

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
MARCH 5, 2024**

**MEMBERS PRESENT:**

MAYOR DARREN HOUK  
MAYOR PRO TEM JOHN CLARIDGE  
COUNCIL MEMBER STEVE HOLLAND  
COUNCIL MEMBER LEIGH ANN TURNER  
COUNCIL MEMBER YOLIE RODRIGUEZ  
COUNCIL MEMBER BRENT FORESTER

**STAFF PRESENT:**

CITY MANAGER MARVIN GREGORY  
CITY SECRETARY PAULA LUCK  
CITY ATTORNEY BRADLEY ANDERLE  
PUBLIC WORKS DIRECTOR JEREMY BELL  
POLICE CHIEF CHUCK STEWART  
EMERGENCY MGT JAMES MYRICK  
FIRE CHIEF RUSSELL SHELLEY

**ABSENT:**

NONE

1. CALL TO ORDER

With a quorum present, Mayor Houk called the Regular Meeting of the River Oaks City Council to order at 6:00 p.m. on Tuesday, March 5, 2024 at River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Rodriguez delivered the Invocation.

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

Mayor Houk 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 FEBRUARY 20, 2024 REGULAR CALLED COUNCIL MEETING
- B. RATIFY BILLS PAYABLE FOR PERIOD ENDING MARCH 5, 2024 (FY 2024)

**Mayor Pro Tem Claridge moved, seconded by CM Rodriguez to approve the Consent Agenda Items A-B. All voted "Aye".**

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

**NONE**

**PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:**

8. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC INPUT AND/OR TESTIMONY ON THE SIGN VARIANCE APPLICATION AS SUBMITTED BY JOLLY WALIA %JOLLY'S C STORE, LLC REQUESTING A SIGN VARIANCE ON THE PROPERTY AT 4710 RIVER OAKS BLVD FROM ARTICLE 3.12 "SIGNS", SECTION 3.12.084 "MONUMENT SIGN" (c) "MAXIMUM HEIGHT" IN ORDER TO INSTALL A 6-FOOT IN HEIGHT PRE-CONSTRUCTED METAL FRAME MONUMENT SIGN ON PRIVATE PROPERTY SETBACK 33-FEET FROM THE EDGE OF THE HIGHWAY IN VIOLATION OF THE MAXIMUM HEIGHT REQUIREMENT OF 5-FEET AND IN VIOLATION OF SECTION 3.12.084 (d) IN THAT AREA OF EACH SIGN FACE IS 78 SQUARE FEET THAT EXCEEDS THE MAXIMUM AREA OF 50 SQUARE FEET PER SIGN FACE CITING THAT A LITERAL ENFORCEMENT OF THE SIGN REGULATIONS WILL CREATE A PRACTICAL DIFFICULTY IN THAT THE SIGN IS CUSTOM BUILT AND WILL NOT CREATE A TRAFFIC OBSTRUCTION.

At 6:06 p.m., Mayor Houk opened the Public Hearing.

Jolly Walia was present. The sign is 13' x 6' tall sign that sits on a 2' tall concrete slab. There is a lot of empty space, and the sign will not interfere with traffic. Was unaware of the size limits on the sign. The city has received two written responses, and both are in favor of the sign.

At 6:13 p.m., Mayor Houk closed the Public Hearing.

At 6:15 p.m., Mayor Houk convened the City Council into Executive Session under Sections 551.071, 551.072, 551.074, and 551.076.

At 7:47 p.m., Mayor Houk reconvened the Council into Open Session.

9. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF THE SIGN VARIANCE APPLICATION AS SUBMITTED BY JOLLY WALIA %JOLLY'S C STORE LLC REQUESTING A SIGN VARIANCE ON THE PROPERTY AT 4710 RIVER OAKS BLVD FROM ARTICLE 3.12 "SIGNS", SECTION 3.12.084 "MONUMENT SIGN" (c) "MAXIMUM HEIGHT" IN ORDER TO INSTALL A 6-FOOT IN HEIGHT PRE-CONSTRUCTED METAL FRAME MONUMENT SIGN ON PRIVATE PROPERTY

SETBACK 33-FEET FROM THE EDGE OF THE HIGHWAY IN VIOLATION OF THE MAXIMUM HEIGHT REQUIREMENT OF 5-FEET AND IN VIOLATION OF SECTION 3.12.084 (d) IN THAT THE AREA OF EACH SIGN FACE IS 78 SQUARE FEET THAT EXCEEDS THE MAXIMUM AREA OF 50 SQUARE FEET PER SIGN FACE CITING THAT A LITERAL ENFORCEMENT OF THE SIGN REGULATIONS WILL CREATE A PRACTICAL DIFFICULTY IN THAT THE SIGN IS CUSTOM BUILT AND WILL NOT CREATE A TRAFFIC OBSTRUCTION.

