

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
JANUARY 25, 2022**

MEMBERS PRESENT:

MAYOR PRO TEM DARREN HOUK
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER YOLIE RODRIGUEZ

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
CITY ATTORNEY BEN GIBBS
PUBLIC WORKS DIRECTOR GORDON SMITH
POLICE CHIEF CHRIS SPIELDENNER
FIRE CHIEF RUSSELL SHELLEY
EMERGENCY MGT JAMES MYRICK

ABSENT:

MAYOR JOE ASHTON

1. CALL TO ORDER

With a quorum present, Mayor Pro Tem Houk called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, January 25, 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 JANUARY 11, 2022 REGULAR CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING JANUARY 25, 2022 (FY 2022)
- C. RATIFY APPROVAL OF REVISED COVID-19 SCREENING, TESTING AND RETURN TO WORK GUIDELINES
- D. APPROVE 1ST QUARTER FY 2022 ECONOMIC DEVELOPMENT CORPORATION FINANCIAL REPORT (OCTOBER 1-DECEMBER 31, 2021)
- E. APPROVE 1ST QUARTER FY 2022 CRIME CONTROL AND PREVENTION DISTRICT FINANCIAL REPORT (OCTOBER 1-DECEMBER 31, 2021)
- F. APPROVE 1ST QUARTER FY 2022 STORM WATER FUND FINANCIAL REPORT (OCTOBER 1-DECEMBER 31, 2021)
- G. APPROVE 1ST QUARTER FY 2022 INVESTMENT REPORT (OCTOBER 1-DECEMBER 31, 2021)

CM Holland moved, seconded by CM Claridge to approve the Consent Agenda items A-G. 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 PAUL SHELTON TO WAIVE THE INTEREST ON THE CODE ENFORCEMENT LIEN AT 1717 MELBA COURT.

Paul Shelton was present. The owner of the property is his dad who passed away recently. The previous occupant disposed of paint and was supposed to take care of this. Paul Shelton is requesting to waive the interest. The lien was from 2016 in the amount of \$2,752.57 plus a \$20.00 filing fee. The total due with interest is \$4,309.41.

CM Holland moved, seconded by CM Claridge to approve the request to waive the interest and collect \$2,772.57 from 1717 Melba Court. All voted "Aye".

9. CONSIDER REQUEST OF RONALD SCHEEL AT 4908 BLACKSTONE DRIVE TO WAIVE THE WATER TAP FEE IN ORDER TO PROVIDE A WATER CONNECTION TO THAT PROPERTY THAT WAS NOT PREVIOUSLY MADE AT THE TIME THE CITY REPLACED THE WATER MAIN.

Ronald Scheel was present. The property goes back to the 1940's. The Scheel's have owned it for over 30 years. Have been getting water from the well but paying the city for sewer which is at the high rate. Would like to get connected to the city water and use the well for irrigation. The request is for the city to waive the water tap fee.

CM Holland moved, seconded by CM Chisholm to approve the request to waive the water tap fee at 4908 Blackstone Drive. All voted "Aye".

10. CONSIDER APPROVAL OF REQUEST BY ELATE PROPERTIES TO NAME THE STREET FOR THE NEW SUBDIVISION AT 5910 BLACK OAK LANE PURSUANT TO SECTION 48-104 OF THE CITY'S SUBDIVISION ORDINANCE.

Heather Phelps was present. The subdivision name would remain the same but would like to name the street Church Lane. 911 recommends starting with the house address of 900 and go up from there with the even numbers on the right and the odd numbers on the left. The final drawings for the homes should be complete by February 11, 2022. The church should be demolished at the end of February or first of March.

CM Claridge moved, seconded by CM Chisholm to approve naming the street Church Lane and begin with the address of 900 and with even numbers on the right and odd numbers on the left. All voted "Aye".

At 7:34 p.m., Mayor Pro Tem Houk went into Executive Session for Item #22 under Sections 551.071, 551.072, 551.074 & 551.076.

At 8:30 p.m., Mayor Pro Tem reconvened into Regular Session.

11. CONSIDER APPROVAL OF PROPOSAL FROM M.J. THOMAS ENGINEERING FOR PROFESSIONAL CIVIL ENGINEERING & SURVEYING SERVICES FOR RED OAK DRAINAGE PROJECT AS RECOMMENDED BY THE STORM WATER TASK FORCE.

