

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
FEBRUARY 25, 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  
POLICE CHIEF CHRIS SPIELDENNER  
BUILDING INSPECTOR STEVE SANDERS  
EMERGENCY MGT JAMES MYRICK  
CITY ATTORNEY BETSY ELAM  
FIRE CHIEF RUSSELL SHELLEY  
EVENT CENTER DIRECTOR SHIRLEY WHEAT

**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, February 25, 2020 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Holland delivered the Invocation.

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

CM Holland led the Pledges of Allegiance to the United States and the Texas Flags.

4. **PUBLIC TESTIMONY:** CITIZENS TO SPEAK ON ANY TOPIC; 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 THE 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:

-MEET THE NEW CITY HALL ADMINISTRATION EMPLOYEES-CS Luck introduced Blythe Reaves and Gabriela Morales

-PROCLAIMING APRIL 2020 AS RIVER OAKS CLEAN UP MONTH

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 FEBRUARY 11, 2020 REGULAR COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING FEBRUARY 25, 2020 (FY 2020)
- C. RATIFY APPROVAL OF CITY SECRETARY OUTSIDE SPECIAL EVENT PERMITTING PURSUANT TO RESOLUTION #1005-2020.
- D. APPROVE 1<sup>ST</sup> QUARTER STORM WATER FINANCIAL REPORT (OCTOBER 1-DECEMBER 31, 2019)

**CM Holland moved, seconded by CM Claridge to approve the Consent Agenda items A-D. 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 THE 2018-2019 FISCAL YEAR AUDIT REPORT AS PRESENTED BY WILLIAM SPORE, CPA AND APPROVAL OF ENGAGEMENT LETTER FROM WILLIAM C. SPORE, P.C. FOR THE ANNUAL AUDIT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020.

William Spore presented the 2018-2019 Fiscal Year Audit Report and the Fiscal Year ending September 30, 2020 Engagement Letter.

**CM Holland moved, seconded by CM Claridge to approve the 2018-2019 Fiscal Year Audit Report as presented. All voted "Aye".**

**CM Holland moved, seconded by CM Claridge to amend the above motion to include the Fiscal Year ending September 30, 2020 Engagement Letter. All voted "Aye".**

9. CONSIDER APPROVAL OF INTERLOCAL AGREEMENTS FOR MUTUAL AND AUTOMATIC AID FIRE SERVICE WITH CITY OF WHITE SETTLEMENT.

This will be passed to a later date waiting on response from White Settlement.

**PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:**

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

BI Sanders reported that the house has been boarded up. Pictures were presented to the

Council. The potential buyer did not purchase the property.

At 7:44 p.m., Mayor Earwood closed the Public Hearing.

11. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 1605 YALE ST. 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.

**CM Holland moved, seconded by CM Chisholm to find that the building located at 1605 Yale Street based on evidence presented at this 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 89 days and the Lienholder or Mortgagee to within an additional 30-days if the owner does not comply; and 3) The Board orders commencement of the repairs within 30-days and has established specific time schedules with the Owner or Mortgagee for the repair; and 4) Order that the building be repaired in conformance with the requirements 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 89 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 89 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 89 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 a substandard fee of \$150.00 be paid upon permit issuance. Certificate of Occupancy will not be finaled until all substandard fees are paid in full. All voted "Aye".**

**ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:**

12. CONSIDER APPROVAL OF RESOLUTION # 1006-2020 ADOPTING AN EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY AND PLAN AND APPOINTING AN EQUAL EMPLOYMENT OPPORTUNITY OFFICER.

The Police Department has made application to submit the Grant Application to the Office of the Governor, Criminal Justice Division as Grant #4006501 in order to purchase handheld radios. As part of the submission process, it is required for the business to show proof of a written Equal Opportunity Employment Policy, which other than the city personnel policy, we do not have a written policy that would be acceptable.

**CM Claridge moved, seconded by CM Chisholm to approve Resolution #1006-2020. All voted "Aye".**

13. CONSIDER APPROVAL OF RESOLUTION #1007-2020 APPROVING THE SUBMISSION OF THE GRANT APPLICATION FOR THE PROJECT "RIVER OAKS POLICE RADIO COLLABORATION INITIATIVE", GRANT NUMBER 4006501 TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION.

This goes with Item #12. The grant includes new hand held radios for the River Oaks Fire Marshal's Office and the Castleberry I.S.D. Police Department.

