

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

MEMBERS PRESENT:

MAYOR JOE ASHTON
MAYOR PRO TEM DARREN HOUK
COUNCIL MEMBER YOLIE RODRIGUEZ
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER JOHN CLARIDGE

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
POLICE CHIEF CHRIS SPIELDENNER
EMERGENCY MGT JAMES MYRICK
CITY ATTORNEY BEN GIBBS
UTILITY BILLING COORDINATOR BLYTHE REAVES
EVENT CENTER DIRECTOR SHIRLEY WHEAT

ABSENT:

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, February 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

Mayor Ashton announced that Renee Smith-Faulkner was sworn in last night as the CISD Superintendent.

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 25, 2022 REGULAR CALLED COUNCIL MEETING

B. APPROVE BILLS PAYABLE FOR PERIOD ENDING FEBRUARY 8, 2022 (FY2022)

CM Claridge moved, seconded by CM Rodriguez 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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. CONSIDER APPROVAL OF REQUEST FROM LISA FULD AT 1844 INSPIRATION LANE TO PURCHASE FROM THE CITY THE REMAINING 0.1715 ACRES NOT INCLUDED WITH THE SEPTEMBER 2020 PURCHASE FROM THE CITY OUT OF THE ORIGINAL 0.3221 ACRES IN THE J.D. QUINN SURVEY.

At 6:05 p.m., Mayor Ashton went into Executive Session under Section 551.071.

At 6:14 p.m., Mayor Ashton reconvened into Open Session.

Lisa Fuld was present. The request is to purchase the remaining of the 0.3221 acres. 0.1506 acres was previously purchased by the Fuld's. What is left to purchase is .1715 acres and the appraisal from two years ago was \$6,000.00. The city will need a full-size plat to record at the county. If council approves, will have to bring back an ordinance at the next meeting.

CM Chisholm moved, seconded by CM Claridge to approve selling 0.1715 acres to the Fuld's with the buyer paying all closing costs and the buyer will have to provide a full-size plat to the city. All voted "Aye".

ORDINANCES/RESOLUTIONS REGARDING COUNCIL APPROVAL/ACTION:

9. CONSIDER APPROVAL OF ORDINANCE #1339-2022 AMENDING ARTICLE 8.07 "PETS INSIDE MUNICIPAL BUILDINGS".

Blythe Reaves was present. Blythe has trained service dogs since 1994. Right now, no animals are allowed inside City Hall. We need to allow animals in the building if they are service animals. We can not ask why a person needs to bring a dog inside. Would prefer if the owner of the animal has something on the animal saying it is a service animal. Added in this ordinance is if a

person brings in an animal and that animal injures someone, the city is not liable. It is the owner's responsibility. We need to change the sign on the door saying something like "Only Service Animals Allowed".

Mayor Pro Tem Houk moved, seconded by CM Chisholm to approve Ordinance #1339-2022 pending approval from the City Attorney. All voted "Aye".

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

10. PUBLIC HEARING: IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE PROPOSED IN ORDER TO RECEIVE CITIZEN COMMENTS ON AMENDING CHAPTER 4, "BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES, TO CREATE A DEFINITION AND DEFINE THE STANDARDS AND REVIEW PROCESS FOR SHORT-TERM RENTALS; AMENDING APPENDIX A, "FEE SCHEDULE", PROVIDING FOR ADMINISTRATIVE FEES ASSOCIATED WITH PERMITTING AND INSPECTION OF SHORT-TERM RENTAL PROPERTIES.

This item will be discussed in Executive Session.

11. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF ORDINANCE #1340-2022 AMENDING CHAPTER 4, "BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES, TO CREATE A DEFINITION AND DEFINE THE STANDARDS AND REVIEW PROCESS FOR SHORT-TERM RENTALS; AMENDING APPENDIX A, "FEE SCHEDULE", PROVIDING FOR ADMINISTRATIVE FEES ASSOCIATED WITH PERMITTING AND INSPECTION OF SHORT-TERM RENTAL PROPERTIES.

This item will be discussed in Executive Session.

