

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
JULY 25, 2023**

MEMBERS PRESENT:

MAYOR DARREN HOUK
MAYOR PRO TEM JOHN CLARIDGE
COUNCIL MEMBER YOLIE RODRIGUEZ
COUNCIL MEMBER LEIGH ANN TURNER
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
EVENT CENTER DIRECTOR SHIRLEY WHEAT
UTILITY BILLING COORDINATOR BLYTHE REAVES

ABSENT:

COUNCIL MEMBER STEVE HOLLAND

1. CALL TO ORDER

With a quorum present, Mayor Houk called the Regular Meeting of the River Oaks City Council to order at 6:11 p.m. on Tuesday, July 25, 2023 at River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

Mayor Houk delivered the Invocation.

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

Mayor Houk 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.

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 JULY 11, 2023 REGULAR CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING JULY 25, 2023 (FY 2023)
- C. APPROVE 3RD QUARTER INVESTMENT REPORT (APRIL 1-JUNE 30, 2023)
- D. APPROVE 3RD QUARTER CCPD FINANCIAL REPORT (APRIL 1-JUNE 30, 2023)
- E. APPROVE 3RD QUARTER STORM WATER FUND REPORT (APRIL 1-JUNE 30, 2023)
- F. RATIFY EMERGENCY PURCHASE OF THE 5 TON AIR CONDITIONING UNIT TO THE CITY HALL FROM THE 2021 CONSTRUCTION BOND

Mayor Pro Tem Claridge moved, seconded by CM Rodriguez to approve the Consent Agenda Items A-F. All voted "Aye".

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

NONE

PUBLIC HEARING /ACTION FROM PUBLIC HEARING:

- 8. PUBLIC HEARING: APPLICANT, ROSETTA BOGGS %TRINITY BAPTIST CHURCH IS REQUESTING A SIGN VARIANCE ON THE PROPERTY AT 5641 TAYLOR ROAD FROM ARTICLE 3.12 "SIGNS", SECTION 3.12.134 IN ORDER TO BE ALLOWED TO ERECT AN OFF-SITE SIGN THAT IS OTHERWISE NOT PERMITTED ON THE REAR OF THEIR PROPERTY THAT IS VISIBLE TO THE MOTORISTS WHEN ENTERING THE CITY OF RIVER OAKS THAT ADVERTISES SERVICE TIMES FOR TRINITY BAPTIST CHURCH.

Rosetta Boggs withdrew the request. Robert Brown, representing Trinity Baptist Church, was present and is requesting a refund on the application. The costs the city has in this is staff time and postage which amounts to about \$69.60. The church has done a lot for the community.

- 9. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF THE VARIANCE REQUEST OF ROSETTA BOGGS %TRINITY BAPTIST CHURCH AT 5641 TAYLOR ROAD FROM ARTICLE 3.12 "SIGNS", SECTION 3.12.134 IN ORDER TO BE ALLOWED TO ERECT AN OFF-SITE SIGN THAT IS OTHERWISE NOT PERMITTED ON THE REAR OF THEIR PROPERTY THAT IS VISIBLE TO THE MOTORISTS WHEN ENTERING THE CITY OF RIVER OAKS THAT ADVERTISES TIMES FOR TRINITY BAPTIST CHURCH.

Mayor Pro Tem Claridge moved, seconded by CM Turner to approve the full refund request of the sign variance application. Mayor Pro Tem Claridge, CM Turner, and CM Rodriguez voted "Aye". CM Forester voted "Nay". Motion passed.

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

10. CONSIDER APPROVAL TO ENTER INTO A CONTRACT WITH WASTE CONNECTIONS FOR COMMERCIAL SOLID WASTE AND LANDFILL SERVICES.

Norm Bulaich and Abel Moreno present. This contract does not have to be bid out. Rates have increased 4% which is still under what the city is recouping. It was suggested to look at getting quotes from other companies. The problems are finding a landfill is difficult and no other companies will let the city do their own residential pick up. Yes, the city can go onto the open market but having multiple trucks on the streets are hard on the streets. The new agreement will start October 1, 2023.

CM Forester moved, seconded by CM Rodriguez to enter into a contract with Waste Connections subject to City Attorney approval. All voted "Aye".

11. CONSIDER APPROVAL OF REQUEST FROM ANDRES GONZALES AT BOULEVARD CUSTOMS LOCATED AT 5441 RIVER OAKS BLVD TO INCLUDE MINOR AUTOMOBILE REPAIRS WITH HIS CURRENT USE FOR MOTORCYCLE REPAIRS.

This item was discussed in Executive Session.

12. DISCUSSION AND/OR ACTION ON THE HWY 199 SUP STAKEHOLDER COORDINATION MEETING DATED JULY 19, 2023.

Originally there was a 33' easement which would cause the city to loose businesses. So, they came back and shaved off 7' making it a 26' easement which would impact a few businesses on their parking. The project consists of reconstructing and widening a 4-lane divided roadway with raised medians and outside shoulders to a 6-lane divided urban roadway with raised medians, sidewalks or shared use paths, curb & gutter, and intersection improvements.

