



Meeting Minutes
Regular Meeting of the Oak Point City Council

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

Wednesday, September 21, 2022
5:00 P.M.

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

Mayor Meek called the meeting to order at 5:01 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
Ed Voss	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.

CLOSED SESSION

2. 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 551.072 (Deliberations about real property) to deliberate the purchase, exchange, lease, or value of real property.**

Mayor Meek recessed the meeting to go into Closed Session at 5:02 p.m.

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

Mayor Meek reconvened the meeting into Regular Session at 6:02 p.m.

No action was taken from Closed Session.

4. Invocation

Mayor Meek gave the invocation.

5. Pledge of Allegiance

Paul Bastaich led the pledges to the flags.

6. Items of Community Interest

Mayor Meek proclaimed September 17th through 23rd as Constitution Week in the City of Oak Point.

City Secretary Vaughn reported that registered voters in the City of Oak Point should be receiving a copy of the proposed Home Rule Charter in the mail. The proposed Home Rule Charter will be on the November

8th ballot. The City's newsletter will be arriving a little later this month. The Community Garage Sale will be Saturday, October 8th and the City-Wide Clean-Up will be Saturday, October 15th. More information is available on the City's website and Facebook page.

Mayor Meek reported that October 11th is the last day to register to vote in the November 8th election. October 24th is the first day of Early Voting for the election.

7. Public Input

James Hankins, 1209 Cedar Pine Lane, spoke in favor of Item 23.

Kristy Crotty, 10000 Surveyor Road, spoke in favor of Item 23.

Chris Harris, 9512 Voyager Vista, spoke in favor of Item 23.

Duane Olson, 913 Racine Drive, spoke in opposition to Item 23.

Randy Beard, 9924 Snake River Drive, spoke in favor of Item 23.

David Schaefer, 3901 Vista Ridge Road, spoke in favor of Item 23.

Stan Lagemann, 9800 Bitterroot Drive, spoke in favor of Item 23.

Ryan Deakins, 3617 Tioga Trail, spoke in favor of Item 23.

Joseph Cantu, 9812 Excursion Drive, spoke in favor of Item 23.

Deborah Cormier, 9416 Surveyor Road, spoke requesting a light at FM 720.

Gustav Pena, 4005 Crossroads Court, asked what type of commercial development is going in behind his house in Wildridge.

REPORTS

8. Presentation and discussion of the following reports:

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

DPS Director Tatu gave an update on the Police department. On October 22nd, the department will host Alert training. Sergeant Sippl went to Rangemaster School. Officers will now be qualifying at the gun range twice a year instead of once a year. Going forward, June will be our Active Shooter training month with the schools.

9. Report from Council Liaison

- a) **Update on the Economic Development Corporation September Meeting**
- b) **Update on the PARC September Meeting**

Deputy Mayor Pro Tem Dufford reported that the Economic Development Corporation approved 7 wayfinding signs and welcome signs to go to bid. He also read Chairperson Armstrong's letter on behalf of the EDC supporting the zoning change of PD-7 to PD-20 and the proposed development of the tract of land, describing how it followed the City's Comprehensive Plan. Deputy Mayor Pro Tem Dufford reported that PARC approved a repair for the back side of the pavilion and held a workshop at their meeting to discuss future projects.

CONSENT AGENDA

10. Consider and act upon the minutes for the August 10, 17, and 31, 2022 City Council Meetings.

11. Consider and act upon a request from Little Elm ISD to place temporary modular buildings at 401 Shahan Prairie Road, Oak Point, Texas subject to the submitted site plan.

12. Consider and act to amend Ordinance 2022-05-560 (calling November election) to update early voting times.

Council Member Hawrysiu requested that Item 11 be pulled from the Consent Agenda.

Mayor Pro Tem Lusk made a motion to approve Items 10 and 12 of the Consent Agenda; motion seconded by Council Member Hawryso.

Motion Passed 5-0

Council Hawryso had questions about Item 11. City Manager Ashley answered the questions.

Council Member Klewicki made a motion to approve request from Little Elm ISD to place temporary modular buildings at 401 Shahan Prairie Road, Oak Point, Texas subject to the submitted site plan; motion seconded by Council Member McBeth.

