

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
APRIL 11, 2023**

MEMBERS PRESENT:

MAYOR JOE ASHTON-6:02 p.m.
MAYOR PRO TEM DAN CHISHOLM
COUNCIL MEMBER STEVE HOLLAND-6:50 p.m.
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
ASST PW SUPERINTENDENT ALAN RANDALL
ATTORNEY ELIZABETH YELVERTON
UTILITY BILLING COORDINATOR BLYTHE REAVES

ABSENT:

NONE

1. CALL TO ORDER

With a quorum present, Mayor Pro Tem Chisholm called the Regular Meeting of the River Oaks City Council to order at 6:00 p.m. on Tuesday, April 11, 2023 at the 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

CM Rodriguez 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.

Larry at 749 Schilder-what is the official notification of the agendas because they are not posted on the website. The agendas are posted on our website, on the outside bulletin board, and sent out by email 72 hours in advance. Larry would like to petition TXDOT to adjust the timings of

the traffic lights on the boulevard. The lights on the boulevard are set by the traffic control division and the city has reached out to TXDOT.

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 28, 2023 REGULAR CALLED COUNCIL MEETING

B. APPROVE BILLS PAYABLE FOR PERIOD ENDING APRIL 11, 2023 (FY 2023)

C. APPROVE EDC FY 2023 2ND QUARTER REPORT (JANUARY1 – MARCH 31, 2023)

D. APPROVE ECONOMIC DEVELOPMENT AGREEMENT FOR BUSINESS IMPROVEMENT GRANT WITH COWTOWN NUTRITION LOCATED AT 5430 RIVER OAKS BLVD AS RECOMMENDED BY THE ECONOMIC DEVELOPMENT CORPORATION.

Item #D is being pulled from the Consent Agenda.

CM Claridge moved, seconded by Mayor Pro Tem Chisholm 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.

The revised agreement was sent out by email. The total cost for the project is \$9,500.00 (\$4,750.00 is the city's part). The painting cost was reduced. Receipts, invoices, the affidavit form from the property owner, and the tax certificate will need to be turned in.

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve Item #D with the noted changes. All voted "Aye".

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

8. CONSIDER APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) FOR EMERGENCY SHELTERING AT THE RIVER OAKS COMMUNITY CENTER BETWEEN CISD AND THE CITY.

Our City Attorney has reviewed the MOU and has made recommendations. The revised MOU was sent over to CISD and they have signed it.

Mayor Pro Tem Chisholm moved, seconded by CM Claridge to approve the MOU between CISD and the city. All voted "Aye".

9. CONSIDER APPROVAL TO EXTEND, AMEND, MODIFY OR ISSUE SUBSEQUENT ORDERS IN ORDER TO ABATE ALL SUBSTANDARD VIOLATIONS ON THE PROPERTY AT 1909 YALE STREET FROM THE NOVEMBER 22, 2022 COUNCIL ORDER THAT MAY INCLUDE SECURITY, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S) IN ORDER TO BE BROUGHT INTO COMPLIANCE WITH SECTION 3.07.004 OF THE RIVER OAKS CODE OF ORDINANCES (2020) AS AMENDED).

Talked with the title company, and just waiting for the closing date. The 30 days is up, and staff recommends postponing this to the April 25th, 2023 Council Meeting. A lot of work has been done on the outside.

CM Claridge moved, seconded by CM Rodriguez to allow a 14-day extension and for staff not to enforce. All voted "Aye".

10. DISCUSSION AND/OR ACTION ON TEXAS EMISSIONS REDUCTION PROGRAM (TERP) EQUIPMENT REPLACEMENT REBATE GRANT THROUGH THE TEXAS COMMISSION OF ENVIRONMENTAL QUALITY (TCEQ) FOR PURCHASING TWO BACKHOES.

This is an extension of the previous grant. We have a 1994 backhoe that is eligible for a \$96,000.00 rebate and we have a 2006 backhoe that is eligible for a \$74,000.00 rebate. Total price for two new backhoes is \$260,444.24 with \$170,006.00 towards the grant, and the city's cost is \$90,438.24. We submitted the application last week because we had a small window to get it submitted. The engine blocks will be destroyed on the old backhoes, and we will scrap the rest. One backhoe will be paid out of the General Fund and the other one will be paid out of Water Sewer. These new backhoes are the same size as our current ones and will continue to meet our needs.

CM Claridge moved, seconded by CM Rodriguez to submit the applications. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

11. CONSIDER APPROVAL OF ORDINANCE #1374-2023 AMENDING CHAPTER 4 "BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES, CITY OF RIVER OAKS, TEXAS BY ADDING AN ARTICLE 4.10 "BOARDING HOMES" ESTABLISHING THE INSPECTION, REGISTRATION AND PERMITTING OF BOARDING HOMES, AND ESTABLISHING ENFORCEMENT AUTHORITY; PROVIDING RECORD KEEPING REQUIREMENTS.

