

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
OCTOBER 27, 2020**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
MAYOR PRO TEM JOE ASHTON
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER DARREN HOUK
COUNCIL MEMBER STEVE HOLLAND

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
DEPUTY POLICE CHIEF CHUCK STEWART
CITY ATTORNEY BETSY ELAM
EMERGENCY MGT JAMES MYRICK

ABSENT:

NONE

1. CALL TO ORDER

With a quorum present, Mayor Earwood called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, October 27, 2020 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

Mayor Pro Tem Ashton delivered the Invocation.

3. PLEDGE OF ALLEGIANCE TO UNITED STATES FLAG AND THE TEXAS FLAG

Mayor Pro Tem Ashton led the Pledges of Allegiance to the United States and the Texas Flags.

4. READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS BY MAYOR:

NONE

5. PUBLIC TESTIMONY: CITIZENS TO SPEAK ON ANY TOPIC OR ANY AGENDA ITEM BEFORE AN DURING THE MEETING BY RAISING YOUR HAND TO BE RECOGNIZED; HOWEVER, UNLESS THE ITEM IS SPECIFICALLY NOTED ON THIS AGENDA, THE CITY COUNCIL IS REQUIRED UNDER THE TEXAS OPEN MEETINGS ACT TO LIMIT ITS RESPONSE WITH A STATEMENT OF SPECIFIC FACTUAL INFORMATION, RECITING THE CITY'S EXISTING POLICY ON THAT ISSUE, OR DIRECTING THE PERSON MAKING THE INQUIRY TO VISIT WITH CITY STAFF ABOUT THAT ISSUE, AND NO COUNCIL DELIBERATION IS PERMITTED FOR TOPICS NOT SPECIFICALLY LISTED ON THIS AGENDA.

6. **CONSENT AGENDA** ALL ITEMS UNDER THIS SECTION ARE RECOMMENDED FOR APPROVAL FOR THE "CONSENT AGENDA". THESE ITEMS ARE OF A ROUTINE NATURE AND REQUIRE ONLY BRIEF DELIBERATION BY COUNCIL. **COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION**

A. APPROVE MINUTES OF OCTOBER 13, 2020 REGULAR COUNCIL MEETING

B. APPROVE BILLS PAYABLE FOR PERIOD ENDING SEPTEMBER 30, 2020 (FY 2020)

C. APPROVE BILLS PAYABLE FOR PERIOD ENDING OCTOBER 27, 2020 (FY 2021)

CM Claridge moved, seconded by Mayor Pro Tem Ashton to approve the Consent Agenda items A-C. All voted "Aye".

7. DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

NONE

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

8. CONSIDER APPROVAL OF REQUEST FROM APRIL & STEVEN COURTNEY AT 1817 MELBA COURT TO ADJUST WATER BILL DUE TO A LEAK.

April & Steven Courtney were present. Was unaware that there was a toilet leak in their second bathroom. Was told a note was put on the gate but it must of blew off. Blythe Reeves, Utility Billing Coordinator called them a few weeks later and told them about a possible leak. CM Gregory figured the adjustment of \$370.78 which calculates it the way Fort Worth Water does when they do leak adjustments. A pay arrangement was made but for the past bills due to loss of income because of the COVID-19. The policy presented in Item #11, the customer would have to maintain 12 months of service in order to qualify for a leak adjustment.

Mayor Pro Tem Ashton moved, seconded by CM Claridge to direct staff to follow policy for Item #8 at 1817 Melba Court with using 12 months of service to calculate the adjustment and this policy will go with the address, not the owner. All voted "Aye".

9. CONSIDER APPROVAL OF REQUEST BY THE RIVER OAKS EVENT CENTER TO ALLOWING THE RETURN OF COMMUNITY RENTALS.

Staff would have to do deep cleaning after each rental and feels right now it is not a good idea to open it up to rentals.

CM Chisholm moved, seconded by CM Houk to deny the request of allowing rentals to return at the Event Center. All voted "Aye".

