

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
APRIL 25, 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  
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, April 25, 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.

-WEEK OF MAY 21-27, 2023 AS EMERGENCY MEDICAL SERVICES WEEK

CEO Ken Simpson, PC Stewart, and FC Shelley were present to receive the proclamation.

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.

Billy Stephenson (1728 Inspiration Lane)-the property next door at 1732 Inspiration Lane was recently sold and the new owners made this into an Air B&B. There are loud parties, lots of vehicles exist, etc. Asked the new owners when they were moving in, and they said in a year or so. Feels they bought it specifically for an Air B&B. The HOA has addressed the owner

several times, but the HOA is afraid of being sued. The HOA is in the process of updating their regulations. Mayor Ashton mentioned there is Item #15 on this agenda that will address this.

Darren Houk-Springfest was a huge success. There were 200 cars, 110 vendors, two local River Oaks Bands, two past River Oaks Mayors, the current River Oaks Mayor, Fort Worth Mayor, and a Radio Station. The Best of Show award went to John Claridge and an award was presented to him tonight. A lot of help from others that include Marvin Gregory, Jeremy Bell, Chuck Stewart, Eric Perkins, River Oaks Police, River Oaks Fire, CISD, Camp Carter, wife Tonya, Mark Nobles, Royce Shields, Brent Forrester, and the EDC.

PC Stewart-raised \$2,400.00 in the raffle towards the Animal Shelter. Adopted four out of the six dogs.

**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 APRIL 11, 2023 REGULAR CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING APRIL 25, 2023 (FY 2023)
- C. APPROVE 2<sup>ND</sup> QUARTER FY 2023 CRIME CONTROL & PREVENTION DISTRICT FINANCIAL REPORT (JANUARY 1-MARCH 31, 2023)
- D. APPROVE 2<sup>ND</sup> QUARTER FY 2023 STORM WATER FUND FINANCIAL REPORT (JANUARY 1-MARCH 31, 2023)
- E. APPROVE 2<sup>ND</sup> QUARTER FY 2023 INVESTMENT REPORT (JANUARY 1-MARCH 31, 2023)

**Mayor Pro Tem Chisholm moved, seconded by CM Claridge to approve the Consent Agenda Items A-E. 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. MEDSTAR MOBILE HEALTHCARE ANNUAL UPDATE AND PRESENTATION BY CEO KEN SIMPSON

CEO Ken Simpson was present to present a power point presentation and to answer any questions.

9. CONSIDER APPROVAL OF REQUEST FROM ABIGAIL OFFENBAKER, COMMUNICATIONS SPECIALIST FOR CASTLEBERRY SCHOOL DISTRICT, TO INSTALL A TEMPORARY BANNER ON THE FENCE AT THE COMMUNITY CENTER AT THE CORNER OF ROBERTS CUT OFF AND BLACKSTONE ADVERTISING SCHOOL ENROLLMENT.

Abigail Offenbaker was present. Requesting two temporary CISD banners to advertise enrollment to be installed at the corner of the fence at the Event Center. These banners will be up until the end of June. There is a \$35.00 permit fee required unless the council wants to waive.

**CM Holland moved, seconded by CM Claridge to approve the temporary banners and to waive the permit fee. All voted "Aye".**

10. CONSIDER APPROVAL OF CITY COUNCIL CHAMBERS SHURE WIRELESS MICROPHONE SOUND SYSTEM.

Jacob Bowser was present. A couple of years ago, we budgeted \$10,000.00 out of the Rescue Act for a new sound system. It has been a two-year process finding what we need. This new system is the same system the school uses in their board meetings. It is a wireless system, allows for digital voting, you can set it to press a button when you need to speak, and each member will have a microphone. These are rechargeable microphones, and a charging station will need to be installed somewhere. The cost includes installation and there are no ongoing costs. Would like to pay for this project out of the Construction Bond instead of the Rescue Act. This will solve the audio issues. The visual issues are a separate issue.

