

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
MAY 14, 2019**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
MAYOR PRO TEM STEVE HOLLAND
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER JOANN BUTLER
COUNCIL MEMBER JOE ASHTON
COUNCIL MEMBER DARREN HOUK

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
ASST CITY SECRETARY PAULA LUCK
DEPUTY POLICE CHIEF CHUCK STEWART
EMERGENCY MGT JAMES MYRICK
BUILDING INSPECTOR STEVE SANDERS
PWD GORDON SMITH
COMMUNITY CENTER DIRECTOR SHIRLEY WHEAT
CITY ATTORNEY BETSY ELAM
LIBRARY DIRECTOR ANNA LEE
FIRE CHIEF GREG STOCKTON

ABSENT:

NONE

1. CALL TO ORDER

With a quorum present, Mayor Herman Earwood called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, May 14, 2019 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Ashton delivered the Invocation.

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

CM Ashton 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. **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 APRIL 23, 2019 REGULAR CALLED MEETING

B. APPROVE MINUTES OF MAY 7, 2019 TOWN HALL MEETING

B. APPROVE BILLS PAYABLE FOR PERIOD ENDING MAY 14, 2019 (FY 2019)

C. APPROVE RESIGNATION OF PUBLIC WORKS DEPARTMENT ADMINISTRATIVE SECRETARY

D. APPROVE RESIGNATION OF JEFF CURRY, EQUIPMENT OPERATOR IN PUBLIC WORKS DEPT.

E. APPROVE APPOINTMENT OF ANNA LEE AS THE CITY'S LIBRARY DIRECTOR

F. APPROVE LEASE AGREEMENT WITH SRS FOR GAS SENSOR EQUIPMENT ON FIRE TRUCK

G. APPROVE PUBLIC WORKS EQUIPMENT AUCTION

H. APPROVE DEVELOPMENT AGREEMENT FOR BUSINESS IMPROVEMENT GRANT WITH RIVER OAKS PRINTING % BARRY MACHOS

CM Ashton moved, seconded by CM Houk to approve the Consent Agenda Items #A-E and #G-H with removal of Item #F for discussion. All voted "Aye".

Mayor Earwood introduced Anna Lee as the new Library Director.

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

Item #F-the Fire Department ran a gas call in which they smelled gas. The gas detector did not read. Had the company come out and confirmed it did not work and cannot be serviced. A week later received another gas call but had no working detector. The best option is a lease agreement for \$581 a month for three years with periodical testing on the detector. Had an agreement years ago but with the Fire Chief personnel changes, the agreement did not get renewed.

CM Ashton moved, seconded by CM Butler to approve the agreement with SRS for gas sensor equipment for three years. All voted "Aye".

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

7. CONSIDER APPROVAL TO AMEND THE APRIL 9, 2019 BOARD ORDER ON SUBSTANDARD PROPERTY AT 928 LYDICK LANE AS REQUESTED BY THE NEW PROPERTY OWNER, SAMUEL CERVANTEZ.

Samuel Cervantez was present. In the process of determining what work needs to be done. Previous owner is still in the process of packing and moving her items out. Is requesting 60 days or less to bring back to Council a plan of action. City staff at this point will not be responsible for un-boarding and re-boarding the house up for the previous owner. BI Sanders requests that the dumpster be tarped.

CM Ashton moved, seconded by CM Chisholm to amend the April 9, 2019 board up order: to extend the substandard order for 60 days, to remove the current board up order, and to appear back within 60 days from today with a plan of action. The substandard order will remain in place. All voted "Aye".

8. CONSIDER APPROVAL OF CONTRACT WITH TARRANT COUNTY TAX OFFICE FOR ASSESSMENT AND COLLECTION OF AD VALOREM TAXES FOR YEARS 2019-2021.

The only difference is from last year is that the cost is .98 cents per account and this is a three year agreement.

CM Ashton moved, seconded by CM Chisholm to approve the three year contract with Tarrant County Tax Office. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

9. CONSIDER APPROVAL OF RESOLUTION #965-2019 CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL MEASURES & GENERAL ELECTION HELD ON MAY 4, 2019 IN THE CITY OF RIVER OAKS, TEXAS; AND PROVIDING AN EFFECTIVE DATE.

The official results are:

Council Place 1: Karen Wright-38 votes, 9.87%; JoAnn Butler-182 votes, 47.27%; John Claridge-165 votes, 42.88%.

Council Place 3: Sherrie Uptmore Dast-154 votes, 39.19%; Darren Houk-240 votes, 60.91%.

Proposition A: Yes-254 votes, 66.15%; No-130 votes, 33.85%.

Proposition B: Yes-216 votes, 56.54%; No-166 votes, 43.46%.

