



Meeting Minutes
Regular Meeting of the Oak Point City Council
Oak Point City Hall
100 Naylor Road
Oak Point, Texas 75068
Monday, September 16, 2019
6:00 P.M.

Call to Order, Roll Call, and Determination of Quorum

Mayor Palmer called the meeting to order at 6:02 p.m. with the following roll call:

Keith Palmer	Mayor	Present
John Lusk	Mayor Pro Tem	arrived at 6:10 pm
Tim Freeman	Deputy Mayor Pro Tem	Present
Don Lindemann	Council Member	Present
Dena Meek	Council Member	Present
Kyle Thompson	Council Member	Present

City staff present:

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

And with a quorum present the following items were addressed:

Invocation

Councilmember Meek led the invocation.

Pledge of Allegiance/Pledge to the Texas Flag

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

Presentation of Proclamation declaring September 16-22, 2019 Constitution Week

Mayor Palmer declared September 16-22, 2019 Constitution Week and presented a copy of the proclamation to representatives of NSDAR.

Presentation of Proclamation declaring September 2019 LIVE UNITED Month

Mayor Palmer declared September 2019 LIVE UNITED Month and presented a copy of the proclamation to representatives of the United Way.

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

- (a) **Section 551.071 (Consultation with Attorney)** – to receive legal advice from City Attorney related to pending litigation, and related matters: *Mike Maciejack and Tiffany Maciejack v. City of Oak Point, and Oak Point Board of Adjustment, Cause No. CV-2019-02578, County Court at Law No. 2, Denton County, Texas.*

Mayor Palmer recessed the meeting into Closed Session at 6:10 p.m.

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

Mayor Palmer reconvened the meeting into Regular Session at 6:46 p.m.

No action was taken.

Items of Community Interest

City Secretary Vaughn reported that Trunk or Treat will be October 31st from 6-8 pm. The new fire truck will be on display for pictures. Winterfest will be December 6th.

Public Input

No one came forward to speak.

Presentation and discussion of the following reports:

- **Financial Report for August 2019**
- **Municipal Court Report for August 2019**
- **Permits Report for August 2019**
- **Department of Public Safety (DPS) Report regarding police, fire, medical, and code enforcement incidents during the month of August 2019**

Finance Manager Boner gave the financial report. Chief Shackelford reported that as soon as the Texas Department of Public Safety comes out with a solid process regarding the new legislation about registering golf carts, Oak Point will let residents know what the process will be.

CONSENT AGENDA

Motion to pull Item 12, 13, and 14 for discussion was made by Council Member Meek; seconded by Council Member Thompson.

Ayes: Lusk, Freeman, Lindemann, Meek, Thompson

Noes: None

Motion Passed

Consider and act upon the minutes of the August 19, 2019 Regular City Council meeting and the minutes of the August 26, 2019 and August 29, 2019 Special meetings.

Motion to approve Item 11 - the minutes of the August 19, 2019 Regular Council meeting, and the minutes of the August 26, 2019 and August 29, 2019 meetings - was made by Mayor Pro Tem Lusk; seconded by Council Member Meek.

Ayes: Lusk, Freeman, Lindemann, Meek, Thompson

Noes: None

Motion Passed

Consider and act upon a recommendation from the Parks and Recreation Commission to set a budget of \$300,000 to fund the development of an 8' wide trail throughout Jake Place Park and secure the playground area with fencing.

City Manager Ashley and PARC Chairperson Maynard answered Council's questions regarding the project.

Motion to approve the recommendation from the Parks and Recreation Commission to set a budget of \$300,000 to fund the development of an 8' wide concrete trail throughout Jake's Place Park and secure the playground area with fencing was made by Mayor Pro Tem Lusk; seconded by Council Member Lindemann.

Ayes: Lusk, Lindemann, Freeman

Noes: Meek, Thompson

Motion Passed

Consider and act upon a resolution approving a professional services deposit and reimbursement agreement between the City of Oak Point and LH Wildridge, LLC for Wildridge Public Improvement District Improvement Area #3.

City Manager Ashley explained the agreement. Council Member Meek had additional questions. City Manager Ashley and Mary Petty, P3 Works, answered questions from Council.