**Mayor Pro Tem Claridge moved, seconded by CM Rodriguez to grant the sign variance request. All voted "Aye".**

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

10. CONSIDER APPROVAL OF ORDINANCE #1416-2024 AMENDING ARTICLE 3.07 "SUBSTANDARD AND DANGEROUS BUILDINGS; PROPERTY MAINTENANCE" OF THE RIVER OAKS CODE OF ORDINANCES (2020) BY REVISING SECTION 3.07.016 "ANNUAL INSPECTION OF CERTAIN BUILDINGS" SPECIFICALLY IN SUBSECTION (a) "REQUIRED" IN ORDER TO INCLUDE PROVISIONS FOR BOTH OCCUPIED AND VACANT BUILDINGS; REVISING SUBSECTION (e) "BILLING" THAT ESTABLISHES PROCEDURES FOR DELINQUENCY AND REINSTATEMENT.

After Ordinance #1410-2024 was passed and meeting with staff, there are some concerns. Regarding the billing, the way it currently reads the billing is not 15 days prior to the inspection, but instead is by the 15<sup>th</sup> day of the month prior to the month the inspection is due. There needs to be provisions if the invoice is not paid by the due date which includes sending out final notices on the 11<sup>th</sup> business day. There needs to be clarification regarding delinquent accounts and that the business is at a risk of having water services disconnected and their certificate of occupancy being revoked for failure to comply. If revoked, there need to be procedures for reinstating the certificate of occupancy and restoring the water service.

**Mayor Pro Tem Claridge moved, seconded by CM Forester to approve Ordinance #1416-2024. All voted "Aye".**

11. CONSIDER APPROVAL OF ORDINANCE #1417-2024 AMENDING ARTICLE 4.07 "WRECKERS AND WRECKER COMPANIES" OF THE RIVER OAKS CODE OF ORDINANCES (2020) AS AMENDED SPECIFICALLY IN SECTION 4.07.005 "WRECKER ROTATION LIST" IN ORDER TO ALLOW FOR THE EXTENDED SERVICE AREA AND IN SECTION 4.07.006 "PERMIT ISSUANCE; CONDITIONS" UPDATING THE REQUIRED INSURANCE REQUIREMENTS.

When updating the previous wrecker ordinance, we failed to notice that it conflicted with another ordinance. This will address the permit requirements for wrecker companies, mainly increasing the required insurance that is carried by the companies.

**CM Forester moved, seconded by Mayor Pro Tem Claridge to approve Ordinance #1417-2024. All voted "Aye".**

12. CONSIDER APPROVAL OF ORDINANCE #1418-2024 AMENDING ARTICLE 1.04 "BOARDS ANC COMMISSIONS" OF THE RIVER OAKS CODE OF ORDINANCES (2020) IN DIVISION 1 "GENERALLY" SPECIFICALLY IN SECTION 1.04.001 "DEFINITIONS" ADDING A DEFINITION FOR "SPECIFIC PURPOSE COMMITTEES"; AMENDING 1.04.006 "GENERAL RULES AND PROCEDURES" BY ADDING SUBSECTION (j) "DUTIES AND EXPECTATIONS OF A COUNCIL LIAISON (NON-

VOTING MEMBERS)"; DIVISION 2 "PLANNING & ZONING COMMISSION" BY INCORPORATING SECTION 1.04.036 "DUTIES AND EXPECTATIONS OF A COUNCIL MEMBER LIAISON (NON-VOTING MEMBERS)"; DIVISION 3 "PARK BOARD" SPECIFICALLY IN SECTION 1.04.065 "GENERAL RULES AND PROCEDURES" BY ADDING SUBSECTION (j) "DUTIES AND EXPECTATIONS OF A COUNCIL MEMBER LIAISON (NON-VOTING MEMBERS)" AND INCORPORATING DIVISION 4 "SPECIFIC PURPOSE COMMITTEES AND REPEALING ORDINANCE #1413-2024 AS ADOPTED ON FEBRUARY 20, 2024.

This will repeal Ordinance #1413-2024 changing to report to the City Council as needed instead of very 90 days and add Division 4. The council would like to change "city sponsored event" to "city event". This ordinance only applies to committees created for an event that is temporary. This ordinance would not apply towards the Spring Fest.

**CM Forester moved, seconded by CM Holland to approve Ordinance #1418-2024 with removing the word "sponsored" on city events. All voted "Aye".**

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

13. CONSIDER APPROVAL TO EXTEND THE TRAFFIC STREET BUMP ACROSS SANSOM CIRCLE AT THE STOP BAR LOCATED AT 2101 SANSOM CIRCLE WHERE SANSOM CIRCLE INTERSECTS WITH YALE STREET.

No discussion.

