

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
SEPTEMBER 13, 2022**

MEMBERS PRESENT:

MAYOR PRO TEM DAN CHISHOLM
COUNCIL MEMBER YOLIE RODRIGUEZ
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER LEIGH ANN TURNER

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
DEPUTY POLICE CHIEF ERIC PERKINS
EMERGENCY MGT JAMES MYRICK
CITY ATTORNEY ANDREA RUSSELL
EVENT CENTER DIRECTOR SHIRLEY WHEAT
EVENT CENTER DIRECTOR SHIRLEY BLOOMFIELD
BUILDING INSPECTOR STEVE SANDERS

ABSENT:

MAYOR JOE ASHTON

1. CALL TO ORDER

With a quorum present, Mayor Pro Tem Dan Chisholm called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, September 13, 2022 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.

-CHIROPRACTIC HEALTH MONTH

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.

NONE

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 SEPTEMBER 6, 2022 SPECIAL CALLED COUNCIL MEETING

B. APPROVE BILLS PAYABLE FOR PERIOD ENDING SEPTEMBER 13, 2022 (FY 2022)

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

8. PUBLIC HEARING CONTINUED FROM NOVEMBER 9, 2021: IN ORDER TO RECEIVE PUBLIC INPUT ON SUBSTANDARD BUILDING ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT 636 SCHIEME.

At 7:09 p.m., Mayor Pro Tem Chisholm continued the Public Hearing.

This is a burn out house. All three properties went to probate and have been sold. They will be repaired. 636 Schieme is legal non-conforming and is attached to 632 Schieme. All three properties are vacant and have been since before November 2021. This order is for the main structure only. Jared Childs, new owner, is present. Feels he can get 636 Schieme finished in 90-days. Mr. Childs presented a plan of action to the council.

At 7:29 p.m., Mayor Pro Tem Chisholm closed the Public Hearing.

9. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 636 SCHIEME THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S) OR ADOPTION OF RESOLUTION IMPLORING A FEDERAL AGENCY TO ABATE ALL SUBSTANDARD VIOLATIONS IN ORDER TO BE BROUGHT INTO COMPLIANCE WITH SECTION 3.07.004 OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED.

CM Claridge moved, seconded by CM Holland to find that the building located at 636 Schieme based on evidence presented at this hearing, is Substandard and: 1) that the conditions set forth in the Building Official's report exist that the life, health, property, or safety of the public (and occupants of the building(s), if applicable are endangered; and 2) that the building(s) is feasible of repair and therefore order the building to be repaired by the owner within 90 days and the Lienholder or Mortgagee to within an additional 30-days if the owner does not comply; and 3) the Board orders commencement of the repairs within 30-days and has established specific time schedules with the Owner or Mortgagee for the repair; and 4) order that the building be repaired in conformance with the requirements of Section 3.07.004 of the River Oaks Code of Ordinances (2020) as amended or demolished by the Owner and the debris removed within 90-days or by the Lienholder or Mortgagee to within an

additional 30-days if the Owner does not comply and further find that if the building is not repaired within 90-days, that there is no reasonable probability that the building will be repaired within a reasonable time if additional time is given. If the building is not repaired within 90-days in full conformance with Section 3.07.004 of the River Oaks Code of Ordinances (2020), the building shall be demolished; and 5) order that substandard fee of \$150.00 be paid upon permit issuance. Certificate of Occupancy will not be finalized until all substandard fees are paid in full. All voted "Aye".

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

10. CONSIDER APPROVAL OF RENEWAL AND AMENDMENT OF FUNDING WITH TARRANT COUNTY FOR ROBERTS CUT OFF ROAD AND MERRITT STREET RECONSTRUCTION.

These are updated ILA's. The agreement we have expires September 30, 2022. The delay was caused when the gas mains were scheduled to be upgraded. Tarrant County crews have started Roberts Cut Off on September 7, 2022 and when complete, they will move to Merritt Street. This project will not be complete until mid-February 2023.

