

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
JANUARY 24, 2023**

MEMBERS PRESENT:

MAYOR JOE ASHTON
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 BRADLEY ANDERLE
PUBLIC WORKS DIRECTOR GORDON SMITH
POLICE CHIEF CHUCK STEWART
EMERGENCY MGT JAMES MYRICK
FIRE CHIEF RUSSELL SHELLEY
CITY ATTORNEY BETSY ELAM
PW SECRETARY CASSIE DYER

ABSENT:

NONE

1. CALL TO ORDER

With a quorum present, Mayor Joe Ashton called the Regular Meeting of the River Oaks City Council to order at 6:00 p.m. on Tuesday, January 24, 2023 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.

-PROCLAIMING JANUARY 18TH EVERY YEAR AS ANNE COZART DAY IN THE CITY OF RIVER OAKS

Due to the bad weather, this item will be postponed to the next Council Meeting.

5. SPECIAL COMMENDATION BEING PRESENTED TO OFFICER ASHLEY STRINGER BY POLICE CHIEF CHARLES STEWART.

PC Stewart recognized officer Ashley Stringer in her continuous efforts in the Batinah Karim case. A letter of recognition was read to Officer Stringer, Council and Mayor.

6. 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.

Darren Houk, 1913 Yale, EDC President-thanked all for the response, letters and flowers in the passing of his father. There is a boutique opening by Kellie Rodriguez (spouse of former Police Officer of River Oaks and CISD Jesse Rodriguez), there is an asphalt company and spa school opening. Spring Fest is April 21st at Grumps and April 22nd at Camp Carter. Grumps will be featured on CBS "In the Kitchen". Collier chose River Oaks to be featured.

CA Elam introduced Attorney Bradley Anderle. Mr. Anderle left TOASE a couple of years ago and is now back. He will start attending our Council Meetings.

7. 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 JANUARY 10, 2023 REGULAR CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING JANUARY 24, 2023 (FY 2023)
- C. APPROVE FY 2023 1ST QUARTER ECONOMIC DEVELOPMENT CORPORATION FINANCIAL REPORT (OCTOBER 1 THROUGH DECEMBER 31, 2022)
- D. APPROVE FY 2023 1ST QUARTER CRIME CONTROL & PREVENTION DISTRICT FINANCIAL REPORT (OCTOBER 1 THROUGH DECEMBER 31, 2022)
- E. APPROVE FY 2023 1ST QUARTER STORM WATER FUND FINANCIAL REPORT (OCTOBER 1 THROUGH DECEMBER 31, 2022)
- F. APPROVE FY 2023 1ST QUARTER INVESTMENT REPORT (OCTOBER 1 THROUGH DECEMBER 31, 2022)

Mayor Pro Tem Chisholm moved, seconded by CM Claridge to approve the Consent Agenda items A-F. All voted "Aye".

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

NONE

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

9. PUBLIC HEARING: IN ORDER TO RECEIVE CITIZEN COMMENTS AND TESTIMONY ON THE PROPOSED AMENDED SITE PLAN APPLICATION OF Q-TEL LTD % CHRIS MILLER AT 5504 RIVER OAKS BLVD TO AMEND THE SITE PLAN AS ORIGINALLY APPROVED PURSUANT TO SECTION 25 OF THE RIVER OAKS ZONING ORDINANCE AS AMENDED SPECIFICALLY N ZONING

CASE #2008-03 DATED MARCH 11, 2008 IN ORDER TO NOW ADD AN ICE VENDING MACHINE NOT PREVIOUSLY INCLUDED IN THE 2008 SITE PLAN. (ZONING CASE #SP-PZ 2023-0001)

At 6:17 p.m., Mayor Ashton opened the Public Hearing.

Chris Miller was present. Adjustments to the site plan were made, and Planning and Zoning approved the plan. PSD Ink will wrap the machine to match the look of the other building. There will be a two foot wall in between the building and the machine on both sides and that will be wrapped as well.

At 6:27 p.m., Mayor Ashton closed the Public Hearing.

10. ACTION FROM PUBLIC HEARING: IN ORDER TO CONSIDER APPROVAL OF THE AMENDED SITE PLAN APPLICATION OF Q-TEL LTD %CHRIS MILLER AT 5504 RIVER OAKS BLVD TO AMEND THE SITE PLAN AS ORIGINALLY APPROVED PURSUANT TO SECTION 25 OF THE RIVER OAKS ZONING ORDINANCE AS AMENDED SPECIFICALLY IN ZONING CASE #2008-03 DATED MARCH 11, 2008 IN ORDER TO NOW AD AN ICE VENDING MACHINE NOT PREVIOUSLY INCLUDED IN THE 2008 SITE PLAN. (ZONING CASE #SP-PZ 2023-0001)

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve the site plan as amended. All voted "Aye".