Mickey Thomas was present. This proposal is for engineering and surveying the area for north of Red Oak residential lots and convey drainage via a drainage channel to Keith Pumphrey. This will mitigate four homes from flooding in large rain events. The Storm Water Task Force voted unanimously to recommend to the City Council for approval. The total costs is \$39,350.00.

CM Holland moved, seconded by CM Chisholm to approve the proposal from M.J. Thomas Engineering. All voted "Aye".

12. CONSIDER APPROVAL TO ELECT ONE MEMBER TO THE METROPOLITAN AREA EMS AUTHORITY (MAEMSA) BOARD TO SERVE A 3-YEAR TERM.

Small cities can elect one member to the Medstar board. Chief Shelley recommends electing Bryce Davis to serve on the board.

CM Claridge moved, seconded by CM Rodriguez to elect Bryce Davis to the board. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

13. CONSIDER APPROVAL OF ORDINANCE #1336-2022 AMENDING THE GENERAL FUND BUDGET BY EXPANDING THE GENERAL FUND BUDGET EXPENDING ANIMAL CONTROL DOLLAR DONATIONS FOR SECURITY FENCING AROUND THE ANIMAL SHELTER LOCATED ON YMCA CAMP CARTER PROPERTY.

The Director of Camp Carter has been pushing for us to install a security fence. The quote from Buzz Fence is \$6,158.00. There are enough funds in the \$1.00 donation account to pay for this.

CM Claridge moved, seconded by CM Rodriguez to approve Ordinance #1336-2022 not to exceed \$6,158.00 and to get more quotes. All voted "Aye".

14. CONSIDER APPROVAL OF RESOLUTION #1070-2022 REGARDING A FINANCING AGREEMENT BY AND BETWEEN GOVERNMENT CAPITAL CORPORATION AND CITY OF RIVER OAKS FOR PROCUREMENT OF HEAVY EQUIPMENT IN THE WATER DEPARTMENT.

City Staff reported a problem with the 1996 310 D John Deere Backhoe. The reverser gear is out in the transmission, and it will cost \$10,936.98 to repair. Requesting is to finance a new backhoe for \$121,616.60 thru Government Capital instead of repairing the 1996 backhoe. Ten annual payments at the interest rate of 2.97% would be \$14,967.00 yearly starting in October 2023. We could sell the 2006 backhoe for \$5,000.00-\$10,000.00. If voted to repair the backhoe, this will wipe out the budget and will have to come back at midyear to expand the budget.

CM Claridge moved, seconded by CM Holland to deny Resolution #1070-2022 and repair the 1996 backhoe. All voted "Aye".

15. CONSIDER APPROVAL OF RESOLUTION #1071-2022 AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION.

CM Holland moved, seconded by CM Chisholm to approve Resolution #1071-2022. All voted "Aye".

16. CONSIDER APPROVAL OF ORDINANCE #1337-2022 AMENDING SECTION 12.05.012 "SPECIAL STOP INTERSECTIONS" OF THE RIVER OAKS CODE OF ORDINANCES (2020) INCORPORATING 12.05.012 (s) "OTHER STOPPING INTERSECTIONS" (17) "MEANDERING ROAD" ESTABLISHING A 4-WAY STOP INTERSECTION AT THE INTERSECTION OF YALE AND MEANDERING ROAD.

Council of Governments came out to this location and recommended installing a 4-way stop until something else is done. There are a lot of little kids walking to and from school and this is an immediate solution.

CM Holland moved, seconded by CM Rodriguez to approve Ordinance #1337-2022. All voted "Aye".

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

17. PUBLIC HEARING: IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE PROPOSED APPLICATION TO REZONE APPROXIMATELY 0.566 ACERS OF LAND DESCRIBED AS BEING RIVER OAKS DENTAL IN BLOCK 1, LOTS 2 & 3 OTHERWISE KNOWN AS 5308 & 5312 BLACK OAK LANE IN RIVER OAKS, TARRANT COUNTY, TEXAS FROM "C-1" COMMERCIAL ZONING DISTRICT TO A "PD" PLANNED DEVELOPMENT DISTRICT PURSUANT TO SECTION 18 OF THE RIVER OAKS ZONING ORDINANCE #1331-2021 AS AMENDED IN ORDER TO DEVELOP THE PROPERTY FOR TOWN HOMES. (ZONING CASE #PZ 2022-0001 RZ).

