

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
JANUARY 23, 2018**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
MAYOR PRO TEM JOE ASHTON
COUNCIL MEMBER BRUCE SCOTT
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER JOANN BUTLER

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
ASST CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
POLICE CHIEF CHRIS SPIELDENNER
CITY ATTORNEY BETSY ELAM
EMERGENCY MGT JAMES MYRICK
BUILDING INSPECTOR STEVE SANDERS
FIRE CHIEF JAMES BROWN
EDC COORDINATOR PATRICIA WARD
COMMUNITY CENTER DIRECTOR SHIRLEY WHEAT
COMMUNITY CENTER DIRECTOR SHIRLEY BLOOMFIELD
ADMINISTRATIVE ASSISTANT MARIA TUEME

ABSENT:

COUNCIL MEMBER STEVE HOLLAND-EXCUSED

1. 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 23, 2018 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Scott delivered the Invocation.

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

CM Scott 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. **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. MINUTES OF JANUARY 9, 2018 REGULAR CALLED MEETING
- B. APPROVE BILLS PAYABLE FOR THE PERIOD ENDING JANUARY 23, 2018 (FY 2018)
- C. APPROVE EDC 1ST QUARTER FINANCIAL REPORT (OCT 1-DEC 31, 2017)
- D. APPROVE CCPD 1ST QUARTER FINANCIAL REPORT (OCT 1-DEC 31, 2017)

E. APPROVE STORM WATER 1ST QUARTER FINANCIAL REPORT (OCT 1-DEC 31, 2017)

F. APPROVE 1ST QUARTER INVESTMENT REPORT (OCT 1-DEC 31, 2017)

Mayor Pro Tem Ashton moved, seconded by CM Scott to approve the Consent Agenda items A - F. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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. 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 was present. This is the same as last year.

CM Scott moved, seconded by Mayor Pro Tem Ashton to approve the erect of Lady Liberty. All voted "Aye".

8. CONSIDER APPROVAL OF ISSUING A PRIVATE COLLECTORS PERMIT PURSUANT TO ARTICLE 13.08 "SOLID WASTE" DIVISION 2 "PERMIT FOR PRIVATE COLLECTORS" AS REQUESTED BY ARMANDO SERRANO FOR THE PURPOSE OF COLLECTING SCRAP METAL AND JUNK PLACED ON THE PROPERTY SIDE NEXT TO THE STREET CURB OR STREET RIGHT-OF-WAY IN THE CITY OF RIVER OAKS.

Armando Serrano was present.

The ordinance reads if anybody collects garbage, junk, and/or scrap a permit needs to be pulled by that person. The council has to set the bond and insurance amount. The permit fee is \$30.00. This has historically been enforced because people scatter the resident's trash and some people are criminals and some are not.

Mayor Pro Tem Ashton moved, seconded by CM Scott to issue a Private Collectors Permit pursuant to Article 13.08 at no cost and not requiring a bond or insurance that this can be renewed annually to Mr. Serrano and his son with presenting their identification, vehicle information and signing off on a list of requirements. All voted "Aye".

9. CONSIDER APPROVAL OF RESOLUTION #916-2018 AUTHORIZING ECONOMIC DEVELOPMENT CORPORATION (EDC) EXPENDITURES FROM THE 2017-2018 FISCAL YEAR BUDGET AS QUALIFIED FOR A PROJECT MORE THAN \$10,000.00 FOR BUSINESS INCENTIVES TO PROMOTE DEVELOPMENT OF COMMERCIAL BUSINESS PROPERTY AT 5404 THROUGH 5412 RIVER OAKS BLVD PURSUANT TO THE LOCAL GOVERNMENT CODE TITLE 12 "PLANNING AND DEVELOPMENT", CHAPTER 505 "TYPE B CORPORATIONS"; AND PROVIDING AN EFFECTIVE DATE (FIRST READING).

Kris Franks was present. The minor changes are:

Section 1.06-change "resurfacing" to "rehab"

Section 1.09-change "metal rafters" to "stylish ceilings"; remove "all gas appliances"

Section 1.18-remove "retail"

Section 5.01E-changed "3 units" to "2 units"

This is the first reading and will be brought back on February 13, 2018 for the second reading with the changes noted.

