

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
OCTOBER 11, 2022**

MEMBERS PRESENT:

MAYOR JOE ASHTON
MAYOR PRO TEM DAN CHISHOLM
COUNCIL MEMBER YOLIE RODRIGUEZ
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER LEIGH ANN TURNER

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
POLICE CHIEF CHUCK STEWART
EMERGENCY MGT JAMES MYRICK
CITY ATTORNEY ANDREA RUSSELL
EVENT CENTER DIRECTOR SHIRLEY WHEAT
EVENT CENTER DIRECTOR SHIRLEY BLOOMFIELD
FIRE CHIEF RUSSELL SHELLEY

ABSENT:

NONE

1. CALL TO ORDER

With a quorum present, Mayor Ashton called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, October 11, 2022 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.

-BADGE PINNING FOR RECENTLY PROMOTED FIRE ENGINEER

FC Shelley gave the Oath of Office to James Barker. James' mother-in-law pinned this badge.

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 27, 2022 REGULAR CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING SEPTEMBER 30, 2022 (FY 2022)
- C. APPROVE BILLS PAYABLE FOR PERIOD ENDING OCTOBER 10, 2022 (FY 2023)

CM Holland moved, seconded by Mayor Pro Tem Chisholm to approve the Consent Agenda Items #A-C. All voted "Aye".

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

NONE

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

8. CONSIDER APPROVAL OF REQUEST FROM RANDALL H. ANDERSON TO WAIVE THE CIVIL PENALTIES ON THE PROPERTY AT 4525 ALMENA DATED NOVEMBER 13, 2012 THAT WERE ASSESSED BY THE BUILDING BOARD OF APPEALS AGAINST WELLS FARGO FOR FAILURE TO COMPLY WITH THE DECEMBER 13, 2011 ORDER TO ABATE SUBSTANDARD VIOLATIONS.

Randall Anderson was present. Wells Fargo requested information, so the city pulled the records and found civil penalties that were due. Mr. Anderson's father built that house, and he grew up there. Later the house was sold, and later Mr. Anderson purchased the house on December 14, 2012. The city revised the order on November 13, 2012, and it was filed at the county. Mr. Anderson received a clear title in December 2012. Requesting is to waive the civil penalties due since he was given a clear title and during the purchase, this did not come up.

Council requested to have staff add to the check list on the Certificate of Occupancy to check if anything is filed with the county.

CM Claridge moved, seconded by CM Rodriguez to waive all fees due. All voted "Aye".

9. CONSIDER RESOLUTION #1093-2022 SUPPORTING THE EXTENSION OF MEANDERING ROAD FROM ROBERTS CUT OFF TO RIVER OAKS BOULEVARD (SH 183) IN ORDER TO ALLEVIATE TRAFFIC CONGESTION ON MEANDERING ROAD, CREATE NEW ECONOMIC DEVELOPMENT OPPORTUNITIES, AND IMPROVE THE PROPERTY TAX BASE OF THE CITY; PROVIDING AN EFFECTIVE DATE FOR THIS RESOLUTION.

Trent Petty and Dan Kessler was present. This resolution identifies the City Council's continued support for the extension to help accelerate the completion of this crucial project. The

preliminary costs estimate is \$2 million dollars for this project. Been working very closely with Aecom on the boulevard design.

CM Holland moved, seconded by CM Chisholm to approve Resolution #1093-2022. All voted "Aye".

10. CONSIDER APPROVAL TO AWARD BIDS FROM THE OCTOBER 4, 2022 BID OPENING FOR THE RIVER OAKS WATER TREATMENT PLANT SOLIDS CONTACT CLARIFIER REPLACEMENT AND FILTER MODIFICATIONS.

Jason Laubacher with Plummer was present. On October 4, 2022, three bids were opened. Schofield Civil Construction at \$3,142,230; Stolz Mechanical Contractors at \$3,180,580; and Archer Western Construction at \$3,342,073. Schofield's bid bond is in conformance with the project requirements. They have worked on a design with Plummer and performed well on that project. Recommended is to award the bid to Schofield Civil Construction.

PWD Smith recommended backing out the project with Fort Worth on upsizing the water pipe and use these funds for this project. We have had no issues operating on the current 10" line.

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to award the project to Schofield Civil Construction in the amount of \$3,142,230.00. All voted "Aye".

11. DISCUSSION AND/OR ACTION REGARDING REQUEST BY DARREN HOUK, OWNER OF ROOFING SOLUTIONS, FOR A VARIANCE TO THE 2015 INTERNATIONAL FIRE CODE AS ADOPTED AND AS AMENDED REQUIRING A KNOX BOX RAPID ENTRY KEY BOX TO BE INSTALLED ON HIS BUSINESS LOCATED AT 5500 MEANDERING ROAD.

