

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
JUNE 25, 2019**

**MEMBERS PRESENT:**

MAYOR HERMAN EARWOOD  
MAYOR PRO TEM JOE ASHTON  
COUNCIL MEMBER JOHN CLARIDGE  
COUNCIL MEMBER STEVE HOLLAND  
COUNCIL MEMBER DARREN HOUK  
COUNCIL MEMBER DAN CHISHOLM

**STAFF PRESENT:**

CITY MANAGER MARVIN GREGORY  
CITY SECRETARY PAULA LUCK  
PUBLIC WORKS DIRECTOR GORDON SMITH  
POLICE CHIEF CHRIS SPIELDENNER  
BUILDING INSPECTOR STEVE SANDERS  
EMERGENCY MGT JAMES MYRICK  
CITY ATTORNEY BETSY ELAM  
EVENT CENTER DIRECTOR SHIRLEY WHEAT  
EDC CONSULTANT PAUL PAINE  
FIRE CHIEF GREG STOCKTON

**ABSENT:**

NONE

1. CALL TO ORDER

With a quorum present, Mayor Earwood called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, June 25, 2019 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:

NONE

At 7:02 p.m., Mayor Earwood went into Executive Session under Sections 551.071, 551.072, 551.074, 551.076.

At 7:39 p.m., Mayor Earwood reconvened into Open Session.

5. **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 JUNE 11, 2019 REGULAR COUNCIL MEETING

B. APPROVE MINUTES OF JUNE 18, 2019 SPECIAL CALLED COUNCIL MEETING

C. APPROVE BILLS PAYABLE FOR PERIOD ENDING JUNE 25, 2019 (FY 2019)

**Mayor Pro Tem Ashton moved, seconded by CM Chisholm to approve the Consent Agenda items A-C. All voted "Aye".**

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

**NONE**

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

7. CONSIDER APPROVAL OF RESOLUTION #970-2019 SUPPORTING A PROPOSED REALIGNMENT OF MEANDERING ROAD FROM APPROXIMATELY CODY COURT TO RIVER OAKS BLVD AND CONVEYING SUPPORT TO TXDOT AND THE NCTCOG.

Trent Petty with Petty and Associates presented a Comprehensive Plan Thoroughfare Map thru a power point presentation. The request for tonight is that the City Council approve this Resolution of the city supporting a new roadway so NCTCOG can look further into this project. This plan should reduce the need for a round a bout but some type of traffic control device will have to be added.

**CM Holland moved, seconded by CM Chisholm to approve Resolution #970-2019. All voted "Aye".**

8. CONSIDER APPROVAL OF REQUEST BY THEDA JONES IN ORDER TO HOLD A SECOND RESIDENTIAL SALE ON THE PROPERTY AT 5813 MEANDERING ROAD.

Mayor Earwood abstained from this item.

Ordinance states yard sales, estate sales, etc. are to be allowed two times a year, four months apart. There have been other occasions where estate sales have been brought to the Council requesting to hold a second date before the four months. Need distinction definition in the Ordinance of estate sales and yard sales.

**CM Chisholm moved, seconded by CM Holland to approve holding a second residential sale at 5813 Meandering Road. All voted "Aye".**

9. DISCUSSION AND/OR ACTION ON ARTICLE 8.03 "NOISE" OF THE RIVER OAKS CODE OF ORDINANCES AS ADOPTED AND AS AMENDED (AS REQUESTED BY COUNCIL MEMBER CLARIDGE).

This was discussed at the last meeting. A citizen on Frontier brought an issue before the Council that she is having with her neighbor. CM Claridge would like to see a decibel value in the Ordinance. This citizen has been in the Police Chief's office several times since the last meeting. Our officers, when they are dispatched, go to the address with their car windows down but only witness conversational noise. The citizen can sign complaints and at that point, this will be taken before the judge. There have been no complaints from other neighbors.

Most cities have backed away from a decibel value. Council would like periodical updates on this issue.

10. CONSIDER APPROVAL OF SALE OF 0.148 ACRES OF LAND LOCATED IN THE 2500 BLOCK OF ROBERTS CUT OFF ROAD BY THE CITY OF FORT WORTH TO THE CITY OF RIVER OAKS FOR THE PURCHASE PRICE OF \$19,478.00.

CM Chisholm spoke with Councilman Shingleton and Mayor Price and when this went before the City Council, Mayor Price was out of town. Request that this item be tabled and hopefully things will work out.

**Mayor Pro Tem Ashton moved, seconded by CM Holland to deny the purchase of the 0.148 acres of land in the 2500 Block of Roberts Cut Off and to authorize staff to continue with negotiations and will bring back for reconsideration. All voted "Aye".**

11. CONSIDER APPROVAL ON REVISING THE EVENT CENTER RENTAL POLICIES AND PROCEDURES REGARDING RENTALS AS RECOMMENDED BY EVENT CENTER CO-DIRECTORS.

In order to be PCI compliant, the city cannot hold anyone's credit card information. After discussion, the directors will read over the policy to the renter at the time of renting the facility. And on the day of the rental, the monitor will approach the renter an hour before the rental ends reminding them they only have an hour left of the rental. If they want to extend the rental, cash will be given to the monitor and the monitor will put the cash in the proper place. As far as the alcohol rentals, PC Spieldenner prefers the cash be paid to the officers working directly at the time of the rental. Need to add River Oaks Area Business Association in the approved civic group list.

