

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
MARCH 27, 2018**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
MAYOR PRO TEM JOE ASHTON
COUNCIL MEMBER STEVE HOLLAND
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 BRADLEY ANDERLE
EMERGENCY MGT JAMES MYRICK
BUILDING INSPECTOR STEVE SANDERS
FIRE CHIEF JAMES BROWN
COMMUNITY CENTER DIRECTOR SHIRLEY WHEAT
COMMUNITY CENTER DIRECTOR SHIRLEY BLOOMFIELD

ABSENT:

COUNCIL MEMBER BRUCE SCOTT-EXCUSED (OUT OF TOWN)

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, March 27, 2018 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.

Mayor Earwood wants everyone to remember the victims in Russia.

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 MARCH 13, 2018 REGULAR CALLED MEETING

B. APPROVE MINUTES FROM MARCH 6, 2018 TOWN HALL MEETING

C. APPROVE BILLS PAYABLE FOR THE PERIOD ENDING MARCH 27, 2018 (FY 2018)

D. APPROVE TERMINATION/RESIGNATION OF PUBLIC WORKS EMPLOYEES

E. RATIFY RECOMMENDATION FROM EDC TERMINATING AGREEMENT WITH WARD & ASSOCIATES AS AN ECONOMIC DEVELOPMENT CONSULTANT

CM Holland removed Item #A from the Consent Agenda and to request the motions be changed on Items #9 & #10 in the Minutes as follows:

#9 CM Butler moved, seconded by CM Holland to deny the request. CM Butler, Holland and Scott voted "Aye"; CM Chisholm and Mayor Pro Tem Ashton voted "Nay". Motion approved.

#10 CM Holland moved, seconded by CM Butler to deny the request. CM Holland and CM Butler voted "Aye". CM Chisholm, Mayor Pro-Tem Ashton and CM Scott voted "Nay". Motion failed.

CM Scott moved, seconded by CM Chisholm to approve waiving the administration fee. CM Scott, CM Chisholm and Mayor Pro Tem Ashton voted "Aye". CM Butler and CM Holland voted "Nay". Motion approved.

CM Holland moved, seconded by CM Butler to approve the Consent Agenda Items A – E with the revisions noted above in Item #A. 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. DISCUSSION AN/OR ACTION REGARDING THE ENGINEERING DESIGN PROBLEMS ASSOCIATED WITH ADDING A 3-FOOT ADDITIOIN FOR THE POLICE DEPARTMENT RECORD STORAGE AND CONNECTING THE POLICE DEPARTMENT TO MUNICIPAL COURT APPROVED FOR FUNDING AS COURT SECURITY WITH THE ADOPTION OF ORDINANCE #1150-2017.

This project was approved in 2017. As of right now, there is not enough funds in the Court Security Budget to do this project. This addition is a 10' x 30' records room that will have direct access from the Police Department to the Court. It will be elevated for water flow and will hold a weight of 40 full file cabinets. The contractor that had the low bid backed out because of a specialized material that will cost \$25,000. Therefore the project exceeded \$50,000. A structural engineer has been found and has recommended Michael Barnes as the architect. Mr. Barnes will charge no more than \$2,500.00 for the design.

Mayor Pro Tem Ashton moved, seconded by CM Chisholm to enter into an agreement with Michael Barnes not to exceed \$2,500.00 for the architectural design of a 30-foot addition at the Police Department. All voted "Aye".

8. DISCUSSION AND/OR ACTION ON COMMUNITY CENTER EVENTS:

- ALL AMERICAN FESTIVAL AND FIREWORKS SHOW
- CAR SHOW

The Car Show will be May 5th, 2018. The All American Festival will be June 30th, 2018 with the location for the festival at the Community Center and the Fireworks Show location unknown at this time (either at Victory Church or at the School). Council agreed to have a two year calendar presented at budget time which will not require council approval every year for these events.

Mayor Pro Tem Ashton moved, seconded by CM Butler to approve the All American Festival and Fireworks Show with the festival at the Community Center and the firework show location pending; and the Car Show approving for two years. All voted "Aye".

9. DISCUSSION AND/OR ACTION ON CELL TOWER GROUND LEASE RENEWAL ON THE MONOPOLE AT 4900 RIVER OAKS BLVD AS PRESENTED BY AMERICAN TOWER CORPORATION.

The final term is this year. This is connected to Verizon Wireless. Requested to table this item to the April 10th, 2018 Council Meeting so the City Attorney can look over the agreement. It was also discussed of possible going out for bids for a better deal.

10. CONSIDER APPROVAL OF APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENTS.

ZBA appointed Robert Brown to Place 3 and to move Cornell Addington to Alternate 2.

Mayor Pro Tem Ashton moved, seconded by CM Chisholm to approve the ZBA Appointments. All voted "Aye".