At 9:44 p.m., Mayor Pro Tem Houk opened the Public Hearing.

It is recommended to keep this Public Hearing open until 7:00 p.m. on February 22, 2022 to allow the developers to revise their plans to meet the fire code. The original plan was eight town homes attached but under the fire code, it must have a sprinkler system. So, they will revise the plans and bring back in February.

18. ACTION FROM PUBLIC HEARING: IN ORDER TO CONSIDER APPROVAL OF ORDINANCE #1338-2022 ON THE PROPOSED APPLICATION TO REZONE APPROXIMATELY 0.566 ACRES OF LAND DESCRIBED AS BEING RIVER OAKS DENTAL IN BLOCK 1, LOTS 2 & 3 OTHERWISE KNOWN AS 5308 & 5312 BLACK OAK LANE IN RIVER OAKS, TARRANT COUNTY, TEXAS FROM "C-1" COMMERCIAL ZONING DISTRICT TO A "PD" PLANNED DEVELOPMENT DISTRICT PURSUANT TO SECTION 18 OF THE RIVER OAKS ZONING ORDINANCE #1331-2021 AS AMENDED IN ORDER TO DEVELOP THE PROPERTY FOR TOWN HOMES. (ZONING CASE #PZ 2022-0001 RZ).

NONE

19. PUBLIC HEARING: IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE PROPOSED APPLICATION TO REPLAT .566 ACRES OF LAND DESCRIBED AS BEING RIVER OAKS DENTAL BLOCK 1, LOTS 2 & 3 AND ONCE SUBDIVIDED TO BECOME ONE SINGLE PLATTED LOT IN A PROPOSED PLANNED DEVELOPMENT ZONING DISTRICT. (ZONING CASE #PZ 2022-0002).

At 9:47 p.m., Mayor Pro Tem Houk opened the Public Hearing.

At 9:48 p.m., Mayor Pro Tem Houk closed the Public Hearing.

20. ACTION FROM PUBLIC HEARING: IN ORDER TO CONSIDER APPROVAL OF THE PROPOSED APPLICATION TO REPLAT 0.566 ACRES OF LAND DESCRIBED AS BEING RIVER OAKS DENTAL BLOCK 1, LOTS 2 & 3 AND ONCE SUBDIVIDED TO BECOME ONE SINGLE PLATTED LOT IN A PROPOSED PLANNED DEVELOPMENT ZONING DISTRICT. (ZONING CASE #PZ 2022-0002).

CM Claridge moved, seconded by CM Rodriguez to deny the replat. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

21. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 632 SCHIEME-in probate.
- 636 SCHIEME-in probate.
- 640 SCHIEME-in probate.
- 1513 SKYLINE-permits expired.
- 5962 BLACK OAK-actively working.
- 1114 HARVARD-court this Thursday.

22. DISCUSSION AND/OR ACTION ON ENGINEERING AND CLARIFIER ISSUES AT THE WATER PLANT.

This item will be discussed in Executive Session.

23. 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.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

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

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

27. **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

28. **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

The south end of Roberts Cut Off will be asphalted this week. Are working on the potholes on Yale.

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

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

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

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

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

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

CORRESPONDENCE:

35. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Claridge-lost dad and thanks for all the condolences. Thanks to Medstar, Sansom Park PD and the hospital. Visitation is tomorrow at noon and funeral at 1:00 p.m. at Biggers Funeral Home.

CM Holland-noticed Fort Worth Fire is running a lot of calls in River Oaks.

CM Rodriguez-had lunch with CISD Board Member Mary Lou Martinez and they are planning a celebration event for Renee Smith-Faulkner.

CM Chisholm-RCC meeting February 24th, 2022.

EXECUTIVE SESSION:

36. 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 after Item #10.

RECONVENE:

37. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

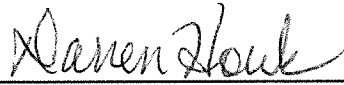
NONE

ADJOURN:

38. ADJOURN

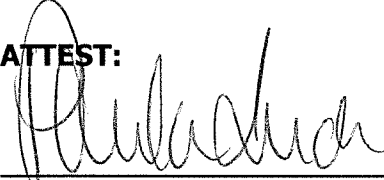
At 10:00 p.m., Mayor Pro Tem Houk adjourned the meeting. All voted "Aye".

APPROVED:



Darren Houk, Mayor Pro Tem

ATTEST:



Paula Luck, City Secretary