

Regular Meeting of the Oak Point City Council

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

Wednesday, June 15, 2022  
6:00 P.M.



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

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

Dena Meek	Mayor	Present
John Lusk	Mayor Pro Tem	Present
Scott Dufford	Deputy Mayor Pro Tem	Present
Kirk Hawrysis	Council Member	Present
Dave Klewicki	Council Member	Present
David McBeth	Council Member	Present

City staff present:

Stephen Ashley	City Manager
Jeff Moore	City Attorney
Michael Coker	City Planner
Douglas Tatu	DPS Director
Shanon Roach	Fire Chief
Donna Boner	Finance Manager
Joni Vaughn	City Secretary

And with a quorum present the following items were addressed.

**2. Invocation**

Mayor Meek led the invocation.

**3. Pledge of Allegiance**

Paul Bastaich led the pledges of allegiance

**4. Items of Community Interest**

City Secretary Vaughn announced Freedom Fest will be next Saturday, June 25<sup>th</sup>. The parade will be at 9:00 a.m., Veterans Recognition at 10:00 a.m., then food and fun until 1:00 p.m. Volunteers are needed to serve on Boards and Commissions.

Deputy Mayor Pro Tem Dufford gave his board liaison reports.

PARC – Approved mulch purchase. Playground will be closed Friday so that the new mulch can be put down. No decision was made on the path lighting yet. \$2500 for a baseball backstop was approved. The poison ivy issue was also discussed.

EDC- Approved traffic count study on FM 720.

Mayor Meek reminded everyone that fireworks are not legal within the city limits.

**5. Public Input**

Ericca Cordier, 10040 Cove Meadow Drive, Little Elm, addressed the Council about the possibility of offering paddleboarding at the boat ramp area. She had 10 paddleboards she would like to rent out for use on Friday through Sunday. She takes rental applications online.

Melissa Pescatello, 610 Torero, addressed Council about the need for road patches on Maverick and other streets in Crescent Oaks. She also asked if the All American Dogs contract could be changed to allow for animal pickup on the weekends, not just Monday through Friday. She would like to see the

rest of the community have signage like what is in Eagles Landing. She would like thick brush to be taken care of in Crescent Oaks.

Mayor Pro Tem Lusk asked for the floor. Mayor Meek granted Mayor Pro Tem Lusk the floor. Mayor Pro Tem Lusk made a motion to rearrange the agenda to move Item 19 to right after Item 6; motion seconded by Council Member McBeth.

**Ayes:** Lusk, McBeth, Hawrysiw

**Noes:** Dufford, Klewicki

#### **Motion Passed 3-2**

Mayor Pro Tem Lusk made a motion to go into Closed Session for Item 19c and save Items 19a & b for later in the meeting; motion seconded by Council Member McBeth.

**Ayes:** Lusk, McBeth, Hawrysiw, Dufford, Klewicki

**Noes:** None

#### **Motion Passed 5-0**

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

- **Financial Report for May 2022**
- **Municipal Court Report for May 2022**
- **Permits Report for May 2022**
- **Department of Public Safety (DPS) Report for May 2022**

No one had questions about the monthly reports. DPS Director Tatu reported that last month they had over 1,000 calls for service. The department has purchased CPR dummies to begin conducting certified CPR classes. DPS Director Tatu said the Code position will close on Saturday and he had received a number of good applicants.

Mayor Meek recessed the meeting at 6:21 p.m. to go into Closed Session on Item 19c only.

Mayor Meek reconvened the meeting at 7:14 p.m. No action was taken from Closed Session.

### **7. Public Hearing to hear comments regarding an ordinance amending the Comprehensive Plan - Future Land Use Plan for approximately 419 acres of land, located in the William McNeil Survey, Abstract No. 814, City of Oak Point, Denton County, Texas.**

City Planner Coker explained the recommendation from the Planning and Zoning Commission.

*(Vice PZ Chairperson Stafford made a motion to recommend an ordinance amending the Comprehensive Plan - Future Land Use Plan for approximately 419 acres of land, located in the William McNeil Survey, Abstract No. 814, City of Oak Point, Denton County, Texas as presented with the following conditions – the west side would be all Estate Residential (1-3 acre lots) with 15% open space; motion seconded by PZ Commissioner Gusick.)*

City Manager Ashley said the City would like to recommend carrying over the existing classification of Urban Residential in place of the Mixed Residential and capping the dwelling units at 550, move the Mixed Residential over to the west side. City Manager Ashley recommended leaving the Mixed Commercial classification in place on the corners but removing the definition about the space being no greater than 20,000 square feet. He recommended removing the landscape buffer as it could be negotiated in the development agreement.

