MINUTES OF THE REGULAR MEETING RIVER OAKS CITY COUNCIL JANUARY 22, 2019

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
MAYOR PRO TEM STEVE HOLLAND
COUNCIL MEMBER JOE ASHTON
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER JOANN BUTLER
COUNCIL MEMBER DARREN HOUK

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
ASST CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
POLICE CHIEF CHRIS SPIELDENNER
BUILDING INSPECTOR STEVE SANDERS
EMERGENCY MGT JAMES MYRICK
CITY ATTORNEY BETSY ELAM
COMMUNITY CENTER DIRECTOR SHIRLEY BLOOMFIELD
ASST FIRE CHIEF SHELBY BROCK

ABSENT:

NONE

CALL TO ORDER

With a quorum present, Mayor Earwood called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, January 22, 2019 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Ashton delivered the Invocation.

PLEDGE OF ALLEGIANCE TO UNITED STATES FLAG AND THE TEXAS FLAG

CM Ashton led the Pledges of Allegiance to the United States and the Texas Flags.

READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS BY MAYOR:

Former Council Member Bruce Scott expressed his appreciation to the City Council, Mayor and City Staff.

Mayor Earwood presented and read a proclamation proclaiming January 2019 as School Board Appreciation Month to the school board on January 14th, 2019.

- 5. **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 DECEMBER 11, 2018 REGULAR COUNCIL MEETING
 - B. APPROVE MINUTES OF DECEMBER 20, 2018 SPECIAL CALLED MEETING
 - C. APPROVE MINUTES OF THE JANUARY 8, 2019 TOWN HALL MEETING
 - D. APPROVE MINUTES OF THE JANUARY 12, 2019 CITY COUNCIL STRATEGIC WORKSHOP

- E. MAYOR RECOMMENDATION TO APPOINT SHELBY BROCK AS ASSISTANT FIRE CHIEF
- F. RATIFY BILLS PAYABLE FOR PERIOD ENDING DECEMBER 25, 2018 AND JANUARY 8, 2019
- G. APPROVE BILLS PAYABLE FOR PERIOD ENDING JANUARY 22, 2019 (FY 2019)
- H. APPROVE CRIME CONTROL & PREVENTION DISTRICT 1ST QUARTER FINANCIAL REPORT (OCTOBER 1-DECEMBER 31, 2018)
- I. APPROVE ECONOMIC DEVELOPMENT CORPORATION 1ST QUARTER FINANCIAL REPORT (OCTOBER 1-DECEMBER 31, 2018)
- J. APPROVE STORM WATER FUND $1^{\rm ST}$ QUARTER FINANCIAL REPORT (OCTOBER 1-DECEMBER 31, 2018)
- K. APPROVE 1ST QUARTER INVESTMENT REPORT (OCTOBER 1-DECEMBER 31, 2018)
- L. APPOINT CLINTON WILLIAMS AS THE CITY'S FIRE MARSHAL

Mayor Earwood introduced Shelby Brock as the Assistant Fire Chief and also introduced Clint Williams as the River Oaks Fire Marshal.

CM Ashton moved, seconded by CM Butler to approve the Consent Agenda items A-L. All voted "Aye".

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

NONE

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

7. CONSIDER APPROVAL OF REQUEST BY SARA HERNANDEZ-CHAVEZ AT 4909 BLACK OAK LANE TO WAIVE THE ADMINISTRATION FEE TO RECONNECT WATER SERVICE.

This item has been removed from the agenda.

8. CONSIDER APPROVAL OF REQUEST BY SCOTT KIRK OF LIBERTY TAX SERVICE TO ERECT "LADY OF LIBERTY" BALLOON ON TOP OF LIBERTY TAX BUILDING AT 4833 RIVER OAKS BLVD PURSUANT TO SECTION 3.12.037(3) OF THE RIVER OAKS CODE.

Scott Kirk of Liberty Tax Service was present. This is the same as years past.