Motion Passed 5-0

REGULAR AGENDA

13. Public Hearing to hear comments on the City of Oak Point proposed property tax rate for 2022.

Mayor Meek opened the Public Hearing at 7:03 p.m.

No one came forward to speak.

Mayor Meek closed the Public Hearing at 7:03 p.m.

14. Consider and act upon an ordinance adopting the Fiscal Year 2022-2023 City of Oak Point Budget.

Deputy Mayor Pro Tem Dufford made a motion to approve an ordinance adopting the Fiscal Year 2022-2023 City of Oak Point Budget; motion seconded by Mayor Pro Tem Lusk.

Motion Passed 5-0

15. Consider and act upon ratifying the property tax revenue increase reflected in the Fiscal Year 2022-2023 City of Oak Point Budget.

Mayor Pro Tem Lusk made a motion to approve ratifying the property tax revenue increase reflected in the FY 2022-2023 City of Oak Point budget; motion seconded by Council Member McBeth.

Motion Passed 5-0

16. Consider and act upon an ordinance adopting the City of Oak Point 2022 property tax rate.

Mayor Pro Tem Lusk made a motion that the property tax rate be increased by the adoption of a tax rate \$0.434931 per \$100 valuation, which is effectively a -9.87 percent increase in the tax rate; motion seconded by Council Member Hawryso.

Motion Passed 5-0

17. Consider and act upon adopting the FY 2022-2023 Oak Point Economic Development Corporation Budget.

Deputy Mayor Pro Tem Dufford made a motion to adopt the FY 2022-2023 Oak Point Economic Development Corporation Budget; motion seconded by Council Member Klewicki.

Motion Passed 5-0

18. Consider and act upon adopting the FY 2022-2023 Oak Point Municipal Development District Budget.

Council Member Klewicki made a motion to adopt the FY 2022-2023 Oak Point Municipal Development District Budget; motion seconded by Mayor Pro Tem Lusk.

Motion Passed 5-0

19. Public Hearing to consider an ordinance levying assessments on property located within Improvement Area #5 of the Wildridge Public Improvement District No. 1.

Mary Petty, P3Works, explained the Item.

Mayor Meek opened the Public Hearing at 7:14 p.m.

Roxanne Sheehan, Shupe Ventura, legal counsel for the property owner and the developer, spoke in favor of the item.

Mayor Meek closed the Public Hearing at 7:15 p.m.

- 20. Consider and act upon an ordinance levying assessments on property located within Improvement Area #5 of the Wildridge Public Improvement District No. 1 and approving a related service and assessment plan.**

Mayor Pro Tem Lusk made a motion to approve an ordinance levying assessments on property located within Improvement Area #5 of the Wildridge Public Improvement District No. 1 and approving a related service and assessment plan; motion seconded by Council Member Hawrysiso.

Motion Passed 5-0

- 21. Consider and act upon an ordinance authorizing the issuance of bonds for Improvement Area #5 of the Wildridge Public Improvement District No. 1 and authorizing other related agreements.**

Jason Hughes, Hilltop Securities, explained the issuance of the bonds.

Council Member McBeth made a motion to approve an ordinance authorizing the issuance of bonds for Improvement Area #5 of the Wildridge Public Improvement District No. 1 and authorizing other related agreements; motion seconded by Council Member Hawrysiso.

Motion Passed 5-0

- 22. Consider and act upon an ordinance releasing assessments previously levied against property located within the 2021 Major Improvement Area of the Wildridge Public Improvement District No. 1.**

Jordan Sawyer, Norton, Rose, Fulbright, explained the item.

Deputy Mayor Pro Tem Dufford made a motion to approve an ordinance releasing assessments previously levied against property located within the 2021 Major Improvement Area of the Wildridge Public Improvement District No. 1; motion seconded by Mayor Pro Tem Lusk.

Motion Passed 5-0

- 23. Consider and act on a request to amend the Comprehensive Zoning Ordinance of the City of Oak Point, Texas on approximately 122.2 acres of land, located in the William McNeil Survey, Abstract No. 814, City of Oak Point, Denton County, Texas, by changing the zoning on said tract of land from Planned Development District - 7 (PD-7) to Planned Development District – 20 (PD-20).**

City Planner Coker explained the item and reported that the Planning and Zoning Commission had recommended approval of the zoning change with two conditions – 1) Decreasing the required 15' separation between townhome buildings to 10' separation with fire sprinklers systems installed in each building that have been approved and conform to the requirements of the adopted fire code of the City of Oak Point and 2) All trees required in the landscaping section to be 4" caliper rather than 3" caliper trees. Staff also recommends approval.

