



Meeting Minutes
Regular Meeting of the Oak Point City Council

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

Wednesday, October 18, 2023
5:30 P.M.

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

Mayor Meek called the meeting to order at 5:32 p.m. with the following roll call:

Dena Meek	Mayor	Present
John Lusk	Mayor Pro Tem	Absent, arrived at 5:40 pm
Paul Bastaich	Deputy Mayor Pro Tem	Present
Scott Dufford	Council Member	Present
Dave Klewicki	Council Member	Present
Kirk Hawrysis	Council Member	Absent, arrived at 6:00 pm
Greg Weiler	Council Member	Absent, out of town

City staff present:

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

And with a quorum present the following items were addressed.

CLOSED SESSION – 5:30 P.M.

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

- a) **Section 551.087 (economic development) to deliberate potential commercial opportunities and incentives.**

Mayor Meek recessed into Closed Session at 5:32 p.m.

3. Reconvene into Regular Session at 6:00 p.m. and take any actions necessary as a result of the Closed Session.

Mayor Meek reconvened the meeting into Regular Session at 6:05 p.m.
No action was taken from Closed Session.

REGULAR SESSION – 6:00 P.M.

4. Invocation

Mayor Meek gave the invocation.

5. Pledge of Allegiance

Jack Brown led the pledges to the flags.

6. Items of Community Interest

City Secretary Vaughn reported that 2,480 pounds of documents were shredded at the City Clean-Up, 58 residents used the Household Hazardous Waste Disposal, and residents filled almost 4 dumpsters with items they were discarding at the Clean Up on October 14th.

Mayor Meek reported that Early Voting will be in the Community Room from October 23rd until November 3rd. Election day is November 7th.

7. **Public Input**
Victor Pizzonia, 9421 Surveyor Road, thanked Council for their support as he endeavors to open La Rustica Restaurant in Oak Point.

REPORTS

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

- Financial Report for September 2023
- Municipal Court Report for September 2023
- Permits Report for September 2023
- Department of Public Safety (DPS) Report for the month of September 2023

DPS Director Tatu announced that some of the officers opted to purchase their own pink badges in honor and support of breast cancer awareness month in October. The Police Department applied with the Department of Justice for the bullet-proof vest program and the Department was awarded \$7,790.00 toward the purchase of new vests. Director Tatu also explained the new reporting system with Denton County. Fire Chief Roach reported the Fire Department will be utilizing the new Denton County system to update the Fire Department's reports as well.

9. **Report from Council Liaisons**

a) **Update on the PARC October Meeting**

Council Member Dufford reported that PARC is looking into adding pickleball courts to the park area. PARC is also considering painting the basketball court. The Army Corps of Engineers made a decision to allow 35 parking spaces at the boat ramp area, which is actually more than the area would be able to accommodate.

b) **Update on the Economic Development Corporation October Meeting**

Council Member Dufford reported that the EDC is willing to offer La Rustica approximately \$67,000 as an incentive grant to go toward their first year's rent. The monument signs are in production and all the signs will be in place by the end of the year.

CONSENT AGENDA

10. Consider and act upon the minutes for the September 20, 2023 City Council Meeting.

11. Consider and act to approve a resolution authorizing the Director of Public Safety to enter an Interlocal Agreement with Denton County for the use of the Denton County Radio Communications System.
Mayor Pro Tem Lusk made a motion to approve the Consent Agenda as presented; motion seconded by Council Member Hawryso.

Motion Passed 6-0

REGULAR AGENDA

12. **Presentation and acceptance of the Fiscal Year 2021-2022 Audit for the City's financials portion only.**

Jon Watson, CPA with Brooks Watson and Company, gave a presentation on the City portion of the Fiscal Year Audit 2021-2022. Mayor Meek asked why this audit is so late and asked for a time frame for when it will be completed. The audit has been delayed due to new GASB (General Accounting Standards Board) regulations relating to PIDs (Public Improvement Districts) and the inability to get financial statements relating to the PIDs from Wilmington Trust Bank in a timely manner.

City Manager Ashley explained that there were new requirements for PID reporting and the City had a problem with getting statements for the PID accounts from Wilmington Trust.

Council Member Hawryso made a motion to accept the audit of the City's financial statement for the Fiscal Year 2021-2022 as presented; motion seconded by Council Member Klewicki.

Motion Passed 6-0

- 13. Public Hearing to hear comments on the creation of a Reinvestment Zone Number One, City of Oak Point, Texas, for an approximately 1,433.06 acres of land and its benefits to the City of Oak Point and to provide a reasonable opportunity for any owner of property within the proposed zone to protest the inclusion of their property within the proposed zone.**

Mayor Meek opened the Public Hearing at 6:39 p.m.

Mary Petty, P3Works, gave a review of what had been previously discussed about a Tax Increment Reinvestment Zone and answered Council's questions.

Mayor Meek closed the Public Hearing at 6:45 p.m.

- 14. Consider and act to approve an ordinance creating a Tax Increment Reinvestment Zone to be known as Reinvestment Zone Number One, City of Oak Point, Texas, for an approximately 1,433.06 acres of land.** Mayor Pro Tem Lusk made a motion to approve an ordinance creating a Tax Increment Reinvestment Zone to be known as Reinvestment Zone Number One, City of Oak Point, Texas, for an approximately 1,433.06 acres of land; motion seconded by Deputy Mayor Pro Tem Bastaich.

