

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
AUGUST 23, 2022**

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
CITY ATTORNEY ANDREA RUSSELL
PUBLIC WORKS DIRECTOR GORDON SMITH
POLICE CHIEF CHUCK STEWART
EMERGENCY MGT JAMES MYRICK
FIRE CHIEF RUSSELL SHELLEY
EVENT CENTER DIRECTOR SHIRLEY BLOOMFIELD
EVENT CENTER DIRECTOR SHIRLEY WHEAT

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 7:00 p.m. on Tuesday, August 23, 2022 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.

Mayor Ashton read a text message from the Mayor of Olney, Texas about us hiring Officer Daryl Bell and that we are getting a great officer.

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.

Gene Collins, 4908 Red Oak Lane-there is flooding on that end of Red Oak. Got water in the house yesterday. CM Gregory said the survey is finished and they are in the process of drawing up the design.

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 AUGUST 9, 2022 REGULAR CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING AUGUST 23, 2022 (FY 2022)
- C. APPROVE RESIGNATION OF PARKS BOARD ALTERNATE MEMBER JILL WALKER

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve the Consent Agenda items A-B with removing Item #C. All voted "Aye".

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

Jill Walker is resigning from the Park Board because she is moving to Oklahoma. CM Claridge feels Jill Walker is the most enthusiastic member of the Park Board.

CM Claridge moved, seconded by Mayor Pro Tem Chisholm to approve the Consent Agenda Item C. All voted "Aye".

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

8. CONSIDER APPROVAL TO WAIVE BUILDING PERMIT REQUIREMENTS FOR TEXAS RAMP PROJECT, A 501(C)(3) NON-PROFIT THAT PROVIDES FREE WHEELCHAIR RAMPS FOR LOW INCOME AND DISABLED PERSONS AS BEING PRESENTED BY BILL ATKINS.

Bill Atkins, a volunteer with Texas Ramp Projects was present. These ramps are built at no cost to the homeowner. They build many ramps in other cities. A ramp was being built in River Oaks and Code Enforcement informed them a permit is required. Council agreed that the project needs to be called into the permit department.

CM Claridge moved, seconded by CM Rodriguez to waive permit fees and to waive the permit requirements for Texas Ramp Project. All voted "Aye".

9. CONSIDER DIRECTOR VACANCY APPOINTMENTS PURSUANT TO SECTION 2.4 OF THE BYLAWS OF FRIENDS OF THE ANIMAL SHELTER, A 501(C)(3) NON-PROFIT CORPORATION.

CM Claridge moved, seconded by CM Rodriguez to appoint Chuck Stewart as President, Brody Beasley as Vice-President, Marvin Gregory as Secretary, Paula Luck as Treasurer, and Yolie Rodriguez as the Council Liaison. All voted "Aye".

10. CONSIDER TERM OF OFFICE DIRECTOR APPOINTMENTS PURSUANT TO SECTION 2.3 OF THE BYLAWS OF THE FOUNDATION SUPPORTING THE RIVER OAKS COMMUNITY CENTER, A 501(C)(3) NON-PROFIT CORPORATION.

Mayor Pro Tem Chisholm moved, seconded by CM Claridge to re-appoint Shirley Wheat as President, Shirley Bloomfield as Vice-President, Paula Luck as Secretary/Treasurer, and John Claridge as Council Liaison. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

11. CONSIDER APPROVAL OF ORDINANCE #1355-2022 AMENDING SECTION 1.01.009 "GENERAL PENALTY FOR VIOLATIONS OF CODE; CONTINUING VIOLATIONS" OF ARTICLE 1.01 "CODE OF ORDINANCE" OF CHAPTER 1 "GENERAL PROVISIONS" OF THE RIVER OAKS CODE OF ORDINANCES (2020).

This Ordinance provides for a penalty up to \$4,000.00 for illegal dumping.

Mayor Pro Tem Chisholm moved, seconded by CM Claridge to approve Ordinance #1355-2022. All voted "Aye".

12. CONSIDER APPROVAL OF ORDINANCE #1356-2022 AMENDING CHAPTER 8 "OFFENSES AND NUISANCES" OF THE RIVER OAKS CODE OF ORDINANCES INCORPORATING SECTION 8.11 "AGGRESSIVE PANHANDLING OR SOLICITATION" DEFINING UNLAWFUL AGGRESSIVE BEHAVIOR AND DECLARING PANHANDLING OR SOLICITATION TO BE UNLAWFUL WITHOUT PERMISSION OR CONSENT OF THE PROPERTY OR BUILDING OWNER.

We will have to remove on Page 4, Item #F. Homeless camps are setup around the Walmart. There is a lot of homeless traffic around the QT at night.

Mayor Pro Tem Chisholm moved, seconded by CM Rodriguez to approve Ordinance #1356-2022. All voted "Aye".

WORK SESSIONS & ACTION FROM WORK SESSIONS:

13. WORK SESSION: FUTURE BUILDING IMPROVEMENT PLANS, PROPERTY DEVELOPMENT, FINANCIAL CONDITIONS, REAL ESTATE, REQUEST FOR PROPOSAL AND ECONOMIC DEVELOPMENT WITHIN THE CITY.

This item will be discussed in Executive Session.

14. ACTION FROM WORK SESSION, IF ANY.

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

15. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 632 SCHIEME
- 636 SCHIEME
- 640 SCHIEME

- 1513 SKYLINE
- 1114 HARVARD
- 5016 ALMENA
- 940 CODY COURT (APT 6-13)
- 1909 YALE

Cody Court Apartments will be remodeled, and they have submitted the plans.

16. 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.

Elate Properties-want to change the material of the street from concrete to asphalt due to the rising costs of concrete. This change will require to go before the Planning and Zoning and the City Council. Council agreed they need to stay with the concrete.

1004 Merritt-property has a contract.

CM Gregory thanked everyone for the flowers sent for his son's funeral. Reminder that August 30, 2022 at 7:00 p.m. is the Public Hearings for the budgets.

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. **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

21. **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

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

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

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

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

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

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

CORRESPONDENCE:

28. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

All Council Members and Mayor thanked all city employees working yesterday with the floods.

CM Turner-been sitting back and listening and learning. Encourages council to set goals and plans.

CM Chisholm-concerned about the budget.

EXECUTIVE SESSION:

29. 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.

At 7:52 p.m., Mayor Ashton went into Executive Session under Sections 551.071 & 551.072.

At 8:30 p.m., Mayor Ashton reconvened back into Regular Session.

RECONVENE:

30. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

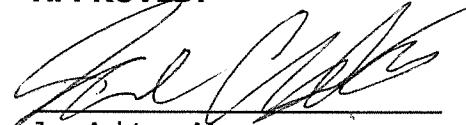
NONE

ADJOURN:

31. ADJOURN

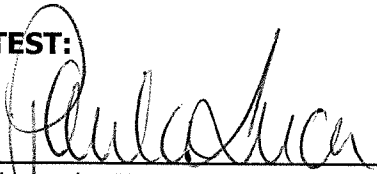
At 8:31 p.m., Mayor Ashton adjourned the meeting. All voted "Aye".

APPROVED:



Joe Ashton, Mayor

ATTEST:



Paula Luck, City Secretary