

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
JUNE 27, 2023**

MEMBERS PRESENT:

MAYOR DARREN HOUK
MAYOR PRO TEM JOHN CLARIDGE
COUNCIL MEMBER YOLIE RODRIGUEZ
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER BRENT FORESTER

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
EVENT CENTER DIRECTOR SHIRLEY BLOOMFIELD

PLANNING & ZONING MEMBERS PRESENT:

CHAIRMAN JAMES MYRICK
MEMBER CHARLES RICHARDSON
MEMBER RUTH ANN TEAGUE
MEMBER PAUL SIMPSON

ABSENT:

COUNCIL MEMBER LEIGH ANN TURNER

1. CALL TO ORDER

With a quorum present, Mayor Houk called the Regular Meeting of the River Oaks City Council to order at 6:04 p.m. on Tuesday, June 27, 2023 at 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.

-HUB MAKARWICH DAY IN RIVER OAKS

Hub Markarwicz turned 80 years old, and he had a surprise birthday parade this past Saturday.

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 would like Public Works to consider different signage southbound Roberts Cut off and Black Oak. Current sign is white with little red flags and isn't readable. Mayor Houk mentioned that TXDOT is planning on closing that intersection permanently. Second issue is dogs and fireworks. Asking if they are necessary in a residential area.

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 JUNE 13, 2023 REGULAR CALLED COUNCIL MEETING

B. APPROVE BILLS PAYABLE FOR PERIOD ENDING JUNE 27, 2023 (FY 2023)

CM Forester asked what is People Ready which is the contract labor for Parks, Streets & Sanitation.

CM Forester moved, seconded by CM Rodriguez to approve the Consent Agenda Items A-B. All voted "Aye".

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

NONE

At this time, Mayor Houk skipped to Item #10. Mr. Hernandez was not in attendance.

At this time, Mayor Houk skipped to Item #12. Mr. Purvis was present. CM Gregory, BI Sanders and Mr. Purvis met at the property and did a new check list. The electrical, driveway, insulation and roof are done. The cement board is installed and ready for the flooring. In the bathroom, the green board is installed. Mr. Purvis feels by the August 8th council meeting, the house will be finished. CM Gregory recommends extending this order to August 8th, 2023.

Mayor Pro Tem Claridge moved, seconded by CM Forester to extend the building order to August 8th, 2023. All voted "Aye".

Item #10-Mr. Hernandez was present. A deposit of \$300.00 was paid to save the date for a rental for May 20th. On May 17th, he received a call and was unable to have the party. The center was closed on Thursday and the event was on Saturday. The center called him Friday afternoon since the balance was not paid and was told he was unable to have the party. Mr. Hernandez came in the next week wanting his deposit refunded. The paperwork he signed says cancellation is five days before the rental.

CM Rodriguez moved, seconded by CM Holland to refund 1/2 of the deposit (\$150.00). All voted "Aye".

WORK SESSION/ACTION FROM WORK SESSION:

8. JOINT WORK SESSION WITH THE PLANNING AND ZONING COMMISSION ON RECOMMENDING TEXT AMENDMENTS TO THE CITY'S COMPREHENSIVE ZONING ORDINANCE #1331-2021.

Chairman Myrick called the Planning & Zoning meeting to order at 6:33 p.m. James Myrick, Charles Richardson, Ruth Ann Teague, and Paul Simpson were present.

The Planning and Zoning Commission has held numerous work sessions regarding proposed text amendments to the current zoning ordinance including revising the regulations on outside display percentages, secondhand merchandise sales, commercial uses in C-2 commercial including car washes, laundromats, automotive repair garages that are currently prohibited in a C-2 Commercial Zoning District. The Zoning Commission wants to bring the conversation back to the council about public parking garages for care or repair of automobiles and car washes. Conversation was held regarding car washes like laundromats do not generate sales tax but do bring in Ad Valorem taxes, not to mention they do serve the community. The Zoning Commission expressed the desire to have a joint work session with City Council on these items. Consensus was not to do anything about SUP's.

