation with the steering committee of cities served by Oncor and authorizing the payment of eight cents per capita to the steering committee to fund regulatory and legal proceedings and activities related to Oncor Electric Delivery Company, LLC.**

Motion to approve Resolution 2019-04-010R authorizing continued participation with the steering committee of cities served by Oncor and authorizing the payment of eight cents per capita to the steering committee to fund regulatory and legal proceedings and activities relation to Oncor Electric Delivery Company, LLC was made by Councilmember Lusk; seconded by Councilmember Harpold.

**Motion Passed 5-0**

- 13. Consider and act upon Resolution 2019-04-011R finding that Oncor Electric Delivery Company, LLC's application for approval to amend its distribution cost recovery factor pursuant to 16 TEX. ADMIN. CODE § 25.243 to increase distribution rates within the City should be denied; 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 this resolution to the company and legal counsel.**

Motion to approve Resolution 2019-04-011R finding that Oncor Electric Delivery Company, LLC's application for approval to amend its distribution cost recovery factor pursuant to 16 TEX. ADMIN. CODE § 25.243 to increase distribution rates within the City should be denied; 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 this resolution to the company and legal counsel was made by Councilmember Meek; seconded by Councilmember Lusk.

**Motion Passed 5-0**

- 14. Consider and act to authorize the City Manager to execute a proposal for engineering services.**

Motion to authorize the City Manager to execute a proposal for engineering services with BGE, Inc. was made by Councilmember Lusk; seconded by Councilmember Lindemann.

**Motion Passed 5-0**

- 15. Consider and act to approve a recommendation from the Parks and Recreation Commission for a boundary survey for Jake's Place Park and authorize the City Manager to have the boundary survey completed.**

Motion to approve authorizing the City Manager to order a boundary survey and topographical survey at one foot contours – not to exceed \$1,000 more than the boundary survey for the topographical survey - for Jake's Place Park was made by Councilmember Lusk; seconded by Councilmember Harpold.

**Motion Passed 5-0**

- 16. Discuss the Cost Sharing Agreement for the Martop expansion project between the City of Oak Point, Denton Independent School District and the Denton County Municipal Utility District No. 5. and the City's continued interest.**

Council directed the City Manager to reconnect and renegotiate with DISD and Denton County MUD No.5 regarding cost sharing on the Martop expansion project.

- 17. Discuss and provide direction to City staff regarding topics for the Summer 2019 edition of the Country Place Bulletin.**

Council and Staff discussed topics for the Summer 2019 Country Place Bulletin. Council would like to feature the Little Elm Food Bank and the Kids Eat Free Program.

- 18. Recess into Closed Session in compliance with Section 551.001 et. seq. Texas Government Code, to wit:**

Mayor Palmer recessed the meeting into closed session at 7:52 pm.

- a. **Section 551.071 (Consultation with Attorney) – to receive legal advice from City Attorney related to pending litigation: *Jeff Houle v. City of Oak Point, and Oak Point Board of Adjustment*, Cause No. CV-2018-03798, County Court at Law No. 2, Denton County, Texas.**
- b. **Section 551.071 (Consultation with Attorney) – to receive legal advice from City Attorney related to pending litigation: *C. Perry Marker d/b/a Texas Dirt Contractors v. City of Oak Point and Mustang Special Utility District*, Cause No. 18-11314-16, 16th Judicial District Court, Denton County, Texas.**

- c. **Section 551.071 (Consultation with Attorney) – to receive legal advice from City Attorney related to possible annexation of property.**

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

Mayor Palmer reconvened the meeting at 9:34 pm.

In reference to Item 18 a - Motion to authorize the City Attorney's office to prepare a settlement offer with the terms that were discussed in executive session was made by Councilmember Lusk; seconded by Councilmember Freeman.

**Motion Passed 5-0**

**20. Consider and act upon topics to be scheduled for a future City Council Meeting.**

Mayor Palmer and Councilmember Meek would like a discussion about Home Rule.

Councilmember Meek would like a discussion on the contract with Republic.


Motion for the following topics to be scheduled for the next City Council meeting was made by Councilmember Harpold; seconded by Councilmember Meek. The topics are as follows:

- Discuss and act upon providing continuous adequate street lighting within the city limits of Oak Point on both the east and west sides of Oak Grove Parkway by installing light poles in the right-of-way.
- Discuss and act on adding a full-time building inspector/code enforcement officer to the Oak Point city staff.
- Discuss the contract with Republic Services
- Discuss Home Rule Charter

**21. Adjournment**

Councilmember Harpold made a motion to adjourn the meeting; seconded by Councilmember Lusk.

Mayor Palmer adjourned the meeting at 9:38 pm.

  
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Keith Palmer, Mayor

ATTEST:  
  
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Joni Vaughn, City Secretary

