

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
APRIL 28, 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 BLOOMFIELD

**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, April 28, 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.

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:

- APRIL 2020 CHILD ABUSE PREVENTION MONTH

Ms. Carey was present to accept the proclamation.

**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 31, 2020 SPECIAL COUNCIL MEETING
- B. RATIFY BILLS PAYABLE FOR PERIOD ENDING APRIL 14, 2020 (FY 2020)
- C. APPROVE BILLS PAYABLE FOR PERIOD ENDING APRIL 28, 2020 (FY 2020)
- D. APPROVE CCPD SECOND QUARTER (JANUARY 1-MARCH 31, 2020) FINANCIAL REPORT
- E. APPROVE EDC SECOND QUARTER (JANUARY 1-MARCH 31, 2020) FINANCIAL REPORT
- F. APPROVE SECOND QUARTER CITY INVESTMENTS REPORT (JANUARY 1-MARCH 31, 2020)
- G. APPROVE RECOMMENDATION FROM EDC TO ENTER INTO A REVISED LEASE AGREEMENT FOR 920 E ROBERTS CUT OFF ROAD

**CM Holland moved, seconded by CM Claridge to approve the Consent Agenda items A-F with removal of Item #G. All voted "Aye".**

**7. DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.**

NONE

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

8. PUBLIC HEARING CONTINUED: IN ORDER TO RECEIVE PUBLIC INPUT ON SUBSTANDARD BUILDING ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT 1017 CHURCHILL ROAD.

No one was present. At 7:09 p.m., Mayor Earwood closed the Public Hearing.

9. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 1017 CHURCHILL 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.

BI Sanders-there is a new owner whom presented a plan of action.

**Mayor Pro Tem Ashton moved, seconded by CM Claridge to find that the building located at 1017 Churchill Road 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 and 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 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. All voted "Aye".**

**PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:**

10. DISCUSSION, AND POSSIBLE ACTION, CONCERNING ACTIVITIES ASSOCIATED WITH THE IMPACT OF THE CORONAVIRUS (COVID-19) ON RIVER OAKS CITIZENS, BUSINESSES AND CITY GOVERNMENT OPERATIONS.

There is some funding assistance available but right now there isn't any information to inform Council on. There is an estimate loss of revenues of about \$50,000 due to late charges being waived and credit card fees being waived. The resident's water bills are not waived. Hopefully, we will have more information at the May 12, 2020 council meeting about funding assistance.

11. DISCUSSION AND/OR ACTION REGARDING EMPLOYEE LEAVE AND PAY OPTIONS RELATED TO THE COVID-19 PANDEMIC AS IMPLEMENTED BY THE CITY MANAGER UNDER THE PLAN FOR CONTINUATION OF FUNCTIONS IN THE EVENT OF A DISASTER.

We are following the plan Tarrant County is using on hazardous pay. As of 11:59 p.m. tonight, the hazardous pay ends; and the negative sick time will be discontinued.

12. CONSIDER APPROVAL TO PURCHASE 0.148 ACRES OF LAND IN THE A. VAN NORDSTRAND SURVEY FROM THE CITY OF FORT WORTH FOR THE TOTAL PURCHASE PRICE OF \$1,600.00.

EDC has been working with the City of Fort Worth for a while now so we can put an entrance sign on this piece of land.

**CM Chisholm moved, seconded by Mayor Pro Tem Ashton to approve the purchase of 0.148 acres of land from the City of Fort Worth for the purchase price of \$1,600.00.**

13. DISCUSSION AND/OR ACTION REGARDING THE REMAINING FUNDING BALANCE ALLOCATED BY THE TEXAS WATER DEVELOPMENT BOARD TO BE EXPENDED AS PHASE 3 UNDER THE CLEAN WATER STATE REVOLVING FUND AS PRESENTED BY PWD GORDON SMITH.

The remaining construction budget after Phase 2 sewer project will be \$379,938.89. Staff is recommending a Phase 3 project in the amount of \$250,000.00 which will include Springer, a section of Black Oak and section of Almena.

**No action taken.**

14. DISCUSSION AND/OR ACTION ON FY 2020 STREET IMPROVEMENT PROJECTS AS PRESENTED BY PWD GORDON SMITH.

Due to costs Woodlawn, Yale and Black Oak were selected to remain in the current street improvement budget. The City Manager has asked for a possible solution and cost estimate for a smoother road on Roberts Cut Off from River Oaks Blvd to Blackstone. An option for now is to wait until the new budget workshops and do patching for now. Suggestion would be to go out for bids and we do not have to accept the bids. Council agreed to get new costs and bring back.

