

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
JUNE 22, 2021**

MEMBERS PRESENT:

MAYOR JOE ASHTON
MAYOR PRO TEM DARREN HOUK
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER YOLIE RODRIGUEZ
COUNCIL MEMBER STEVE HOLLAND

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
POLICE CHIEF CHRIS SPIELDENNER
CITY ATTORNEY FRITZ QUAST
EMERGENCY MGT JAMES MYRICK
EVENT CENTER DIRECTOR SHIRLEY WHEAT
FIRE CHIEF RUSSELL SHELLEY

ABSENT:

NONE

WORK SESSION-6:00 P.M.

I. TAX DILIGENCE: DISCUSSION ON THE PROJECT DESCRIPTION, PLANNING AND THE POSSIBILITY OF FUNDING WITH CERTIFICATE OF OBLIGATION PROCEEDS AS PRESENTED BY THE CITY'S FINANCIAL ADVISOR, CRAIG CUNNINGHAM OF D.A. DAVIDSON & CO.

Craig Cunningham and Sam Gill were present. The city complex needs are a server room in the current council chambers, two offices in the current council chambers, council chambers/court room in the Annex building, city complex roof replacement, garage restroom renovations and Fire renovations which totals to about \$1,930,797.00. Also, there are street needs which is about \$1,400,000.00. The total bond would be about \$3,500,000.00 which includes a 10% contingency. The Roberts Cut Off street project can be reimbursed thru this bond. September 15, 2021 is the delivery date. Interest rates are at 2.4% which are subject to change. The I & S (Interest & Sinking Fund) is based on the 2020-2021 property tax rate and based on a 98% collection rate. The breakdown of the funds are: the par amount of bonds for \$3,535,000.00 which is a underwriters discount (10%) for \$53,025.00, costs of issuance for \$64,435.00, City Hall and Annex improvements for \$1,930,797.00, street improvements for \$1,471,765.00, and round amount for \$1,591.32. The annual costs will be about \$230,000.00 over 20 years (19 years principal amortization). The first year is interest only. The projected annual increase on a \$50,000.00 valued home is about a \$30.00 annual increase in property taxes. A \$200,000.00 valued home is about a \$120.00 annual increase in property taxes.

The only thing asking tonight is the approval of the Resolution which means the city is intending to go out for an obligation bond. The residents have a 45-day period to petition for an election. We do not have to designate the projects with certain amounts.

II. ACTION, IF ANY FROM WORK SESSION.

NONE

III. ADJOURN FROM WORK SESSION.

At 6:59 p.m., Mayor Ashton adjourned the Work Session.

REGULAR COUNCIL MEETING-7:00 P.M.

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, June 22, 2021 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.

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.

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 JUNE 15, 2021 SPECIAL CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING JUNE 22, 2021 (FY 2021)
- C. APPROVE ERROR IN ORDINANCE NUMBERING FROM #1313-2021 TO #1315-2021 FOR AMENDING THE 2020-2021 FISCAL YEAR GENERAL FUND BUDGET DUE TO UNPLANNED EXPENDITURES INVOLVING ELECTRICAL UPGRADES AND LANDSCAPING FOR PLAYGROUNDS AND BALLFIELDS AT MCGEE PARK AS APPROVED ON JUNE 8, 2021.
- D. APPROVE THE RE-ADOPTION OF ORDINANCE #1314-2021 AS REVISED BY THE CITY OF FORT WORTH REGARDING THE BOUNDARY ADJUSTMENT.

Item #D will be removed from the Consent Agenda.

CM Claridge moved, seconded by CM Rodriguez to approve the Consent Agenda items A-C. All voted "Aye".

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

Item #D. The City of Fort Worth Attorney has removed any references for any sidewalk improvements.

Mayor Pro Tem Houk moved, seconded by CM Chisholm to approve Item #D. All voted "Aye".

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

8. CONSIDER APPROVAL OF REQUEST FROM JOHN HECKART TO PERMIT HIM TO USE A RECREATION VEHICLE ON THE PROPERTY FOR LIVING QUARTERS DURING CONSTRUCTION OF THE NEW HOME BEING BUILT AT 4812 ALMENA RD.

John Heckart was present. The house was demolished last week, and a building permit was just pulled to build a new house. The request is to park an RV in front of the property to live in while the house is being built. Looked into renting a house but it is not cost prohibited. Projected the new house will take about 6 months to build.

CM Chisholm moved, seconded by CM Holland to approve the request made by John Heckart. All voted "Aye".

