

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
SEPTEMBER 8, 2020**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER DARREN HOUK

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
POLICE CHIEF CHRIS SPIELDENNER
EMERGENCY MGT JAMES MYRICK
BUILDING INSPECTOR STEVE SANDERS
CITY ATTORNEY BETSY ELAM
FIRE CHIEF RUSSELL SHELLEY
EVENT CENTER DIRECTOR SHIRLEY WHEAT
EVENT CENTER DIRECTOR SHIRLEY BLOOMFIELD
PUBLIC WORKS DIRECTOR GORDON SMITH

ABSENT:

MAYOR PRO TEM ASHTON-EXCUSED

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, September 8, 2020 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

Member Claridge delivered the Invocation.

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

Member Claridge 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 SEPTEMBER 1, 2020 SPECIAL CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR THE PERIOD ENDING SEPTEMBER 8, 2020 (FY 2020)

CM Claridge moved, seconded by CM Chisholm 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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 REQUEST BY JON MCCONAL REPRESENTING VALLEY OF THE SUN MINISTRIES (NON-PROFITS) TO WAIVE ROOFING PERMIT & REGISTRATION REQUIREMENTS IN ORDER TO REPLACE THE ROOF AT 5605 JAMES DRIVE.

Jon McConal was present. The homeowner at 5605 James Drive is elderly and the Valley of the Sun Ministries would like to donate a metal roof which includes installation to this homeowner. The work is being done by volunteers and there is no exchange of money. Request is to waive the roofing permit fee and the registration requirements. The homeowner can sign over a waiver of liability. The cost for the Liability of Insurance is about \$3,000 which is costly for this project. A city inspection will be done by our Building Inspector.

CM Houk moved, seconded by CM Claridge to approve the request by Jon McConal waiving permit fees and registration requirements if providing upfront a 501(c)(3), all pertinent information and a signed waiver of liability from the homeowner. All voted "Aye".

9. CONSIDER APPROVAL OF REQUEST FROM POLICE CHIEF CHRISTOPHER SPIELDENNER CANCELLING COMMUNITY NIGHT OUT DUE TO THE COVID-19 PANDEMIC.

The National Night Out organization recommended not holding the usual annual community night out this year but can hold something thru Zoom due to the COVID-19. Surrounding cities are cancelling or postponing this event and it is recommended by PC Spieldenner to cancel or postpone this event also.

No action needed for this item.

10. CONSIDER APPROVAL OF REQUEST FROM POLICE CHIEF SPIELDENNER REQUESTING TO EXEMPT PERMIT FEES AND BOND REQUIREMENTS FOR SOLICITING PERMITS IN ORDER FOR CITIZENS TO SOLICIT MEMBERSHIP IN COMMUNITY CRIME PROGRAMS.

Several people are calling in and asking for crime watch information. It is a citizen group in the neighborhood that goes door to door to give out information which falls under the soliciting permit requirements. Requesting is the Solicitors Permit be filled out but waive the fees. It was brought up about the Ring Camera system. The police cannot investigate the resident's camera. It is up to the residents to download the information requested and give the download to the Police Department.

CM Claridge moved, seconded by CM Houk to approve the request of waiving permit fees for the crime watch program. All voted "Aye".

11. CONSIDER APPROVAL OF ENGINEERING SERVICES AGREEMENT WITH ALAN PLUMMER INC. TO SUPPORT THE CITY WITH CONDUCTING A RISK AND RESILIENCE ASSESSMENT AND UPDATING THE EMERGENCY RESPONSE PLAN.

America's Water Infrastructure Act became a law on October 23, 2018. The city is required by Environmental Protection Agency EPA to complete a Risk and Resilience Assessment prior to June 30, 2021 and then submit an Emergency Response Plan based of the assessment by December 30, 2021. The cost is \$27,000 which is budgeted in the 2020-2021 budget.

CM Chisholm moved, seconded by CM Holland to approve the agreement with Alan Plummer Inc. subject to City Attorney and City Manager approval. All voted "Aye".