A resale shop was opened recently. The current ordinance reads new merchandise. Proposed is to make a percentage of merchandise that can be brought outside to sell. The reasoning behind this is we don't want junk stores. The shop that was recently opened is very nice. The Fire Chief doesn't have an issue with outside merchandise if it does not block access. The store owners take a risk of bringing the merchandise outside to sell. Recommended is to remove language that is not enforceable on building materials. We can not eliminate certain businesses in River Oaks, but we can designate what area they are allowed in.

Council suggested to allow 50% outside storage and to remove the items that are not enforceable and to restrict laundromats.

Member Teague moved, seconded by Member Simpson to adjourn the Planning & Zoning Work session. All voted "Aye".

9. ACTION FROM WORK SESSION IF ANY.

NONE

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

10. ADRIAN HERNANDEZ III REQUESTING REFUND OF DEPOSIT DUE TO CANCELLATION OF MAY 20, 2023 EVENT ON MAY 17, 2023.

This item was done after Item #7.

11. CONSIDER APPROVAL OF AMENDMENT #1 TO THE INTERLOCAL FUNDING AGREEMENT WITH TARRANT COUNTY UNDER THE 2021 TRANSPORTATION BOND FOR STREET IMPROVEMENTS ON BARBARA ROAD FROM ROBERTS CUT OFF ROAD EAST TO CHURCHILL ROAD.

We had to edit from a 2-inch base to a 4-inch base and add in traffic control. Tarrant County preferred to have a new ILA instead of a revised one.

CM Holland moved, seconded by Mayor Pro Tem Claridge to approve the ILA as revised by Tarrant County of \$209, 970.00 for Barbara Road improvements, and repeal the June 13, 2023 action taken to adopt the original ILA. All voted "Aye".

12. CONSIDER APPROVAL TO EXTEND THE SUBSTANDARD BUILDING ORDER ON THE PROPERTY AT 4844 HARTFORD THAT WAS PREVIOUSLY EXTENDED 60-DAYS ON MARCH 14, 2023 TO MAY 13, 2023.

This item was done after Item #7.

13. CONSIDER APPROVAL TO AMEND THE ORIGINAL QUOTE FOR THE SHURE WIRELESS MICROPHONE SYSTEM FOR THE COUNCIL CHAMBERS COMPLETE WITH THE VOTING SYSTEM, SINGLE WIRELESS ACCESS POINT AND LONGER BATTERY LIFE TO BE EXPENDED OUT OF 2021 CERTIFICATE OF OBLIGATION BONDS.

The original quote was misquoted and came back at \$2,286.83 higher with a voting system. CM Forester feels we need to concentrate on the video part for now and not the microphones.

CM Forester moved, seconded by Mayor Pro Tem Claridge to cancel the purchase of the Shure Wireless System. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

14. CONSIDER APPROVAL OF ORDINANCE #1380-2023 AMENDING ARTICLE 12.05 "STOPPING, STANDING & PARKING" CHAPTER 12 "TRAFFICE & VEHICLES" UNDER SECTION 12.05.011 "SPECIAL NO PARKING ZONES" ADDING SUBSECTION (f) "SANSOM CIRCLE/YALE STREET" DESIGNATING A SPECIAL NO PARKING ZONE.

This is a dangerous intersection. There will be three houses on Yale that will be a non-parking zone and also around Schaefer Park.

CM Holland moved, seconded by Mayor Pro Tem Claridge to approve Ordinance #1380-2023. All voted "Aye".

15. CONSIDER APPROVAL OF ORDINANCE #1381-2023 AMENDING DIVISION 4 "SANITATION COLLECTION POLICY" OF ARTICLE 13.02 "UTILITY POLICY" SPECIFICALLY AMENDING SECTION 13.02.113 "POLICIES" (1) "RESIDENTIAL GARBAGE COLLECTION" SPECIFICALLY IN SUBSECTION (1)(D) AND (3) "BRUSH TREE LIMBS AND LOGS" SPECIFICALLY IN SUBSECTION (3)(C) IN THE RIVER OAKS CODE OF ORDINANCES (2020) AS AMENDED.

