

**MINUTES OF THE SPECIAL CALLED MEETING
RIVER OAKS CITY COUNCIL
JUNE 15, 2021**

MEMBERS PRESENT:

MAYOR JOE ASHTON
MAYOR PRO TEM DARREN HOUK
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER YOLIE RODRIGUEZ

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
POLICE CHIEF CHRIS SPIELDENNER
PUBLIC WORKS DIRECTOR GORDON SMITH
EMERGENCY MGT JAMES MYRICK
EVENT CENTER DIRECTOR SHIRLEY WHEAT
CITY ATTORNEY FRITZ QUAST

ABSENT:

NONE

1. CALL TO ORDER

With a quorum present, Mayor Ashton called the Special Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, June 15, 2021 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. READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS BY MAYOR.

NONE

Mayor Ashton announced Jimmy Camp, former River Oaks Fireman passed away and B. I. Kemp, WWII Veteran passed away.

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 JUNE 8, 2021 REGULAR CALLED COUNCIL MEETING

CM Claridge moved, seconded by CM Rodriguez to approve the Consent Agenda Item #A. All voted "Aye".

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

NONE

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

8. CONSIDER APPROVAL OF RESOLUTION #1055-2021 CANVASSING ELECTION RETURNS AND DECLARING THE RESULTS OF THE RUN-OFF ELECTION HELD ON JUNE 5, 2021 FOR THE PURPOSE OF ELECTING A CITY COUNCIL PLACE 4 MEMBER.

Early Voting: Yolie Rodriguez 167 votes, 61.17% (2 absentee (50%), 96 early (62.75%), and 69 voting day (59.48%). Sherrie Uptmore Dast 106 votes, 38.83% (2 absentee (50%), 57 early (37.25%), and 47 election day (40.52%). There were two under votes that did not count.

CM Chisholm moved, seconded by Mayor Pro Tem Houk to approve Resolution #1055-2021 declaring Yolie Rodriguez as Place 4 City Council Member. All voted "Aye".

STATEMENT OF APPOINTED/ELECTED OFFICIAL & OATH OF OFFICE:

9. STATEMENT OF ELECTED/APPOINTED OFFICIALS, "OATH OF OFFICE" AND CERTIFICATE OF ELECTION FOR CITY COUNCIL MEMBER PLACE 4.

Mayor Ashton presented the Certificate of Election to Council Member Place 4 Yolie Rodriguez. CM Gregory gave the Statement of Election/Appointed Officials and Oath of Office to Council Member Place 4 Yolie Rodriguez.

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

10. CONSIDER ELECTION OF MAYOR PRO-TEMPORE FOR THE 2021-2022 TERM YEAR.

CM Claridge moved, seconded by CM Rodriguez to re-elect Darren Houk as Mayor Pro Tem. CM Claridge, CM Rodriguez, CM Chisholm and Mayor Pro Tem Houk voted "Aye". CM Holland voted "Nay". Motion passed.

CM Holland noted that this was discussed the last time a Mayor Pro Tem was elected and feels since it has been the practice in the past to rotate this position to the senior Council Member and

right now it is CM Chisholm's turn to be Mayor Pro Tem. CM Chisholm appreciates this, but we are all part of a team and is comfortable with this decision.

11. DISCUSSION AND/OR ACTION ON APPROVING THE JOINT ORDINANCE AND BOUNDARY AGREEMENT AS RIVER OAKS ORDINANCE #1314-2021 ADJUSTING THE BOUNDARIES BETWEEN CITY OF FORT WORTH AND CITY OF RIVER OAKS ON 5.892 ACRES OF LAND THAT ACCORDING TO T.A.D. RECORDS IS DESCRIBED AS BEING BLOCK 1, LOT 3A, BLOCK 1, LOTS 3A & 3A1 IN THE WHITE SETTLEMENT HEIGHTS ADDITION OTHERWISE KNOWN AS 4800 WHITE SETTLEMENT ROAD LOCATED CURRENTLY IN THE FORT WORTH CITY LIMITS.

The only thing remaining is the property description. The drafted ordinance matches up with what the Tarrant Appraisal District has as the property description. Approving this boundary adjustment helps with emergency response so River Oaks personnel will respond to the whole high school. It states in this agreement that the City of Fort Worth will continue to provide water and wastewater services. If the school does any building improvements on the property, the permits will be thru the City of River Oaks. If there are drainage issues, there is language in the agreement stating it is the school district's problem.