Motion Passed 6-0

- 15. Public Hearing to hear comments to consider amending the Comprehensive Zoning Ordinance on approximately 37.082 acres of land located in the G.W. Daniels Survey, Abstract No. 331 by changing the zoning from RESIDENTIAL ESTATE 5 ACRES (RE-5) to PLANNED DEVELOPMENT – MIXED USE NO. 21 (PD-MIXED USE NO. 21).**

City Planner Coker explained the request to rezone 37 acres.

Mayor Meek opened the Public Hearing at 6:49 p.m.

Duane Olson, 613 Racine Drive, spoke in opposition to the zoning change.

Dagny Boaz, 434 Regatta Row, spoke in opposition to the zoning change.

Larry D'Amato, 9612 Trailway Drive, spoke in opposition to the zoning change.

Jim Douglas, developer with Bloomfield, explained the project and also explained all the concessions that Bloomfield has made trying to accommodate as many of the requests from residents as possible.

Mayor Meek closed the Public Hearing at 7:02 p.m.

- 16. Consider and act to approve amending the Comprehensive Zoning Ordinance on approximately 37.082 acres of land located in the G.W. Daniels Survey, Abstract No. 331, City of Oak Point, Denton County, Texas, by changing the zoning from RESIDENTIAL ESTATE 5 ACRES (RE-5) to PLANNED DEVELOPMENT – MIXED USE NO. 21 (PD-MIXED USE NO. 21).**

City Planner Coker reminded Council that from the beginning the 37 acres was always considered a part of the land swap with Bloomfield. He reminded Council that this request is in agreement with the City's Comprehensive Plan.

Mayor Pro Tem Lusk made a motion to approve amending the Comprehensive Zoning Ordinance on approximately 37.082 acres of land located in the G.W. Daniels Survey, Abstract No. 331, City of Oak Point, Denton County, Texas, by changing the zoning from RESIDENTIAL ESTATE 5 ACRES (RE-5) to PLANNED DEVELOPMENT – MIXED USE NO. 21 subject to Planning and Zoning Commissions' recommendation to approve the zoning change with their recommendation to incorporate 10,000 square foot lots along McCormick; motion seconded by Council Member Dufford.

Ayes: Lusk, Dufford, Bastaich, Meek

Noes: Klewicki, Hawrysis

Motion Passed 4-2

- 17. Consider and act upon adopting an Ordinance for a franchise agreement with Undine Texas, LLC. for water services.**

City Manager Ashley explained that Terra Southwest has been purchased by Undine Texas, LLC. and this is a franchise agreement with the new company.

Deputy Mayor Pro Tem Bastaich made a motion to adopt an Ordinance for a franchise agreement with Undine Texas, LLC. for water services; motion seconded by Mayor Pro Tem Lusk.

Motion Passed 6-0

18. Consider and act upon accepting the EDC Retail Incentive Program Guidelines. City Manager Ashley explained that the EDC was updating their Incentive Program. Deputy Mayor Pro Tem Bastach made a motion to accept the EDC Retail Incentive Program Guidelines; motion seconded by Council Member Dufford.

Motion Passed 6-0

19. Discuss and possibly act to approve amending the Ordinance for Short-Term Rentals.

City Attorney Moore gave an update on short-term rental legislation. City of Dallas has recently been sued for their ban of short-term rentals. City Attorney Moore has made some changes in the ordinance to tighten it up, adding a requirement for a 2-night rental, banning modification of the house to add additional bedrooms, banning modifications to paving to create additional parking, banning amplified music from 10:00 p.m. until 9:00 a.m. City Attorney Moore said this is a starting place that would avoid a court challenge and then we can continue to amend as we learn other ways to help avoid the issues with STRs. Council Member Hawrysi suggested raising the fee to register short-term rentals. City Attorney stated the fee cannot be a revenue generator, but it can recoup costs the City incurs. Mayor Pro Tem Lusk would like to make a motion to approve with some additional changes. He noted some changes he would like to see in the ordinance. Further discussion followed. Mayor Pro Tem Lusk withdrew his motion and requested the item be brought back on next month's agenda.

20. Discuss Proposition 4 on Property Tax Relief. City Attorney Moore explained Proposition 4.

21. Discuss the Comprehensive Plan update – timeline, items, etc.

City Manager Ashley reported that he has been in discussion with Freese and Nichols regarding an update to the Comprehensive Plan next year. He will bring more information and a timeline to Council in January.

22. Discuss the COE lease/license status and plans for moving, improving, designing a new boat dock.

Council Member Klewicki had concerns about what is going to take place at the boat dock area. He feels that the Crescent Oaks neighborhood needs to be kept informed of changes that are being considered for the area. City Manager Ashley assured Council Member Klewicki that no changes are planned for the near future.

23. Discuss live streaming meetings.

City Manager Ashley gave a report on a different, less expensive method to live stream city meetings than what was previously presented. Council Member Hawrysi would like to make a decision on this issue before the end of the year.

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

- Short Term Rentals
- Live Streaming Meetings
- Burn Ordinance

25. Adjournment.

Mayor Meek adjourned the meeting at 7:57 p.m.

Dena Meek, Mayor



ATTEST:

Jonni Vaughn
Jonni Vaughn, City Secretary