

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
MARCH 14, 2023**

MEMBERS PRESENT:

MAYOR JOE ASHTON
MAYOR PRO TEM DAN CHISHOLM
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER YOLIE RODRIGUEZ
COUNCIL MEMBER LEIGH ANN TURNER

STAFF PRESENT:

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

ABSENT:

NONE

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, March 14, 2023 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.

-PROCLAIMING APRIL 2023 AS CHILD ABUSE PREVENTION MONTH

Esther Saldivar with Alliance for Children was present.

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.

Don Istook (1700 Inspiration Lane)-have built homes in River Oaks that had vacant lots or substandard houses on them. Looking at the property at 5550 Baylor. The city has received zero tax dollars on this property in 60-70 years. Propose either him or someone else purchasing the

property from the city to develop into homes. Looking at five homes on that property which would sell for about \$300,000.00 to \$350,000.00 per home.

The city is waiting on the Park Master Plan to be complete. If the city does decide to sell the property, the city will have to go out for bids. Mayor Ashton would like to see this on the agenda on either March 28th or April 11th, 2023.

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 FEBRUARY 28, 2023 REGULAR CALLED COUNCIL MEETING

B. APPROVE BILLS PAYABLE FOR PERIOD ENDING FEBRUARY 28, 2023 (FY 2023)

C. APPROVE ECONOMIC DEVELOPMENT AGREEMENT FOR BUSINESS IMPROVEMENT GRANT WITH ATOMIC THEN AND NOW LOCATED AT 5410 RIVER OAKS BLVD AS RECOMMENDED BY THE ECONOMIC DEVELOPMENT CORPORATION.

CM Gregory pulled Item #C from the Consent Agenda.

CM Holland 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.

Item #C-the changes are under Eligible Costs, Terms, Covenants of Atomic Then and Now, and Payments by Corporation. EDC approved this last night to recommend to the City Council.

Mayor Pro Tem Chisholm moved, seconded by CM Holland to approve Item #C on the Consent Agenda with the noted changes. All voted "Aye".

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

8. CONSIDER APPROVAL TO AMEND THE DECEMBER 13, 2022 COUNCIL ORDER ON THE SUBSTANDARD PROPERTY AT 4844 HARTFORD.

Arlynn Purvis was present. Permits are paid, substandard fee is paid, electric permit is paid, the electric final inspection is scheduled for tomorrow, and a plan of action was turned in. Requesting 89 days to finish the property. Friday if weather permits, working on the driveway. Has requested the plumber to pull his permit. The intent is to rent this house out.

CM Claridge moved, seconded by CM Rodriguez to amend the December 13, 2022 council order at 4844 Hartford for an additional 60 days from today. All voted "Aye".

9. CONSIDER APPROVAL OF CIVIL ENGINEERING SERVICES FROM MJ THOMAS ENGINEERING ON LONG AVENUE FROM RIVER OAKS BLVD TO SHENNA BLVD FOR PAVING REPLACEMENT UNDER THE 2021 CONSTRUCTION BOND.

Mikey Thomas was present. The curbs and gutters are bad on this section of Long. There are two phases: Phase 1-Long Avenue from River Oaks Blvd to Thurston at a cost of \$21,750.00; Phase 2-Long Avenue from Shenna Blvd to Thurston at a cost of \$20,274.00. Total is \$42,024.00 which would come out of the street bond account. After the curbs and gutters are complete, the street will be ready for paving.

Mayor Pro Tem Chisholm moved, seconded by CM Holland to approve the services on Long Avenue and authorizing CM Gregory to execute the agreement. All voted "Aye".

10. CONSIDER APPROVAL OF PROPOSAL WITH MJ THOMAS ENGINEERING FOR MONTHLY RETAINAGE FEE FOR DRAINAGE CIVIL ENGINEERING SERVICES.

Mickey Thomas was present. Over the years, been attending council meetings, storm water meetings, phone calls, etc. These are things that a project is not assigned to and feels a retainage fee would work well. Spends about 10 hours a month on these small items and requests a \$3,000.00 flat fee a month which would be paid out of Storm Water.

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve the monthly retainage fee with MJ Thomas Engineering. All voted "Aye".

11. CONSIDER APPROVAL OF AGREEMENT APPROVING AN ANNUAL LEASE AGREEMENT FOR USE OF MCGEE PARK FOR THE 2023 BASEBALL & SOFTBALL SEASON BY LIONS YOUTH SPORTS ASSOCIATION (LYSA).

The Park Board approved recommending this to the City Council for approval. There are 15 teams this spring. This is an annual agreement. Recalculated the electricity consumption and the upgrade on the lighting system and increased the utilities to \$25.00 per hour per field. The last two years, LYSA has fulfilled the contract.

Mayor Pro Tem Chisholm moved, seconded by CM Holland to approve the revised lease agreement with LYSA. All voted "Aye".

12. CONSIDER APPROVAL AUTHORIZING THE CITY MANAGER ON BEHALF OF THE CITY OF RIVER OAKS SIGNING ON TO THE LETTER DATED MARCH 7, 2023 FROM TARRANT COUNTY EXPRESSING SUPPORT FOR A STUDY AND PLANNING GRANT FOR A STATE HOSPITAL IN TARRANT COUNTY.

Commissioners Court is asking for our support. The deadline is tomorrow.

Mayor Pro Tem Chisholm moved, seconded by CM Holland to authorize the City Manager to sign a letter supporting a state hospital for Tarrant County. All voted "Aye".