No action taken.

13. CONSIDER APPROVAL TO APPOINT THE VICE-CHAIRMAN FOR THE STORM WATER TASK FORCE.

CM Forester moved, seconded by Mayor Pro Tem Claridge to appoint Steve Sanders as President and Beth Flippo as Vice-Chairman. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

14. CONSIDER APPROVAL OF ORDINANCE #1384-2023 AMENDING ARTICLE 4.02 "SOLICITORS, PEDDLERS AND ITINERANT VENDORS" SPECIFICALLY IN DIVISION 2 "REGISTRATION", SECTION 4.02.032 "APPLICATION" AND BY AMENDING ARTICLE A.02 "SCHEDULE OF FEES AND CHARGES" SPECIFICALLY IN A.02.005 "SOLICITATION FEES" OF THE RIVER OAKS CODE OF ORDINANCES (2020) AS AMENDED.

We had a company come in with 52 people to apply for solicitation permits. Currently the application fee is \$35.00 and no permit fee. There is a \$10.00 fee for each applicant. There is a

lot to do when it comes to issuing solicitors permits. We are proposing changing the fees to an annual application fee of \$50.00 per company, and \$50.00 per individual and both are non-refundable. The annual permit fee would be \$100.00 per company and \$100.00 for each applicant. If the company employes minors that are wanting to solicit, the cost would be \$125.00 for each minor applicant.

CM Forester moved, seconded by CM Rodriguez to approve Ordinance #1384-2023. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

15. UPDATE FROM EMC JAMES MYRICK ON ACTIONS TAKEN FROM THE MOSQUITO SURVEILLANCE PROGRAM ON JULY 21 AND JULY 22, 2203.

As of right now, no new update. If we get rain, it will make things worse.

The State of Texas has issued a watch list for COVID-19.

16. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 1513 SKYLINE-will bring back for public hearing.
- 5016 ALMENA-working with tax attorney.
- 940 CODY COURT (APT 6-13)-progress being made.
- 4844 HARTFORD-under 60-day order.
- 1909 YALE-progressing.
- 4833 SHERWOOD-pulled remodeling permit.
- 1507 ROBERTS CUT OFF (BURN OUT)-have started clean up.

17. 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.

Budget-will have a special called meeting on August 1st for the tax rate.

Code Enforcement-one employee will work Tuesday-Friday and the other one will work Monday-Thursday.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

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

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

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

CORRESPONDENCE:

29. COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS.

CM Forester-went to TML and learned a lot and will share the information later. EDC has a workshop in November thru TML.

CM Turner-need to remember fellow council member in prayers. We need to have more joint workshops.

CA Anderlee-lots of law changes that will be monitored.

CM Rodriguez-need to get together on the Christmas Event. Has received a lot of food feedback from citizens and River Oaks looks promising.

Mayor Pro Tem Claridge-everyone needs to stand their own ground.

Mayor Houk-had ribbon cutting for That Eye Place. Introduced his neighbors who asked about recycling.

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.

At 7:14 p.m., Mayor Houk went into Executive Session under Sections 551.071, 551.072, 551.074, 551.076 for Item #11.

At 7:52 p.m., Mayor Houk reconvened into Regular Session.

Andres Gonzales was present. He opened a motorcycle repair shop and wants to include minor automobile repairs to make ends meet. Otherwise, he may have to shut down. He is willing to put up a screened fence if needed to. CA Anderlee-would require a zoning amendment. The ordinance also prohibits a car wash and detailing in that location. Council cannot approve this request.

RECONVENE:

31. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

NONE

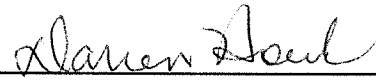
We did get approved for the backhoe grants. We applied for two, but we can get one or both. The oldest one is 29 years old, and we are unable to get any parts for it. We would receive \$96,000.00 reimbursement for this one. Our cost for one is \$34,000.00. The second backhoe we would get \$75,000.00. The current backhoes will have to be destroyed and we can sell for scrap. The \$34,000.00 for the oldest one would come out of the Water-Sewer fund. Council agreed to move forward with the one and to bring back for official council approval.

ADJOURN:

32. ADJOURN

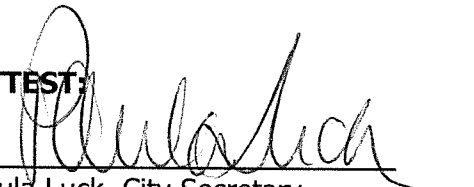
At 8:27 p.m., Mayor Houk adjourned the meeting.

APPROVED:



Darren Houk, Mayor

ATTEST:



Paula Luck, City Secretary