Motion to adopt a resolution approving a professional services deposit and reimbursement agreement between the City of Oak Point and LH Wildridge, LLC for Wildridge Public Improvement District Improvement Area #3 was made by Council Member Thompson; seconded by Deputy Mayor Pro Tem Freeman.

Ayes: Lusk, Freeman, Lindemann, Meek, Thompson

Noes: None

Motion Passed

Consider and act upon approving requested rate increase by Republic Services for refuse and recycling services.

City Manager Ashley explained the request for rate increase and the fact that, although Republic is required by contract to come before Council, the CPI rate increase is part of the contracted agreement.

Leigh Collins, representative for Republic Services, addressed the Council. Ms. Collins reported to Council that she is diligently working on customer service issues in the community. City Manager Ashley commended Ms. Collins for her efforts in working with the residents and stated that since she has taken the position, the City receives far less calls about customer service issues.

Motion to approve the requested rate increase by Republic Services for refuse and recycling services was made by Mayor Pro Tem Lusk; seconded by Council Member Lindemann.

Ayes: Lusk, Lindemann, Freeman

Noes: Meek, Thompson

Motion Passed

REGULAR AGENDA

Consider and act upon an ordinance adopting amendment #1 to the FY 2018-2019 City of Oak Point Budget.

Motion to approve an ordinance adopting amendment #1 to the FY 2018-2019 City of Oak Point Budget was made by Council Member Meek; seconded by Mayor Pro Tem Lusk.

Ayes: Lusk, Freeman, Lindemann, Meek, Thompson

Noes: None

Motion Passed

Consider and act upon an ordinance adopting the FY 2019-2020 City of Oak Point Budget.

Motion to approve an ordinance adopting the FY 2019-2020 City of Oak Point Budget was made by Council Member Thompson; seconded by Deputy Mayor Pro Tem Freeman.

Ayes: Lusk, Freeman, Lindemann, Meek, Thompson

Noes: None

Motion Passed

Consider and action on ratifying the property tax revenue increase reflected in the FY 2019-2020 City of Oak Point Budget.

Motion to approve ratifying the property tax revenue increase reflected in the FY 2019-2020 City of Oak Point Budget was made by Mayor Pro Tem Lusk; seconded by Deputy Mayor Pro Tem Freeman.

Ayes: Lusk, Freeman, Lindemann, Meek, Thompson

Noes: None

Motion Passed

Consider and act upon an ordinance adopting the City of Oak Point 2019 property tax rate.

Motion to adopt an ordinance at set the City of Oak Point 2019 property tax rate at \$.51/\$100 was made by Mayor Pro Tem Lusk; seconded by Council Member Meek.

Ayes: Lusk, Freeman, Lindemann, Meek, Thompson

Noes: None

Motion Passed

Consider and act upon adopting the FY 2019-2020 Oak Point Economic Development Corporation Budget.

Motion to adopt the FY 2019-2020 Oak Point Economic Development Corporation Budget was made by Deputy Mayor Pro Tem Freeman; seconded by Mayor Pro Tem Lusk.

Ayes: Lusk, Freeman, Lindemann, Meek, Thompson

Noes: None

Motion Passed

Consider and act upon adopting the FY 2019-2020 Oak Point Municipal Development District Budget.

Motion to adopt the FY 2019-2020 Oak Point Municipal Development District Budget was made by Council Member Lindemann; seconded by Mayor Pro Tem Lusk.

Ayes: Lusk, Freeman, Lindemann, Meek, Thompson

Noes: None

Motion Passed

Public Hearing for the purpose of considering levying special assessments against approximately 45.64 acres known as the Improvement Area #3 Property within the Wildridge Public Improvement District No. 1 in accordance with Chapter 372 of the Texas Local Government Code.

Mary Petty, P3Works, explained the special assessment item. Mary Petty and Jesse Childers, Ashlar Development, answered questions.

Mayor Palmer opened the Public Hearing at 7:48 p.m. No one came forward to speak. Mayor Palmer closed the Public Hearing at 7:48 p.m.

