

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
NOVEMBER 22, 2022**

MEMBERS PRESENT:

MAYOR JOE ASHTON-6:24 p.m.
MAYOR PRO TEM DAN CHISHOLM
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER LEIGH ANN TURNER
COUNCIL MEMBER YOLIE RODRIGUEZ
COUNCIL MEMBER JOHN CLARIDGE

STAFF PRESENT:

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

ABSENT:

NONE

1. CALL TO ORDER

With a quorum present, Mayor Pro Tem Chisholm called the Regular Meeting of the River Oaks City Council to order at 6:00 p.m. on Tuesday, November 22, 2022 at 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

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 NOVEMBER 8, 2022 REGULAR CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING NOVEMBER 22, 2022 (FY 2023)
- C. APPROVE CRIME CONTROL & PREVENTION DISTRICT 4TH QUARTER FINANCIAL REPORT (JULY 1 THROUGH SEPTEMBER 30, 2022)
- D. APPROVE ECONOMIC DEVELOPMENT CORPORATION 4TH QUARTER FINANCIAL REPORT (JULY 1 THROUGH SEPTEMBER 30, 2022)
- E. APPROVE STORM WATER FUND 4TH QUARTER FINANCIAL REPORT (JULY 1 THROUGH SEPTEMBER 30, 2022)

CM Claridge moved, seconded by CM Rodriguez to approve the Consent Agenda items A-E. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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. CHRIS MILLER REPRESENTING Q-TEL, LTD REQUESTING SPECIAL PERMISSION TO ADD ICE VENDING UNIT TO THE EXISTING WATER KIOSK AT 5504 RIVER OAKS BLVD. THAT WAS PREVIOUSLY APPROVED BY SITE PLAN APPROVAL ON MARCH 11, 2008.

Chris Miller was present. This ice machine is located at the intersection of Yale and River Oaks Blvd. This was a water vending building, and an ice unit was added next to the current building. Received a letter from the city that council originally approved this for water only. The ice machine is about the size of a soda vending machine. If we must remove the ice machine, we may have to shut it all down completely. The current building is 10' x 10' and there is no room inside to put the ice machine. Council agreed to work with staff for a site plan amendment and the ice machine can stay until meetings are set up.

CM Holland moved, seconded by CM Claridge to table this item until January 24, 2023 at 6:00 p.m. for site plan approval. All voted "Aye".

9. CONSIDER APPROVAL OF REQUEST FROM JOCELYNE CORRALES, PRESIDENT SKILLS USA CHS, HOLDING THE PAWS DOGGY HUNGER EVENT AT THE COMMUNITY CENTER ON DECEMBER 3, 2022 AND REQUESTING CITY PARTICIPATION PERTAINING TO THE BENEFIT "DON'T FORGET TO FEED ME".

Jocelyne Corrales, Bryan Rufus and Abby Flores were present. Paws Doggy Hunger is sponsored by Castleberry High School-Skills USA/DECA. This food drive will be on December 3rd, 2022 from 10:00 a.m. to 5:00 p.m. at the River Oaks Event Center. They are offering a free \$40.00 package in exchange for 10 pounds packed/sealed dog food. The package includes a free nail trim, teeth brushing, breath spray, bandana, and a treat bag with a personalized paw print ornament. On

November 28, 2022, they will be accepting donations at the school. On December 3rd, there is also a craft fair at the center. Wants the city to be a sponsor to help advertise the event and allow to put donation boxes around our city.

Mayor Pro Tem Chisholm moved, seconded by CM Claridge to approve the city's participation of Paws Doggy Hunger on December 3, 2022 by advertising this on the city's website and allow a box to be put in City Hall and to find that this is a public purpose. All voted "Aye".

At this time, Mayor Ashton stepped in.

10. CONSIDER APPROVAL REVISING THE REQUEST FOR DISCRETIONARY FUNDS FROM TARRANT COUNTY UNDER THE 2006 TRANSPORTATION BOND FOR RIVER OAKS STREET IMPROVEMENTS AS ORIGINALLY APPROVED ON NOVEMBER 8, 2022.

This was presented at a previous meeting. Since costs have increased, the city's part would be \$295,315.05. Will need the Mayor to sign the ILA and to send a revision letter in.

CM Holland moved, seconded by Mayor Pro Tem Chisholm to revise the request for discretionary funds from the 2006 Transportation Bond. All voted "Aye".