**CM Holland moved, seconded by CM Rodriguez to approve the purchase of a new wireless microphone system. All voted "Aye".**

At 7:00 p.m., Mayor Ashton went into Executive Session under Item #15 under Section 551.071.

At 7:36 p.m., Mayor Ashton reconvened into Regular Session.

At this time, Mayor Ashton discussed Item #15: there have been court cases over the last few years and some cities have banned the Air B&B's and some have allowed them with regulations. They were told by the courts they cannot be banned. The Ordinance tonight is to regulate them, but we need to iron out some things and will bring them back at the next Council Meeting. With this ordinance, we would have the owner's information, so we are able to regulate them. At the next meeting, this will be discussed in an open meeting.

11. DISCUSSION AND/OR ACTION UPDATING PROGRESS ON THE SUBSTANDARD BUILDING AT 1909 YALE STRET AS EXTENDED ON APRIL 11, 2023 UNTIL APRIL 25, 2023.

Jim Bradley, the new owner, was present. This property was closed on April 17, 2023, and a new deed was presented. This property has already been cleaned up inside and out. Permits have been pulled. Plans are to do a total remodel in the kitchen and bathroom. All will be new from top to bottom. Jim's son may move into the house when completed. Feels in three months, this house will be transformed.

**Mayor Pro Tem Chisholm moved, seconded by CM Rodriguez to approve a 60-day extension from tonight and require him to return in 60 days to report on the progress. All voted "Aye".**

12. CONSIDER APPROVAL TO REVISE THE PLANNING & ZONING RULES AND PROCEDURES UNDER ARTICLE VI "HEARINGS AND DECISIONS" SPECIFICALLY FOR "DEBATE AND VOTE" AS RECOMMENDED BY THE PLANNING & ZONING COMMISSION ON APRIL 18, 2023.

This copies what the Zoning Board of Adjustment does. The change is when picking alternates, it will be done by lottery.

**CM Claridge moved, seconded by CM Rodriguez to approve the Planning & Zoning Rules and Procedures. All voted "Aye".**

13. DISCUSSION AND/OR ACTION AUTHORIZING THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF RIVER OAKS ALL MATTERS RELATED TO A NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) SOLID WASTE GRANT APPLICATION FOR A SKID STEER LOADER AND TRAILER FOR THE CURBSIDE TREE LIMB/BRUSH RECYCLING PROGRAM.

Looking at upgrading the 2000 skid steer and trailer to a 2023 model. This machine picks up 90% of the brush and bulk items. This grant is 100% reimbursable so there is no financial impact on the city. The total cost for the skid steer and trailer is \$81,617.75.

**Mayor Pro Tem Chisholm moved, seconded by CM Holland to approve submitting the grant application. All voted "Aye".**

14. CONSIDER APPROVAL OF FIRST AMENDMENT TO CITY SECRETARY CONTRACT NO. 49808 BETWEEN THE CITY OF FORT WORTH AND THE CITY OF RIVER OAKS FOR PARTICIPATION IN THE ENVIRONMENTAL COLLECTION CENTER HOUSEHOLD HAZARDOUS WASTE PROGRAM.

The increase is from \$50.00 to \$95.00 per household and will be in effect October 1, 2023.

**CM Holland moved, seconded by CM Claridge to approve the contract with the City of Fort Worth. All voted "Aye".**

**ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:**

15. CONSIDER APPROVAL OF ORDINANCE #1377-2023 AMENDING CHAPTER 4 "BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES, CITY OF RIVER OAKS, DEFINING SHORT-TERM RENTAL AND PROVIDING FOR 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 was discussed after Item #10.

16. CONSIDER APPROVAL OF RESOLUTION #1101-2023 TO APPLY FOR A GRANT FROM THE MOTOR VEHICLE CRIME PREVENTION AUTHORITY TO PROVIDE FINANCIAL SUPPORT TO LAW ENFORCEMENT AGENCIES FOR ECONOMIC MOTOR VEHICLE THEFT AND FRAUD-RELATED MOTOR VEHICLE CRIME ENFORCEMENT TEAMS.

