

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
MAY 9, 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

**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, May 9, 2023 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Holland delivered the Invocation.

3. PLEDGE OF ALLEGIANCE TO UNITED STATES FLAG AND THE TEXAS FLAG

CM Holland led the Pledges of Allegiance to the United States and the Texas Flags.

4. READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS BY MAYOR.

-NATIONAL PUBLIC WORKS WEEK, MAY 21-27.

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.

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 25, 2023 REGULAR CALLED COUNCIL MEETING

B. APPROVE BILLS PAYABLE FOR PERIOD ENDING MAY 9, 2023 (FY 2023)

C. APPROVE RESIGNATION OF PARKS BOARD MEMBER, JLYNN VAN DIVER

**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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

**NONE**

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

8. UPDATE FROM DAN KESSLER OF NCTCOG AND LAMB STAR ENGINEERING ON MEANDERING ROAD PROJECT.

Dan Kessler with NCTCOG and Jill Van Hoewyk with Lamb Star Engineering were present. Environmental clearance was just received. The design is that Meandering Road will meet River Oaks Blvd. There will be a traffic light at that intersection. There are some advanced projects that include widening the bridge at the east gate and widening the bridge at 183 and Pumphrey (main gate). The focus is Roberts Cut Off project and the main gate project. A power point presentation was presented.

9. DISCUSSION AND/OR ACTION ON THE REQUEST BY ANTONIA JIMENEZ REQUESTING AN EXTENSION DELAYING SUBSTANDARD ENFORCEMENT ON THE PROPERTY AT 5524 GILBOW.

Antonia Jimenez and Jacquelyn Jimenez were present. They were out of town during a winter freeze and their pipes busted. Had to hire a lawyer to deal with the insurance company. As of right now, the insurance company has requested the estimates. There is no one living in the house. Do not know how long it will take to repair the house. Waiting on the insurance company.

**CM Rodriguez moved, seconded by CM Claridge to extend 60 days from today and to come back at the end of the 60 days with an update. All voted "Aye".**

10. CONSIDER APPROVAL OF REQUEST FROM CASTLEBERRY HIGH SCHOOL 2023 SENIOR CLASS TO HOLD A PARADE ON MAY 22, 2023 AS A CITY SPONSORED EVENT.

When COVID 19 started, the city sponsored the event since all senior events were cancelled. The city did sponsor the event last year, but the school would not sponsor it. This is an event held by the Senior Parents and the school has nothing to do with this. Our Police Department will help but prefers the school officer's to help also.

**CM Holland moved, seconded by Mayor Pro Tem Chisholm to deny the request due to the lack of planning and lack of resources. All voted "Aye".**

11. CONSIDER APPROVAL OF ADDENDUM TO THE XEROX AGREEMENT DATED MAY 4, 2021 IN ORDER TO LEASE AND REPLACE COPIERS FOR THE PUBLIC WORKS OFFICE.

The Public Works secretary was not included in the original agreement in 2021. Currently the secretary is having to purchase two printers a year plus ink cartridges. With Xerox, the city will be saving \$1,132.11 a year for this one printer.

**Mayor Pro Tem Chisholm moved, no one seconded. Motion denied for lack of a second.**

After council discussion, **Mayor Pro Tem Chisholm moved, seconded by CM Claridge to approve the addendum with city attorney approval. All voted "Aye".**

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

12. 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 FES ASSOCIATED WITH PERMITTING AND INSPECTION OF SHORT-TERM RENTAL PROPERTIES.

Courts are saying that cities cannot prevent Short Term Rentals, but cities can regulate them.

Eric Simmons, 1455 Long, was present. Mr. Simmons supports Air B & B's and currently has eight in Fort Worth. Mr. Simmons gave the council the benefits of having Air B & B's.

James Myrick-read an article to the council from Texas Neighborhood Coalition.

Bob Jamison-as a former hotel owner in California, had tried the Air B & B and it didn't work out.

Council agreed to table to the May 23, 2023 Council Meeting so the City Attorney can have time to look into the City of Plano.