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

11. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC INPUT ON SUBSTANDARD BUILDING ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT 4844 HARTFORD.

At 6:46 p.m., Mayor Ashton opened the Public Hearing.

No one was present. An administrative search warrant was issued. No abatement was received, and letters were returned to the city as undelivered. CM Gregory went over the substandard list and showed pictures. House has been vacant for about six months. No plan of action has been received but the house is feasible of repair.

At 6:56 p.m., Mayor Ashton closed the Public Hearing.

12. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 4844 HARTFORD THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S) OR ADOPTION OF RESOLUTION IMPLOING A FEDERAL AGENCY TO ABATE ALL SUBSTANDARD VIOLATIONS IN ORDER TO BE BROUGHT INTO COMPLIANCE WITH SECTION 3.07.004 OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED.

Looks like letters were sent to a Fort Worth address and a Kansas address. Need to verify if we did send the notice to the correct address and if not, need to re-notice it to the correct address. No action will be taken until it is re-noticed and will be re-scheduled for the December 13th, 2022 Council Meeting.

13. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC INPUT ON SUBSTANDARD BUILDING ENFORCEMENT ACTIN REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT 1909 YALE STREET.

At 7:00 p.m., Mayor Ashton opened the Public Hearing.

Thomas Williamson and Attorney Faun Bailey was present. A lot of cleanup is going on at this property, the accessory building has been removed, and the fence has been removed and partially replaced by the neighbor. May take 120-180 days to repair or to sell because of the holidays. There is a potential buyer, but it needs to be surveyed.

At 7:16 p.m., Mayor Ashton closed the Public Hearing.

14. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 1909 YALE STREET THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S) OR ADOPTION OF RESOLUTION IMPLOING A FEDERAL AGENCY TO ABATE ALL SUBSTANDARD VIOLATIONS IN ORDER TO BE BROUGHT INTO COMPLIANCE WITH SECTION 3.07.004 OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED.

CM Holland moved, seconded by CM Claridge that the City Council finds that the building located at 1909 Yale based on evidence presented at this hearing, is substandard and: 1) that the conditions set forth in the Building Official's report exist to the extent that the life, health, property, or safety of the public (and occupants of the building(s), if applicable are endangered; and 2) that the building(s) is/are feasible of repair and therefore order the building to be repaired by the owner within 89 days and the lienholder or mortgagee to within an additional 30-days if the owner does not comply; and 3) the board orders commencement of the repairs within 30-days and to establish specific time schedules with the owner or mortgagee for the repair; and 4) order that the building be repaired in conformance with the requirements of Section 3.07.004 of the River Oaks Code of Ordinances (2006) as amended or demolished by the owner and the debris removed within 89 days or by the lienholder or mortgagee to within an additional 30-days if the owner does not comply and further find that if the building is not repaired within 89 days, that there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given. If the building is not repaired within 89 days in full conformance with Section 3.07.004 of the River Oaks Code of Ordinances (2006), the building shall be demolished; and 5) order that a substandard fee of \$150.00 be paid upon permit issuance. Certificate of Occupancy may not be finaled until all substandard fees are paid in full. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

15. CONSIDER APPROVAL OF ORDINANCE #1365-2022 AMENDING THE FISCAL YEAR 2022-2023 EDC BUDGET AS RECOMMENDED BY THE ECONOMIC DEVELOPMENT CORPORATION APPROVING THE EXPENDITURE OF PROMOTIONAL FUNDS AND BY CITY COUNCIL APPROVAL OF AGREEMENT WITH GPS SERVICES FOR THE INSTALLATION OF A CHRISTMAS LIGHTING PACKAGE AT THE RIVER OAKS CITY COMPLEX.

EDC authorized to spend \$2,525.00 out of the promotional account for Christmas lights on the City Hall complex. The cost includes purchasing of the lights and labor.

Mayor Pro Tem Chisholm moved, seconded by CM Holland to approve Ordinance #1365-2022. All voted "Aye".

16. CONSIDER APPROVAL OF RESOLUTION #1095-2022 AMENDING ARTICLE V "LEAVE POLICIES" SPECIFICALLY IN SECTION 5.01 "HOLIDAYS" BY REVISING THE SECTIONS IN REGARD TO "HOLIDAYS DESIGNATED"; "SUBSTITUTE HOLIDAYS"; "DESIGNATED HOLIDAYS FOR FIRE DEPARTMENT SHIFT EMPLOYEES" AND REVISING "DESIGNATED HOLIDAYS FOR OTHER SHIFT EMPLOYEES"; REMOVING THE SECTION "PERSONAL HOLIDAY; NEW EMPLOYEES" FROM SECTION 5.01 AND RENUMBERING SAID SECTIONS ACCORDINGLY.