11. PUBLIC HEARING: IN ORDER TO RECEIVE CITIZEN COMMENTS AND TESTIMONY ON THE PROPOSED SITE PLAN APPLICATION OF D & L PROPERTIES % DON ISTOOK AT 5109 OHIO GARDEN ROAD IN ORDER TO CONSTRUCT A NEW 3,000 SQUARE FOOT METAL PRE-FAB ACCESSORY BUILDING TO BE LOCATED ADJACENT TO THE EXISTING MAIN STRUCTURE ON THE PROPERTY AT 5109 OHIO GARDEN ROAD SETBACK 15-FOOT FROM THE MAIN BUILDING TO BE USED FOR DEDICATED OFFICE, RESTROOM, SHOP SPACE, STORAGE AND ENGINE BUILDING ROOM WITHIN THE A E MERSHON SUBDIVISION. (ZONING CASE #SP-PZ 2023-0002)

At 6:29 p.m., Mayor Ashton opened the Public Hearing.

Steve Shelley representing Don Istook was present. This structure will be constructed out of steel. The current building will be used for storage and use the new building to work out of and will be a show case for the collector cars. The covered parking area will be demolished, and the new building will be there. There will be no signage on the building. Council would like both buildings to match in color. The 3' side yard requirements need to be met and need to talk to the church about the drainage. Planning and Zoning passed 5 to 0.

At 6:38 p.m., Mayor Ashton closed the Public Hearing.

12. ACTION FROM PUBLIC HEARING: IN ORDER TO CONSIDER APPROVAL OF THE SITE PLAN APPLICATION OF D & L PROPERTIES % DON ISTOOK AT 5109 OHIO GARDEN ROAD IN ORDER TO CONSTRUCT A NEW 3,000 SQUARE FOOT METAL PRE-FAB ACCESSORY BUILDING TO BE LOCATED ADJACENT TO THE EXISTING MAIN STRUCTURE ON THE PROPERTY AT 5109 OHIO GARDEN ROAD SETBACK 15-FOOT FROM THE MAIN BUILDING TO BE USED FOR A DEDICATED OFFICE, RESTROOM, SHOP SPACE, STORAGE AND ENGINE BUILDING ROOM WITHIN THE A E MERSHON SUBDIVISION. (ZONING CASE #SP-PZ 2023-0002)

Mayor Pro Tem Chisholm moved, seconded by CM Rodriguez to approve the site plan but with the two buildings will need to match in color. All voted "Aye".

13. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC INPUT ON THE 49TH YEAR (FY 2023) COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

At 6:40 p.m., Mayor Ashton opened the Public Hearing.

PWD Smith passed out questionnaires to the citizens in attendance and collected them back. Majority was the streets, water, sewage, and drainage.

At 6:47 p.m., Mayor Ashton closed the Public Hearing.

14. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF RESOLUTION #1098-2023 AUTHORIZING THE CITY MANAGER TO SUBMIT THE 49TH YEAR CDBG PROJECT SUBMITTAL FOR THE CITY OF RIVER OAKS TO TARRANT COUNTY COMMUNITY DEVELOPMENT.

The sewer line between 1216 Greenbrier and 1500 Greenbrier, due to erosion, has washed out and is exposed that impact the drainage flow. The new line will have to be lowered so the services are under ground. The project should be a 50% split of city pledge money to the project between both Storm Water and the Sewer Improvement account in the Water Fund.

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve Resolution #1098-2023. All voted "Aye".

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

15. DISCUSSION AND/OR ACTION ON CONSIDERING APPROVAL OF MONOPOLE TOWER LEASE AGREEMENT WITH AMERICAN TOWER.

All is in order and the tenant has signed.

CM Holland moved, seconded by CM Claridge to approve the Monopole Tower Lease Agreement with American Tower. All voted "Aye".

16. CONSIDER APPROVAL OF PROFESSIONAL SERVICES AGREEMENT ENGAGING OUTSIDE LEGAL COUNSEL ON PENDING LITIGATION REGARDING THE WATER CLARIFIER SYSTEM.

This item will be discussed in Executive Session.

17. DISCUSSION AND/OR ACTION ON PROPOSED INCREASE TO HOUSEHOLD HAZARDOUS WASTE COSTS FROM THE FORT WORTH ENVIRONMENTAL COLLECTION CENTER.

