

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
NOVEMBER 8, 2022**

MEMBERS PRESENT:

MAYOR JOE ASHTON
MAYOR PRO TEM DAN CHISHOLM
COUNCIL MEMBER LEIGH ANN TURNER
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 ANDREA RUSSELL
FIRE CHIEF RUSSELL SHELLEY

ABSENT:

COUNCIL MEMBER YOLIE RODRIGUEZ
COUNCIL MEMBER STEVE HOLLAND

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, November 8, 2022 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

Mayor Ashton delivered the Invocation.

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

Mayor 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

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.

Karl Diederich, 309 Winters-This is about the River Oaks Event Center and the green space. Understand the city is considering selling the center. Need to consider what the residents want. Did not see any information out there and the residents are angry. Feels council should discuss this with the residents. Mayor Ashton mentioned this is a process and we are not at the stage of asking for citizen input.

At 6:10 p.m., Mayor Ashton went into Executive Session under Section 551.071.

At 6:53 p.m., Mayor Ashton reconvened into Open 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 OCTOBER 25, 2022 REGULAR CALLED COUNCIL MEETING

B. APPROVE BILLS PAYABLE FOR PERIOD ENDING NOVEMBER 8, 2022 (FY 2023)

CM Claridge moved, seconded by Mayor Pro Tem 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/OR ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

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

This item was discussed in Executive Session and no action was taken.

9. CONSIDER APPROVAL OF REQUEST FROM CLAIRE MAKARWICH TO INSTALL SPEED BUMPS AND TO REQUEST ADDITIONAL STREET LIGHTING ON HALLUM STREET.

Claire Makarwich was present. There are a lot of people who speed on Hallum. Several young children live on that street. Feels speed bumps would be successful because no one reads signs. Her neighbor who could not be in attendance tonight is concerned that there is not enough street lighting. PC Stewart's department has been monitoring the area and there is heavy traffic but has not noticed a lot of speeders. The Fire Chief prefers not to install speed bumps because it could damage the trucks and make them have a slower response. Agrees the streetlights are really dim and CM Gregory has been in contact with Oncor to fix that. If we lower the speed limit, it only can be lowered by five miles. Council recommended looking into the rumble strips and see if that would be the solution.

10. CONSIDER APPROVAL OF 7.5 PERCENT CPI-U OPERATING COST ADJUSTMENT AS REQUESTED BY WASTE CONNECTIONS LLC FOR COMMERCIAL SOLID WASTE COLLECTION.

Abel Moreno and Norm Bulaich were present. Asking for a 7.5% increase to cover the expenses on their end. Council would like notice to be given to us when we are discussing our new budget instead of waiting until after our budget is adopted.

Mayor Pro Tem Chisholm moved, seconded by CM Claridge to approve the 7.5% increase with Waste Connections for commercial solid waste collection. All voted "Aye".

11. CONSIDER APPROVAL TO REQUEST DISCRETIONARY FUNDS FROM TARRANT COUNTY UNDER THE 2006 TRANSPORTATION BOND FOR RIVER OAKS STREET IMPROVEMENTS.

There are funds available from the 2006 Transportation Bond. We would like to submit Long Avenue from River Oak Blvd to Thurston and Almema from Long Avenue to Thurston. Long Avenue needs drainage improvements and we can see if we can re-locate the storm water drainage lines. This will be under the street improvement bond.

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve the discretionary funds under the 2006 Transportation Bond for street improvements. All voted "Aye".

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

12. PUBLIC HEARING: IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE PROPOSED REPLAT APPLICATION SUBMITTED BY SANI INVESTMENTS LLC FOR 0.3489 ACRES OF LAND OTHERWISE KNOWN AS BEING 940 CODY COURT DESCRIBED AS BEING BLOCK 2, LOTS 1 & 2 IN THE WESTERN ADDITION AND ONCE SUBDIVIDED TO BECOME A SINGLE PLATTED LOT THAT IS CURRENTLY CONSIDERED TO BE A NON-CONFORMING PROPERTY USE FOR APARTMENTS IN A C-1 COMMERCIAL ZONING DISTRICT. (ZONING CASE #PZ 2022-0008)

At 7:17 p.m., Mayor Ashton opened the Public Hearing.

This was discovered because of fire damage. After researching, found that the apartment building was built on two separate platted lots and needs to be re-platted to one single lot. This building was approved in 1963 by City Council to be built on two separate lots. No objection received and Planning and Zoning voted unanimously to recommend to the City Council for approval.

At 7:20 p.m., Mayor Ashton closed the Public Hearing.

