

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
MARCH 23, 2021**

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 RUSSELL SHELLEY
BUILDING INSPECTOR STEVE SANDERS
EVENT CENTER DIRECTOR SHIRLEY WHEAT
UTILITY BILLING COORDINATOR BLYTHE REAVES

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, March 23, 2021 at 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.

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 MARCH 9, 2021 REGULAR COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING MARCH 23, 2021 (FY 2021)
- C. APPROVE JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES WITH TARRANT COUNTY ELECTIONS FOR MAY 1, 2021 GENERAL ELECTION

CM Claridge moved, seconded by CM Chisholm 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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 THE 2019-2020 FISCAL YEAR AUDIT REPORT AS PRESENTED BY WILLIAM SPORE, P.C. AND APPROVAL OF ENGAGEMENT LETTER FROM WILLIAM C. SPORE, P.C. FOR THE ANNUAL AUDIT FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021.

William Spore presented the 2019-2020 audit to the City Council and presented an engagement letter for fiscal year ending September 30, 2021. Staff was thanked for keeping line items under budget during the pandemic and thanked Mr. Spore for his work on the audit.

CM Holland moved, seconded by CM Claridge to approve the 2019-2020 Fiscal Year Audit as presented and approve the engagement letter from William Spore for the annual audit ending September 30, 2021. All voted "Aye".

9. CONSIDER APPROVAL OF RESOLUTION #1046-2021 REQUESTING TARRANT COUNTY GIVEN STRONG CONSIDERATION FOR ACCEPTING THE EXTENSION OF MEANDERING ROAD FROM ROBERTS CUT OFF TO RIVER OAKS BLVD. (SH 183) INTO ITS 2021 TRANSPORTATION BOND PROGRAM, IN ORDER TO ALLEVIATE TRAFFIC CONGESTION ON MEANDERING ROAD, CREATE A NEW ECONOMIC DEVELOPMENT OPPORTUNITY FOR THE CITY AND IMPROVE THE PROPERTY TAX BASE OF THE CITY.

Kirk McDaniel with Petty and Associates was present. Presented was a presentation of the Meandering Road extension, public process, Meandering Road extension map, and Tarrant County 2021 bond program (items needed for the program). Right now, we do not have the assurance of the 183-project, but we need to move forward with this project now. Will have to sign interlocal agreements to iron out the details.

Mayor Pro Tem Houk moved, seconded by CM Chisholm to approve Resolution #1046-2021. All voted "aye".

10. DISCUSSION AND/OR ACTION ON PURCHASING A MASS NOTIFICATION SYSTEM SOFTWARE FOR EMERGENCY OR OPERATIONAL PUBLIC MESSAGING.

Utility Billing Coordinator Blythe Reaves presented three public messaging companies to the council. During the winter storm, we did the best to get alerts out to the residents. The email notifications are not always effective since a lot of residents do not have email and there are delays in getting emails. This program will text message, robotic call, post to the city website and to the city Facebook page. Out of the three companies, Code Red is the easiest to use and the most cost effective. Code Red can send out notification to certain areas of the city or the whole city. There is a tracking feature so we can know if the resident opens the message. Since sending out late notices is a courtesy, our plan is to send out late notices thru the messaging system. We spend about \$3,908.16 a year in late notices and the Code Red annual payment is \$4,516.00 which is a fixed cost for three years.

CM Chisholm moved, seconded by Mayor Pro Tem Houk to enter into a three-year agreement with Code Red pending City Attorney's approve of the agreement. All voted "Aye".

11. DISCUSSION AND/OR ACTION REGARDING THE AMERICAN TOWER LEASE EXTENSION NEGOTIATIONS AND NEGOTIATING A RELOCATION PROVISION IN THE NEW LEASE AGREEMENT BY TELECOM LAW FIRM.

Recommended is for the city to accept \$1,697/month in rent for a 35-year lease term in exchange for a 2% annual rent escalator and to negotiate a relocation provision for the new lease amendment.

Mayor Pro Tem Houk moved, seconded by CM Claridge to direct City Manager Gregory to move forward with negotiation of a relocation provision with \$1,697 per month for 35-years in exchange for a 2% annual rent escalator. All voted "Aye".

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

12. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON A PROPOSED REPLAT APPLICATION AS REQUESTED BY RUSTY KING FOR 0.3843 ACRES OF LAND IN THE CASTLEBERRY GARDENS ADDITION AND ONCE SUBDIVIDED TO BECOME TWO 90X90 FOOT LOTS IN A R-4 SINGLE FAMILY ZONING DISTRICT (ZONING CASE #PZ2021-0002R).

At 8:05 p.m., Mayor Ashton opened the Public Hearing.

Rusty King who owns 1711 Roberts Cut Off was present. This is a corner lot on the corner of Roberts Cut Off and Stanford. Corner lots can be split but because the interior lot will be in R-4 zoning it will not meet the depth requirement of 110'. His depth is 90' but meets all other development regulations. There is currently a commercial building on the corner lot and the plans is to build a residence on the interior lot. Planning & Zoning Commission voted 5 to 0 to recommend to the City Council. There were two residents for and one against.

At 8:13 p.m., Mayor Ashton closed the Public Hearing.

13. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF SPECIAL PERMIT PURSUANT TO SECTION 11 "R-4" SINGLE FAMILY DISTRICT IN 11.C "DEVELOPMENT REGULATIONS" #8 "DEPTH OF LOT" OF THE RIVER OAKS ZONING ORDINANCE AS AMENDED REGARDING THE PROPOSED REPLAT APPLICATION AS REQUESTED BY RUSTY KING FOR 0.3843 ACRES OF LAND IN THE CASTLEBERRY GARDENS ADDITION AND ONCE SUBDIVIDED TO BECOME TWO 90X90 FOOT LOTS IN A R-4 SINGLE FAMILY ZONING DISTRICT (ZONING CASE #PZ2021-0002R).

