

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
DECEMBER 8, 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

**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, December 8, 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:  
-EMPLOYEE SERVICE PINS

Mayor Ashton presented Christopher Spieldenner, Police Chief with a 25-year service pin.

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.

**NONE**

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 24, 2020 REGULAR COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING DECEMBER 8, 2020 (FY 2021)

**CM Claridge moved, seconded by CM Chisholm to approve the Consent Agenda items A-B. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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 BY F.C. HEIZMAN AT 1912 YALE FOR REIMBURSEMENT OF HEALTH AND SAFETY LIEN FILED OCTOBER 16, 2009.

F. C. Heizman requested this item to be removed from the agenda.

9. CONSIDER APPROVAL OF RIGHT-OF-WAY ENCROACHMENT AGREEMENT WITH JOLLY DREAMS CORPORATION ON THE PROPERTY AT 4710 RIVER OAKS BLVD.

Mr. Walia met with Mayor Ashton and CM Gregory and agreed not to sell the right-of-way but enter into an encroachment agreement that would allow Mr. Walia to pave the right-of-way, put up a screening fence and allow vehicular access upon the right-of-way as a property incentive and also provided that the city could terminate the agreement.

**CM Claridge moved, seconded by Mayor Pro Tem Houk to enter into an encroachment agreement, and the agreement cannot be fully executed until Mr. Walia closed on the sale of the property and shows proof of ownership. All voted "Aye".**

10. CONSIDER APPROVAL OF CONTRACT WITH PEOPLE READY FOR TEMPORARY LABOR SERVICE IN PUBLIC WORKS DEPARTMENT.

Currently we use temporary laborer in solid waste services, park maintenance and general labor in street maintenance/mowing. People Ready is the current vendor and has provided service to us since 2008. In August 2020, city staff received only one proposal for temporary services and that was from People Ready in the amount of \$15.82 per hour and the laborers would receive \$10.00 per hour. All accidents that the laborers have, are covered by People Ready. The contract has been reviewed by CA Elam and everything looks good.

**CM Holland moved, seconded by Mayor Pro Tem Houk to approve the contract with People Ready. All voted "Aye".**

11. CONSIDER APPROVAL TO ENTER INTO A GRANT CONTRACT, NUMBER 582-21-21808-VW WITH TCEQ, PERFORMING PARTY, UNDER THE TEXAS VOLKSWAGEN ENVIRONMENTAL MITIGATION PROGRAM (TXVEMP) FOR THE PURCHASE OF A 2020 GRAPPLE TRUCK.

This item is combined with Item #12.

2020 Grapple Truck-City staff applied for grant funding to replace one tandem dumb truck with a solid waste grapple truck on September 30, 2020. Staff received approval notification and a contract for the approved grant funding for the grapple dump truck. The total price is \$225,000.00 (TXVEMP grant reimbursement \$126,294.00 and the final cost from the city \$98,706.00). Currently we are using a skid steer loader and a dump truck. This will free up employees depending on the workload of brush pick up. This grapple truck will also hold a lot more brush. CM Gregory suggests taking this out of Government Capital because interest rates are very low right now. Financing will be brought back later.

2021 Garbage Truck-This failed last year due to a vehicle registration issue but now has been resubmitted and approved. The total price is \$293,677.00 (TXVEMP grant reimbursement \$185,061.00 and the final cost from the city \$108,616.00). CM Gregory suggests taking this out of Government Capital because interest rates are very low right now. Financing will be brought back later.

**Mayor Pro Tem Houk moved, seconded by CM Claridge to approve Grant Contract Number 582-21-21808-VW for a 2020 Grapple Truck and Grant Contract Number 582-21-21618-VW for a 2021 Garbage Truck. All voted "Aye".**

12. CONSIDER APPROVAL TO ENTER INTO A GRANT CONTRACT, NUMBER 582-21-21618-VW WITH TCEQ PERFORMING PARTY, UNDER THE TEXAS VOLKSWAGEN ENVIRONMENTAL MITIGATION PROGRAM (TXVEMP) FOR THE PURCHASE OF 2021 GARBAGE TRUCK.

This item was combined with Item #11.

13. CONSIDER APPROVAL OF MAYOR'S RECOMMENDATION FOR BOARDS AND COMMISSION APPOINTMENTS FOR TERM YEAR 2020-2021.

Enclosed are the Board Member recommendations.

**CM Claridge moved, seconded by CM Rodriguez to approve the Mayor's recommendation for the Boards & Commission Appointment for Term Year 2020-2021. All voted "Aye".**

**OTHER ITEMS FOR DISCUSSION AND/OR ACTION:**

14. DISCUSSION AND/OR ACTION ON STATUS UPDATE FROM TELECOM LAW FIRM REGARDING EXPIRING MONOPOLE TOWER LEASE.

This lease terminates December 2021. Telecom Law Firm has been working with a consultant. No action taken tonight.

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.

Personnel-in the process of hiring two Police Officers.

Financial Advisor-wants to schedule a workshop in January on street and building improvements. Some Council Members prefer a Saturday workshop, and some prefer adding these items on at the end of a short City Council Meeting.

Boundary Adjustments-will bring before the Fort Worth City Council on December 15, 2020.

TRWD Contract-board approved the amendment.

Received a Census Appreciation letter.

### **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.

17. UPDATE ON AMENDING ARTICLE 3.12 "SIGNS" OF THE RIVER OAKS CODE OF ORDINANCES.

There has been discussion in the past about Muriel signage and temporary signage. Since then, the pandemic hit, and this got pushed back. There have been new case laws and new rules applying towards sign ordinances. Have met with Code Enforcement and started enforcing temporary signage along the commercial corridors correctly. This is only an update tonight.

### **QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:**

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

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

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

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

Water Construction: Phase I is complete, Phase II is almost complete, and Phase III will advertise for bids.

Sewer Construction: Phase I and Phase II are complete.

PWD Smith-thanked CM Gregory and staff for continuing with the projects while he was out.

**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

Update given on the number of ICU beds available in Tarrant County. There have been over 10,000 cases in the last 6 days in Tarrant County. In River Oaks, there are 162 active cases and one death that occurred at the beginning of the pandemic. Numbers will greatly increase by Christmas. The vaccines are moving well.

Yard Sales-started comparing the addresses of the positive cases to the yard sales and found that some positive case addresses where coming in to apply for yard sales & subject the population to the virus.

Mayor Ashton thanked EMC Myrick and CM Gregory for their late hours on the pandemic.

FC Shelley-all cities in Tarrant County have seen a major increase in active cases since Labor Day.

**CORRESPONDENCE:**

29. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Holland-Merry Christmas.

Mayor Ashton-Merry Christmas and thanked staff for all they do.

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

At 8:11 p.m., Mayor Ashton went into Executive Session.

At 9:11 p.m., Mayor Ashton reconvened into Open Session.

**RECONVENE:**

31. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

**NONE**

**ADJOURN:**

32. ADJOURN

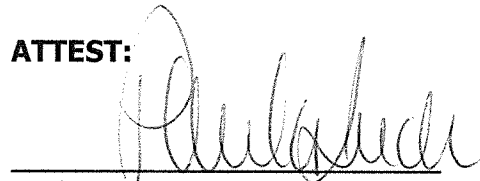
**At 9:11 p.m., Mayor Pro Tem Houk moved, seconded by CM Claridge to adjourn the meeting. All voted "Aye".**

**APPROVED:**



Joe Ashton, Mayor

**ATTEST:**



Paula Luck, City Secretary