**OTHER ITEMS FOR DISCUSSION AND/OR ACTION:**

14. DISCUSSION AND/OR ACTION ON CONSIDERATION OF AMENDING SECTION 23A "SPECIFIC USE PERMITS" AND SECTION 26 "ALCOHOLIC BEVERAGE SALES" OF THE RIVER OAKS COMPREHENSIVE ZONING ORDINANCE AS AMENDED.

According to CA Anderlee, council can discuss tonight but cannot take any action on amending this. No discussion.

15. DISCUSSION AND/OR ACTION ON MAINTENANCE EXPENDITURES FOR CITY PROPERTY LOCATED AT 5550-5562 BAYLOR AVENUE.

There was some vandalism. Also, the awnings were falling so we had to remove them. Repairs on this property were not budgeted. We may have to come back at midyear to expand the building maintenance budget. The Police and Public Works will monitor this building more.

16. DISCUSSION AND/OR ACTION ON THE 7<sup>TH</sup> YEAR ANNIVERSARY CELEBRATION AND THE APPOINTMENT OF THE EVENT PLANNING COMMITTEE.

The Mayor has created a committee. The committee consists of: Chairperson Tracy Gallman, Mark Noble, Linda Claridge, Lou Barbosa, Randy Hooper, Juanita Nunez, Shirley Bloomfield, Shirley Wheat, Darren Houk, Brent Forester, Heather Knight, Steve Holland, Marvin Gregory, and Cameron Wheat. A plan with dates for events within the year will be brought to the council. The date for the big event will be either September 28<sup>th</sup> or October 5<sup>th</sup> and it might be an all-day

event. The goal is to have a timeline of events and a budget to present to council at the next meeting.

**CM Holland moved, seconded by Mayor Pro Tem Claridge to approve the 75<sup>th</sup> Year Anniversary Celebration Committee with the members to consist of: Chairperson Tracy Gallman, Mark Noble, Linda Claridge, Lou Barbosa, Randy Hooper, Juanita Nunez, Shirley Bloomfield, Shirley Wheat, Darren Houk, Brent Forester, Heather Knight, Steve Holland, Marvin Gregory, and Cameron Wheat. All voted "Aye".**

At this time, CM Holland would like to reopen Item #12. **CM Holland moved, seconded by Mayor Pro Tem Claridge to reopen Item #12. All voted "Aye".**

**CM Holland moved, seconded by Mayor Pro Tem Claridge to approve Ordinance #1418-2024 with removing the word "sponsored" on city events, the definition of specific purpose committee with removing the words "that is less than a quorum of council members", which would read "A board, commission or committee of the city that functions on an advisory or study capacity". All voted "Aye".**

17. DISCUSSION AND/OR ACTION ON UPDATE FROM MAYOR HOUK ON THE PURCHASING, SALE OR VALUE OF CITY OWNED REAL PROPERTY.

No discussion.

18. 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.

Personnel: Public Works has two new employees hired.

Crud Mobile and Shredding Event will be April 6<sup>th</sup> from 9:00 to 11:00 a.m.

Bob Jamison passed away on February 25<sup>th</sup>. No arrangements have been made.

IT Services: the specs are ready, but the issue is timing. We have met with IT companies and have been told they will be a lot more expensive than what we are paying now. We can advertise for bids and see what they come back at, but we will more than likely need to delay this until next year.

Asked the council to go down White Oak and look at the channel that goes to Churchill.

### **CORRESPONDENCE:**

19. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Holland-the bus service is ending this month. CM Gregory has been sending communication out to citizens. We can put a notice on the bus stops also.

CM Turner-productive meeting tonight.

Mayor Pro Tem Claridge-has received emails from other council members that they did not send.

PC Stewart-July 29<sup>th</sup>, 2024 is 20 years since the death of Officer Nathan Laurie. Will be having a small event on that day and would like all to attend if possible.

CM Forester-Buddy Whittington will be at the Event Center on March 30<sup>th</sup>.

Mayor Houk- will get the council more information on the shirts. Tomorrow is Wednesday's Child at Grumps. Grumps donated to the police banquet and grumps will also be presenting the Police Department with an award.

Lions Member Jim Byrom-this year is the 51<sup>st</sup> annual Easter Egg Hunt. Normally the city sponsors it. There will be a meeting about the facts of the CISD bonds on March 12<sup>th</sup> at the Lions Club hosted by Don Istook and CISD will host one on March 26<sup>th</sup>.

**EXECUTIVE SESSION:**

20. 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.

This item was done under Item #8.

**RECONVENE:**

21. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

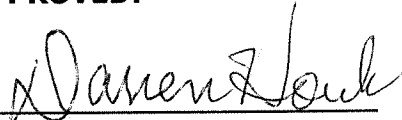
Action was taken under Item 9.

**ADJOURN:**

22. ADJOURN

**At 9:16 p.m., Mayor Houk adjourned the meeting.**

**APPROVED:**

  
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Darren Houk, Mayor

**ATTEST:**

  
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Paula Luck, City Secretary