

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
FEBRUARY 11, 2020**

MEMBERS PRESENT:

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

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
POLICE CHIEF CHRIS SPIELDENNER
EMERGENCY MGT JAMES MYRICK
BUILDING INSPECTOR STEVE SANDERS
PWD GORDON SMITH
CITY ATTORNEY BRADLEY ANDERLE
FIRE CHIEF RUSSELL SHELLEY
EVENT CENTER DIRECTOR SHIRLEY WHEAT

ABSENT:

COUNCIL MEMBER STEVE HOLLAND-OUT OF TOWN

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, January 14, 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.

CM Gregory read a letter from CM Holland apologizing for missing the meeting tonight but he is out of town on business.

At 7:04 p.m., Mayor Earwood went into Executive Session under Sections 551.071, 551.072, 551.074 & 551.076.

At 7:31 p.m., Mayor Earwood reconvened back into Regular Session.

4. 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

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

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 JANUARY 28, 2020 REGULAR COUNCIL MEETING
- B. APPROVE MINUTES OF FEBRUARY 4, 2020 TOWN HALL MEETING
- C. RATIFY BILLS PAYABLE FOR PERIOD ENDING DECEMBER 24, 2019 (FY 2020)
- D. APPROVE BILLS PAYABLE FOR THE PERIOD ENDING FEBRUARY 11 2020 (FY 2020)
- E. RATIFY RECOMMENDATION FROM E.D.C. APPROVING A RENTAL MANAGEMENT AGREEMENT.

CM Chisholm moved, seconded by CM Claridge to approve the Consent Agenda Items #A-E with clarification on Item #D that a company has not been selected for the rental management. 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 DELINQUENT TAX, COURT COLLECTION REPORT & DELINQUENT WATER COLLECTION REPORT AS PRESENTED BY LINEBARGER, GOGGAN, BLAIR & SAMPSON LLP; ATTORNEYS AT LAW.

Corey Ficas was present. Corey presented the property tax report and explained at what point taxes are sent to collections. He also pointed out that people can now protest their property taxes online and also if someone has their taxes homesteaded, they have the option of paying their taxes out in payments. At the end of April and the beginning of May, everyone should start getting their appraisal notices. It is the homeowner's responsibility to make sure all information is current and to contact the Appraisal district if there is an error.

Corey presented the court fees and fines report. Court Collections are going well and continues to work well with the city's court department.

Corey was unable to present a water utility report due to technical difficulties in the software and is currently working to come up with a solution.

No motion was made.

9. DISCUSSION AND/OR ACTION ON REQUEST FROM ANDREW AND LISA FULD AT 1844 INSPIRATION LANE ABOUT PURCHASING APPROXIMATELY 0.15 ACRES OF CITY OWNED LAND IN ORDER TO MAINTAIN THEIR PROPERTY'S NATURAL HABITAT AND PROVIDE ACCESS TO BACK OF THE PROPERTY.

Andrew and Lisa Fuld were present. They have revised the size of the land they want to purchase from the city. Currently they do not have any access to the back of the property. There was a fire pit built before they had purchased the house which is located on city property. The current property line runs thru their driveway. There is no impact on water plant security and feels this is a viable solution. The next step if approved tonight is the survey, appraisal, and then a re-plat.

Mayor Pro Tem Ashton moved, seconded by CM Chisholm to move forward with the sale of approximately 0.15 acres of city owned land next to 1844 Inspiration Lane. All voted "Aye".

10. DISCUSSION AND/OR ACTION ON PROPOSAL FOR ELECTRICITY SUPPLY CONTRACT FOR MUNICIPAL USE SETTING A FIXED PRICE ZONE BEGINNING ON JUNE 1, 2023.

CM Gregory met with Mike Wallak with TXU Energy about locking in the electric rate at \$0.03360 from June 1, 2023 until May 31, 2028. The current fixed rate is \$0.03930 that is good thru May 31, 2023.