Consider and act upon an ordinance that will levy special assessments against approximately 45.65 acres known as the Improvement Area #3 Property within the Wildridge Public Improvement District No. 1 and will accept and approve a Service and Assessment plan and assessment roll, make a finding of special benefit to the property, establish a lien on the property, and provide for a method of paying the special assessments.

Motion to adopt an ordinance that will levy special assessments against approximately 45.65 acres known as the Improvement Area #3 Property within the Wildridge Public Improvement District No. 1 and will accept and approve a Service and Assessment plan and assessment roll, make a finding of special benefit to the property, establish a lien on the property, and provide for a method of paying the special assessments was made by Mayor Pro Tem Lusk; seconded by Council Member Lindemann.

Ayes: Lusk, Freeman, Lindemann, Thompson

Noes: Meek

Motion Passed

Public Hearing to hear comments on a request regarding a change in zoning from Planned Development District-6 (PD-6) to Planned Development District-6 - Specific Use Permit (PD-6-SUP) to recommend to the City Council the approval of the SUP to allow the following: Sale of Alcoholic Beverages, and Use of Alternate Exterior Materials for an approximately 2.50 acre tract of land in the W. McNeil Survey, Abstract No. 814, City of Oak Point, Denton County, Texas.

City Manager Ashley explained the CVS request for a Special Use Permit. Representatives for CVS, Steve Kendall with Carlson Consulting Engineers, and Laura Long with Norr Architecture, presented the request for CVS and answered questions.

Mayor Palmer opened the Public Hearing at 8:33 p.m. No one came forward to speak. Mayor Palmer closed the Public Hearing at 8:33 p.m.

Consider and act upon a request regarding a change in zoning from Planned Development District-6 (PD-6) to Planned Development District-6 - Specific Use Permit (PD-6-SUP) to allow the following: Sale of Alcoholic Beverages, and Use of Alternate Exterior Materials for an approximately 2.50 acre tract of land in the W. McNeil Survey, Abstract No. 814, City of Oak Point, Denton County, Texas.

City Attorney Moore asked the applicant if they were agreeable to the alternate exterior materials discussed and the applicant indicated they were agreeable.

Motion to approve a request for a change in zoning from Planned Development District-6 (PD-6) to Planned Development District-6 - Specific Use Permit (PD-6-SUP) to allow the following: Sale of Alcoholic Beverages, and Use of Alternate Exterior Materials for an approximately 2.50 acre tract of land in the W. McNeil Survey, Abstract No. 814, City of Oak Point, Denton County, Texas was made by Deputy Mayor Pro Tem Freeman; seconded by Mayor Pro Tem Lusk.

Ayes: Lusk, Freeman, Lindemann, Meek, Thompson

Noes: None

Motion Passed

Consider and act upon an ordinance amending Appendix A, Article A4.000 of the CODE OF ORDINANCES, by amending Section A4.002, "PERMIT AND INSPECTION FEES," by amending Subsection (A) "RESIDENTIAL/COMMERCIAL BUILDING PERMITS," by amending the fee charged for residential and commercial building permits.

City Manager Ashley and City Attorney Moore explained the reason for the ordinance was a change in state law; they explained some of the details in the change in fees and answered questions from Council.

Motion to adopt an ordinance amending Appendix A, Article A4.000 of the CODE OF ORDINANCES, by amending Section A4.002, "PERMIT AND INSPECTION FEES," by amending Subsection (A) "RESIDENTIAL/COMMERCIAL BUILDING PERMITS," by amending the fee charged for residential and commercial building permits was made by Council Member Thompson; seconded by Council Member Lindemann.

Ayes: Lusk, Freeman, Lindemann, Meek, Thompson

Noes: None

Motion Passed

Consider and act upon topics to be scheduled for a future City Council meeting

Council Member Meek would like to discuss updating the building code.

Council Member Thompson would like the shed at 212 Martingale to be moved in accordance with the Board of Adjustment ruling.

No action was taken.

Adjournment

Motion to adjourn was made by Mayor Pro Tem Lusk; seconded by Councilmember Thompson.

Ayes: Lusk, Freeman, Lindemann, Meek, Thompson

Noes: None

Motion Passed

Mayor Palmer adjourned the meeting at 9:10 pm.



Keith Palmer, Mayor



ATTEST:



Joni Vaughn, City Secretary