

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
AUGUST 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

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, August 25, 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. 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.

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 AUGUST 11, 2020 REGULAR COUNCIL MEETING

B. APPROVE BILLS PAYABLE FOR PERIOD ENDING AUGUST 25, 2020 (FY 2020)

Mayor Pro Tem Ashton moved, seconded by Member Claridge to approve the consent Agenda items A-B. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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 PROPOSAL FOR PROFESSIONAL CIVIL ENGINEERING WITH MJ THOMAS ENGINEERING LLC FOR CONCEPTUAL DRAINAGE STUDY OF ROBERTS CUT OFF RD TO CORNELL AVENUE TO BE EXPANDED FROM THE STORM WATER FUND AS RECOMMENDED FOR APPROVAL BY THE STORM WATER TASK FORCE.

The Storm Water Task Force approved to recommend to the City Council to approve the engineering and drainage study on Roberts Cut Off Road from Castleberry Cut Off Road to Cornell Avenue as proposed by MJ Thomas Engineering. The total engineering study cost is \$17,000.

Mayor Pro Tem Ashton moved, seconded by CM Chisholm to approve the drainage study with MJ Thomas Engineering in the amount of \$17,000. All voted "Aye".

9. CONSIDER APPROVAL OF PROPOSAL FOR PROFESSIONAL CIVIL ENGINEERING WITH MJ THOMAS ENGINEERING LLC FOR ADDITIONAL SERVICES INVOLVING THE INSPIRATION LANE DRAINAGE STUDY TO BE EXPANDED FROM THE STORM WATER FUND AS RECOMMENDED FOR APPROVAL BY THE STORM WATER TASK FORCE.

October 15, 2019, Mickey Thomas presented the Storm Water Task Force with a proposed engineering solution and cost estimate from the survey information to address the drainage and street failures. The S.W.T.F. voted unanimously to approve the surveying and engineering on Inspiration Lane from Miller to the north end. In April 2020, Mickey Thomas presented a plan that included new curbs, paving and drainage design. The total additional services cost is \$12,700.

CM Chisholm moved, seconded by CM Holland to approve the additional services with MJ Thomas Engineering in the amount of \$12,700. All voted "Aye".

10. DISCUSSION AND/OR ACTION ON PRESENTATION BY THE CITY MANAGER OF THE REVISED 5-YEAR GENERAL FUND BUDGET PLAN.

The 5-year updated plan was presented. We are currently in year 1. This plan does not include a full time Fire Chief. Council suggested if the roof needs to be replaced, to go ahead and put in in the plan.

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

11. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC INPUT ON THE PROPOSED 2020-2021 FISCAL YEAR OPERATING BUDGETS FOR THE CITY OF RIVER OAKS THAT WILL RAISE MORE TOTAL PROPERTY TAXES IN THE GENERAL FUND THAN LAST YEAR'S BUDGET BY \$93,308 DOLLARS OR 4.48% AND OF THAT AMOUNT \$20,458.97 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

At 7:20 p.m., Mayor Earwood opened the Public Hearing.

General Fund Budget-Revenues are at \$6,022,837 and Expenditures are at \$6,022,837 which balances the budget. This budget includes a 30% cost reduction in the Event Center; closure of the Library; 2% salary increases to the employees that are not part of salary adjustments or pay scale plans; adds 3 new firefighters (Steve Sanders will fill one fire position and will remain as Building Inspector 24 hours a week); removes the part time firefighters; adds an Emergency Management Coordinator salary of \$24,000; there are some salary adjustments; the Fire Department cut some capital; removed the Fire Marshal position; and froze 1 position in Public Works.

At 7:33 p.m., Mayor Earwood closed the Public Hearing.

Water Sewer Fund Budget-Revenues are at \$3,441,000 and Expenditures are at \$3,441.00 which balances the budget.

Economic Development Budget-Revenues are at \$218,500 and Expenditures are at \$168,500 which is a \$50,000 surplus.

Crime Control Budget-Revenues are at \$208,550 and Expenditures are at \$236,895 which with \$28,345 in prior year funding, the budget balances.

Storm Water Budget-Revenues are at \$254,788 and Expenditures are at \$463,667 which with \$208,879 in prior year funding, the budget balances.

12. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF ORDINANCE #1290-2020 ADOPTING THE RIVER OAKS OPERATING BUDGETS FOR THE PERIOD OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021.

Mayor Pro Tem Ashton moved, seconded by CM Chisholm to approve Ordinance #1290-2020. All voted "Aye".

13. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC INPUT ON THE PROPOSED AD VALOREM 2020 PROPERTY TAX RATE IN THE CITY OF RIVER OAKS AT A RATE OF \$0.697375 PER \$100 OF PROPERTY VALUE WHICH IS EFFECTIVELY A TOTAL TAX RATE INCREASE OF \$0.022859/\$100 OF VALUE OR 3.39% FROM THE 2019 TAX RATE OF \$0.674516 PER \$100 OF PROPERTY VALUE. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

At 7:43 p.m., Mayor Earwood opened the Public Hearing.

The no-new-revenue tax rate from the 2020 tax rate worksheet is \$0.671699/\$100 (which would provide approximately the same amount of revenue as last year at a tax rate of \$0.674516/\$100), and the voter-approval rate is \$0.697375/\$100 (which is the maximum rate allowed by law without being subject to a mandatory election). The de minimis rate is \$0.834124/\$100 that is calculated using the 2020 total taxable value of \$311,853,193. The rate necessary to impose \$500,000 in taxes is \$0.160331. To calculate the de minimis rate you take the maintenance and operations tax rate of \$0.673793/\$100 + \$0.160331 = \$0.834124/\$100. With a 99.5% projection rate, the projected revenue will be \$2,475,043.85.

At 7:55 p.m., Mayor Earwood closed the Public Hearing.

14. ACTION FROM PUBLIC HEARING: THE CITY COUNCIL SHALL ANNOUNCE AT THE PUBLIC HEARING THE DATE, TIME AND PLACE OF THE MEETING AT WHICH IT WILL VOTE ON THE PROPOSED TAX RATE. (the meeting to vote on the tax increase may not be held later than the seventh day after the date of the public hearing or September 1, 2020).

Mayor Pro Tem Ashton moved, seconded by CM Chisholm to hold a Public Hearing on September 1, 2020 at 6:00 p.m. All voted "Aye".

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

15. CONSIDER APPROVAL OF RESOLUTION #1025-2020 AUTHORIZING ECONOMIC DEVELOPMENT CORPORATION (EDC) EXPENDITURES FROM THE 2020-2021 FISCAL YEAR BUDGET AS QUALIFIED FOR PROJECTS MORE THAN \$10,000.00; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

This is required for expenditures over \$10,000. This is the first reading. The second reading will be held on September 1, 2020.

CM Holland moved, seconded by CM Chisholm to approve the first reading of Resolution #1025-2020. All voted "Aye".

STAFF REPORTS:

16. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 928 LYDICK LANE-approved c/o. Will remove from substandard.
- 1017 CHURCHILL-actively working.
- 1605 YALE ST-actively working.
- 1701 YALE ST-actively working.
- 1620 WOODLAWN-approved c/o. Will remove from substandard.

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 AND OTHER CITY MANAGER RECOMMENDATIONS.

- enclosed are the TML Director nominations.
- the Census increased a little but still down.
- 3 new hires in Public Works to fill vacancies.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

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

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

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

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. **COMMUNITY 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

Mask order was just extended to November 30th, 2020. There is another virus starting to spread.

Ruth Dunlop-works for Cooks Children's and said people need to wear their mask properly which is over the nose and mouth and also the masks with the vents are not good.

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

CORRESPONDENCE:

31. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Claridge-COVID will last a while and cities are about to feel the effect of it.

Mayor Earwood-thanked staff for their hard work on the budget.

EXECUTIVE SESSION:

32. 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 compliant or charge against an Officer or Employee;
- d. Section 551.076 Deliberation regarding security devices.

NONE

RECONVENE:

33. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

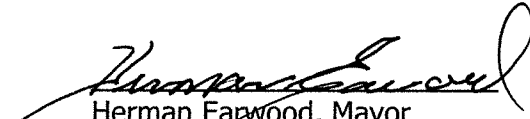
NONE

ADJOURN:


34. ADJOURN

At 8:08 p.m., Mayor Earwood adjourned the meeting. All voted "Aye".

APPROVED:


Herman Earwood, Mayor

ATTEST:


Paula Luck, City Secretary