11. CONSIDER APPROVAL OF THE JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES WITH TARRANT COUNTY ELECTIONS.

This agreement is the same as previous years with \$4,143.36 being the total cost with \$3,200.00 as a deposit up front.

Mayor Pro Tem Ashton moved, seconded by CM Chisholm to approve the Joint Election Agreement and contract with Tarrant County Elections. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

12. CONSIDER APPROVAL OF RESOLUTION #921-2018 FOR SPECIAL EVENT PERMITTING TO HOLD THE ALL AMERICAN FESTIVAL ON JUNE 30, 2018.

CM Holland moved, seconded by CM Butler to approve Resolution #921-2018. All voted "Aye".

13. CONSIDER APPROVAL OF RESOLUTION #923-2018 FOR SPECIAL EVENT PERMITTING TO HOLD A CAR SHOW ON MAY 5, 2018 AT THE COMMUNITY CENTER.

Mayor Pro Tem Ashton moved, seconded by CM Chisholm to approve Resolution #923-2018 to hold a Car Show on May 5, 2018. All voted "Aye".

14. CONSIDER APPROVAL OF RESOLUTION #922-2018 AUTHORIZING ECONOMIC DEVELOPMENT CORPORATION (EDC) EXPENDITURES FROM THE 2017-2018 FISCAL YEAR BUDGET AS QUALIFIED FOR A PROJECT MORE THAN \$10,000 FOR BUSINESS INCENTIVES TO PROMOTE DEVELOPMENT OF COMMERCIAL BUSINESS PROPERTY AT 5436 THROUGH 5442 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).

With the advice from the City Attorney and the owner and tenant that are involved, an agreement has been agreed to. The total expenditure is \$20,000 from EDC and is a five year agreement.

CM Holland moved, seconded by Mayor Pro Tem Ashton to approve Resolution #922-2018 (first reading). All voted "Aye".

15. CONSIDER APPROVAL OF RESOLUTION #924-2018 AUTHORIZING CONTINUED PARTICIPATION WITH THE STEERING COMMITTEE OF CITIES SERVICED BY ONCOR; AND AUTHORIZING THE PAYMENT OF 11 CENTS PER CAPITA TO THE STEERING COMMITTEE TO FUND REGULATORY AND LEGAL PROCEEDINGS AND ACTIVITIES RELATED TO ONCOR ELECTRIC DELIVERY COMPANY, LLC.

This is the same as it has been in the past.

CM Holland moved, seconded by CM Butler to approve Resolution #924-2018. All voted "Aye".

STAFF REPORTS:

16. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 1101 OXFORD-no change.
- 1617 HILLSIDE-no change.
- 606 WORTHVIEW-civil penalties. Final inspection tomorrow.
- 4908 ALMENA-has sold. Will be meeting with new owner.
- 4721 BARBARA RD-ZBA denied non-conforming. Letter sent to owner.
- 1605 MONTROSE –Emergency board up will be Thursday.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

17. **POLICE DEPT. MONTHLY REPORT** INCLUDING PATROL ACTIVITY, REPSONSE 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.

There has been a 10% increase in call responses in 2017 from 2016. Open house is April 21, 2018.

19. INSPECTIONS AND CODE COMPLIANCE ACTIVITY REPORTS INCLUDING NUMBER OF PERMITS ISSUED AND CODE VIOLATIONS WORKED.

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

Open house is April 7, 2018.

21. 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

22. 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

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

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

I Tickets is being used to sell tickets to the shows. I Tickets charges a surcharge for the one making the purchase and I Tickets keeps that money. The city is getting all the monies for the tickets only. This is bringing people into our city from all over. The Elvis Show was sold out.

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

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

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

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

PUBLIC FORUM:

29. 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**

CM Holland thanked PC Spieldenner and PWD Smith for representing the city well at the School Board joint meeting with the City.

Mayor Pro Tem Ashton mentioned Jack Adkison's surgery went well.

CM Chisholm announced the egg hunt this Saturday at 10 a.m. at Inspiration Lane.

CS Gregory said about 50 people showed up for the hazardous waste collection which is down from last year.

PWD Smith announced the Community Forum on April 3, 2018 will be about Meandering Rd.

Mayor Earwood said the town homes on Roberts Cut Off are selling for over \$250,000 which when they were first built, they were selling from about \$140,000. April 15th, 2018 from 2-4 p.m. is Theda's 100th birthday party at the Community Center.

EXECUTIVE SESSION:

30. 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.

RECONVENE:

31. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION


NONE

ADJOURN:

32. ADJOURN

**At 7:59 p.m. CM Holland moved, seconded by CM Chisholm, to adjourn the meeting.
All voted "Aye".**

APPROVED:



Joe Ashton, Mayor Pro Tem

ATTEST:



Marvin Gregory, City Secretary