

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
FEBRUARY 6, 2024**

MEMBERS PRESENT:

MAYOR DARREN HOUK
MAYOR PRO TEM JOHN CLARIDGE
COUNCIL MEMBER BRENT FORESTER
COUNCIL MEMBER BRENT FORESTER

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
CITY ATTORNEY BRADLEY ANDERLE
PUBLIC WORKS DIRECTOR JEREMY BELL
POLICE CHIEF CHUCK STEWART
EMERGENCY MGT JAMES MYRICK
FIRE CHIEF RUSSELL SHELLEY
EVENT CENTER DIRECTOR SHIRLEY WHEAT

ABSENT:

COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER LEIGH ANN TURNER

1. CALL TO ORDER

With a quorum present, Mayor Houk called the Regular Meeting of the River Oaks City Council to order at 6:00 p.m. on Tuesday, February 6, 2024 at River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Rodriguez delivered the Invocation.

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

Audience Member Preston 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 16, 2024 REGULAR CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING FEBRUARY 6, 2024 (FY 2024)
- C. APPROVE RECOMMENDATION TO APPOINT RYAN FILL FOX AS THE ALTERNATE #2 MEMBER TO THE PARK BOARD

Mayor Pro Tem Claridge moved, seconded by CM Forester to approve the Consent Agenda Items A-C. All voted "Aye".

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

NONE

At 6:04 p.m., Mayor Houk went into Executive Session for Items number 8, 18 and 19 under Section 551.071.

At 6:49 p.m., Mayor Houk reconvened into Open Session.

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

8. CONSIDER APPROVAL OF REQUEST BY JIM GROSS REQUESTING A WAIVER IN ORDER TO KEEP TWO HORSES ON THE PROPERTY AT 5826 BLACK OAK LANE IN VIOLATION OF SECTION 2.03.001 "LIVESTOCK" OF THE RIVER OAKS CODE OF ORDINANCES (2020).

Mr. Gross was present. This was approved by the council in 2013. Trying to sell the property now and the ones that are interested in purchasing want to bring in horses. Other cities allow one horse per acre. This ordinance states one horse per 5 acres. Currently there are no horses in River Oaks. If the council approves this request, it is in violation of the city ordinance. The current ordinance mentions nothing about waivers.

No action was taken.

9. CONSIDER APPROVAL OF AGREEMENT APPROVING AN ANNUAL LEASE AGREEMENT FOR USE OF MCGEE PARK FOR THE 2024 BASEBALL & SOFTBALL SEASON BY LIONS YOUTH SPORTS ASSOCIATION (LYSA).

The Parks Board approved the agreement. This is a year-by-year agreement.

Mayor Pro Tem Claridge moved, seconded by CM Rodriguez. All voted "Aye".

10. DISCUSSION AND/OR ACTION ON THE CREATION AND DESIGNATE DIRECTORS OF THE FOUNDATION FOR SUPPORT OF RIVER OAKS PARK ("THE CORPORATION"), A 501(c)3 OF THE INTERNAL REVENUE CODE.

This is a draft that is like our other 501c3's. This can lead to receiving more grants. The Park Board did approve this and is in favor of the directors that are presented.

CM Forester moved, seconded by CM Rodriguez to approve the River Oaks Park as a 501c3. All voted "Aye".

11. CONSIDER APPROVAL OF THE 2023 CITY OF RIVER OAKS POLICE DEPARTMENT RACIAL PROFILING REPORT.

Mayor Pro Tem Claridge moved, seconded by CM Rodriguez to approve the 2023 River Oaks Police Department Racial Profiling Report. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

12. CONSIDER APPROVAL OF RESOLUTION #1120-2024 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.

We have been a member of this for a long time.

Mayor Pro Tem Claridge moved, seconded by CM Forester to approve Resolution #1120-2024. All voted "Aye".

13. CONSIDER APPROVAL OF ORDINANCE #1407-2024 AMENDING ARTICLE 4.07 "WRECKERS AND WRECKER COMPANIES" SPECIFICALLY IN SECTION 4.07.024 "MAXIMUM DISTANCE OF NON-CONSENT TOWS".

We had three companies when the ordinance was adopted. Now we only have one tow company in River Oaks, and they are not able to come out at times. We need to extend this out to Tarrant County instead of just River Oaks.

CM Forester moved, seconded by Mayor Pro Tem Claridge to approve Ordinance #1407-2024. All voted "Aye".

14. CONSIDER APPROVAL OF ORDINANCE #1408-2024 AMENDING ARTICLE 13.02 "UTILITY POLICY" DIVISION 2 "WATER SERVICE POLICY" SPECIFICALLY REVISING SECTIONS 13.02.032 "DELINQUENT CHARGES", 13.02.003 "PAYMENT ARRANGEMENTS", 13.02.037 "DISCONNECTION OF UTILITY SERVICE" AND SECTION 13.02.045 "BILL DELAY PROCEDURES" IN SUBSECTION (b) "ELDERLY INDIVIDUAL" OF THE RIVER OAKS CODE OF ORDINANCES (2020).

Under the current water policy, the due date of the bill is 15 days. According to the Texas Administrative Code, the due date for bills is not less than 16 days; therefore, it is necessary to

amend the existing policy to be 16 days from the billing date unless the due date falls on a holiday or weekend, then the due date is extended to the next business day. Under the current water policy, the disconnection date is 10 days from the date of the bill. Under the Administrative Code, the disconnection date is at least 10 days from the date of the notice; therefore, it is necessary to amend the policy to be 26 days instead of 25 days from the billing date and if the disconnection date falls on a holiday or weekend, then the disconnection date is delayed until the next business day.