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

10. CONSIDER APPROVAL OF ORDINANCE #1294-2020 AMENDING ARTICLE 4.05 "YARD SALES" SPECIFICALLY UNDER SECTION 4.05.007 "REVOCATION AND REFUSAL OF PERMIT" REVISING SECTION 4.05.007(2).

This is a change in terminology from "conviction" to "violation". A lot of people are not pulling up their signs, not getting their signs approved, etc.

CM Holland moved, seconded by CM Chisholm to approve Ordinance #1294-2020. All voted "Aye".

11. CONSIDER APPROVAL OF ORDINANCE #1295-2020 AMENDING ARTICLE 13.02 "UTILITY POLICY SPECIFICALLY IN SECTION 13.02.038 "WAIVER OF CHARGES; ADJUSTMENTS TO BILL" INCORPORATING A LEAK ADJUSTMENT POLICY.

This policy was discussed and passed under Item #8 allowing for leak adjustments using 12 months to calculate the adjustment and this policy goes with the address not the owner.

12. CONSIDER APPROVAL OF RESOLUTION #1029-2020 AMENDING ARTICLE V "LEAVE POLICIES" (d) "HOLIDAYS DESIGNATED" OF THE EMPLOYEE PERSONNEL POLICY BY ADDING PRESIDENTS DAY AND VETERANS DAY AS OFFICIAL PAID HOLIDAYS FOR THE CITY.

Eleven other cities paid holidays were presented. Staff is requesting Presidents Day and Veterans Day as city paid holidays which would start in 2021.

Mayor Pro Tem Ashton moved, seconded by CM Claridge to approve the two additional holidays as presented. Mayor Pro Tem Ashton, CM Claridge and CM Houk voted "Aye". CM Holland and CM Chisholm voted "Nay". Motion passed.

STAFF REPORTS:

13. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 1017 CHURCHILL-released from substandard.
- 1605 YALE ST-actively working.
- 1701 YALE ST-actively working.

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

14. DISCUSSION AND/OR ACTION REGARDING UPDATES FROM THE CITY MANAGER ADVISING THE MAYOR AND THE CITY COUNCIL ON PERSONNEL, CITY'S FISCAL CONDITION, PANDEMIC EXECUTIVE ORDERS, CENSUS 2020, FUTURE NEEDS OF THE CITY AND OTHER CITY MANAGER RECOMMENDATIONS.

-Tarrant Appraisal District appointment letter enclosed.

-election links are online for tracking. The November 3, 2020 election will be at the Library and Methodist Church in River Oaks. Votes will be canvassed on November 17th at a Special Called Meeting.

-November 10 Regular Council Meeting will be held at the Event Center due to Life Saving Awards being presented.

-controversy over the River Oaks News. They stopped delivering in May but has agreed to publish it online which allows us to use their paper as publications. Emails were sent out to show residents how to access the newspaper but have been accused of subsidize which is not true. The City is not making any money from this.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