CM Ashton moved, seconded by CM Chisholm to approve the request of Liberty Tax Service to erect "Lady of Liberty" at 4833 River Oaks Blvd. All voted "Aye".

9. CONSIDER APPROVAL OF WEBSITE MODERNIZATION PROPOSAL AS PRESENTED BY JAROD O'FLAHERTY OF FLY ROCK MEDIA.

Jarod O'Flaherty of Fly Rock Media was present. Jarod has been doing the city's website for 10 years. There has been some upgrades done but the administration site has not been touched in 10 years and needs a modernization. The website has not been upgraded in five years. The cost for design and development is \$9,500.00. This is a three month project. There are also optional features offered to migrate and refresh the Police Department site, Fire Department site, Community Center site and the Library site which the cost for this is \$1,500 each (\$6,000 total). The \$9,500 is budgeted but the \$6,000 is not.

Mayor Pro Tem Holland moved, seconded by CM Chisholm to approve the website modernization as presented to the city's website and staff will decide if the optional features will be done this budget with a budget amendment or wait until the next budget. All voted "Aye".

10. CONSIDER APPROVAL OF JAROD O'FLAHERTY REQUESTING PHOTOGRAPHING OUTSIDE OF CITY COMPLEX FOR A MOVIE SCENE.

Jarod O'Flaherty was present. This is a faith based crime drama series. The River Oaks name will not be seen in any scenes.

CM Ashton moved, seconded by Mayor Pro Tem Holland to approve the request to photograph the outside of the city complex for a movie scene. All voted "Aye".

11. CONSIDER APPROVAL OF COMMERCIAL SALES AGREEMENT FROM JOHNSON CONTROLS TO REPLACE THE WATER TOWER ALARM MONITOR.

This is to upgrade the system at the water tower and this will cost the city \$500 less annually than what we are paying now.

CM Ashton moved, seconded by CM Houk to approve the agreement with Johnson Controls with final approval by the City Attorney. All voted "Aye".

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

12. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE PROPOSED APPLICATION SUBMITTED BY CASTLEBERRY INDEPENDENT SCHOOL DISTRICT REGARDING THE PROPOSED PROPERTY RE-PLAT OF BLOCK A, DOYLE-HEAD $2^{\rm ND}$ FILING, IN ORDER TO AMEND THE PROPERTY PLAT BY INCORPORATING LOTS 9, 10, 11, 12 & 13R IN BLOCK 3 AND LOT 12 IN BLOCK 6, DOYLE-HEAD $2^{\rm ND}$ FILING TOGETHER WITH BLOCK A, DOYLE-HEAD $2^{\rm ND}$ FILING CREATING A SINGLE PLATTED LOT BEING DESCRIBED AS LOT 1, BLOCK A, IRMA MARSH MIDDLE SCHOOL ADDITION BEING A TOTAL OF 11.676 ACRES IN THE JOHN WATSON SURVEY-ABSTRACT 1670 WITHIN A "CF" COMMUNITY FACILITIES ZONING DISTRICT PURSUANT TO ZONING ORDINANCE #1158-2017 AS ADOPTED AND AS AMENDED. (ZONING CASE #PZ 2018-0005).

At 7:35 p.m., Mayor Earwood opened the Public Hearing.

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John Ramos, CISD Superintendent, was present. A copy of the replat was submitted to the council. This will combine the CISD lots into one lot. The streets have already been abandoned by the city. This replat will give the school the ability to add on to the back of the Middle School for fine arts and expand some class rooms. The plan is to redo the streets once the first project is complete.

At 7:43 p.m., Mayor Earwood closed the Public Hearing.

13. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF THE APPLICATION SUBMITTED BY CASTLEBERRY INDEPENDENT SCHOOL DISTRICT REGARDING THE PROPOSED PROPERTY RE-PLAT OF BLOCK A, DOYLE-HEAD 2ND FILING, IN ORDER TO AMEND THE PROPERTY PLAT BY INCORPORATING LOTS 9, 10, 11, 12 & 13R IN BLOCK 3 AND LOT 12 IN BLOCK 6, DOYLE-HEAD 2ND FILING TOGETHER WITH BLOCK A, DOYLE-HEAD 2ND FILING CREATING A SINGLE PLATTED LOT BEING DESCRIBED AS LOT 1, BLOCK A, IRMA MARSH MIDDLE SCHOOL ADDITION BEING A TOTAL OF 11.676 ACRES IN THE JOHN WATSON SURVEY-ABSTRACT 1670 WITHIN A "CF" COMMUNITY FACILITIES ZONING DISTRICT PURSUANT TO ZONING ORDINANCE #1158-2017 AS ADOPTED AND AS AMENDED. (ZONING CASE #PZ 2018-0005).

Mayor Pro Tem Holland moved, seconded by CM Butler to approve Zoning Case #PZ 2018-0005. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

14. CONSIDER APPROVAL OF ORDINANCE #1213-2019 AMENDING ARTICLE 12.03 "TRAFFIC-CONTROL DEVICES" SPECIFICALLY IN SECTION 12.03.006 "DESIGNATING ONE-WAY STREETS & PARKING ZONES" BY ADDING SUBSECTION (d) "300 BLOCK OF HARRISDALE AVENUE AND 300 BLOCK OF WORTHVIEW DRIVE" PROVIDING FOR TIME LIMIT ONE-WAY VEHICULAR TRAVEL 330-FEET FROM NORTH TO SOUTH ONLY ON SCHOOL DAYS FROM 7:00 A.M. TO 8:30 A.M. AND FROM 3:00 P.M. TO 4:30 P.M. IN THE 300 BLOCKS OF WORTHVIEW DRIVE AND HARRISDALE AVENUE; AMENDING ARTICLE 12.05 "STOPPING, STANDING AND PARKING" SPECIFICALLY IN SECTION 12.05.013 "SPECIAL TIME LIMIT NO PARKING ZONES" BY ADDING SUBSECTION (e) "300-400 CHURCHILL ROAD, 4700-4816 BLACKSTONE DRIVE, 300 BLOCKS OF HARRISDALE AND WORTHVIEW DRIVE" ESTABLISHING A TIME-LIMIT NO PARKING ZONE ONLY ON SCHOOL DAYS FROM 7:00 A.M. TO 8:30 A.M. AND FROM 3:00 P.M. TO 4:30 P.M. ON THE WEST SIDE OF CHURCHILL ROAD IN THE 300-400 BLOCKS, ALL OF THE 4700 BLOCK TO 4816 BLACKSTONE DRIVE, ALL OF THE 300 BLOCK OF HARRISDALE AVENUE AND ALL OF THE 300 BLOCK OF WORTHVIEW DRIVE.

John Ramos, CISD Superintendent, was present. Harrisdale Avenue and Worthview Drive will be one-way only (heading south) from 7:00 am to 8:30 am and from 3:00 pm to 4:30 pm. Residents that are affected have been personally notified and are welcome to call the school anytime for any issues or questions that come up. Currently parents or whoever is picking students up are parking on the streets causing the traffic not to flow. If this Ordinance is passed, there will be designated parking spots in front of Irma Marsh and parking or stopping for any reason will not be allowed on Churchill, Harrisdale, Worthview, Blackstone or Shear Drive during drop off and pick up times. This is the best option to allow traffic to flow freely.

CM Butler moved, seconded by CM Ashton to approve Ordinance #1213-2019. All voted "Aye".