13. CONSIDER APPROVAL OF JOINT ELECTION AGREEMENT AND CONTRACT BETWEEN TARRANT COUNTY ELECTIONS ADMINISTRATOR AND THE CITY OF RIVER OAKS INCLUDING APPROVAL FOR PAYMENT OF THE INITIAL DEPOSIT FOR ELECTION SERVICES.

There are five entities using the polls so our cost went down. The cost is \$5,467.17 with \$4,110.00 deposit due upfront.

CM Holland moved, seconded by CM Claridge to approve the Joint Election Agreement and Contract. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

14. CONSIDER APPROVAL OF ORDINANCE #1371-2023 AMENDING ARTICLE 13.02 "UTILITY POLICY", DIVISION 2 "WATER SERVICE POLICY" SPECIFICALLY UNDER SECTION 13.02.038 "WAIVER OF CHARGES; ADJUSTMENTS TO BILL", OF THE RIVER OAKS CODE OF ORDINANCES BY REVISING SECTION 13.02.38(a) "RESPONSIBILITY FOR LEAKS" INCORPORATING A LEAK ADJUSTMENT POLICY FOR COMMERCIAL ACCOUNTS.

Fort Worth will investigate it. In the meantime, recommend adjusting the water portion only for commercial accounts. The policy is the same as the residential accounts except water only is adjusted for commercial accounts.

Mayor Pro Tem Chisholm moved, seconded by CM Rodriguez to approve Ordinance #1371-2023. All voted "Aye".

Larry at 749 Schilder asked about a schedule from TXDOT for the lights. Mayor Ashton mentioned this normally would be discussed during Public Testimony but will allow at the end of the meeting to discuss. Otherwise, can get with CM Gregory.

15. CONSIDER APPROVAL OF ORDINANCE #1372-2023 AMENDING ARTICLE A.02 "SCHEDULE OF FEES AND CHARGES" UNDER SECTION A.02.001 "ESTABLISHED GENERALLY" SPECIFICALLY IN SUBSECTION (a) "ADMINISTRATIVE SERVICES" (2) "PAYMENTS BY CREDIT CARD OR ELECTRONIC MEANS" REPEALING ORDINANCE #1367-2022 AS ADOPTED ON DECEMBER 13, 2022 AND REPLACING ORDINANCE #1372-2023.

The only change is moving the effective date to June 1, 2023.

CM Claridge moved, seconded by CM Holland to approve Ordinance #1372-2023. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

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.

Personnel-PD-an officer turned in his two-week notice, one in FTO and one in the academy; FD-fully staffed; PW-two positions open; one in the sewer and one as a meter reader.

Ballot Proof-has been approved by Tarrant County Elections.

Park Master Plan-survey deadline was March 10, 2023 and 200 surveys have been submitted.

Crud Mobile/Shredding Event-Saturday, April 1st from 9 am to 11 am at City Hall.

Discarded Tires-Council approved in 2019 to pick tires up with no charge in March and April of each year. Throughout the rest of the year, the city will charge the resident for pick up.

CM Claridge asked about the potholes Atmos is making in the roads if they are going to come back and level it. PWD Bell said they are supposed to make it right.

PWD Bell-started installing the new street signs yesterday. Waiting on one order to come in. Will not sell any of the old signs until all are replaced.

CM Turner-heard from citizens that we should not replace the signs but appreciates us pushing forward on the new signs.

CM Rodriguez-asked about repaving the street by the school. PWD Bell said this is in the street bond and merges with the Meandering Road project.

EMC Myrick-mosquitoes start in April. Look for bad weather this Thursday from 1 pm-8 pm.

CM Gregory-in process of replacing the lights at McGee Park. Meeting with Oncor about lighting at JR Park & Wooldridge Park.

CORRESPONDENCE:

17. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Claridge-asked if the bike trail at Woolridge Park is usable? And it isn't usable.

CM Holland-in early February, there was an incident with a resident who lives by himself. His cousin who is a former New Mexico State Police Officer, texts him daily and he normally texts back. This day, the resident did not text back. The cousin got a hold of our Police Department, and they did a welfare check and found him in distress. The former Officer praised our dispatcher, EMT's and Police Officers who responded. A letter was read to the council from him.

CM Turner-thankful for the new park lights. The Park Board agreed that they need to maintain the park. At the bike park, Public Works is supposed to spray weed killer. Wants the parks to be presentable. Attended TML with CM Rodriguez. Texas is growing 1,200 people a day. Important to have joint council workshops with the boards. Thanked the council for supporting the Park Master Plan.

CM Rodriguez-thanked the city for letting the council attend training seminars.

Mayor Pro Tem Chisholm-received email from the school about the ball field dedication on March 28th at 6:45 p.m. but we have our city council meeting during that time on that day. Charlie Geren is introducing a bill to do away with Tarrant Appraisal District and put the control with the State Comptroller Office.

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.

NONE

RECONVENE:

19. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

NONE

ADJOURN:

20. ADJOURN

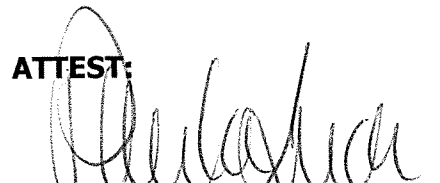
At 7:23 p.m., Mayor Ashton adjourned the meeting.

APPROVED:



Joe Ashton, Mayor

ATTEST:



Paula Luck, City Secretary