

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
JANUARY 10, 2023**

**MEMBERS PRESENT:**

MAYOR JOE ASHTON  
MAYOR PRO TEM DAN CHISHOLM  
COUNCIL MEMBER STEVE HOLLAND  
COUNCIL MEMBER JOHN CLARIDGE

**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 BETSY ELAM  
UTILITY BILLING COORDINATOR BLYTHE REAVES  
EVENT CENTER DIRECTOR SHIRLEY WHEAT

**ABSENT:**

COUNCIL MEMBER YOLIE RODRIGUEZ  
COUNCIL MEMBER LEIGH ANN TURNER

1. CALL TO ORDER

With a quorum present, Mayor Ashton called the Regular Meeting of the River Oaks City Council to order at 6:00 p.m. on Tuesday, January 10, 2023 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.

Mayor Ashton announced he will step out at 7:15 p.m. to attend the School Board Meeting to present the proclamation. Ann Cozart passed away in early December and the Celebration of Life will be Wednesday, January 18, 2023 from 2 p.m. to 4 p.m. at Ridglea Country Club.

4. READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS BY MAYOR.

-SCHOOL BOARD APPRECIATION MONTH-JANUARY 2023

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**

At 6:06 p.m, Mayor Ashton went into Executive Session under Section 551.071.

At 6:29 p.m., Mayor Ashton reconvened into Regular Session.

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 DECEMBER 13, 2022 REGULAR CALLED COUNCIL MEETING

B. APPROVE BILLS PAYABLE FOR PERIOD ENDING JANUARY 10, 2023 (FY 2023)

**CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve the Consent Agenda Items #A-B with correction to Item #35. 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. DISCUSSION AND/OR ACTION ON CONSIDERING APPROVAL OF MONOPOLE TOWER LEASE AGREEMENT WITH AMERICAN TOWER.

This item will be tabled to the next meeting. Waiting on the signed agreement with American Tower.

9. DISCUSSION AND/OR ACTION ON PURCHASING ELECTRONIC MESSAGE BOARDS FOR TRAFFIC CONTROL EXPENDED FROM 2021 CERTIFICATE OF OBLIGATION BONDS.

The Police Department borrowed a message board from the Westworth Police Department and put it on River Oaks Blvd where the recent fatality was. This board records a lot of information that will be very beneficial to the city. We would like to purchase two message boards; one for the Police Department and one for Public Works. One would be funded out of the Seizure Fund and the other will be funded out of the Construction Bond. Right now, the Seizure Fund will fund a partial one and when they receive more money, it will be transferred over to the Construction Bond for reimbursement.

**CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve the purchasing of two messaging boards with the Seizure Fund paying for one and the Construction Bond paying for the other. All voted "Aye".**

10. DISCUSSION AND/OR ACTION ON ABSORBING CONVENIENCE AND/OR SERVICE FEES ON UTILITY ACCOUNTS.

E-check payments can be set up on auto pay at the rate of \$1.95 per transaction. 80% of Tyler customers absorb the cost of the technology fees. Tyler is recommending charging all customers a \$1.00 technology fee which is for e-billing, the app and auto-pay. A discount may be offered of 1% for Visa and Mastercard if the city absorbs the fees. Tyler suggested to pass the counter payments and e-checks onto the customer because otherwise, it will lead to more NSF checks. If the city absorbs the fees for utility payments only, court and permits will be paying the 3.7%. We can expect, at a minimum, a 10% shift of our payments moving to credit cards through our online service.

**CM Holland moved, seconded by CM Claridge to continue issuing late notices by mail, to absorb the convenience and service fees for accounts paid online thru the app. All voted "Aye".**

11. DISCUSSION AND/OR ACTION ON THE REQUEST FROM SHIRLEY WHEAT BY FIRST ESTABLISHING THE CRITERIA FOR QUALIFIED PROJECTS ELIGIBLE FOR EXPENDITURES OF COMMUNITY CENTER DOLLAR DONATION FUNDS AND SECONDLY REQUESTING APPROVAL TO EXPEND FUNDS FROM THE DOLLAR DONATION FUND THAT MEET THE CRITERIA.