15. CONSIDER APPROVAL OF ORDINANCE #1214-2019 AMENDING ARTICLE 12.03 "TRAFFIC-CONTROL DEVICES" SPECIFICALLY IN SECTION 12.03.006 "DESIGNATING ONE-WAY STREETS & PARKING ZONES" SUBSECTION (a) "5400 BLOCK OF TRUMAN DRIVE" EXTENDING ONE-WAY VEHICULAR TRAVEL FROM THE INTERSECTION OF TRUMAN DRIVE AT GUSTAV STREET EAST 235-FEET AND THEN BACK NORTH 339.6 FEET ALONG THE 12.2 FOOT WIDE IMPROVED ALLEY RIGHT-OF-WAY THAT WILL BECOME A ONE LANE EGRESS TERMINATING AT ITS INTERSECTION WITH BLACK OAK LANE AND PROVIDING "DO NOT ENTER" SIGNS AND DESIGNATED BY THE POLICE CHIEF ON THE SOUTH SIDE OF BLACK OAK LANE AT ITS INTERSECTION WITH THE 12.2 FOOT EGRESS RIGHT-OF-WAY; ESTABLISHING A 20-FOOT FIRE LANE AND DESIGNATING HEAD IN PARKING ON THE NORTH SIDE OF THE TRUMAN DRIVE 50-FOOT RIGHT-OF-WAY IN THE REAR OF THE PROPERTIES BEHIND 5404-5412 RIVER OAKS BLVD. AND INCLUDING 700 GUSTAV STREET; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

Truman Drive, which runs behind business, is ready to be striped and signage installed designating it to be a one-way access through the parking lot east 235-feet to the point where Truman interconnects with the 12.2 foot wide alleyway that will become a single-lane access way north to Black Oak Lane approximately 340-feet. There will be "Do Not Enter" signs at the intersection with the alleyway & Black Oak Lane warning motorists not to enter from Black Oak Lane.

CM Chisholm moved, seconded by CM Ashton to approve Ordinance #1214-2019. All voted "Aye".

16. CONSIDER APPROVAL OF ORDINANCE #1215-2019 AMENDING ARTICLE 12.05, "STOPPING, STANDING AND PARKING", OF THE CITY OF RIVER OAKS CODE OF ORDINANCES (2006) BY INCORPORATING INTO SECTION 12.05.012 "SPECIAL STOP INTERSECTIONS" SPECIFICALLY IN SECTION 12.05.012(s) "OTHER SPECIAL STOP INTERSECTIONS" BY ADDING SECTION 12.05.012(s)(16) PROVIDING A STOP INTERSECTION AT THE NORTH END OF THE 12.2 FOOT WIDE IMPROVED ALLEYWAY EGRESS ROAD AS DEDICATED TO THE CITY OF RIVER OAKS, TEXAS WHERE IT INTERSECTS WITH BLACK OAK LANE AS ALSO PLOTTED HEREIN AS "EXHIBIT A" OF THIS ORDINANCE.

Once striping is complete on Truman, it will require that a stop intersection be placed where the alleyway intersects Black Oak Lane. The traffic on Black Oak Lane traveling east or west will not be required to stop.

CM Chisholm moved, seconded by CM Ashton to approve Ordinance #1215-2019. All voted "Aye".

17. CONSIDER APPROVAL OF ORDINANCE #1216-2019 AMENDING THE 2019 FISCAL YEAR GENERAL FUND BUDGET EXPANDING THE BUDGET IN ACCOUNT 01-520-5274 "ROAD REPAIRS" DUE TO UNPLANNED EXPENDITURES.

Originally it was projected a 2" asphalt overlay be laid and \$65,000 was budget for this project. In consulting with Tarrant County, it is recommended a 4" asphalt overlay be laid since this is a heavily traveled road of all kinds of vehicles. This will cause an overrun of \$81,320.00.

CM Chisholm moved, seconded by CM Butler to approve Ordinance #1216-2019. All voted "Aye".

18. CONSIDER APPROVAL OF ORDINANCE #1217-2019 AMENDING THE 2019 FISCAL YEAR GENERAL FUND BUDGET EXPANDING THE BUDGET IN ACCOUNT 01-513-5462 FOR UNPLANNED EXPENDITURES INVOLVING HOMELAND SECURITY.

A second electronic coded sliding gate at the water plant road needs to be installed.

CM Ashton moved, seconded by CM Chisholm to approve Ordinance #1217-2019. All voted "Aye".