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

15. CONSIDER APPROVAL OF ORDINANCE #1277-2020 CONSENTING, CHANGING OR EXTENDING THE DECLARATION OF LOCAL DISASTER AND ORDER OF THE MAYOR; IMPOSING A PENALTY FOR VIOLATION THEREOF.

The Governor's order will be attached to this ordinance. This ordinance will be revised to adopt the Governor's order. The problem is getting people to comply and so far the businesses in River Oaks are complying.

The Parks and City Hall will open May 1<sup>st</sup> and there will only be four customers allowed in the City Hall lobby at a time with distance markers on the floor. The Library and Event Center will remain closed and will re-look at possible re-opening mid May 2020.

**No action taken.**

16. CONSIDER APPROVAL OF RESOLUTION #1015-2020 REGARDING CITY OF RIVER OAKS PARTICIPATION IN TARRANT COUNTY'S COMMUNITY DEVELOPMENT BLOCK GRANT, HOME INVESTMENT PARTNERSHIP AND EMERGENCY SOLUTIONS GRANT CONSORTIUM FOR THE THREE PROGRAM YEAR PERIOD, FISCAL YEARS 2021-2023.

**CM Claridge moved, seconded by Mayor Pro Tem Ashton to approve Resolution #1015-2020. All voted "Aye".**

17. CONSIDER APPROVAL OF ORDINANCE #1278-2020 AMENDING THE 2019-2020 FISCAL YEAR BUDGET DUE TO AN UNPLANNED EXPENDITURE INVOLVING THE PURCHASE OF FIRE STATION REPLACEMENT CHAIRS TO BE EXPENDED FROM THE FIRE DEPARTMENT DOLLAR DONATION FUND; AND PROVIDING FOR AN EFFECTIVE DATE.

These recliners needed to be replaced when the Fire Department went to full-time status.

**CM Chisholm moved, seconded by CM Claridge to approve Ordinance #1278-2020. All voted "Aye".**

18. CONSIDER APPROVAL OF RESOLUTION #1016-2020 INCREASING THE CITY PLEDGE AMOUNT OF AN ADDITIONAL \$10,000.00 DOLLARS ON THE 45TH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR THE CITY OF RIVER OAKS.

There was a grading issue on Byrd Drive; therefore, increasing the city pledge amount an additional \$10,000.00.

**Mayor Pro Tem Ashton moved, seconded by CM Claridge to approve Resolution #1016-2020. All voted "Aye".**

**STAFF REPORTS:**

19. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 928 LYDICK LANE-actively working.
- 1605 MONTROSE-actively working.
- 1017 CHURCHILL-order was done by Council tonight.
- 1701 YALE ST-actively working
- 5217 BARBARA RD.-actively working.
- 1605 YALE ST-stop order. No permits pulled.
- 1620 WOODLAWN-actively working.
- 5821 BLACK OAK-actively working. Permits pulled.
- 5501 BLACK OAK-property sold.

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

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

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

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

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

24. **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

25. **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

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

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

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

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

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

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

Six homes in River Oaks were quarantined and there is one death. Now there is one home in quarantine and one death.

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

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

33. 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 RECOMMENDATIONS.

**CORRESPONDENCE:**

34. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Claridge-brought up about election candidates getting council packets. CA Elam mentioned there is a concern about the Public Information Act. This needs to be looked at very carefully. Mayor Earwood said we will wait until the candidates are campaigning and if the attorney says we can give out the packets, we will.

CM Houk-Boulevard Brew is open for business. Cherry on Top and River Oaks Café will re-open on Monday.

**EXECUTIVE SESSION:**

35. 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:**

36. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

**NONE**

**ADJOURN:**

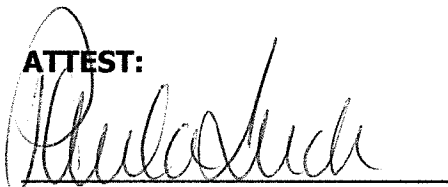
37. ADJOURN

**At 8:35 p.m., Mayor Pro Tem Ashton moved, seconded by CM Claridge to adjourn the meeting. All voted "Aye".**

**APPROVED:**

  
Herman Earwood, Mayor

**ATTEST:**

  
Paula Luck, City Secretary