CM Holland moved, seconded by CM Rodriguez to approve the renewal and amendment with Tarrant County. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

11. CONSIDER APPROVAL OF ORDINANCE #1360-2022 AMENDING ARTICLE 13.04 "SEWER SYSTEM", SECTION 13.04.013 "SEWER SERVICE RATES", OF THE RIVER OAKS CODE OF ORDINANCES (2020) AS AMENDED; ADOPTING AND RATIFYING SEWER RATES INCORPORATING A RATE INCREASE FOR RESIDENTIAL, COMMERCIAL AND APARTMENT CUSTOMERS INSIDE AND OUTSIDE THE CITY LIMITS.

Fort Worth is raising their sewer rates 12.82%. In calculations, River Oaks needs to increase their sewer rates 11.1%. PWD Smith sits on the Wholesale Committee Board along with other staff in other cities. Fort Worth hires a 3rd party rate analysis team and Fort Worth's capital improvements affects our rates.

CM Claridge moved, seconded by CM Holland to approve Ordinance #1360-2022. All voted "Aye".

12. CONSIDER APPROVAL OF RESOLUTION #1088-2022 ADJUSTING THE RESIDENTIAL SOLID WASTE COLLECTION RATES.

Proposing is a \$1.00 increase from \$26.00 to \$27.00 plus tax.

CM Holland moved, seconded by CM Claridge to approve Resolution #1088-2022. All voted "Aye".

13. CONSIDER APPROVAL OF RESOLUTION #1089-2022 AUTHORIZING ECONOMIC DEVELOPMENT CORPORATION (EDC) EXPENDITURES FROM THE 2022-2023 FISCAL YEAR BUDGET AS QUALIFIED FOR PROJECTS MORE THAN \$10,000.00; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING).

This is the first reading. Property Incentives (NISH \$15,000.00 and another \$20,000.00 for other BIG Grant applications; Business Enterprises \$27,000.00 (agreement with FWTA for public transportation); Professional Services \$15,000.00 (consultants); City Promotional \$19,030.00 (fireworks, car show and street signage program); and Other Professional Services \$46,000.00 (salary reimbursement for Assistant/Executive Director and City Secretary).

CM Holland moved, seconded by CM Claridge to approve the first reading of Ordinance #1089-2022. All voted "Aye".

WORK SESSIONS & ACTION FROM WORK SESSIONS:

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

At 8:05 p.m., Mayor Pro Tem Chisholm went into Executive Session under Section 551.072.

At 8:25 p.m., Mayor Pro Tem Chisholm re-convened into Open Session.

15. ACTION FROM WORK SESSION, IF ANY.

NONE

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

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.

Personnel: there are six vacancies throughout the city.

Black Oak Development-the street is poured.

Meetings with AECOM are continuing with the River Oaks Blvd project.

New City Hall and Public Works hours start September 28th.

TCEQ approved the Storm Water Management Plan.

Car Show is September 24, 2022.

About to start new budget.

CORRESPONDENCE:

17. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Holland-residents are concerned about all the metal structures that are going up. CM Gregory-if approved by the building code, we cannot do anything about it.

CM Turner-went to first Park Board Meeting. President Ballard had a great idea for a Christmas activity to bring the community together. Homecoming Parade October 6th.

CM Rodriguez-have been meeting with Darren Houk about community events. Congratulations to CM Turner on her students doing a great presentation. Citizens have asked why the street sweeper is coming out on multiple days of the week on the same streets. PWD Smith-because of the storms and when there is grass in the asphalt, the sweeper has to come out several times.

DPC Perkins-National Night Out is October 4, 2022.

CM Chisholm-EDC approved expending funds for the River Oaks Christmas Parade, the Fort Worth Parade of Lights, Sansom Park Christmas Parade, and Lake Worth Christmas Parade.

Royce Shields-asked about a bonfire? DPC Perkins has not heard of one this year.

EXECUTIVE SESSION:

18. 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.

This item was done under Item #14.

RECONVENE:

19. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION


NONE

ADJOURN:

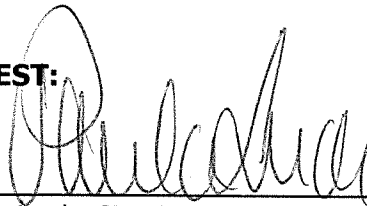
20. ADJOURN

At 8:43 p.m., CM Holland adjourned the meeting. All voted "Aye".

APPROVED:


Dan Chisholm, Mayor Pro Tem

ATTEST:


Paula Luck, City Secretary