19. CONSIDER APPROVAL OF RESOLUTION #952-2019 CHANGING THE NAME OF THE RIVER OAKS COMMUNITY CENTER AND PROVIDING AND EFFECTIVE DATE.

Directors Shirley Bloomfield and Shirley Wheat have brought up in past meetings about changing the name of the Community Center to attract more events. Same services will remain.

CM Ashton moved, seconded by CM Houk to approve changing the name of the River Oaks Community Center to the River Oaks Event Center effective immediately and to bring back any expenditures related to this change to the council for approval. All voted "Aye".

20. CONSIDER APPROVAL OF RESOLUTION #953-2019 CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 4, 2019; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

This is for the General Election on May 4, 2019 with a joint election with Tarrant County.

CM Ashton moved, seconded by CM Chisholm to approve Resolution #953-2019. All voted "Aye".

STAFF REPORTS:

- 21. UPDATE ON SUBSTANDARD PROPERTIES AT:
 - 1617 HILLSIDE-removed from substandard list & house for sale.
 - 1605 MONTROSE-no work has been done and no inspections. Will bring back to council for action.
 - 4709 WHITE OAK (not on agenda)-in process of getting title search.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

Chief Spieldenner-In January 2018, the storage server with the telephone system and 911 system had failed and did not capture some phone numbers; therefore, causing a decrease in the number of telephone calls from 2017 to 2018.

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

Asst. Chief Brock-in December 2018, there were 85 calls and 13 uncovered shifts.

- 24. **INSPECTIONS AND CODE COMPLIANCE ACTIVITY REPORTS** INCLUDING NUMBER OF PERMITS ISSUED AND CODE VIOLATIONS WORKED.
- 25. **LIBRARY ACTIVITY REPORT** INCLUDING NUMBER OF BOOKS, VIDEOS, PAPERBACKS, AND INCLUDING NUMBER OF PATRON ASSISTANCE.
- 26. **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
- 27. **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

PWD Smith-The traffic switch on the Roberts Cut Off project is expected to happen this Saturday. Bid opening is scheduled for January 25, 2019 for Phase 2 sewer. Should hear back very soon with an approval for Phase 1 water.

- 28. **PARK BOARD ACTIVITY REPORT** INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD
- 29. **COMMUNITY CENTER ACTIVITY REPORT** INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES
- 30. **CITY SECRETARY ACTIVITY REPORT** INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEXPOOL AND CRIME SALES TAX
- 31. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES AND UPCOMING PROJECTS.

- 32. **STORM WATER TASK FORCE ACTIVITY REPORT** INCLUDING ACTINS TAKEN UNDER THE MS4 PERMIT, COMMUNITY EDUCATION AND PROMOTIONAL EVENTS REGARDING STORM WATER PREVENTION POLLUTION
- 33. **EMERGENCY MANAGEMENT ACTIVITY REPORT** INCLUDING POLICIES, PROCEDURES AND INFORMATION PERTAINING TO EMERGENCY MANAGEMENT PLANNING

PUBLIC FORUM:

34. CITY COUNCIL INVITES CITIZENS TO SPEAK ON ANY TOPIC; 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 THE ISSUE. NO COUNCIL DELIBERATION IS PERMITTED

CS Gregory-January 29, 2019 Special Called Meeting at 6:30 p.m.

CM Ashton-questioned what the status was on the videotaping the City Council Meetings. CS Gregory is working with Mark but is having no luck with Charter Communications.

Mayor Earwood-announced Bank of Texas and Bank of America, both in River Oaks, will be closing.

EXECUTIVE SESSION:

- 35. 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.

NONE

RECONVENE:

36. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

NONE

ADJOURN:

37. ADJOURN

At 8:58 p.m. Mayor Pro Tem Holland moved, seconded by CM Chisholm, to adjourn the meeting. All voted "Aye".

APPROVED:

Herman Earwood, Mayor

ATTEST:

Marvin Gregory, City Secretary