The main purpose of this is all the city's employees are not on the same shift. We have some that are 8 hours, 9 hours, 10 hours, and 12 hours. The Fire Department already has the holiday hour section, and it is working well. All the holiday hours will be entered in on October 1st of each year and the balance as of September 30th of each year will be removed. We are requesting to add Juneteenth which would make 14 holiday hours which include two personal holidays.

CM Claridge moved, seconded by CM Turner to approve Resolution #1095-2022. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

17. CONSIDER APPROVAL OF MONOPOLE TOWER LEASE AGREEMENT WITH AMERICAN TOWER.

This item will be discussed in Executive Session.

18. DISCUSSION AND/OR ACTION ON APPLYING FOR GRANT FUNDING UNDER THE TEXAS EMISSIONS REDUCTION PROGRAM (TERP) THROUGH TCEQ FOR EQUIPMENT REPLACEMENT.

Two backhoes are eligible. To replace the 1994 John Deer, our cost would be \$34,222.12. To replace the 2006 Case, our cost would be \$56,216.12.

Mayor Pro Tem Chisholm moved, seconded by CM Holland to approve only applying for the grant at this time. All voted "Aye".

19. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 636 SCHIEME
- 1513 SKYLINE
- 5309 CAHILL OVAL
- 5016 ALMENA
- 1114 HARVARD
- 940 CODY COURT (APT 6-13)-gone thru the plans but owner hasn't gotten back with us.
- 1100 BANKS
- 1104 BANKS

- 1011 ROBERTS CUT OFF
- 1513 ROBERTS CUT OFF

20. 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.

Carpet Installation-carpet will be installed this weekend in the front city offices. The handicapped button has been installed and is working.

Community Events-Artful Village on December 3rd from 10:00 a.m. to 3:00 p.m. at the Event Center; Paws Doggy Hunger on December 3rd from 10:00 a.m. to 5:00 p.m. at the Event Center; Grumps Ribbon Cutting on December 6th at 11:00 a.m.; Employee Christmas Lunch on December 14th from 11:00 a.m. to 1:00 p.m.; Christmas Parade on December 10th at 6:00 p.m.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

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

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

24. **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

25. **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

26. **PARK BOARD ACTIVITY REPORT** INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD

27. **EVENT CENTER ACTIVITY REPORT** INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES

28. **CITY SECRETARY ACTIVITY REPORT** INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEXPOOL AND CRIME SALES TAX

29. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES AND UPCOMING PROJECTS.

30. **STORM WATER TASK FORCE ACTIVITY REPORT** INCLUDING ACTINS TAKEN UNDER THE MS4 PERMIT, COMMUNITY EDUCATION AND PROMOTIONAL EVENTS REGARDING STORM WATER PREVENTION POLLUTION

31. **EMERGENCY MANAGEMENT ACTIVITY REPORT** INCLUDING POLICIES, PROCEDURES AND INFORMATION PERTAINING TO EMERGENCY MANAGEMENT PLANNING

CORRESPONDENCE:

32. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Holland-thanked all who attended the annual MPS Sharing and Caring event, and it raised more than \$38,000.00.

CM Turner-would like more specific information about the potholes being repaired. Atmos needs to notify homeowners better about what is going on.

CM Rodriguez-excited about the Christmas event.

Mayor Pro Tem Chisholm-banners look good.

CM Claridge-thinks the retention pond on Black Oak needs to be concrete instead of grass.

EXECUTIVE SESSION:

33. 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 8:11 p.m., Mayor Ashton went into Executive Session under Sections 441.072 & 441.071.

At 8:21 p.m., Mayor Ashton reconvened into Regular Session.

RECONVENE:

34. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION


NONE

ADJOURN:

35. ADJOURN

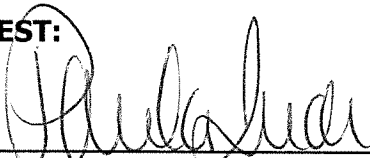
At 8:21 p.m., Mayor Ashton adjourned the meeting. All voted "Aye".

APPROVED:



Joe Ashton, Mayor

ATTEST:



Paula Luck, City Secretary