CM Chisholm moved, seconded by CM Claridge to approve locking in the rate with TXU if the prices remain the same or is lower. All voted "Aye".

11. DISCUSSION AND/OR ACTION OF REQUEST FOR PLACEMENT ON THE AGENDA BY MAZEN HADDAD AT 4705 RIVER OAKS BLVD. REGARDING WATER LEAK ADJUSTMENT.

Mazen Haddad was not present. In the past, the city has taken an average bill of 12 months and added 10% to that amount. PWD Smith mentioned that Mr. Haddad was made aware of the leak.

CM Chisholm moved to average the bill for 12 months and add 50% and would like this in the utility policy instead of a case by case basis. Motion denied for lack of second.

12. CONSIDER APPROVAL OF INTERLOCAL AGREEMENTS FOR MUTUAL AND AUTOMATIC AID FIRE SERVICE WITH THE CITY OF SANSOM PARK, CITY OF LAKE WORTH AND CITY OF WHITE SETTLEMENT.

Lake Worth and Sansom Park are agreeable to the terms of the agreement. White Settlement has not responded.

Mayor Pro Tem Ashton moved, seconded by CM Chisholm to approve the Interlocal Agreement with Lake Worth and Sansom Park as revised. All voted "Aye".

13. CONSIDER APPROVAL OF MAYOR'S RECOMMENDATION APPOINTING THE 2020 CENSUS COMPLETE COUNT COMMITTEE FOR THE CITY OF RIVER OAKS.

The first meeting is scheduled tomorrow at 1:30 p.m. at City Hall.

CM Chisholm moved, seconded by CM Houk to approve the Mayor's recommendation to the 2020 Census Complete Count Committee. All voted "Aye".

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARING:

14. PUBLIC HEARING CONTINUED: IN ORDER TO RECEIVE PUBLIC INPUT ON SUBSTANDARD BUILDING ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT 5217 BARBARA RD.

This Public Hearing is continued from the January 28, 2020 Council Meeting.

Esat Querimi, new owner, was present. He will bring this property up to code, paint the house, upgrade bathrooms and do a lot of clean up. Mr. Querimi presented a plan to BI Sanders and expects this to take 4-6 months to complete.

At 8:38 p.m., Mayor Earwood closed the Public Hearing.

15. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 5217 BARBARA ROAD THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S) OR ADOPTION OF RESOLUTION IMPLOING A FEDERAL AGENCY TO ABATE ALL SUBSTANDARD VIOLATIONS IN ORDER TO BE BROUGHT INTO COMPLIANCE WITH SECTION 3.07.004 OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED.

Mayor Pro Tem Ashton moved, seconded by CM Claridge to find that the building located at 5217 Barbara Road based on evidence presented at the hearing, is Substandard; and: 1) that the conditions set forth in the Building Official's report exist to the extent that the life, health, property, or safety of the public (and occupants of the building(s), if applicable) are endangered; and 2) that the building(s) is/are feasible of repair and therefore order the building to be repaired by the owner within 180 days and the lienholder or mortgagee to within an additional 30-days if the owner does not comply; and 3) the board from the hearing has accepted the detailed plan and time schedule for the work as presented during the hearing by the owner, lienholder or mortgagee and the contents of that plan will be included with this order; and 4) order that the building be repaired in conformance with the requirement of Section 3.07.004 of the River Oaks Code of Ordinances (2006) as amended or demolished by the owner and the debris removed within 180 days or by the lienholder or mortgagee to within an additional 30-days if the owner does not comply and further find that if the building is not repaired within 180 days, that there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given. If the

building is not repaired within 180 days in full conformance with Section 3.07.004 of the River Oaks Code of Ordinances (2006), the building shall be demolished. 5) order that the substandard fee of \$150.00 be paid upon permit issuance. Certificate of Occupancy will not be finalized until all substandard fees are paid in full. And order two week progress checks with city staff. All voted "Aye".