City Planner Coker answered questions from the Council.

Mayor Meek opened the Public Hearing at 7:40 p.m.

Craig Curry, 10950 Research Road, one of the owners of the Rudman tract and representative of all the owners, spoke in opposition to the proposed Future Land Use Plan. However, he does feel like what was just recommended by the City Manager would be agreeable. He provided a Future Land Use Plan that is recommended by Rudman and Ashlar. He has a problem with the green buffer, with acreage being defined on each block on the plan, he does not want buildings pushed to the front of

the parcel with all parking behind the commercial buildings, he wants changes to the green space language.

Jesse Childers, Ashlar Development, agrees with what Mr. Curry said and he also supports modifying the plan similar to what Staff recommends.

Jack Brown, 615 Woodridge Drive, Oak Point, spoke in opposition to the proposed plan. He is not in favor of high density; he would like to see a better balance of density on both sides of the highway.

Mayor Meek closed the Public Hearing at 7:55 p.m.

**8. Consider and act on an ordinance amending the Comprehensive Plan to - Future Land Use Plan for approximately 419 acres of land located in the William McNeil Survey, Abstract No. 814, City of Oak Point, Denton County, Texas.**

City Manager Ashley spoke about the recent changes recommended to the Future Land Use Plan.

Mayor Pro Tem Lusk made a motion to approve an ordinance amending the Comprehensive Plan Future Land Use Plan approximately 419 acres of land located in the William McNeil Survey, Abstract No. 814, City of Oak Point, Denton County, Texas with the following additions: the staff recommendations of carrying Urban Residential over from the existing Wildridge and moving the Mixed Residential to the property on the west side of FM 720, removing the reference to maximum square of no greater than 20,000 square foot on the commercial, the land referred to will be the presented map as discussed rather than reference to 419 acres, no acreage listed on the comprehensive plan, the right of way landscape buffer will be fixed as agreed; motion seconded by Deputy Mayor Pro Tem Dufford.

Council then discussed the motion made and concerns were raised about adopting the plan.

Mayor Pro Tem Lusk made a motion to **withdraw** his previous motion; motion seconded by Deputy Mayor Pro Tem Dufford. **Approved implicitly by unanimous consent.**

**Motion withdrawn.**

Deputy Mayor Pro Tem Dufford made a motion to approve the Future Land Use Plan addressing only the east side of FM 720 with recommendations made by Staff; motion seconded by Mayor Pro Tem Lusk.

**Ayes:** Dufford, Lusk, Klewicki

**Noes:** Hawrysiw, McBeth

**Motion Passed 3-2**

Mayor Pro Tem Lusk made a motion to table the west side of FM 720 until the next City Council meeting on July 20,2022; motion seconded by Council Member Hawrysiw.

**Motion Passed 5-0**

**9. Consider and act on the minutes for the May 18, 2022 regular meeting of the City Council, and the May 17, 2022 special meeting of the City Council, and the May 13, 2022 joint meeting of the HRCC and City Council.**

Mayor Pro Tem Lusk made a motion to approve the minutes for the May 18, 2022 regular meeting of the City Council, and the May 17, 2022 special meeting of the City Council, and the May 13, 2022 joint meeting of the HRCC and City Council; motion seconded by Council Member Klewicki.

**Motion Passed 5-0**

**10. Consider and act upon a resolution to appoint one member to the Board of Managers of the Denco Area 9-1-1 District.**

Deputy Mayor Pro Tem Dufford made a motion to approve a resolution to appoint Jim Carter to the Board of Managers of the Denco Area 9-1-1 District; motion seconded by Mayor Pro Tem Lusk.

**Motion Passed 5-0**

- 11. Consider and act on a resolution authorizing the Director of Public Safety to execute an Interlocal Agreement with Denton County for the use of the Denton County Radio Communication System for FY 2021-2022.**

DPS Director Tatu explained the Interlocal Agreement and recommended Tier 3.

Mayor Pro Tem Lusk made a motion to approve a resolution authorizing the Director of Public Safety to execute an Interlocal Agreement with Denton County for the use of the Denton County Radio Communication System for FY 2021-2022 as presented; motion seconded by Council Member Klewicki.

**Motion Passed 5-0**

- 12. Consider and act on a resolution authorizing the Director of Public Safety to execute a contract with Lexipol, LLC for policy manual services for FY 2021-2022.**

DPS Director Tatu explained the contract with Lexipol.