WORK SESSIONS:

12. DISCUSS THE FUTURE OF THE ECONOMIC DEVELOPMENT CORPORATION (EDC) AND ITS SALES TAX.

CS Luck reached out to Lake Worth and Haltom City. Lake Worth responded and after the election, they reallocated the 4B tax of .50% to the General Fund along with Street Maintenance tax of 0.25%. The 4B EDC did not carry any debt so the fund balance can be expensed on various projects.

To reallocate the EDC sales tax, we will have to hold an election. It was suggested that we make EDC a department in the General Fund. Right now, EDC's bank balance is over \$600,000.00. It also was suggested that we need a part-time employee as an EDC Coordinator and to relieve the job duties from City Manager Gregory.

Council agreed to hold off for several months or even a year to think about what needs to be done. We can wait and have this election in May 2023 with our City Council election if that is the direction council wants to go.

13. CONSIDER REVISIONS OF THE CITY'S SIGN ORDINANCE AS CODIFIED IN ARTICLE 3.12 "SIGNS" OF THE RIVER OAKS CODE.

The areas we have been working on are highlighted for council to review. The portable signs seem to be a problem. Brent Forrester of 5601 James Drive suggested maybe to allow the portable signs twice a year. Council agreed to allow portable signs for 30 consecutive days once a year for any business and to treat grand opening signs and regular portable signs separately.

Attached signs on building would like to change to 75% of the building can have a sign but 25% of the building remains open.

Political Signs are only permitted two weeks prior to the start of early voting. Council would like to see no limit on political signs.

This ordinance will be brought back on March 8th with the changes and some clean up.

14. STRATEGIC PLANNING PERTAINING TO THE ESSENTIAL AREAS OF MUNICIPAL OPERATIONS, DEPARTMENTS AND ADMINISTRATION THAT INCLUDE BUT IS NOT LIMITED TO COMMUNITY CENTER OPERATIONS, ANIMAL CONTROL, FIRE DEPARTMENT, POLICE DEPARTMENT, EMERGENCY MANAGEMENT, PUBLIC WORKS INFRASTRUCTURE IMPROVEMENTS UNDER TWDB FUNDING, DEVELOPMENT, ZONING, LAND USE, FUTURE DEVELOPMENT PLANNING, TAX INCREMENT REINVESTMENT ZONE (TIRZ) FINANCING, UPDATES ON STREET IMPROVEMENTS, AND STAFF REPORTING INVOLVING WATER QUALITY.

Police Department have three vacant officer positions and one vacant dispatch position. In process of hiring a dispatcher. Sansom Park is hiring officers at about \$9,000.00 more than what we start at. Every city no matter the size is experiencing officer shortages. We need to look at a permanent animal control facility and start raising funds. Mayor Ashton and CM Gregory has had a meeting with Todd with the YMCA and will be meeting with Todd again soon. Citizen Brent Forrester has seen a lot of negative comments on the water quality. The city has replaced a lot of water and sewer lines and are in the process of replacing the roads. The city has not had a bad water report in many years.

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

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

This item will be discussed in Executive Session.

16. 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.

Grumps is making headway but plans to open the middle of March.

Jolly's are close to starting construction.

The employee letter of commendation will be postponed to the next council meeting.

CORRESPONDENCE:

17. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

NONE

EXECUTIVE SESSION:

18. 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 7:47 p.m., Mayor Ashton went into Executive Session for Item #10, #11 & #15 under Section 551.071.

At 8:12 p.m., Mayor Ashton reconvened into Regular Session.

RECONVENE:

19. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

Item #10- Mayor Ashton opened the Public Hearing at 8:12 pm.
Mayor Ashton closed the Public Hearing at 8:13 p.m.


Item #11 No action was taken.

ADJOURN:

20. ADJOURN

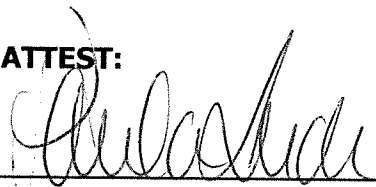
At 8:14 p.m., Mayor Ashton adjourned the meeting. All voted "Aye".

APPROVED:



Joe Ashton, Mayor

ATTEST:



Paula Luck, City Secretary