Mayor Pro Tem Ashton moved, seconded by CM Chisholm to approve the first reading of Resolution #916-2018 with the noted changes. All voted "Aye".

10. DISCUSSION AND/OR ACTION ON PLANS FOR THE ANNUAL ALL AMERICAN FESTIVAL AS PRESENTED BY SHIRLEY WHEAT.

Last year there was little participation. People only showed up for the fireworks. Extreme Pyrotechnics needs to go before the EDC Board to explain what happened with the fireworks last year. Would like to keep doing the fireworks at Victory Church but as far as the festival, need to contact Victory Church and see if they plan on doing a festival and if so, the city will not do one. If they do not, then a festival will happen at the Community Center on a smaller scale. This year's fireworks will take place Saturday, June 30th at 9:30 pm.

11. DISCUSSION AND/OR ACTION ON REQUEST FROM ANDREW AND LISA FULD AT 1844 INSPIRATION LANE ABOUT PURCHASING 0.6 ACRES OF CITY OWNED LAND IN ORDER TO SQUARE UP THEIR PROPERTY.

Andrew and Lisa Fuld were present.

This property is adjacent to the Water Treatment Plant property. This is to square up the property at 1844 Inspiration Lane. A structure will not be built on this property. There is a lot of unwanted foot traffic on that piece of property that does not include city personnel. But discussion will need to happen between the Police Department and Fire Department and also about the WTP gate. As a general rule since this property is owned by the city, it has to be bid but not like a regular bid. It is possible that since this property is not buildable, bidding may be able to be avoided but will need to get an appraisal and sell at fair market value. The City cannot donate the land.

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

12. CONSIDER APPROVAL OF RESOLUTION #917-2018 CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 5, 2018; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

CM Scott moved, seconded by CM Chisholm to approve Resolution #917-2018. All voted "Aye".

STAFF REPORTS:

13. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 1101 OXFORD-no change, potential new buyer
- 5601 TAYLOR RD-removed from substandard
- 1202 BANKS-30 days to complete
- 1617 HILLSIDE-no change, bring back for Public Hearing
- 5411 PURDUE
- 606 WORTHVIEW-foreclosure, administrative penalties
- 4721 BARBARA RD-two houses on one lot (doesn't meet requirements)
- 4908 ALMENA-electrical fire, electrical permit pulled, owner plans on rehab house

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

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

16. **INPSECTIONS AND CODE COMPLIANCE ACTIVITY REPORTS** INCLUDING NUMBER OF PERMITS ISSUED AND CODE VIOLATIONS WORKED.

17. **LIBRARY ACTIVITY REPORT** INCLUDING NUMBER OF BOOKS, VIDEOS, PAPERBACKS, AND INCLUDING NUMBER OF PATRON ASSISTANCE.

Mayor Earwood-finished installation of shelves, in process of stocking shelves with books.

18. **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

19. **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

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

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

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

23. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES, UPCOMING PROJECTS AND REPORTING FROM WARD & ASSOCIATES, CONSULTANT, ON ECONOMIC DEVELOPMENT.

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

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

PUBLIC FORUM:

26. 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**

Mayor Earwood announced on March 1st at the Walmart on Jacksboro Hwy a ribbon cutting at 8:00 am on the new training facility behind the main building.

EXECUTIVE SESSION:

27. 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:

28. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

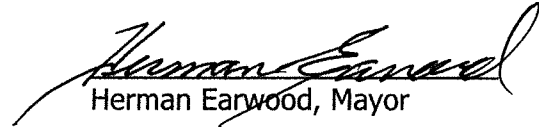
NONE

ADJOURN:


29. ADJOURN

At 8:30 p.m. Mayor Pro Tem Ashton moved, seconded by CM Scott, to adjourn the meeting. All voted "Aye".

APPROVED:


Herman Earwood, Mayor

ATTEST:


Marvin Gregory, City Secretary