**Mayor Pro Tem Ashton moved, seconded by CM Houk to approve the revised Event Center Rental Policy and Procedures with the changes discussed. All voted "Aye".**

12. CONSIDER APPROVAL OF MAYOR'S RECOMMENDATION FOR 2019 BOARD AND COMMISSION APPOINTMENTS.

Dan Gaddis is requesting to be removed from the Planning and Zoning Board. An Alternate will be used to fill that position. Some of the addresses need to be updated. CM Holland questioned about Bill Spore, Auditor, being on the CCPD Board as a treasurer. The State bi-laws will be pulled to verify.

**Mayor Pro Tem Ashton moved, seconded by CM Houk to approve the 2019 Board and Commission Appointments with the revisions noted. All voted "Aye".**

13. REQUEST OF CITY MANAGER FOR CITIZEN INPUT ON COMMUNITY DEVELOPMENT NEEDS OF THE CITY AS REQUESTED BY THE COUNTY COMMISSIONER.

The County Commissioner is looking for county wide projects and has asked the City to help with getting citizen input. The deadline is July 31<sup>st</sup> and forms will be handed out at the water counter and also will be posted online.

14. CONSIDER APPROVAL OF CITY MANAGER'S DESIGNATION OF AN ACTING CITY MANAGER TO PERFORM THE DUTIES OF THE CITY MANAGER IN HIS ABSENCE OR DISABILITY PURSUANT TO SECTION 4.07(a) OF THE CITY CHARTER AS AMENDED.

The City Charter states the City Manager has 60 days to make a recommendation of an Acting City Manager. CM Gregory recommends CS Luck as the Acting City Manager.

**Mayor Pro Tem Ashton moved, seconded by CM Chisholm to approve CS Paula Luck as the Acting City Manager. All voted "Aye".**

**STAFF REPORTS:**

15. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 928 LYDICK LANE-all waste & dumpster has been removed. Will have second dumpster for demo. Will pull permits tomorrow.
- 1605 MONTROSE-is closing July 12<sup>th</sup>. Will bring back to Council.
- 4709 WHITE OAK-new owner. Has building permit and actively working on house.

16. UPDATES FROM THE CITY MANAGER ADVISING THE MAYOR AND CITY COUNCIL ON PERSONNEL, CITY'S FISCAL CONDITION, FUTURE NEEDS OF THE CITY AND OTHER CITY MANAGER RECOMMENDATIONS.

CM Gregory presented the sales tax reports. Also announced the hiring of Blythe Murphy in the Water Department Administration, the promotion of Zenia Bailey to Interim Utility Office Manager and that budget meetings with department heads have started. In the new legislation, the property tax cap is 3.5% but cities fewer than 30,000 can go over \$500,000 by averaging the last three years. The International Code is trying to change by allowing all kinds of building materials but the bill has not been signed by the Governor. The Plumbing Board is trying to change also but the Governor has signed two extensions on this bill.

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

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

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

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

20. **LIBRARY ACTIVITY REPORT** INCLUDING NUMBER OF BOOKS, VIDEOS, PAPERBACKS, AND INCLUDING NUMBER OF PATRON ASSISTANCE.

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

CM Holland-the last concert we lost monies. A schedule needs to be given to the Council and there needs to be controls in place to try and improve the success of these events.

It was brought up that there is not a lot of funds budgeted for advertising.

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**

**PUBLIC FORUM:**

29. CITY COUNCIL INVITES CITIZENS TO SPEAK ON ANY TOPIC; 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 THE ISSUE. **NO COUNCIL DELIBERATION IS PERMITTED**

CM Chisholm-need to check into the ability to live stream the Town Hall Meetings. Firework show this Saturday at 10 pm. Victory Church is starting their event at 6 pm. The base and the City of White Settlement are doing fireworks the same night.

CM Holland-requests the number of people viewing the live streaming of our meetings so far.

CM Claridge-questioned if clothes receptacles need council approval, and if so there is one on the boulevard.

Mayor Earwood-blood drive is July 11<sup>th</sup> at City Hall.

**EXECUTIVE SESSION:**

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

This item was discussed before Item #5.

**RECONVENE:**

31. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

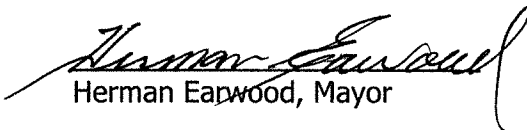
**NONE**

**ADJOURN:**

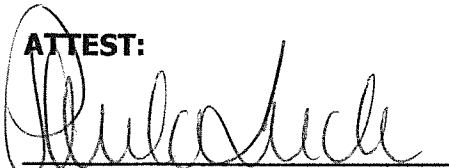
32. ADJOURN

**At 9:02 p.m. CM Claridge moved, seconded by Mayor Pro Tem Ashton, to adjourn the meeting. All voted "Aye".**

**APPROVED:**

  
Herman Earwood, Mayor

**ATTEST:**

  
Paula Luck, City Secretary