CM Chisholm moved, seconded by CM Claridge to approve the Special Permit application requested by Rusty King as presented. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

14. CONSIDER APPROVAL OF RESOLUTION #1047-2021 AUTHORIZING ECONOMIC DEVELOPMENT CORPORATION (EDC) EXPENDITURES FROM THE 2020-2021 FISCAL YEAR BUDGET AS QUALIFIED FOR A PROJECT MORE THAN \$10,000.00 FOR PERFORMANCE DEVELOPMENT AGREEMENT WITH CARLETON PROPERTIES, LTD %COLLIER ALBRIGHT AT 5300 RIVER OAKS BLVD. (SECOND READING)

This is the second reading and there was a correction made on page 2.

CM Holland moved, seconded by Mayor Pro Tem Houk to approve the second reading of Resolution #1047-2021. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

15. DISCUSSION AND/OR ACTION TO INITIATE A WARRANT FEE AMNESTY PERIOD AS REQUESTED BY POLICE CHIEF.

Chief Spieldenner would like to initiate a warrant fee amnesty period for the month of April 2021. If warrants are paid in full, the warrant fee will be waived.

CM Claridge moved, seconded by Mayor Pro Tem Houk to approve the warrant fee amnesty period as presented. All voted "Aye".

16. CONSIDER APPROVAL TO WAIVE RENTAL FEES FOR TARRANT COUNTY VETERAN'S ORGANIZATION "ROLL CALL" FOR A FUNDRAISING EVENT AS REQUESTED BY SHIRLEY WHEAT, RIVER OAKS EVENT CENTER CO-DIRECTOR.

The Veteran's Organization "Roll Call" would like to hold a fundraiser event and would like the rental fees waived. The granddaughter of General George Patton will be present at the event. There will be alcohol present.

Mayor Pro Tem Houk moved, seconded by CM Chisholm to approve waiving the rental fees for the Veteran's Organization but to require an officer on duty for the alcohol and the cost of the officer will be an agreement between the organization and the officer. All voted "Aye".

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

Personnel-two resignations in Public Works and one officer in the Police Department. Former Officer Ashley Stringer has been re-hired back to fill the Police Department vacancy.

Street Improvements-during the week of March 22nd, street improvements will be taking place on Ohio Garden Road.

Winter Disaster-estimated costs have been submitted to FEMA. TML has contacted us, and they will cover some of the loss and the remainder will be sent through FEMA and TDEM.

Election Update-April 19th is the starting of early voting which will be held along with election day at the Annex Building (former Library). Signs can be displayed starting April 5th.

Thank You Letters-letters are enclosed from citizens from the winter disaster.

Special Event Permits-Maven's Moon for March 20th and Yolie Rodriguez for March 27th at the Even Center.

Census-should be released soon.

Community Garden-workday this Saturday at 9 a.m.

STAFF REPORTS:

18. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 5901 BLACK OAK LANE-removing items from the inside. Vehicles still there.
- 636 SCHIEME-sister does not plan on repairing house.
- 5416 PURDUE-burn out. Notification sent. Public Hearing later.
- 1513 SKYLINE-notification sent.
- 5958 BLACK OAK-plans on selling.
- 5962 BLACK OAK-no contact.

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. **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
23. **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
24. **PARK BOARD ACTIVITY REPORT** INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD
25. **EVENT CENTER ACTIVITY REPORT** INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES
26. **CITY SECRETARY ACTIVITY REPORT** INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEXPOOL AND CRIME SALES TAX
27. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES AND UPCOMING PROJECTS.
28. **STORM WATER TASK FORCE ACTIVITY REPORT** INCLUDING ACTINS TAKEN UNDER THE MS4 PERMIT, COMMUNITY EDUCATION AND PROMOTIONAL EVENTS REGARDING STORM WATER PREVENTION POLLUTION
29. **EMERGENCY MANAGEMENT ACTIVITY REPORT** INCLUDING POLICIES, PROCEDURES AND INFORMATION PERTAINING TO EMERGENCY MANAGEMENT PLANNING

CORRESPONDENCE:

30. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Claridge-asked when we are starting water line replacement on Churchill. River Oaks has completed their part. Fort Worth is still working on their part and they have had a lot of issues.

CM Holland-because we are expected to get monies from the Federal Government for the COVID, we need to prioritize how we want to spend it.

Mayor Pro Tem Houk-Richard Anthony, River Oaks resident, passed away from COVID.

CM Chisholm-Easter egg hunt is this Saturday at 10 a.m. Request ten barricades from the city.

CM Rodriguez-thanked all.

Mayor Ashton-thanked all.

EXECUTIVE SESSION:

31. 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:

32. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

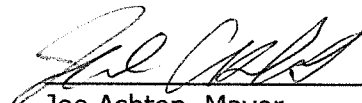
NONE

ADJOURN:

33. ADJOURN

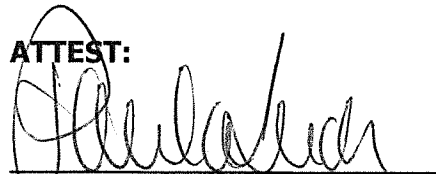
At 8:43 p.m., Mayor Ashton adjourned the meeting. All voted "Aye".

APPROVED:



Joe Ashton, Mayor

ATTEST:



Paula Luck, City Secretary