This ordinance allows garbage cans as an option and to reduce bulk pick up to twice a month. One week will be one side of the boulevard for bulk pick up and the other side of the boulevard the second week. This will help with getting everything picked up.

Joann Butler, 603 Merritt-opposes the trash cans. Trash cans doesn't look clean. Some cans will stay out overnight or even blow down the street. Feels if a bag is put inside a can, some bags are hard to get out.

Ruth Ann Teague, 5000 White Oak-with cans, animals still knock down the cans.

Heather Phelps, Boston Lane-has a current buyer and the buyer doesn't understand why we don't have trash cans.

CM Forester wanted to note for the record that this is not to get rid of our sanitation department.

CM Holland moved, seconded by CM Rodriguez to approve Ordinance #1381-2023 with changing the wording on when bulk pick up will be. All voted "Aye".

16. CONSIDER APPROVAL OF ORDINANCE #1382-2023 AMENDING ARTICLE 1.04 "BOARDS AND COMMISSIONS" DIVISION 1 "GENERALLY" IN SECTION 1.04.002 "MEMBERS" SPECIFICALLY (c) "APPOINTMENT AND REMOVAL" AND SECTION 1.04.005 "CHAIR AND VICE-CHAIR" (c) "APPOINTMENT"; AMENDING DIVISION 3 "PARK BOARD" IN SECTION 1.04.063 "COMPOSITION, APPOINTMENT; QUALIFICATIONS; TERMS; VACANCY; REMOVAL" SPECIFICALLY IN SUBSECTIONS (b) AND (e) OF THE RIVER OAKS CODE OF ORDINANCES (2020) AS AMENDED.

The boards all need to be consistent on who appoints the members. Mayor Houk and CM Gregory have sat down and put the boards together. All the applicants have been recommended to a board.

CM Holland moved, seconded by CM Rodriguez to allow the Mayor and City Manager recommend the board members to the City Council to be appointed and to be approved. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

17. CONSIDER APPROVAL OF 2023 BOARD AND COMMISSION APPOINTMENTS.

This item was discussed in Executive Session.

18. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 1513 SKYLINE
- 5016 ALMENA-tax suit.

- 940 CODY COURT (APT 6-13)-electric transformer is being installed and about to finish up.
- 4844 HARTFORD
- 1909 YALE
- 4833 SHERWOOD
- 1507 ROBERTS CUT OFF (BURN OUT)

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-Police-ACO Officer is hired, one Police Officer starts July 12th, and two officers start the academy the end of July. Fire-fully staffed and grand opening will be in October. Public Works-fully staffed.

Residential Garbage collection will start tomorrow at 6 a.m. and some of the street department will also start at 6 a.m.

There will be 10 streets on the 2021 project that will be repaved.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

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

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

23. **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

24. **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

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

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

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

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

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

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

CORRESPONDENCE:

31. COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS.

CM Forester-asked about the ice machine at A & B Lawn & Garden. The other ice machine was a site plan approval and this one is not.

CM Rodriguez-thanked all for the fireworks.

Mayor Pro Tem Claridge-thanked all for the parade for Hub Makarwich.

Mayor Houk-announced the new Park Board Chairman Bob Jamison.

EXECUTIVE SESSION:

32. 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.

At 8:47 p.m., Mayor Houk went into Executive Session under Sections 551.071, 551.072, 551.074, and 551.076.

At 10:01 p.m., Mayor Houk reconvened into Regular Session.

RECONVENE:

33. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION


Item #17-CM Holland moved, seconded by CM Forester to approve the board appointments as discussed in Executive Session. All voted "Aye".

ADJOURN:

34. ADJOURN

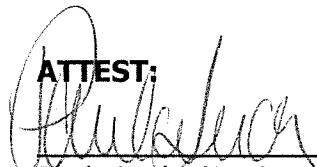
At 10:09 p.m., Mayor Houk adjourned the meeting.

APPROVED:



Darren Houk, Mayor

ATTEST:



Paula Luck, City Secretary