

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
NOVEMBER 24, 2020**

MEMBERS PRESENT:

MAYOR JOE ASHTON
MAYOR PRO TEM DARREN HOUK
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER YOLIE RODRIGUEZ
COUNCIL MEMBER STEVE HOLLAND

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
POLICE CHIEF CHRIS SPIELDENNER
CITY ATTORNEY BETSY ELAM
EMERGENCY MGT JAMES MYRICK
FIRE CHIEF RUSSEL SHELLEY
EVENT CENTER DIRECTOR SHIRLEY WHEAT
PERMIT TECH MELANIE MCNARY-WHITLEY

ABSENT:

NONE

1. CALL TO ORDER

With a quorum present, Mayor Ashton called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, November 24, 2020 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

Mayor Pro Tem Houk delivered the Invocation.

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

Mayor Pro Tem Houk 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 NOVEMBER 10, 2020 REGULAR COUNCIL MEETING
- B. APPROVE MINUTES OF NOVEMBER 17, 2020 SPECIAL CALLED COUNCIL MEETING
- C. APPROVE BILLS PAYABLE FOR PERIOD ENDING NOVEMBER 24, 2020 (FY 2021)
- D. APPROVE STORM WATER FUND 4TH QUARTER FINANCIAL REPORT (JULY 1-SEPT 30, 2020)
- E. APPROVE WAIVER OF POTENTIAL CONFLICTS OF INTEREST INVOLVING THE INTERLOCAL AGREEMENT TO ESTABLISH A PARTNERSHIP FOR MUTUAL AID RESPONSE FOR FIRE SERVICES WITH THE CITY OF WHITE SETTLEMENT

CM Claridge moved, seconded by CM Rodriguez to approve the Consent Agenda items A-E. 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 PAYROLL DEDUCTION FOR FIREARM PURCHASE BY POLICE OFFICERS.

This is a successful program with no cost to the city or citizens. The city does pay for the bean bags but no other firearms.

CM Claridge moved, seconded by CM Rodriguez to approve the payroll deduction for firearm purchase. All voted "Aye".

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

9. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE PROPOSED REQUEST REGARDING THE APPLICATION APPROVAL FOR SPECIFIC USE PERMIT AT 4710 RIVER OAKS BLVD. AS REQUESTED BY JOLLY DREAMS CORPORATION FOR THE SALE OF ALCOHOLIC BEVERAGES (BEER & WINE) IN ACCORDANCE TO SECTION 23A.G.3.J FOR OFF-PREMISE CONSUMPTION (CONVENIENCE STORE) PURSUANT TO ZONING ORDINANCE #1286-2020 AS ADOPTED AND AS AMENDED. (ZONING CASE #SUP 2020-0006)

At 7:05 p.m., Mayor Ashton opened the Public Hearing.

Jolly Walia was present. This went before the Planning and Zoning Commission with one opposition and the board approved the request five to zero. The current building on this lot will be demolished and a 2,500 square foot convenience store will be built. This meets the TACB requirements. There is a 20-foot public right of way that is still under discussion. Mr.

Walia has not closed on the property yet but is pretty sure it will be soon. This convenience store will have a kitchen in it and have a drive thru window. This store will be a large store and very well lite. Unsure of hours of operations at this point. The restrooms will be all touchless. The name of the convenience store will be Jolly's. There will be a screening fence against the residential properties. Carl that resides across the street at 1309 Long Avenue was present has no objections to the alcohol but had several concerns and questions. Tonight, the only item that is on this agenda is for the approval of alcohol beverages. The site plan will be discussed at another time. It was recommended that Carl meet with Mr. Walia to discuss issues. Mr. Walia will demolish the building now and has 120% certainty that he will close on this property and move forward with a building. Hopes to have the building completed within six months.

At 7:33 p.m., Mayor Ashton closed the Public Hearing.

10. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF APPLICATION APPROVAL FOR A SPECIFIC USE PERMIT AT 4710 RIVER OAKS BLVD. AS REQUESTED BY JOLLY DREAMS CORPORATION FOR THE SALE OF ALCOHOLIC BEVERAGES (BEER & WINE) IN ACCORDANCE TO SECTION 23A.G.3.J FOR OFF-PREMISE CONSUMPTION (CONVENIENCE STORE) PURSUANT TO ZONING ORDINANCE #1286-2020 AS ADOPTED AND AS AMENDED. (ZONING CASE #SUP 2020-0006)

Mayor Pro Tem Houk moved, seconded by CM Claridge to approve the Specific Use Permit at 4710 River Oaks Blvd. as requested for by Jolly Dreams Corporation for the sale of alcoholic beverages (beer & wine) in accordance to Section 23A.G.3.j for off-premise consumption pursuant to Zoning Ordinance #1286-2020 as adopted and as amended providing that the following stipulations are complied with: 1) Contingent on obtaining site plan approval pursuant to Section 25 of the River Oaks Zoning Ordinance; and 2) Contingent on completing the construction of the convenience store in accordance to the 2015 International Building Code as adopted and as amended and final approval of a commercial certificate of occupancy in order to open the business; and 3) must meet all TABC permitting requirements for Alcoholic Beverage Sales (Beer & Wine). All voted "Aye".

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

11. CONSIDER APPROVAL OF ORDINANCE #1298-2020 AMENDING ARTICLE A.02 "SCHEDULE OF FEES AND CHARGES"; SPECIFICALLY IN SECTION A.02.001 "ESTABLISHED GENERALLY" SUBSECTION (b) BUILDING PERMIT FEES IN CONNECTION WITH THE CONSTRUCTION OR IMPROVEMENT OF RESIDENTIAL AND COMMERCIAL DWELLINGS; SECTION A.02.002 "REGISTRATION OF CONTRACTORS GENERALLY" SPECIFICALLY IN (6) "ROOFING CONTRACTORS" (F) "EXEMPTIONS" OF THE RIVER OAKS CODE OF ORDINANCES AS AMENDED.

Permit Tech Melanie McNary-Whitley researched other cities permit fees that are similar in our population. Siding, drive approaches, flat work, fences, etc. brought in outrageous permit fees and we came up with more reasonable costs. Hot tubs and saunas were added in. The changes that were done are highlighted in red. It was brought up about changing the sign ordinance which a workshop will be held soon, and changes will be brought back to council for approval. This ordinance change tonight will not change the sign fees. A resident pulled

a permit for siding and the fee was outrageous and had to investigate changing the permit fees quickly.

CM Holland moved, seconded by CM Chisholm to approve Ordinance #1298-2020. All voted "Aye".

12. CONSIDER APPROVAL OF RESOLUTION #1032-2020 AMENDING THE AUTHORIZED REPRESENTATIVES ON THE CITY BANK ACCOUNTS AND REPEALING RESOLUTION #971-2019.

This change is due to the Mayor Pro Tem change and removing Herman Earwood.

CM Claridge moved, seconded by CM Chisholm to approve Resolution #1032-2020 with Stephen Holland's correction in spelling of name. All voted "Aye".

13. CONSIDER APPROVAL OF RESOLUTION #1033-2020 AMENDING THE AUTHORIZED REPRESENTATIVES ON THE TEXPOOL ACCOUNTS AND REPEALING THE FORMER RESOLUTION.

This change is due to the Mayor change.

CM Claridge moved, seconded by CM Chisholm to approve Resolution #1033-2020. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

14. DISCUSSION AND/OR ACTION ON PLANNING FOR FUTURE ANIMAL SHELTER RELOCATION.

There is a new director at the YMCA and her preference is for the animal shelter to go on Harvard. Been in contact with Todd at YMCA and we still have the three options that were previously discussed at earlier meetings. We can continue to stay at the Alamo Building, but we need to be actively looking for a permanent location. The short-term location is the Tulane location and the long-term location is the Meandering location. A participation agreement will be drawn up when time comes.