Price has increased from \$50.00 to \$95.00 per household. The annual Crud Mobile is scheduled for April 1st unless council wants to cancel it. Looking at about \$7,000.00 total for the year the city is would spend with the new rates. Residents do have to produce a water bill in order to go to the Bridge Street Location.

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve the proposed increase waste costs. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

18. CONSIDER APPROVAL OF RESOLUTION #1099-2023 AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR; AND AUTHORIZING THE PAYMENT OF TEN CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.

This is the same as last year.

Mayor Pro Tem Chisholm moved, seconded by CM Holland to approve Resolution #1099-2023. All voted "Aye".

19. CONSIDER APPROVAL OF ORDINANCE #1369-2023 AMENDING THE 2022-2023 FISCAL YEAR GENERAL FUND BUDGET BY EXPANDING THE EVENT CENTER BUDGET FOR PERSONNEL SALARIES IN ACCOUNT 01-533-5111.

We had budgeted the maintenance position as part time and the directors were fine with that. But now they want that position to go back to full-time. CM Gregory approved for the employee to be working full-time since October 1st and told the directors it will be re-looking at the position after the first of the year. If we were converting the Masonic Lodge over to the new Event Center, having him full-time would be beneficial. In the past, this employee was budgeted three days a week at the center and the other two in Public Works but that employee never had time to work in Public Works. Council would like their monthly report to be more detailed like the other departmental reports and would like a report on what this employee does at the center. Before COVID, large events were happening at the center but now they are not. There are the regular programs of exercising, jam session, etc. that are still going on. They also have the clothes closet program and the food bank program going on. Council would like an online calendar available that shows the rentals so it can be viewed by City Hall employees. It was mentioned that EDC help fund some of the Event Center budget but will have to look into if the Event Center was an established project. If it isn't, will have to hold a Public Hearing to declare it as a project. We can discuss at the next EDC meeting to have them cover some of the costs.

This item will be brought back at the next meeting for more information and a broader agenda item.

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

20. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 636 SCHIEME
- 1513 SKYLINE
- 5016 ALMENA
- 1114 HARVARD
- 940 CODY COURT (APT 6-13)-actively working.
- 1011 ROBERTS CUT OFF

- 4844 HARTFORD
- 1909 YALE
- 5004 LANGLEY

21. 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.

No questions were asked.

22. DISCUSSION AND/OR ACTION ON REAL ESTATE PROPERTY VALUE INVOLVING INVESTMENT AND/OR SALE OF CITY OWNED PROPERTY AT 5550 BAYLOR AVENUE.

This item will be discussed in Executive Session.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

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

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

26. **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

27. **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

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

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

Need more information on the report.

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

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

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

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

CORRESPONDENCE:

34. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

Mayor Pro Tem Chisholm-attended RCC Meeting. Moving slowly with the Meandering Road project. Blue Angels will be back on April 13-14, 2024. Expecting about 150,000 people to attend the airshow and there will be a traffic issue. May use the mall for parking. Talked to the TXDOT person about the blinking yellow lights in some locations.

CM Rodriguez-prayers for all of the ones we have lost recently. We need to help the River Oaks Citizens. There is a lot of stuff on social media.

CM Turner-need to be unified. Jumped on an opportunity that may include EDC and the event center. UTA is creating a master plan. Prayers to all the losses recently.

CM Holland-Greg Hendrickson was on EDC since it started and was on the Storm Water Board. Thanked James Myrick in helping that family. Their daughter was hit by a vehicle recently and it was a hit and run. Andrea waited 45 minutes before help arrived and passed away. Lions Club makes their building available for residents who need a place for services, etc.

EMC Myrick-Greg helped everyone, and he was also a storm spotter.

CM Claridge-a lot of people running red lights at Ohio Garden at night.

Mayor Ashton-sorry he was not able to attend the Houk and Hendrickson funerals. Jim Byrom is a new resident of River Oaks.

EXECUTIVE SESSION:

35. 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.

At 8:07 pm., Mayor Ashton went into Executive Session under Sections 51.071 & 551.072 for Item #'s 16 & 22.

At 9:03 p.m., Mayor Ashton reconvened into Regular Session

RECONVENE:

36. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION


NONE

ADJOURN:

37. ADJOURN

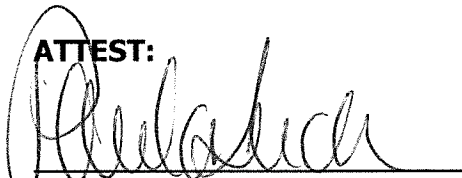
At 9:03 p.m., Mayor Ashton adjourned the meeting.

APPROVED:



Joe Ashton, Mayor

ATTEST:



Paula Luck, City Secretary