CM Forester moved, seconded by Mayor Pro Tem Claridge to approve Ordinance #1408-2024. All voted "Aye".

15. CONSIDER APPROVAL OF ORDINANCE #1409-2024 AMENDING ARTICLE 13.02 "UTILITY POLICY", DIVISION 4 "SANITATION COLLECTION POLICY", SECTION 13.02.113 "POLICIES" SPECIFICALLY IN SUBSECTIONS (1) "RESIDENTIAL GARBAGE COLLECTION" SPECIFICALLY IN 1.G, (4) "DISPOSAL OF CONSTRUCTION MATERIAL" AND (5) "PRIVATE DISPOSAL RECEPTACLES".

The city is having a lot of issues with people bringing in construction material to be picked up by us. Staff is recommending the construction piles be 2' x 2' x 4' and that all nails be removed that can cause injury.

Mayor Pro Tem Claridge moved, seconded by CM Rodriguez to approve Ordinance #1409-2024. All voted "Aye".

16. CONSIDER APPROVAL OF ORDINANCE #1410-2024 AMENDING ARTICLE 3.07 "SUBSTANDARD AND DANGEROUS BUILDINGS; PROPERTY MAINTENANCE" SPECIFICALLY IN SECTION 3.07.016 "ANNUAL INSPECTION OF CERTAIN BUILDINGS".

The Certificate of Occupancy's and Annual Fire Inspections were together in the ordinance. We have changed the section to Annual Fire Inspections only and have added enforcement.

Mayor Pro Tem Claridge moved, seconded by CM Forester to approve Ordinance #1410-2024. All voted "Aye".

17. CONSIDER APPROVAL OF ORDINANCE #1411-2024 AMENDING THE FY 2024 BUDGET BY EXPENDING FUNDS FROM THE FIRE DEPT. DOLLAR DONATION FUND IN ORDER TO PURCHASE BALLISTIC ARMOR AND HELMETS.

We do not have the equipment for an active shooter situation and other situations. Requesting four sets that will be used by all shifts.

CM Forester moved, seconded by Mayor Pro Tem Claridge to approve Ordinance #1411-2024 up to \$4,250.00. All voted "Aye".

18. CONSIDER APPROVAL OF ORDINANCE #1412-2024 AMENDING ARTICLE 1.09 "EVENTS CENTER" SPECIFICALLY UNDER SECTION 1.09.003 "CONSUMPTION OR POSSESSION OF ALCOHOLIC BEVERAGES".

Request is to increase the cost of the uniform Police Officers to monitor the rentals with a special permit from \$40.00 per hour to \$65.00 per hour; and allowing alcoholic beverages at city sponsored entertainment including concerts by adopting Ordinance # 1412-2024.

CM Forester moved, seconded by CM Rodriguez to approve Ordinance #1412-2024 increase the uniformed Police Officers pay to \$65.00 per hour and allowing alcoholic beverages at city sponsored entertainment including concerts. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

19. DISCUSSION AND/OR ACTION ON RECENT LEGISLATION ALLOWING HOME RULE CITIES THAT ARE CITY MANAGER/COUNCIL GOVERNMENT BY DECEMBER 31, 2024 BY RESOLUTION TO MOVE MUNICIPAL ELECTIONS FROM MAY TO NOVEMBER.

State law just passed where municipalities that are Home Ruled and are a City Manager form of government to be able to move their elections from May to November. The deadline to decide is December 31, 2024. Recommended to wait until November 2024 to make the decision. The seats that are up in May 2025 will wait until November 2025 to run for election.

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.

Personnel: Police has one opening; Public Works has 3 openings. Keep the Fort Worth Firemen in your prayers that were involved in the accident. Medstar-Meeting on the 20th and the consultant will start with the results. The municipal governments can have their own ambulance service. March 5th is the final meeting and then it will be brought before council.

Elections: sign ups continue thru Friday, February 16th 5:00 p.m. So far Steve Holland has signed up.

Jolly's C-Store: 1-2 months before opening.

TML Insurance: payroll increased 16.1%.

21. DISCUSSION AND/OR ACTION ON 75TH YEAR ANNIVERSARY CELEBRATION.

Showed the new banners, received stickers, and talked about maybe shirts with the new logo. Looking at in October having the CISD band there and show slide shows.

CORRESPONDENCE:

22. COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS.

CA Anderlee-River Oaks has good city staff.

Mayor Pro Tem Claridge-appreciate the invite to the banquet. City of Fort Worth is re-looking at the Air B&B's.

CM Rodriguez-thanked Police Chief for the banquet.

EMC Myrick-talking about the security on the areas for the World Cup Soccer games at AT&T stadium in 2025 and 2026.

EXECUTIVE SESSION:

23. CONVENE IN EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE: THE COUNCIL RESERVES THE RIGHT TO CONVENE IN EXECUTIVE SESSION(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.

Executive Session was done before Item #8 for Items #8, 18 and 19.

RECONVENE:

24. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

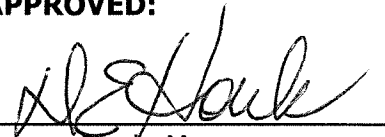
Action was taken under Item #18.

ADJOURN:

25. ADJOURN

At 8:16 p.m., Mayor Houk adjourned the meeting.

APPROVED:


Darren Houk, Mayor

ATTEST:


Paula Luck, City Secretary