16. PUBLIC HEARING CONTINUED: IN ORDER TO RECEIVE PUBLIC INPUT ON SUBSTANDARD BUILDING ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT 1605 YALE STREET.

This Public Hearing is continued from the January 28, 2020 Council Meeting.

No one was present but it is possible this house is sold. City Council directed city staff to leave the Public Hearing Open and bring back to the February 25, 2020 Council Meeting.

17. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 1605 YALE STREET THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S) OR ADOPTION OF RESOLUTION IMPLORING A FEDERAL AGENCY TO ABATE ALL SUBSTANDARD VIOLATIONS IN ORDER TO BE BROUGHT INTO COMPLIANCE WITH SECTION 3.07.004 OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED.

NONE

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

18. DISCUSSION AND/OR ACTION ON UPDATES FROM THE CITY MANAGER ADVISING THE MAYOR AND CITY COUNCIL ON PERSONNEL, CITY'S FISCAL CONDITION, FUTURE NEEDS OF THE CITY, SCHEDULING OF COUNCIL WORK SESSIONS AND OTHER CITY MANAGER RECOMMENDATIONS.

Work Session has been scheduled for February 22, 2020 at 8:00 a.m. at City Hall.

Selection has been made for the water administration position pending drug screen and physical results.

City Audit is on-going.

Met with Tarrant County regarding participation in the TIRZ and feels it was a positive meeting.

Deadline for signing up for the General Election is February 14th, 2020 at 5:00 p.m. Deadline for signing up for the Special Election is March 3rd, 2020 at 5:00 p.m.

19. DISCUSSION AND/OR ACTION ON RENAMING COATES PARK TO "JR LONE STAR PARK" IN HONOR OF JOHNNY RUTHERFORD.

The Mayor requested research in the possibility of renaming Coates Park to JR Lone Star Park in honor of Johnny Rutherford. Never found where the city named it Coates Park except that in 2004 the Park Board recommended that it be named Coates Park and the council approved the

recommendation. Many of the Park Board records prior to 2004 listed it as being Coates Memorial Park. Not sure if it was named after Dan Oscar Coates Jr whom served two terms as City Council Member; two years when the city was a Village and two years after being incorporated as a home rule city. His father, Dan Oscar Coates, served in the military and died in 1909 at the age of 23 but not sure if he died in action. Not sure if it was named after the father, the son or just because it was on Coates Drive. It is recommended to not take action tonight until the Park Board meets this week and also waiting on additional research from the appraisal district.

CORRESPONDENCE:

20. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Chisholm-census does not start until April 1, 2020 and they do not ask for personal information. Harry Miller, Billy Cooks' relative, passed away. Entrance sign is about to move forward with the City of Fort Worth and hopefully consider selling the lot to the City of River Oaks for \$1,600.00.

PC Spieldenner- will put out to citizens on social media the census information.

Mayor Earwood-will not be attending the February 22, 2020 Work Session.

EXECUTIVE SESSION:

21. CONVENE IN EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE: THE COUNCIL RESERVES THE RIGHT TO CONVENE IN EXECUTIVE SESSION(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:

22. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

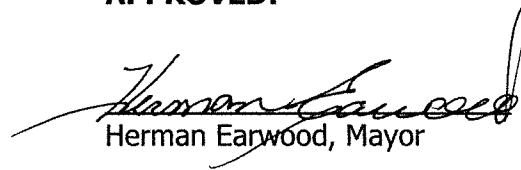
NONE

ADJOURN:

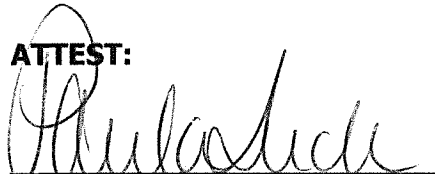
23. ADJOURN

At 8:57 p.m., Mayor Earwood adjourned the meeting. All voted "Aye".

APPROVED:


Herman Earwood, Mayor

ATTEST:


Paula Luck, City Secretary