No action taken.

15. 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.

Boundary Adjustment with Fort Worth-Fort Worth will take before their council to adjust the boundary between Fort Worth and River Oaks for the property at 4800 White Settlement Road (old Fire Side Lodge) that was purchased by CISD to be in River Oaks.

TRWD Board approved amendment to contract with River Oaks on November 17th to allow treated water purchases from Fort Worth/TRWD System to supplement raw water purchases

from TRWD and allow these treated water purchases to contribute toward compliance with annual minimum requirements under the 2016 Additional Party Raw Water Contract.

Received a Census Appreciation Award.

One of our Police Officers did not complete training. There are a few applicants that will be interviewed.

STAFF REPORTS:

16. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 5901 BLACK OAK LANE-bring back for order.
- 1605 YALE ST-actively working.
- 1701 YALE ST-actively working.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

17. **POLICE DEPT. MONTHLY REPORT** INCLUDING PATROL ACTIVITY, RESPONSE CALLS, NUMBER OF CRIMINAL INVESTIGATION CASES, WARRANTS ISSUED AND ANIMAL CONTROL CALLS INCLUDING CITATIONS ISSUED.

18. **FIRE DEPT. REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE AND FIRE TRAINING EXERCISES.

Last week, B-shift delivered a baby in River Oaks. There was a mobile home fire in Fort Worth on Meandering Road and River Oaks was first on the scene.

19. **INSPECTIONS AND CODE COMPLIANCE ACTIVITY REPORTS** INCLUDING NUMBER OF PERMITS ISSUED AND CODE VIOLATIONS WORKED.

20. **LIBRARY ACTIVITY REPORT** INCLUDING NUMBER OF BOOKS, VIDEOS, PAPERBACKS, AND INCLUDING NUMBER OF PATRON ASSISTANCE.

21. **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

22. **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

PWD Smith and spouse has tested positive for COVID-19 and have been sick for two weeks. Is thankful of all who assisted in his absence. One new garbage truck has been received.

23. **PARK BOARD ACTIVITY REPORT** INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD

24. **EVENT CENTER ACTIVITY REPORT** INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES

25. **CITY SECRETARY ACTIVITY REPORT** INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEXPOOL AND CRIME SALES TAX

26. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES AND UPCOMING PROJECTS.

27. **STORM WATER TASK FORCE ACTIVITY REPORT** INCLUDING ACTINS TAKEN UNDER THE MS4 PERMIT, COMMUNITY EDUCATION AND PROMOTIONAL EVENTS REGARDING STORM WATER PREVENTION POLLUTION

28. **EMERGENCY MANAGEMENT ACTIVITY REPORT** INCLUDING POLICIES, PROCEDURES AND INFORMATION PERTAINING TO EMERGENCY MANAGEMENT PLANNING

Thanksgiving will be different from previous years. Last week, River Oaks cases increased 51%. Scientists say within the next two weeks, increases will be seen. As far as the vaccines, when released, Fire and Police will be first on the list then the senior citizens.

CORRESPONDENCE:

29. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Claridge-nice to get somewhat back to normal at our meetings.

CM Rodriguez-glad to be here.

Mayor Ashton-Happy Thanksgiving to all.

EXECUTIVE SESSION:

30. 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 compliant or charge against an Officer or Employee;
- d. Section 551.076 Deliberation regarding security devices.

NONE

RECONVENE:

31. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION


NONE

ADJOURN:

32. ADJOURN

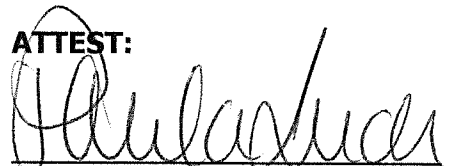
At 8:19 p.m., CM Claridge moved, seconded by Mayor Pro Tem Houk to adjourn the meeting. All voted "Aye".

APPROVED:



Joe Ashton, Mayor

ATTEST:



Paula Luck, City Secretary