Darren Houk was present. The Fire Department's job is to enforce the codes that were adopted by the City Council. This is under the fire code and is a necessary item. All business owners need one. As far as why this was not written up in the past, we did not have a full-time Fire Department, so things got missed. Knox Box is the only company that sells these starting at \$400.00. Code violations do affect the ISO ratings for insurance rates. Council recommended adding this to the Commercial Certificate of Occupancy list and to put something on the water bills.

CM Holland moved, seconded by Mayor Pro Tem Chisholm to deny the request from Darren Houk. All voted "Aye".

12. CONSIDER APPROVAL OF AGREEMENT FOR MUTUAL AID SERVICE PROVIDED BY THE CITY OF RIVER OAKS TO THE TARRANT COUNTY EMERGENCY SERVICES DISTRICT NO. 1.

This is an annual agreement renewal.

Mayor Pro Tem Chisholm moved, seconded by CM Rodriguez to approve the Agreement with Tarrant County Emergency Services District No. 1. All voted "Aye".

13. CONSIDER APPROVAL OF PAYROLL DEDUCTION FOR FIREARM PURCHASES BY THE POLICE OFFICERS.

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve the payroll deduction for firearms. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

14. CONSIDER APPROVAL OF ORDINANCE #1361-2022 AMENDING THE FISCAL YEAR 2022-2023 BUDGET BY EXPANDING FUNDS FROM THE PARK DONATION FUND FOR THIS YEAR'S CITY PARADE.

Park Board voted to expend \$1,000.00 from the \$1 donation fund.

Mayor Pro Tem Chisholm moved, seconded by CM Rodriguez to approve Ordinance #1361-2022. All voted "Aye".

15. CONSIDER APPROVAL OF ORDINANCE #1362-2022 AMENDING THE FISCAL YEAR 2022-2023 EDC BUDGET AS RECOMMENDED BY THE ECONOMIC DEVELOPMENT CORPORATION BY EXPENDING PROMOTIONAL FUNDS FOR THIS YEAR'S CITY PARADE.

EDC voted to expend \$1,000.00.

CM Holland moved, seconded by CM Claridge to approve Ordinance #1362-2022. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

16. DISCUSSION AND/OR ACTION REGARDING UPDATES FROM THE CITY MANAGER ADVISING THE MAYOR AND CITY COUNCIL ON PERSONNEL, CITY'S FISCAL CONDITION, PANDEMIC EXECUTIVE ORDERS, SCHEDULING COUNCIL WORK SESSIONS, FUTURE NEEDS OF THE CITY AND OTHER CITY MANAGER RECOMMENDATIONS.

Personnel-3 openings in the Police and 3 openings in Public Works. Getting close on hiring a Code Officer.

New Business Hours-so far going well.

General Storm Water Permit-we have applied to TCEQ for a new authorization number to discharge storm water to surface water.

Roads-Churchill Road is a mess. A water line busted on the Fort Worth side; Roberts Cut Off Road almost done.

Jolly's-foundation poured.

Council Meetings-will be starting at 6:00 p.m. instead of 7:00 p.m.

Credit Rating-decreased to an A- because of the debt.

Black Oak Development-have issued permits for two homes.

17. DISCUSSION AND/OR ACTION ON PENDING LITIGATION INVOLVING ENGINEERING AND CLARIFIER ISSUES AT THE WATER PLANT.

This item will be discussed in Executive Session.

CORRESPONDENCE:

18. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Holland-new barber shop in town-Blurrberry Barber Shop.

CM Rodriguez-thanked all for who are helping with the parade.

Mayor Pro Tem Chisholm-went to TML last week. There was a lot of vendors and excellent training.

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

At 8:32 p.m., Mayor Ashton went into Executive Session under Sections 551.071, 551.074 & 551.076 for Item #17.

At 9:18 p.m., Mayor Ashton reconvened into Open Session.

RECONVENE:

20. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

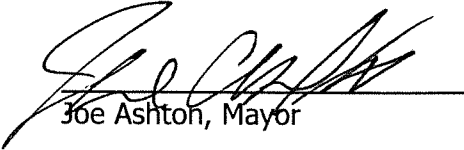
NONE

ADJOURN:

21. ADJOURN

At 9:18 p.m., Mayor Ashton adjourned the meeting. All voted "Aye".

APPROVED:



Joe Ashton, Mayor

ATTEST:



Paula Luck, City Secretary