**CM Holland moved, seconded by CM Chisholm to approve Resolution #1007-2020. All voted "Aye".**

14. CONSIDER APPROVAL OF RESOLUTION #1008-2020 AMENDING THE DECEMBER 11, 2018 EMPLOYEE PERSONNEL POLICY AS AMENDED ON JULY 23, 2019 AS AMENDED BY RESOLUTION #993-2019 ON NOVEMBER 12, 2019 PERTAINING TO THE ADDITION OF FULL TIME FIRE DEPARTMENT PERSONNEL BY REVISING ARTICLE 4 "COMPENSATION" SPECIFICALLY IN SECTION 4.13 "FIRE DEPARTMENT SHIFT EMPLOYEE PAY".

According to the City Attorney, we needed to change the language in Section 4.13 pertaining to the Fire Department Shift Employee Pay.

**CM Holland moved, seconded by CM Chisholm to approve Resolution #1008-2020. All voted "Aye".**

15. CONSIDER APPROVAL OF RESOLUTION #1009-2020 RENAMING COATES PARK TO "LONE STAR JR PARK" IN HONOR OF JOHNNY RUTHERFORD.

After a lot of researching, there is nothing to indicate that Coates Park was deeded to the City of River Oaks. We did find that it was named after Dan Coates Jr whom was a former City Council Member. The Park Board unanimously voted to rename the park to "Lone Star JR Park" in honor of Johnny Rutherford.

**CM Houk moved, seconded by CM Claridge to approve Resolution #1009-2020. All voted "Aye".**

16. CONSIDER APPROVAL OF RESOLUTION #1010-2020 AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF SEVEN CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.

This is the same as years past and a great benefit to the city.

**CM Chisholm moved, seconded by CM Holland to approve Resolution #1010-2020. All voted "Aye".**

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

17. 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.

Census 2020-Shirley Wheat is Chairman. Signs are starting to be put out around the city. They are making magnetic signs for the garbage trucks and for the city trucks. The US Census will start sending out cards soon.

CM Gregory read a letter from the Inspiration Homeowners Association in recognition of Officer Cantu.

CM Gregory read a letter from Pat Honeywell thanking the Public Works for picking up her clippings after a tree removal.

**STAFF REPORTS:**

18. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 928 LYDICK LANE-actively working. Well sell house when done.
- 1605 MONTROSE-actively working.
- 1017 CHURCHILL-house is under contract.
- 5217 BARBARA RD.-actively working. Permits pulled. Debris cleaned out.
- 1605 YALE ST-order was done by Council tonight.
- 1701 YALE ST-bring back for Public Hearing. No contact.
- 1620 WOODLAWN-permits pulled. Rehabbing house.
- 5821 BLACK OAK-bring back for Council order.

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

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

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

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

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

23. **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

24. **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

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

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

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

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

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

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

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

**CORRESPONDENCE:**

32. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Holland-Jewell's Corner by CVS the contractor did not replace the colored stamped concrete with colored stamped concrete. They replaced it with a grey sidewalk and it doesn't look right.

CM Chisholm-Item #28 remove Ward and Associates and replace with Paul Paine. This Thursday at 6:30 p.m. at the Lions Club a retired Marine will be the speaker.

CM Gregory-Crud Mobile is March 2<sup>nd</sup> from 9-11 a.m. at City Hall. There will be no electronic recycling or shredding.

**EXECUTIVE SESSION:**

33. 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:**

34. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

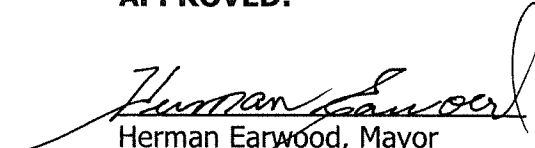
**NONE**

**ADJOURN:**

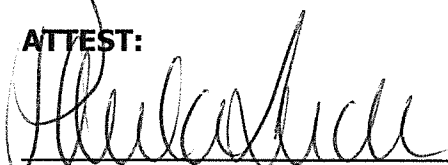
35. ADJOURN

**At 8:18 p.m., CM Holland moved, seconded by CM Chisholm to adjourn the meeting. All voted "Aye".**

**APPROVED:**

  
Herman Earwood, Mayor

**ATTEST:**

  
Paula Luck, City Secretary