Would like to set criteria for the dollar donation funds. CA Elam said that we do not need to set criteria. All requests to spend any funds from the dollar donation funds, must come before council since they are unbudgeted funds.

**ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:**

12. CONSIDER APPROVAL OF RESOLUTION #1096-2023 CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 6, 2023; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

Sign up starts January 18<sup>th</sup>, 2023 and ends February 17<sup>th</sup>, 2023. Hours will be Monday-Thursday from 7:30 a.m. to 5:30 p.m. and Friday from 7:30 a.m. to 11:30 a.m. On February 17<sup>th</sup>, the hours will be from 7:30 a.m. to 5:00 p.m.

**CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve Resolution #1096-2023. All voted "Aye".**

13. CONSIDER APPROVAL OF RESOLUTION #1097-2023 AUTHORIZING MJ THOMAS ENGINEERING TO RECOMMEND TO TARRANT COUNTY THE ACCEPTANCE OF TEJAS COMMERCIAL CONSTRUCTION LLC OF RIVER OAKS, TEXAS AS THE QUALIFIED BIDDER ON THE CDBG-CV COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM-CORONAVIRUS-ROUND 3 PROGRAM FOR THE CITY OF RIVER OAKS; AWARDED THE PROJECT TARRANT COUNTY CDBG #B-20-UW-48-0001-54-15 TO TEJAS COMMERCIAL CONSTRUCTION LLC AND PROVIDING A CITY PLEDGE OF \$53,000.00 TO THIS PROJECT.

The city applied for the CDBG Cares act CDBG-CV project fund round three and was awarded approval of the application. The project was for water line improvements for the 1600 Block of Long at a total of 579 feet from Thurston to Woodlawn. The low bid was with Tejas Construction in the amount of \$204,987.00. The Resolution will be changed for a city pledge of \$25,000.00.

**CM Holland moved, seconded by Mayor Pro Tem Chisholm to approve Resolution #1097-2023 with the city pledging \$25,000.00. All voted "Aye".**

14. CONSIDER APPROVAL OF ORDINANCE #1368-2023 AMENDING THE 2022-2023 FISCAL YEAR WATER FUND BUDGET BY EXPANDING THE WATER FUND EXPENDING FUNDS FOR PROVIDING A CITY PLEDGE TO THE LONG WATER LINE IMPROVEMENTS UNDER PROJECT TARRANT COUNTY CDBG #B-20-UW-48-0001-54-15.

**CM Holland moved, seconded by Mayor Pro Tem Chisholm to approve Ordinance #1368-2023. All voted "Aye".**

**OTHER ITEMS FOR DISCUSSION AND/OR ACTION:**

15. 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-two openings in Police and one opening in Public Works.

16. DISCUSSION AND/OR ACTION ON PENDING LITIGATION INVOLVING ENGINEERING AND CLARIFIER ISSUES AT THE WATER PLANT INCLUDING DELIBERATION ENGAGING OUTSIDE COUNCIL.

This item was discussed in Executive Session.

**CORRESPONDENCE:**

17. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Claridge-will miss Greg Hendrickson.

Mayor Pro Tem Chisholm-will miss Greg Hendrickson and feels we need to present a plaque to his family.

CM Gregory-James Myrick has helped Judy Hendrickson a lot.

Mayor Ashton-election sign ups begin January 18<sup>th</sup> and he will not re-run for Mayor.

**EXECUTIVE SESSION:**

18. 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.

This item was done after Item #5.

**RECONVENE:**

19. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

**NONE**

**ADJOURN:**

20. ADJOURN

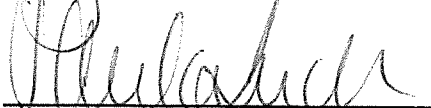
**At 7:12 p.m., Mayor Ashton adjourned the meeting. All voted "Aye".**

**APPROVED:**



Joe Ashton, Mayor

**ATTEST:**



Paula Luck, City Secretary