

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
MARCH 28, 2023**

MEMBERS PRESENT:

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

STAFF PRESENT:

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

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 7:30 p.m. on Tuesday, March 28, 2023 at 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

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 MARCH 14, 2023 REGULAR CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING MARCH 28, 2023 (FY 2023)

CM Claridge moved, seconded by CM Rodriguez to approve the Consent Agenda Items A-B with corrections under #5 & #17. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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:

At this time, Mayor Ashton discussed Item #10.

Renee Faulkner Smith was present. Appreciates the Mayor and Council for attending the ballfield dedication. The campaign for next year is "Leading the Way". Other districts are losing enrollment, but CISD is gaining enrollment. We need to continue to advertise enrollment. Would like to hang banners for Back the School Bash, Lions Night, LYSA and Homecoming. It was mentioned about a full banner running across the whole street but not sure if TXDOT would allow. The school can supply a plan on working with the city on installing and taking down the banners.

CM Holland moved, seconded by Mayor Pro Tem Chisholm to approve the request from CISD for street light banners. All voted "Aye".

8. CONSIDER APPROVAL OF REQUEST TO HOLD A POLICE FORCE ESCORTED CRUISE ON APRIL 21, 2023 AS A CITY SPONSORED EVENT.

The route is the same as last year but with a small change on the route.

CM Claridge moved, seconded by CM Rodriguez to approve the police force escorted cruise as a city sponsored event on April 21, 2023. All voted "Aye".

9. CONSIDER APPROVAL AWARDDING BID FOR THE PHASE I RED OAK DRAINAGE & PAVING IMPROVEMENT PROJECT #619-021 FROM THE SEALED BIDS RECEIVED AND PUBLICLY READ ALOUD ON MARCH 24, 2023 AT 2:00 P.M.

Mickey Thomas was present. Two bids were received: TexPro Construction for \$69,744.05 and Apple Pavement Services for \$119,424.05. Recommended is TexPro Construction.

CM Holland moved, seconded by Mayor Pro Tem Chisholm to award the bid to TexPro Construction in the amount of \$69,744.05 for the Red Oak Project Phase I. All voted "Aye".

10. CONSIDER APPROVAL OF REQUEST FROM CISD SUPERINTENDENT RENE SMITH FAULKNER UTILIZING THE EXISTING STREET LIGHT BANNER POLES TO ADVERTISE CASTLEBERRY ISD DURING BACK TO SCHOOL AND HOMECOMING.

This item was discussed after Item #7.

11. DISCUSSION AND/OR ACTION UPDATING PROGRESS ON THE SUBSTANDARD BUILDING AT 1909 YALE STRET AS EXTENDED ON FEBRUARY 28, 2023.

Representation on this property showed up at 6:00 p.m. instead of 7:30 p.m. CM Gregory will be meeting with the potential new owner tomorrow. Should be able to close on the property next week. The substandard fee is paid, and the permits are pulled.

Mayor Pro Tem Chisholm moved, seconded by CM Rodriguez to not to take enforcement action until the April 11, 2023 council meeting. All voted "Aye".

12. CONSIDER APPROVAL TO AMEND AND REVISE THE PLANNING & ZONING RULES AND PROCEDURES ORIGINALLY APPROVED ON APRIL 19, 2004.

The issue is getting a quorum of four members to conduct a meeting. So changed the quorum to three members; changed rules of order to Rosenberg's Rules of Order; changed the current adopted ordinance to #1331-2021; added ethics ordinance #950-2012; include from subdivision ordinance the sections applicable; changed wordings to City Manager; replaced Exhibit A & B to current Applications; and changed amendments to the Rules & Procedures can be recommended by the commission but final approval is the City Council.

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve the amended Planning & Zoning Procedures. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

13. CONSIDER APPROVAL OF ORDINANCE #1373-2023 AMENDING THE FY 2022-2023 STORM WATER FUND BUDGET BY EXPANDING THE STORM WATER FUND BUDGET IN ORDER TO EXPEND UNPLANNED FUNDS FOR CONSULTANT FEES, DRAINAGE MAINTENANCE, AND TRAINING.

The increased are due to the Red Oak project and training. Requesting is \$93,000.00 in budget amendments. The Texas Water Development Board has a new program called "Storm" which would help with drainage.

CM Claridge moved, seconded by CM Rodriguez to approve Ordinance #1373-2023. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

14. DISCUSSION AND/OR ACTION ON THE TAX CODE PROVISION FOR FILLING A VACANCY ON THE TARRANT APPRAISAL BOARD AS PRESENTED BY THE CITY ATTORNEY.

The City of Keller called for a recall on February 21, 2023. On February 22, 2023, Ms. Katherine Wilemon resigned from the board creating a vacancy. TAD sent out a notice that taxing units can nominate a candidate to fill the vacancy by April 17, 2023. The City of Keller sent out a letter to TAD stating the recall was called before the resignation and this should be treated as a recall.

No action taken.

15. 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: Public Works-2 openings; Police-4 openings; Permit Clerk-1 opening.

Election-ballot proofs are being printed. Enclosed is the fact sheet for the special election.

Park Master Plan-Public Hearing before the Park Board on April 6, 2023. The plan is to be completed no later than May 1, 2023. Would like a Special Called Council Meeting on April 18th to present the master plan but will find out if April 25th will work.

Crud Mobile/Shredding-this Saturday from 9 am to 11 am.

Discarded Tires-continued picking them up during March and April.

Springfest Car Show-Meet & Greet with police escorted cruise April 21st at 6 pm; Car Show April 22nd at YMCA Camp Carter from 10 am to 4 pm.

Filed the electric consumption. We were 25% down from last year due to the library being closed.

Filed NOI (storm drainage permit).

Sent out TIRZ invoices today.

16. 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.

17. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 1513 SKYLINE
- 5016 ALMENA
- 1114 HARVARD

- 940 CODY COURT (APT 6-13)
- 1011 ROBERTS CUT OFF
- 4844 HARTFORD
- 1909 YALE
- 4833 SHERWOOD

No questions were asked.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

CM Claridge-Boston Lane break-in. Don't have a description of the vehicle but a ring doorbell caught the loud exhaust noise.

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

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

21. **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

22. **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

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

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

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

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

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

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

CORRESPONDENCE:

29. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

Mayor Pro Tem Chisholm-Coy Byrom's funeral is this week.

CM Rodriguez-asked about the air B&B's. As of right now, they are not permitted in River Oaks.

Mayor Ashton-Coy Byrom was a great guy and a lot of joy to people.

EXECUTIVE SESSION:

30. 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 compliant or charge against an Officer or Employee;
- d. Section 551.076 Deliberation regarding security devices.

At 8:23 p.m., Mayor Ashton went into Executive Session under Sections 551.071 & 551.072.

At 8:46 p.m., Mayor Ashton reconvened into Regular Session.

RECONVENE:

31. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

NONE

Back to Item #5-in March, Jim Byrom was honored a high award with the Lions Club.

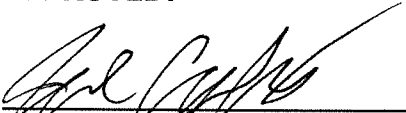
The 50th annual Lions Club Easter Egg Hunt is April 8th at Inspiration Point.

ADJOURN:

32. ADJOURN

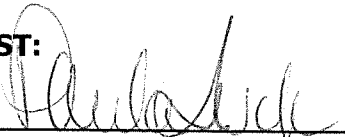
At 8:47 p.m., Mayor Ashton adjourned the meeting.

APPROVED:



Joe Ashton, Mayor

ATTEST:



Paula Luck, City Secretary