13. CONSIDER APPROVAL OF ORDINANCE #1378-2023 AMENDING THE GENERAL FUND BUDGET BY EXPENDING PARK DOLLAR DONATIONS FOR UPGRADING BALLFIELD LIGHTING AND PURCHASING THERMOPLASTIC TRASH CONTAINERS AT MCGEE PARK.

Lighting has been an issue for many years and now the lighting project is done. The Park Board thought of what can they do cosmetically to the park now. The Park Board has agreed to purchase eight trash cans that have the funnel lid for \$530.00 each.

**CM Claridge moved, seconded by CM Rodriguez to approve Ordinance #1378-2023. All voted "Aye".**

CM Holland-in light of the budget and the EDC election, maybe EDC can help the General Fund on some items for the park.

14. CONSIDER APPROVAL OF RESOLUTION #1102-2023 DESIGNATING THE TARRANT COUNTY TAX ASSESSOR COLLECTOR AS THE DESIGNATED OFFICER TO CALCULATE THE NO-NEW REVENUE AND VOTER-APPROVAL TAX RATES FOR THE CITY OF RIVER OAKS AND SUCH DESIGNATION SHALL REMAIN IN EFFECT UNLESS AND UNTIL SUCH DESIGNATION IS RESCINDED BY RESOLUTION OF THE CITY OF RIVER OAKS.

Last year the council approved designating Tarrant County as the designated officer. This resolution will designate Tarrant County continuously year after year.

**Mayor Pro Tem Chisholm moved, seconded by CM Rodriguez to approve Resolution #1102-2023. All voted "Aye".**

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

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.

Election 2023-canvassing the votes May 16<sup>th</sup> and have the swearing in May 23<sup>rd</sup>.

Ribbon Cutting Ceremony-10:00 a.m. Saturday, May 27<sup>th</sup> for Kelly's Resale Boutique at 1111 B River Oaks Blvd.

Urban County Requalification for CDBG-enclosed is a letter from Tarrant County.

Community Center Calendar-enclosed. Council would like the rentals to stand out.

CM Gregory met with TXDOT about the lanes going out of QT onto the BLVD, timing of some traffic lights, and protective arrow lights.

**CORRESPONDENCE:**

16. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

Mayor Pro Tem Chisholm-congratulations to Brent Forester. Appreciates the citizens for being given the opportunity to serve.

CM Rodriguez-going to miss Dan and Joe. Was upset over some things regarding this election but we must move forward. Disappointed on the voter turn out after trying to get people to vote.

CM Turner-love being in on the City Council. We all have a common goal. Thanked Dan for all he has done over the years. Has a lot of respect for Joe. Excited about how Joe's life is going to be in the future. Last month was difficult. Never experienced distrust from the council and appreciates it.

CM Holland-thanked Joe & Dan for their service.

CM Claridge-did not appreciate people saying he wanted to kill the EDC. That was not a true statement. Going to miss Dan & Joe.

Mayor Ashton-thanked Dan for his service here and in the County. Congratulations to Darren & Brent. Grateful to serve with all the current and past members. Started coming to the council meetings when he was 17 years old. Thanked CM Gregory for all he does. Thanked CS Luck for all she does and has known her for 20 years.

**EXECUTIVE SESSION:**

17. 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:**

18. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

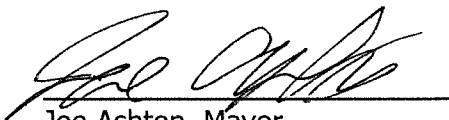
**NONE**

**ADJOURN:**

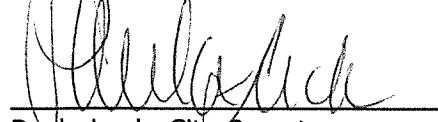
19. ADJOURN

**At 8:31 p.m., Mayor Ashton adjourned the meeting.**

**APPROVED:**

  
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Joe Ashton, Mayor

**ATTEST:**

  
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Paula Luck, City Secretary