15. **POLICE DEPT. MONTHLY REPORT** INCLUDING PATROL ACTIVITY, RESPONSE CALLS, NUMBER OF CRIMINAL INVESTIGATION CASES, WARRANTS ISSUED AND ANIMAL CONTROL CALLS INCLUDING CITATIONS ISSUED.
16. **FIRE DEPT. REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE AND FIRE TRAINING EXERCISES.
17. **INSPECTIONS AND CODE COMPLIANCE ACTIVITY REPORTS** INCLUDING NUMBER OF PERMITS ISSUED AND CODE VIOLATIONS WORKED.
18. **LIBRARY ACTIVITY REPORT** INCLUDING NUMBER OF BOOKS, VIDEOS, PAPERBACKS, AND INCLUDING NUMBER OF PATRON ASSISTANCE.
19. **MUNICIPAL COURT** INCLUDING COURT ACTIVITY FROM FINES, BONDS, WARRANT FEES, COURT TAXES, COURT FEES, ARREST FEES, COURT SECURITY FEES, COURT TECHNOLOGY FEES, PAYMENT PLANS, STATE COURT COSTS AND AGENCY COLLECTION FEES
20. **PUBLIC WORKS ACTIVITY REPORT** INCLUDING ROAD REPAIRS COMPLETED, SIGNS INSTALLED, WATER PRODUCTION, WATER MAIN AND SERVICE LEAKS REPAIRED, NUMBER OF FIRE HYDRANTS AND DEAD END LINES FLUSHED, NUMBER OF SEWER OVERFLOWS AND STOPPAGES, CUBIC TONS OF SOLID WASTE COMPACTED AND PUBLIC WORKS EQUIPMENT REPAIRS
21. **PARK BOARD ACTIVITY REPORT** INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD
22. **COMMUNITY CENTER ACTIVITY REPORT** INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES
23. **CITY SECRETARY ACTIVITY REPORT** INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEXPOOL AND CRIME SALES TAX
24. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES AND UPCOMING PROJECTS.
25. **STORM WATER TASK FORCE ACTIVITY REPORT** INCLUDING ACTINS TAKEN UNDER THE MS4 PERMIT, COMMUNITY EDUCATION AND PROMOTIONAL EVENTS REGARDING STORM WATER PREVENTION POLLUTION
26. **EMERGENCY MANAGEMENT ACTIVITY REPORT** INCLUDING POLICIES, PROCEDURES AND INFORMATION PERTAINING TO EMERGENCY MANAGEMENT PLANNING

The COVID-19 is evolving. The numbers are increasing slowly. El Paso has had a major spike which has caused them to issue a curfew and also to bring in the military.

27. CENSUS COMPLETE COUNT COMMITTEE REPORT INCLUDING INFORMATION PROMOTING CENSUS AWARENESS IN THE COMMUNITY AND REFLECTING A TRUE SNAPSHOT OF COMMUNITY

CORRESPONDENCE:

28. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Claridge-when will council pictures be taken? Mayor Pro Tem Ashton prefers they be delayed to a later date.

Mayor Pro Tem Ashton-thanked council, department heads and employees.

CM Chisholm-is the voting for November 3rd precinct specific? CM Gregory-no, they have changed the law where you can go anywhere in the county to vote.

EXECUTIVE SESSION:

29. CONVENE IN EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE: THE COUNCIL RESERVES THE RIGHT TO CONVENE IN EXECUTIVE SESSIONS(S) FROM TIME TO TIME ON ANY POSTED AGENDA ITEM TO RECEIVE ADVICE FROM ITS ATTORNEY AS PERMITTED BY LAW DURING THIS MEETING. THE COUNCIL MAY CONVENE IN EXECUTIVE SESSION TO DISCUSS THE FOLLOWING:

- a. Section 551.071 Pending or contemplated litigation or to seek advice from attorney;
- b. Section 551.072 Discussion regarding possible sale, lease or acquisition of real estate;
- c. Section 551.074 Personnel matters – To deliberate the appointment, employment, evaluation, reassignment of duties, discipline or dismissal of a Public Officer or Employee or to hear a complaint or charge against an Officer or Employee;
- d. Section 551.076 Deliberation regarding security devices.

NONE

RECONVENE:

30. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

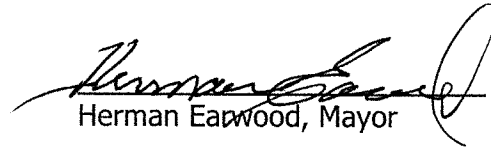
NONE

ADJOURN:

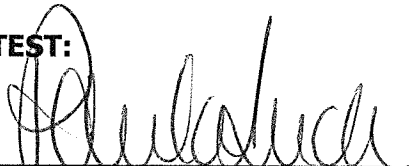
31. ADJOURN

At 7:56 p.m., Mayor Pro Tem Ashton moved, seconded by CM Claridge to adjourn the meeting. All voted "Aye".

APPROVED:


Herman Earwood, Mayor

ATTEST:



Paula Luck, City Secretary