CM Chisholm moved, seconded by Mayor Pro Tem Houk to approve Ordinance #1314-2021 with the noted map controls. All voted "Aye".

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

12. PUBLIC HEARING: IN ORDER TO RECEIVE CITIZEN COMMENTS IN ORDER TO RECEIVE CITIZEN COMMENTS AND HOLD A SECOND READING OF A PROPOSED COMMERCIAL MORATORIUM ORDINANCE AS FOLLOWS: AN ORDINANCE DECLARING A 90-DAY MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR THE ISSUANCE OR RENEWAL OF PERMITS FOR NEW CONSTRUCTION OR REMODELING OF CERTAIN COMMERCIAL DEVELOPMENT IN THE CITY; DIRECTING CITY STAFF TO CONSIDER APPROPRIATE ZONING AND OTHER DEVELOPMENT REGULATIONS FOR SUCH DEVELOPMENT AND CONSTRUCTION; PROVIDING THAT THE CITY COUNCIL SHALL STUDY THE REPORT OF CITY STAFF CONCERNING THE NEED FOR ADOPTION OF NEW OR AMENDED REGULATIONS APPLICABLE TO SUCH DEVELOPMENT; PROVIDING A PROCEDURE FOR A VARIANCE FROM THIS MORATORIUM; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

Mayor Ashton mentioned this is a 90-day moratorium for the uses of:

- a) cigar or tobacco stores, Section 14(B)(8), Vape Shops
- b) massage establishments, Section 14(B)(32)
- c) public garages for repair of automobiles, Section 15(B)(14) body and tire repair shops
- d) tattoo studios, Section 15(B)(33) and body piercing
- e) pawn shops, Section 16(B)(6)
- f) title loans, predatory loans, and cash checking places
- g) standalone outside money dispensing kiosks
- h) laundromats

At 7:27 p.m., Mayor Ashton opened the Public Hearing.

At 7:27 p.m., Mayor Ashton closed the Public Hearing.

13. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF ORDINANCE #1313-2021 DECLARING A 90-DAY MORATORIUM ON THE ACCEPTANCE OF APPLICATIONS FOR THE ISSUANCE OR RENEWAL OF PERMITS FOR NEW CONSTRUCTION OR REMODELING OF CERTAIN COMMERCIAL DEVELOPMENT IN THE CITY; DIRECTING CITY STAFF TO CONSIDER APPROPRIATE ZONING AND OTHER DEVELOPMENT REGULATIONS FOR SUCH DEVELOPMENT AND CONSTRUCTION; PROVIDING A PROCEDURE FOR A VARIANCE FROM THIS MORATORIUM; AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON PASSAGE.

CM Claridge counted 14 noticeable auto repair shops in River Oaks. Planning and Zoning added laundromats and standalone outside money dispensing kiosks.

CM Chisholm moved, seconded by Mayor Pro Tem Houk to approve Ordinance #1313-2021 a 90-day moratorium for items #A-H. All voted "Aye".

CORRESPONDENCE:

14. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Holland-B.I. Kemp attended Church of Christ, he was in the Seabees, he cut hair and was a watch repairman.

Mayor Pro Tem Houk-thanked others who ran for City Council and the School Board.

Mayor Ashton-2 members of the School Board have been on the board for about 24 years and were now voted out. The base tour this past Friday was a positive experience.

CM Rodriguez-thanked all and excited for the next three years.

CM Chisholm-Mr. Green, neighbor passed away. He was a veteran and a tv repair man. He was related to Bob Minter.

Council pictures next Tuesday at 5:30 p.m., with a 6:00 p.m. workshop following.

EXECUTIVE SESSION:

15. 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:

16. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

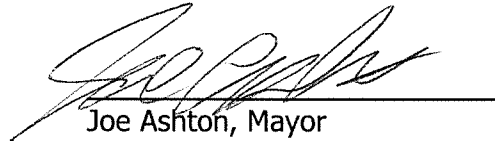
NONE

ADJOURN:

17. ADJOURN

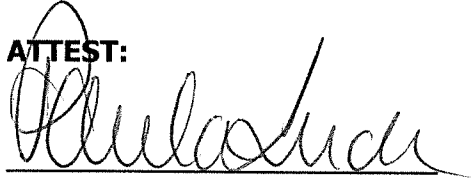
At 7:41 p.m., Mayor Ashton adjourned the meeting. All voted "Aye".

APPROVED:



Joe Ashton, Mayor

ATTEST:



Paula Luck, City Secretary