9. CONSIDER APPROVAL OF MAYOR'S RECOMMENDATION TO APPOINT THE CITY'S BOARDS AND COMMISSIONS FOR TERM YEAR 2021-2022.

CM Chisholm moved, seconded by CM Holland to approve the 2021-2022 Mayor's Board and Commissions appointments. All voted "Aye".

10. CONSIDER APPROVAL REVISING SERVICES AGREEMENT WITH THE HUMANE SOCIETY OF NORTH TEXAS FOR HANDLING OF STRAY ANIMALS.

This is the same agreement with the only change is that it does not have to be renewed annually. This agreement will continue each year until terminated.

Mayor Pro Tem Houk moved, seconded by CM Claridge to approve the agreement with The Humane Society. All voted "Aye".

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

11. PUBLIC HEARING: IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE PROPOSED REPLAT APPLICATION AS SUBMITTED BY CARLETON PROPERTIES LTD INCORPORATING APPROXIMATELY 0.1405 ACRES OUT OF LOT 3 IN BLOCK 4AR INTO LOT 4 CONTAINING 0.4538 ACRES OF LAND LOCATED IN THE WEST RIVER OAKS ADDITION, OTHERWISE KNOWN AS BEING 5300 RIVER OAKS BLVD AND ONCE SUBDIVIDED TO BECOME A SINGLE PLATTED COMMERCIAL LOT WITH A TOTAL LAND AREA OF APPROXIMATELY 0.5943 ACRES OF LAND. (ZONING CASE #PZ2021-0007).

At 7:22 p.m., Mayor Ashton opened the Public Hearing.

Collier Albright was present. The portion of Taco Bell property has been purchased. Presented to the council is an amended plat.

At 7:26 p.m., Mayor Ashton closed the Public Hearing.

12. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF THE REPLAT APPLICATION AS SUBMITTED BY CARLETON PROPERTIES LTD INCORPORATING APPROXIMATELY 0.1405 ACRES OUT OF LOT 3 IN BLOCK 4AR INTO LOT 4 CONTAINING 0.4538 ACRES OF LAND LOCATED IN THE WEST RIVER OAKS ADDITION, OTHERWISE KNOWN AS BEING 5300 RIVER OAKS BLVD AND ONCE SUBDIVIDED TO BECOME A SINGLE PLATTED COMMERCIAL LOT WITH A TOTAL LAND AREA OF APPROXIMATELY 0.5943 ACRES OF LAND. (ZONING CASE #PZ2021-0007).

CM Claridge moved, seconded by CM Holland to approve the replat as submitted by Carleton Properties LTD incorporating approximately 0.1405 acres out of Lot 3 in Block 4AR into Lot 4 in Block 4AR containing 0.4538 acres of land located in the West River Oaks Addition, otherwise known as being 5300 River Oaks Blvd. and once subdivided to become single platted commercial lot with a total land area of approximately 0.5943 acres of land. (Zoning Case #PZ2021-0007). All voted "Aye".

13. PUBLIC HEARING: IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE PROPOSED SITE PLAN APPLICATION AS SUBMITTED BY CARLETON PROPERTIES LTD IN ORDER TO CONSTRUCT A PROPOSED ADDITION OF 1.778 SQUARE FEET AND ANOTHER 737 SQUARE FEET OF COVERED PORCH AREA TO THE EXISTING COMMERCIAL BUILDING OF 2.073 SQUARE FEET LOCATED ON A 0.5943 ACRE LOT IN A C-2 COMMERCIAL ZONING DISTRICT WITHIN THE WEST RIVER OAKS ADDITION AND OTHERWISE KNOWN AS BEING 5300 RIVER OAKS BLVD. (ZONING CASE #PZ2021-0008).

At 7:29 p.m., Mayor Ashton opened the Public Hearing.

Collier Albright was present. With the purchase of the Taco Bell property, 33 parking spaces will be available. The site plan was presented to council. Requesting is a 25-foot front setback measured from the prevailing edge of the street (River Oaks Blvd.) and providing the front of the building is located out of the TXDOT right-of-way of which it will be located another 10-feet from the 25-foot building line. The second front yard which is on Black Oak Lane must be a minimum of 15-feet from the prevailing edge of the street of which is 18-feet. The side yard requirements are all met. All that needs to be done is filing a non-conforming use. There are

engineering delays but still pushing for October 1, 2021 completion.

At 7:35 p.m., Mayor Ashton closed the Public Hearing.

14. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF THE SITE PLAN APPLICATION AS SUBMITTED BY CARLETON PROPERTIES LTD IN ORDER TO CONSTRUCT A PROPOSED ADDITION OF 1,778 SQUARE FEET AND ANOTHER 737 SQUARE FEET OF COVERED PORCH AREA TO THE EXISTING COMMERCIAL BUILDING OF 2,073 SQUARE FEET LOCATED ON A 0.5943 ACRE LOT IN A C-2 COMMERCIAL ZONING DISTRICT WITHIN THE WEST RIVER OAKS ADDITION AND OTHERWISE KNOWN AS BEING 5300 RIVER OAKS BLVD. (ZONING CASE #PZ2021-0008).

CM Holland moved, seconded by Mayor Pro Tem Houk to approve the site plan application submitted by Carleton Properties LTD incorporating approximately 0.1405 acres out of Lot 3 in Block 4AR into Lot 4 in Block 4AR containing 0.4538 acres of land located in the West River Oaks Addition, otherwise known as being 5300 River Oaks Blvd. and once subdivided to become a single platted commercial lot with a total land area of approximately 0.5943 acres of land (Zoning Case #PZ2021-0008.SP). All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

15. CONSIDER AND ADOPT RESOLUTION #1056-2021 DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION FOR IMPROVEMENT PROJECTS.

This item was discussed in the Workshop that was held at 6:00 p.m. tonight.

CM Holland moved, seconded by Mayor Pro Tem Houk to approve Resolution #1056-2021. All voted "Aye".

16. CONSIDER APPROVAL OF ORDINANCE #1316-2021 AMENDING ARTICLE 312, "SIGNS" OF THE RIVER OAKS CODE OF ORDINANCES BY ADDING A NEW SECTION 3.12.138, "MURAL SIGNS", ESTABLISHING REQUIREMENTS FOR PERMITTING MURAL SIGNS ON BUILDINGS LOCATED WITHIN THE CITY LIMITS.

How a mural is defined is where it is, how big it is, how much text there is and how it is affixed on the wall. Council needs to come up with the percentage on the size and the percentage on texts and symbols. After much discussion, Council agreed to limiting mural signs to 100% of the face of one exterior wall and the text and symbols limited to 20% of the entire size of the mural.

CM Holland moved, seconded by CM Claridge to approve Ordinance #1316-2021 with limiting the size of the mural sign to 100% of one exterior wall and limiting the size of text and symbols to 20% of the entire size of the mural; and correcting the lettering in the Ordinance. All voted "Aye".

17. CONSIDER APPROVAL OF ORDINANCE #1317-2021 AMENDING THE 2021 GENERAL FUND BUDGET DUE TO UNPLANNED EXPENDITURES INVOLVING REPLACING THE DEAD PLANT MATERIAL AT THE CITY COMPLEX FROM THE WINTER DISASTER.

The bushes out in front of the City Complex died during the winter freeze. This design contains landscaping around the fire memorial, in front of the fire and police department, around the monuments and sign in front of City Hall, around the tree in front of the Annex Building, and around the tree in front of the Annex Building next to the parking lot. The total cost is \$6,970.00.

CM Claridge moved, seconded by CM Rodriguez to approve Ordinance #1317-2021 in the amount of \$6,970.00. All voted "Aye".

STAFF REPORTS:

18. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 5901 BLACK OAK LANE
- 5962 BLACK OAK
- 5958 BLACK OAK
- 636 SCHIEME
- 5416 PURDUE
- 1513 SKYLINE

Nothing new to report. No questions were asked.

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

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.

1512 Shenna-received two bids today during the bid opening. Arnold Pent contacted us today and he is planning on closing on June 30, 2021 for the \$210,000.00 purchase price.

Personnel-one employee was hired in Public Works.

Rescue Act-the city should get \$1.6 million with \$800,000.00 this year and \$800,000.00 next year. We have not received this year's funds yet.

Fireworks-June 26th at 5116 River Oaks Blvd.

Landfill Contract-current contract with Republic expires October 2021. We have been meeting with Waste Connections.

Tower Lease-will have an update from Telecom to present in July.

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.

NONE

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.

NONE

RECONVENE:

33. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION


NONE

ADJOURN:

34. ADJOURN

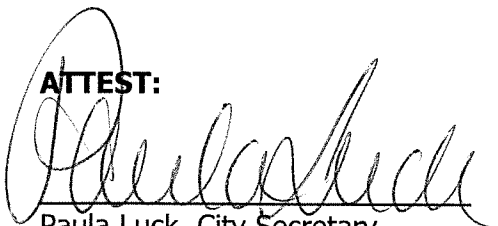
At 8:28 p.m., Mayor Ashton adjourned the meeting. All voted "Aye".

APPROVED:



Joe Ashton, Mayor

ATTEST:



Paula Luck, City Secretary