Proposition C: Yes-253 votes, 66.75%; No-126 votes, 33.25%.

Proposition D: Yes-232 votes, 60.73%; No-150 votes, 39.27%.

There were a total of 397 ballots cast. Council Place 1 will be in a runoff election.

Mayor Pro Tem Holland moved, seconded by CM Butler to approve Resolution #965-2019. All voted "Aye".

10. CONSIDER APPROVAL OF RESOLUTION #966-2019 CALLING FOR A RUNOFF ELECTION TO BE HELD ON JUNE 8, 2019 FOR PLACE 1 CITY COUNCIL MEMBER; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

Early voting will be May 28-June 4, 2019 at City Hall. Election day is June 8, 2019 at City Hall.

CM Ashton moved, seconded by CM Chisholm to approve Resolution #966-2019. All voted "Aye".

11. CONSIDER APPROVAL OF RESOLUTION #967-2019 FOR SPECIAL EVENT PERMITTING TO HOLD THE ALL AMERICAN FESTIVAL ON JUNE 29, 2019.

This year's festival is a joint cooperation with Victory Church who donated \$2,500 towards the fireworks. Victory Church will be holding an event. All the city is in charge of is the fireworks.

CM Chisholm moved, seconded by CM Ashton to approve Resolution #967-2019. All voted "Aye".

12. CONSIDER APPROVAL OF ORDINANCE #1231-2019 AMENDING THE FY 2019 BUDGET IN ORDER TO EXPEND FUNDS FROM THE GENERAL FUND FOR FIRE DEPARTMENT UNPLANNED EXPENDITURES.

CM Ashton moved, seconded by CM Butler to approve Ordinance #1231-2019. All voted "Aye".

STATEMENT OF APPOINTED/ELECTED OFFICIAL & OATH OF OFFICE:

13. STATEMENT OF ELECTED/APPOINTED OFFICIALS, "OATH OF OFFICE" AND CERTIFICATE OF ELECTION FOR CITY COUNCIL MEMBER PLACE 3.

Mayor Earwood presented the Certificate of Election to Darren Houk, Place 3 Council Member.

CA Gregory gave the Statement of Elected/Appointed Official and the Oath of Office to Darren Houk, Place 3 Council Member.

14. DRAWING FOR PLACE ON THE BALLOT IN THE JUNE 8, 2019 RUNOFF ELECTION FOR CITY COUNCIL MEMBER PLACE 1.

The drawing results are: #1 on the ballot-JoAnn Butler; #2 on the ballot-John Claridge.

OTHER ITEMS THAT MAY REQUIRE COUNCIL ACTION:

15. DISCUSSION AND/OR ACTION ON RED CROSS NATIONAL PROMOTIONAL OF SMOKE ALARMS FOR FIRE SAFETY.

The Red Cross is donating to River Oaks about 250 smoke alarms. A list will be compiled by knocking on doors, posting on the websites, and posting on Facebook. CA Elam will draft a simple consent form for residents to sign.

EXECUTIVE SESSION:

16. 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-**Appointment of City Manager**
- d. Section 551.076 Deliberation regarding security devices.

At 7:37 p.m., Mayor Earwood went into Executive Session.

At 8:21 p.m., Mayor Earwood re-convened into Open Session.

RECONVENE:

17. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

See Item #18.

18. CONSIDER APPROVAL OF APPOINTMENT OF CITY MANAGER FOR THE CITY OF RIVER OAKS.

Mayor Earwood recommends Marvin Gregory as the City Manager

Mayor Pro Tem Holland moved, seconded by CM Ashton to approve Marvin Gregory as City Manager. All voted "Aye".

19. STATEMENT OF APPOINTED OFFICIAL AND OATH OF OFFICE FOR CITY MANAGER.

Assistant CS Luck gave the Statement of Appointed Official and Oath of Office to Marvin Gregory, City Manager.

PUBLIC FORUM:

20. CITY COUNCIL INVITES 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. **NO COUNCIL DELIBERATION IS PERMITTED**

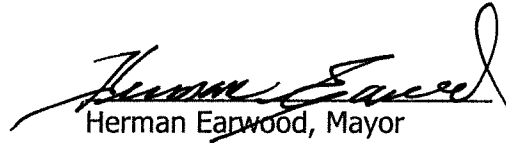
CS Gregory gave an update on the recording system. All of the equipment is installed and now waiting on getting the link put on the city website.

ADJOURN:

21. ADJOURN

At 8:30 p.m. Mayor Earwood adjourned the meeting. All voted "Aye".

APPROVED:


Herman Earwood, Mayor

ATTEST:


Marvin Gregory, City Secretary