This grant is through the Texas Department of Motor Vehicles for flock cameras. We were approved for two flock cameras from the council a while back. This grant will add more cameras with the grant paying out 80%. Will be able to put the previously two purchased cameras on this grant. It would cost the city about \$5,000.00 for the cameras and we can take this out of the CCPD budget.

**CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve Resolution #1101-2023. All voted "Aye".**

**OTHER ITEMS FOR DISCUSSION AND/OR ACTION:**

17. DISCUSSION AND/OR ACTION REGARDING PROVIDING THE QUESTION REGARDING POLICE ACADEMY CERTIFICATION FOR POTENTIAL POLICE OFFICER RECRUITS AS PRESENTED BY THE CITY ATTORNEY.

This item will be tabled to the next meeting.

18. DISCUSSION AND/OR ACTION ON THE QUESTION REGARDING THE LEGALITY ASSOCIATES WITH RENTING OUT ROOMS IN A SINGLE-FAMILY OCCUPANCY AS PRESENTED BY THE CITY ATTORNEY.

No discussion needed.

19. 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-CS Stewart clarified Sergeant Tobar's resignation which was an agreed resignation. There are four openings (1-ACO employee will be starting the academy, 1-military person is working through the academy, and there are two applications being looked at).

FD-two weeks away from the remodel completion and will remain under budget. FC Shelley explained a little more on the Medstar report on responding to people.

Food Bank-CM Turner questioned this. Food Bank will be charging us \$6,000.00 a year for us to continue with the program with them delivering the food. The city does not have the manpower and the equipment to pick the food up. We have someone who committed to donating \$500.00 a month towards 501c3. After this donation ends, we will have to decide what to do. Currently we have a minimum of 150 cars that come to this program.

20. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 1513 SKYLINE

- 5016 ALMENA
- 940 CODY COURT (APT 6-13)
- 4844 HARTFORD
- 1909 YALE
- 4833 SHERWOOD

No questions were asked.

**QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:**

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

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

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

24. **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

25. **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

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

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

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

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

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

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

**CORRESPONDENCE:**

32. COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS.

CM Claridge-more showed up to the car show this year than last.

CM Holland-there were several events in the area going on Saturday: Springfest, Main Street Arts Festival, Trash Bash, and music on Panther Island. Would like to send a letter to the City of Fort Worth about how great the music was. It could be heard from all over.

Mayor Ashton-this is his last meeting before the election.

CM Turner-there are signs around the city that are politically driven that say to vote against defunding the EDC. There is nothing on the signs that say who paid for them which by law has to say who paid for them. CM Gregory will follow up on this, but the city and the state doesn't have the authority to say what someone can put on a sign.

CM Rodriguez-wasn't at the candidate forum. CM Gregory is doing a great job. Heard this forum turned out to be more about EDC than the candidates. Feels it should be live streamed.

Mayor Ashton-the forum was a private event not the city's. Maybe in the future look at combining the forum event with the school.

**EXECUTIVE SESSION:**

33. 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.

This item was discussed after Item #10 for Item #15.

**RECONVENE:**

34. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

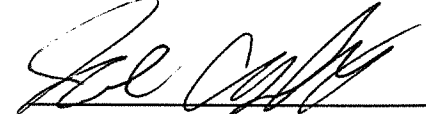
**NONE**

**ADJOURN:**

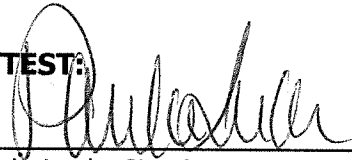
35. ADJOURN

**At 8:34 p.m., Mayor Ashton adjourned the meeting.**

**APPROVED:**

  
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Joe Ashton, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Paula Luck, City Secretary