12. CONSIDER APPROVAL TO LIQUIDATE LIBRARY ASSETS THROUGH PRIVATE OR PUBLIC SALE OR AUCTION.

Already checked with the Tocker Foundation and the time has lapsed. They made the recommendation to donate the items they provided but there is nothing in the contract stating that. The grant was for \$50,000 and the rest were purchased by city funds. The plan is to move forward on October 1, 2020. City staff is interested in purchasing some items. CA Elam will check to see if giving away public assets is an issue.

CM Claridge moved, seconded by CM Chisholm to donate the books and book shelving to other Libraries or a public charity and the other items be sold in a private sale or keep the other items if they can be used in other parts of the city. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

13. CONSIDER APPROVAL OF RESOLUTION #1026-2020 RENEWING AND CONTINUING THE DECLARATION OF LOCAL DISASTER AND ORDER OF THE MAYOR DATED SEPTEMBER 2, 2020.

This order will continue the closure of non-essential services which is the Library and Event Center thru October 12, 2020. At that time, this will be re-evaluated.

CM Holland moved, seconded by CM Chisholm to approve Resolution #1026-2020. All voted "Aye".

14. CONSIDER APPROVAL OF ORDINANCE #1292-2020 REPEALING THE FORMER ORDINANCE #1288-2020 AS ADOPTED ON JULY 28, 2020 INCREASING THE UNAPPROPRIATED BALANCE OF THE 2019-2020 FISCAL YEAR BUDGET IN ORDER TO OFFSET THE EXPENDITURES FROM THE COMMUNITY CENTER DOLLAR DONATION FUND IN ORDER TO PURCHASE LANDSCAPING EQUIPMENT, PROJECTOR AND MISCELLANEOUS ELECTRICAL WORK.

The Event Center Directors do not see a need for these items currently. Thought they could find a cheaper mower but is unable to. Council agreed to leave the Ordinance as is in case a good deal on a mower is found.

No action taken.

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

15. DISCUSSION AND/OR ACTION TO CONSIDER THE OPTION TO ADOPT CORONAVIRUS-RELATED RELIEF FOR RETIREMENT PLANS PURSUANT TO SECTION 2202 OF THE CARES ACT.

This was brought to our attention by an employee that would like to make a withdrawal out of their Nationwide Account. But in order to draw out, it must be COVID-19 related. Staff is recommending not to approve allowing employees to withdraw out of their retirement accounts.

No action taken.

16. DISCUSSION AND/OR ACTION ON MOSQUITO SURVEILLANCE AND AERIAL SPRAYING FROM EMC JAMES MYRICK.

The last time we tested was about three weeks ago because it has been raining. NE Tarrant County has a severe problem with positive mosquitos. If conditions get worse, the health department may be asking River Oaks do aerial spray but will only be done in a major emergency.

No action taken.

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.

TML Directors voting-council agreed not to cast a vote.

Census-continuing getting the information out to residents. It has picked up some but not much. It was recommended to see if Victory Church will put something on their sign about the Census. The census committee is going door to door, but we cannot get a hold of the person on the board who started helping us out with this.

TIRZ-CM Gregory and CM Chisholm went to Tarrant County today to present the 75% participation in the TIRZ. This will be on the Counties Consent Agenda next week for approval. Tarrant County College agreed to participate but not sure about the hospital district.

CORRESPONDENCE:

18. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Claridge-water leak on Roberts Cut Off before the Event Center. PWD Smith has already been in contact with the contractor which this is under warranty.

CM Holland-brush piles and recycle program. PWD Smith stated they have been working some Saturday's to catch up on the piles. The recycle program was a rough start but better now. Have not received an update from the recycle company on how many residents are participating.

Mayor Earwood-Ken Tucker Roofing improvements looking good.

EXECUTIVE SESSION:

19. 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:

20. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

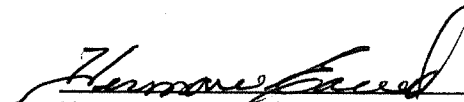
NONE

ADJOURN:

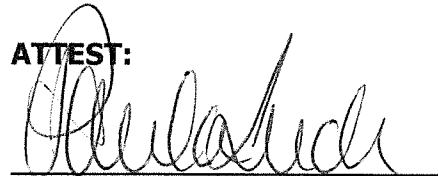
21. ADJOURN

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

APPROVED:


Herman Earwood, Mayor

ATTEST:


Paula Luck, City Secretary