13. ACTION FROM PUBLIC HEARING: IN ORDER TO CONSIDER APPROVAL OF THE PROPOSED REPLAT APPLICATION SUBMITTED BY SANI INVESTMENTS LLC FOR 0.3489 ACRES OF LAND OTHERWISE KNOWN AS BEING 940 CODY COURT DESCRIBED AS BEING BLOCK 2, LOT 1 & 2 IN THE WESTERN ADDITION AND ONCE SUBDIVIDED TO BECOME A SINGLE PLATTED LOT THAT IS CURRENTLY CONSIDERED TO BE A NON-CONFORMING PROPERTY USE FOR APARTMENTS IN A C-1 COMMERCIAL ZONING DISTRICT. (ZONING CASE #PZ 2022-0008)

Mayor Pro Tem Chisholm moved, seconded by CM Claridge to approve the replat request. All voted "Aye".

STAFF REPORTING:

14. UPDATE ON INSPECTION REPORTING REGARDING THE SUBSTANDARD PROPERTY DAMAGED BY FIRE AT 940 CODY COURT (CODY APARTMENTS).

This item was discussed in Executive Session.

No update needed because it does not meet the 50% damage.

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

15. CONSIDER APPROVAL OF RESOLUTION #1094-2022 ADJUSTING THE COMMERCIAL SOLID WASTE COLLECTION RATES.

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve Resolution #1094-2022. All voted "Aye".

WORK SESSION/ACTION FROM WORK SESSION:

16. WORK SESSION: PLANNING FOR FUTURE BUILDING IMPROVEMENTS AT THE CITY COMPLEX AND EXPLORING FUNDING OPTIONS.

This bond is for \$3.265 million that was originally set up for street and building improvements, but council wanted to concentrate on streets. We are asking to spend \$37,795.28 to replace the carpet in City Hall, install handicap accessibility to the front door, to install a new server room, and to remodel the current council chambers so access to the dais is handicap compliant. We do need a new roof, but we do not have the exact figures right now.

17. ACTION FROM WORK SESSION, IF ANY.

CM Turner moved, seconded by CM Claridge to approve to spend \$37,795.28 out the construction bond and after review, can bring back to council to adjust out of the bond account. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

18. CONSIDER APPROVAL OF TEXAS HEALTH RESOURCES FLU VACCINE EVENT AT THE RIVER OAKS EVENT CENTER.

Working out the dates with the event center. This is an open event for all.

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve the flu vaccine event and the date will be worked out by city staff. All voted "Aye".

19. 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-1 vacant in Public Works (new hire did not show up to work the first day), 3 vacant in Police, and the Fire Department is fully staffed. The Fire Department project is moving along great.

Tower Lease-hopefully bring to council on November 22, 2022.

General Storm Water Permit-going thru the 60-day process.

Black Oak Development-two foundations are down.

Street Construction Update-starting to asphalt on Churchill around the Meeker and River Oaks Blvd area; Merritt is scheduled to be asphalted Monday; gas company is on Long, Barbara & Roberts Cut Off and has started on Yale.

CORRESPONDENCE:

20. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Claridge-had a growth removed from his chest.

Mayor Pro Tem Chisholm-read that Maven's Moon is moving out of the city and the owner of the building is tearing it down.

Darren Houk-ribbon cutting this Saturday at noon at Blurberry Barber Shop which is across the street. Grumps in interested in having a ribbon cutting also. Showed the council the new holiday banners.

EXECUTIVE SESSION:

21. 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.

This item was done under Item #8.

RECONVENE:

22. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

Mayor Pro Tem Chisholm moved, seconded by CM Claridge to authorize to proceed as recommended by legal counsel in Executive Session.

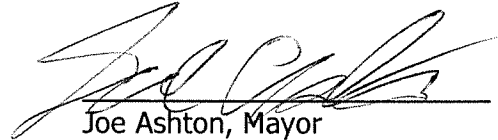
NONE

ADJOURN:

23. ADJOURN

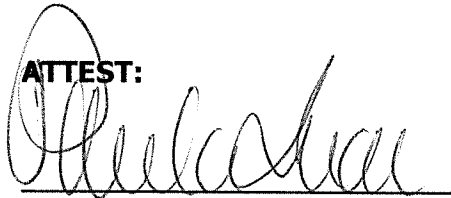
At 8:00 p.m., Mayor Ashton adjourned the meeting. All voted "Aye".

APPROVED:



Joe Ashton, Mayor

ATTEST:



Paula Luck, City Secretary