Deputy Mayor Pro Tem Dufford made a motion to approve a resolution authorizing the Director of Public Safety to execute a contract with Lexipol, LLC for policy manual services for FY 2021-2022; motion seconded by Council Member McBeth.

**Motion Passed 5-0**

- 13. Consider and act on a resolution to call a public hearing about adoption of land use assumptions and capital improvement plan under which an impact fee may be imposed for roadway, water, wastewater, and drainage facilities.**

City Manager Ashley explained the resolution to call a public hearing and gave an update on where the CIAC is in terms of implementing the impact fees.

Mayor Pro Tem Lusk made a motion to approve on a resolution to call a public hearing about adoption of land use assumptions and capital improvement plan under which an impact fee may be imposed for roadway, water, wastewater, and drainage facilities; motion seconded by Council Member Hawrycio.

**Motion Passed 5-0**

- 14. Consider and act on a resolution to deny Oncor Electric Delivery Company LLC's request to increase rates.**

City Manager Ashley explained that Oncor has an application for a rate increase. Oak Point seeks to deny this increase through its participation in the coalition of cities known as the Steering Committee of Cities Served by Oncor.

Council Member Hawrycio made a motion to approve a resolution to deny Oncor Electric Delivery Company LLC's request to increase rates; motion seconded by Council Member Klewicki.

**Motion Passed 5-0**

- 15. Consider and act to approve or disapprove the Denton Central Appraisal District's annual budget for FY 2022-2023.**

Mayor Pro Tem Lusk made a motion to table this item until the July 20<sup>th</sup> City Council meeting; motion seconded by Council Member McBeth.

**Motion Passed 5-0**

- 16. Presentation from Allison Engineering regarding traffic studies done in Woodridge and Crescent Oaks; consider and act on recommendations from the studies.**

Lee Allison, Allison Engineering, gave a presentation on the traffic studies done in Woodridge and in Crescent Oaks and presented recommendations for both neighborhoods.

Council Member Klewicki made a motion to accept AEG's recommendation for a 3 way stop sign at Martingale and Lakeshore and for a second traffic study to be done that includes at least one weekend day during the Summer; motion seconded by Council Member Hawrycio.

**Motion Passed 5-0**

Mayor Pro Tem Lusk made a motion to accept AEG's recommendation for 3 way stop signs at Woodridge and Winnetka, Woodridge and Martingale, research speed bumps, and increase policing; motion seconded by Deputy Mayor Pro Tem Dufford.

**Motion Passed 5-0**

**17. Discuss, consider, and act on a letter to the Army Corps of Engineers regarding the lease of Corps property at the courtesy boat dock area.**

Deputy Mayor Pro Tem Dufford would like to hold this item until next month. He would like to update the letter. No action was taken.

**18. Discuss status of City Board openings and volunteer applications received.**

City Secretary Vaughn gave the Council an update on Board openings and volunteer applications. The City is still needing applicants to serve on Boards.

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

- a. **Section 551.071 (Litigation Exception) – Consultation with City Attorney to receive legal advice regarding pending or contemplated litigation – Tiffany Maciejack and Mike Maciejack v. City of Oak Point, Texas, Cause No. 20-5992-431, 431st Judicial District, Denton County, Texas.**
- b. **Section 551.071 and 551.072 (Consultation with Attorney and Real Property) – to receive legal advice from City Attorney regarding application of zoning code to school districts and to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.**
- c. **Section 551.074 Personnel Matter - City Manager Review**

Mayor Meek recessed the meeting at 9:46 p.m. to go in to Closed Session for Item 19b. Item 19a was pulled and Item 19c was addressed earlier in the meeting.

**20. Reconvene into Regular Session and take any actions necessary as a result of the Closed Session.**

Mayor Meek reconvened the meeting at 10:08 p.m. No action was taken.


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

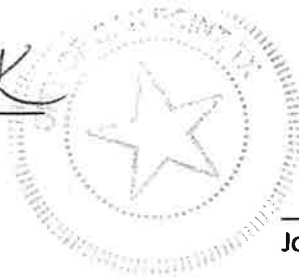
- City Hall Expansion – Deputy Mayor Pro Tem Dufford
- Build-Out Spreadsheet – Mayor Pro Tem Lusk

**22. Adjournment.**


Mayor Pro Tem Lusk made a motion to adjourn the meeting seconded by Council Member McBeth.

**Mayor Meek adjourned the meeting at 10:16 pm.**

  
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Dena Meek, Mayor



ATTEST:

  
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Joni Vaughn, City Secretary