William Kauth, 3724 Wasatch Lane, spoke in favor of the zoning change.

Brent Coleman, 610 Eagles Landing, spoke in favor of the zoning change.

Greg Weiler, 940 Garnet Cove, spoke in favor of the zoning change.

Debbie Peterman, 261 Waters Edge Way, spoke in favor of the zoning change.

Craig Curry, property owner and spokesperson for Rudman Properties, spoke in favor of the zoning change.

City Council considered the amended ordinance PD-20.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAK POINT, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY CHANGING THE ZONING ON A CERTAIN TRACT OF LAND CONSISTING OF 122.243 ACRES LOCATED IN THE WILLIAM McNEIL SURVEY, ABSTRACT NO. 814, AND BEING MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND INCORPORATED HEREIN, FROM ITS CURRENT ZONING OF PD PLANNED DEVELOPMENT-MIXED USE NO. 7

(PD-MIXED USE NO. 7), TO PD PLANNED DEVELOPMENT-MIXED USE NO. 20 (PD-MIXED USE NO. 20); PROVIDING FOR REQUIREMENTS AND STANDARDS FOR DEVELOPMENT, INCLUDING PERMITTED USES, DEVELOPMENT REQUIREMENTS, AND A CONCEPT PLAN; PROVIDING THAT THE OFFICIAL ZONING MAP OF THE CITY OF OAK POINT, TEXAS SHALL BE UPDATED TO REFLECT PD-MIXED USE NO. 20 FOR THE SUBJECT PROPERTY; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING SEVERABILITY; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Lusk made a motion to approve an ordinance amending the Comprehensive Zoning Ordinance of the City of Oak Point, Texas on approximately 122.2 acres of land, located in the William McNeil Survey, Abstract No. 814, City of Oak Point, Denton County, Texas, by changing the zoning on said tract of land from Planned Development District - 7 (PD-7) to Planned Development District – 20 (PD-20) to include the two conditions recommended by the Planning and Zoning Commission and Staff; motion seconded by Council Member Klewicki.

Ayes: Lusk, Klewicki, Dufford

Noes: Hawrysis, McBeth

Motion Passed 3-2

24. Consider and act upon a Resolution creating the Oak Point 720 Public Improvement District.

Jordan Sawyer, Norton, Rose, Fulbright, explained the item.

Mayor Pro Tem Lusk made a motion to approve a Resolution creating the Oak Point 720 Public Improvement District; motion seconded by Council Member Klewicki.

Ayes: Lusk, Klewicki, Dufford

Noes: Hawrysis, McBeth

Motion Passed 3-2

25. Consider and act upon a Resolution approving and authorizing the Mayor to execute a development agreement related to the development of certain property expected to be located within the Oak Point 720 Public Improvement District and resolving other related matters.

City Attorney Moore explained the item.

Mayor Pro Tem Lusk made a motion to approve a resolution approving and authorizing the Mayor to execute a development agreement related to the development of certain property expected to be located within the Oak Point 720 Public Improvement District and resolving other related matters with a revision to the opening paragraph of the Development Agreement changing the date from September 2, 2022 to October 5, 2022; motion seconded by Deputy Mayor Pro Tem Dufford.

Ayes: Lusk, Klewicki, Dufford

Noes: Hawrysis, McBeth

Motion Passed 3-2

- 26. Consider and act upon a resolution approving a drainage maintenance agreement between the City of Oak Point and the Oak Point Water Control Improvement District #3 of Denton County and authorizing the City Manager to execute the agreement.**

City Manager Ashley explained the item.

Mayor Pro Tem Lusk made a motion to approve a a resolution approving a drainage maintenance agreement between the City of Oak Point and the Oak Point Water Control Improvement District #3 of Denton County and authorizing the City Manager to execute the agreement; motion seconded by Council Member Hawrysiso.

Motion Passed 5-0

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

There were none.

- 28. Adjournment.**


Mayor Meek adjourned the meeting at 8:03 p.m.



Dena Meek, Mayor



ATTEST:



Joni Vaughn, City Secretary