This ordinance is to set up the permit process, regulate the homes, and have them documented. Right now, if a person wants to have a boarding home, we cannot say no. The cost for this permit will be \$1,500.00. There will only be one home allowed within a ½ mile radius. This is not the same as the Air B & B which we may need to go ahead and get that ordinance together for regulations.

The City of Fort Worth is about to start enforcing their ordinance and when they do, the people will go to other cities.

CM Claridge moved, seconded by CM Rodriguez to approve Ordinance #1374-2023. All voted "Aye".

12. CONSIDER APPROVAL OF THE MID-YEAR FY 2022-2023 OPERATIONAL CITY BUDGETS AS PRESENTED BY THE CITY MANAGER AND APPROVAL OF ORDINANCE #1375-2023 AMENDING THE FY 2022-2023 FISCAL YEAR BUDGETS.

At this time, Mayor Ashton stepped out for a minute and Mayor Pro Tem Chisholm will take over the meeting until he returns.

We were able to move money around within the departments but were unable to move some money around and need to make budget adjustments. This is the least amount we have asked for in mid-year adjustments in a while. In General Fund, we have collected 61.19% and expended 46.85%. In Water Sewer, we have collected 46.51% and expended 46.85%. We are asking for \$40,932.67 in adjustments in the General Fund, and \$26,100.00 in adjustments in the Water Sewer.

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve Ordinance #1375-2023. All voted "Aye".

13. CONSIDER APPROVAL OF ORDINANCE #1376-2023 AMENDING CHAPTER 13 "UTILITIES" ARTICLE 13.03 "WATER SYSTEM", SECTION 13.03-009 "METER DEPOSITS & OTHER FEES", SUBSECTION (a) "WATER METER DEPOSIT" OF THE RIVER OAKS CODE OF ORDINANCES (2020) AS AMENDED CHANGING THE DEPOSIT FEE FOR CONSTRUCTION FIRE HYDRANT METERS FROM \$1,000 TO \$2,000 WITH CERTAIN CONDITIONS.

Currently we have no criteria. We are requesting the deposit amount to be \$2,000.00 to cover the cost of a new meter, a service fee of \$30.00, and a monthly rental fee of \$50.00. The meters will also be ran through our system so they will be billed monthly.

CM Holland moved, seconded by CM Claridge to approve Ordinance #1376-2023. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

At this time, Item #15 will be discussed. The fireworks will be scheduled for June 24th at Victory Church, and they will participate in the fireworks like they have done in the past.

CM Holland moved, seconded by Mayor Pro Tem Chisholm to approve this year's All-American Festival for June 24th. All voted "Aye".

14. 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-there are three openings in Public Works and four openings in Police. In the process of hiring a permit clerk. The Animal Control position was posted since he is going through the police academy.

Election-early voting starts April 24th.

Park Master Plan-will hold a meeting with the Park Board in May.

Discarded tires-continuing thru April 30th.

Springfest Car Show-escorted cruise is April 21st at 6:00 p.m. at Grumps and the Car Show is April 22nd at YMCA Camp Carter from 10:00 a.m. to 4:00 p.m.

15. CONSIDER APPROVAL OF THE DATE OF THIS YEAR'S ALL-AMERICAN FESTIVAL.

This item was discussed after Item #13.

CORRESPONDENCE:

16. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

Mayor Pro Tem Chisholm-RCC meeting April 17th at Russell Hall to honor Herman Earwood at 1:30 p.m. They will be updating the 199 project and other projects.

CM Gregory-Boston Lane will be needing to pour concrete in the middle of the night like they did before. They will be pouring two new foundations. Council ok'd this if the neighbors are notified.

EXECUTIVE SESSION:

17. 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.

NONE

RECONVENE:

18. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

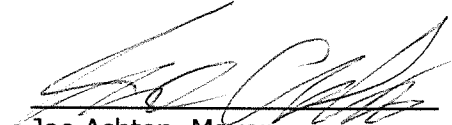
NONE

ADJOURN:

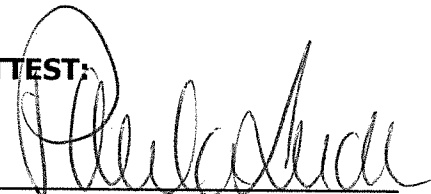
19. ADJOURN

At 7:34 p.m., Mayor Ashton adjourned the meeting.

APPROVED:


Joe Ashton, Mayor

ATTEST:


Paula Luck, City Secretary