

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
JUNE 12, 2018**

**MEMBERS PRESENT:**

MAYOR PRO TEM STEVE HOLLAND  
COUNCIL MEMBER DAN CHISHOLM  
COUNCIL MEMBER JOANN BUTLER  
COUNCIL MEMBER JOE ASHTON  
COUNCIL MEMBER BRUCE SCOTT

**STAFF PRESENT:**

CITY SECRETARY MARVIN GREGORY  
ASST CITY SECRETARY PAULA LUCK  
EMERGENCY MGT JAMES MYRICK  
DEPUTY POLICE CHIEF CHUCK STEWART  
CITY ATTORNEY BETSY ELAM  
PUBLIC WORKS DIRECTOR GORDON SMITH  
FIRE CHIEF JAMES BROWN  
COMMUNITY CENTER DIRECTOR SHIRLEY WHEAT  
POLICE SECRETARY CANDI MOUTON  
POLICE DISPATCHER RHONDA RIPPLE

**ABSENT:**

MAYOR HERMAN EARWOOD-EXCUSED

1. CALL TO ORDER

With a quorum present, Mayor Pro Tem Holland called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, June 12, 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. PRESENTATION OF LIFE SAVING AWARD TO KELSEE THARP AS PRESENTED BY RIVER OAKS POLICE DEPARTMENT

Deputy Police Chief Stewart read a letter from Police Chief Spieldenner which read how Kelsee Tharp called 911 when her father had a major medical crisis and because of her she saved her dad's life. Police Secretary Candi Mouton and Abigail Dudek with Tarrant County 911 presented Kelsee Tharp with a plaque, challenge coin, 911 t-shirt and other items. Police Dispatcher said Kelsee remained very calm and strong and gave out the necessary information.

At 7:07 p.m., Mayor Pro Tem Holland and the City Council went into Executive Session under Sections 551.071, 551.072 & 551.076.

At 8:08 p.m., Mayor Pro Tem Holland and the City Council reconvened into Open Session.

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 MAY 15, 2018 SPECIAL COUNCIL MEETING
- B. APPROVE MINUTES OF MAY 22, 2018 REGULAR COUNCIL MEETING
- C. APPROVE MINUTES OF MAY 29, 2018 SPECIAL CALLED MEETING
- D. APPROVE MINUTES OF TOWN HALL MEETING HELD ON JUNE 5, 2018
- E. APPROVE BILLS PAYABLE FOR PERIOD ENDING JUNE 12, 2018 (FY 2018)

**CM Ashton moved, seconded by CM Butler to approve the Consent Agenda Items #A-E with revisions to Item #D. All voted "Aye".**

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

**NONE**

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

8. DISCUSSION AND/OR ACTION ON AMENDING THE APRIL 24, 2018 SUBSTANDARD BUILDING ORDER EXTENDED UNTIL JUNE 12, 2018 ON THE PROPERTY AT 1617 HILLSIDE DR.

Will Wright with Avocent Ventures was present. New ownership has been filed but not signed. This is a guardianship issue. The new owners hopefully have full possession by Friday. The plan is to have the house brought up to code within 60 days of ownership.

**CM Scott moved, seconded by CM Chisholm to amend the substandard building order an additional 30 days. All voted "Aye".**

**PUBLIC HEARINGS; ACTION FROM PUBLIC HEARINGS:**

9. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC INPUT ON SUBSTANDARD BUILDING ENFORCEMENT ACTION ON PROPERTY LOCATED AT 621 OAKLAWN AND SPECIFICALLY PERTAINING TO THE STRUCTURE LOCATED ON THE REAR OF THE PROPERTY.

At 8:14 p.m., Mayor Pro Tem Holland opened the Public Hearing.

Council has already taken action on this property. At the last Council Meeting, staff was directed to do a re-inspection. Staff does find it substandard and updated pictures were shown.

At 8:28 p.m., Mayor Pro Tem Holland closed the Public Hearing.

10. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 621 OAKLAWN (REAR STRUCTURE) THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURE(S) OR ADOPTION OF RESOLUTION IMPLOING 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 Ashton moved, seconded by CM Scott that the building located at 621 Oaklawn (rear) based on evidence presented at this hearing, is Substandard and: 1) that the conditions set forth in the Building Official's report exist to the extent that the live, health, property, or safety of the public (and occupants of the building(s), if applicable) are endangered; and 2) that the building(s) is/are feasible of repair and therefore order the building to be repaired by the owner within 30 days; and 3) the board orders commencement of the repairs within 30 days with completion within 30 days; and 4) the board orders that weekly progress inspections be made by the City Inspector and be reported to the board prior to the order being reconsidered to be amended and additional time given by the board; and 5) order that the building be repaired in conformance with the requirements of Section 3.07.004 of the River Oaks Code of Ordinances (2006) as amended within 30 days and further find that if the building is not repaired within 30 days, that there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given. If the building is not repaired within 30 days in full conformance within Section 3.07.004 of the River Oaks Code of Ordinances (2006), the building may be demolished. A screening fence will need to be erected and this building will be repaired to the standard of an accessory structure; and 6) order that the 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. CM Ashton, CM Scott, CM Chisholm voted "Aye". CM Butler and Mayor Pro Tem Holland voted "Nay". Motion passed.**

**ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:**

11. CONSIDER APPROVAL OF RESOLUTION #929-2018 AMENDING THE AUTHORIZED REPRESENTATIVES ON TEX-POOL ACCOUNTS.

**CM Scott moved, seconded by CM Chisholm to approve Resolution #929-2018. All voted "Aye".**

12. CONSIDER APPROVAL OF RESOLUTION #930-2018 AMENDING THE AUTHORIZED REPRESENTATIVES ON THE CITY BANK ACCOUNTS AND REPEALING RESOLUTION #864-2016.

**CM Chisholm moved, seconded by CM Ashton to approve Resolution #930-2018. All voted "Aye".**

13. CONSIDER APPROVAL OF RESOLUTION #931-2018 AMENDING RESOLUTION #914-2017 INCREASING THE AMOUNT OF THE CITY'S PLEDGE TO \$10,000 FOR THE 43<sup>RD</sup> YEAR CDBG PROJECT.

This is the Greenbrier project. The original pledge was \$30,000 but will need an additional \$10,000 to complete this project.

**CM Chisholm moved, seconded by CM Butler to approve Resolution #931-2018. All voted "Aye".**

14. CONSIDER APPROVAL OF ORDINANCE #1187-2018 AMENDING ARTICLE 4.05 "YARD SALES" SPECIFICALLY UNDER SECTION 4.05.006 "REQUIREMENTS AND CONDITIONS" OF THE RIVER OAKS CODE OF ORDINANCE REVISING THE REQUIREMENTS FOR HOLDING YARD SALES WITHIN THE CITY.

There have been applicants applying for yard sale permits on vacant property where there is no structure. This is not backed by city ordinance. This new ordinance incorporates the language stating that the permit has to be issued only to an active water customer where a structure is located and not on a vacant lot. Also if applicants want additional directional signs the cost is \$1.00 per sign which the current ordinance does not back that up. This ordinance will bring the application and ordinance together.

**CM Butler moved, seconded by CM Ashton to approve Ordinance #1187-2018. All voted "Aye".**

15. CONSIDER APPROVAL OF ORDINANCE #1188-2018 TO EXPEND FUNDS FROM THE SEIZURE ACCOUNT #07-570-5299 FOR SECURITY UPGRADES; POLICE DISPATCH & LOBBY.

**CM Ashton moved, seconded by CM Butler to approve Ordinance #1188-2018. All voted "Aye".**

16. CONSIDER APPROVAL OF ORDINANCE #1189-2018 TO EXPEND FUNDS FROM THE COURT SECURITY FUND #01-512-5378 FOR SECURITY UPGRADES; MUNICIPAL COURT BUILDING.

**CM Ashton moved, seconded by CM Chisholm to approve Ordinance #1189-2018. All voted "Aye".**

**OTHER ITEMS THAT MAY REQUIRE COUNCIL ACTION:**

17. DISCUSSION AND/OR ACTION ON LAND ACQUISITION, PURCHASE OR SALE OF REAL PROPERTY.

This item will be brought back with more information.

**PUBLIC FORUM:**

18. 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**

Dan Dagel-5025 Sherwood: curious on how the WTP project is going. PWD Smith responded that there should be a final walk thru next week.

Sandra Celusniak-305 Makarwich Court: received a text from the owner of Giggles Therapy and she does not want it classified as a school.

CM Ashton thanked citizens, staff and board members that attended last Saturdays joint workshop.

CS Gregory received a letter from the State Library Archives that our appeal was accepted and our Library will remain as accredited for another year.

Mayor Pro Tem Holland said the joint workshop last Saturday was successful.

**EXECUTIVE SESSION:**

19. 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.

**Held earlier after Agenda Item #5.**

**RECONVENE:**

20. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

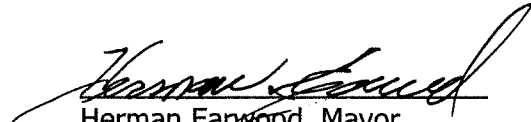
**NONE**

**ADJOURN:**

21. ADJOURN

**At 8:50 p.m. CM Scott moved, seconded by CM Chisholm, to adjourn the meeting.  
All voted "Aye".**

**APPROVED:**

  
Herman Earwood, Mayor

**ATTEST:**

  
Marvin Gregory, City Secretary