

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
JANUARY 14, 2020**

MEMBERS PRESENT:

MAYOR PRO TEM JOE ASHTON
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER DARREN HOUK

STAFF PRESENT:

CITY MANAGER MARVIN GREGORY
CITY SECRETARY PAULA LUCK
POLICE CHIEF CHRIS SPIELDENNER
EMERGENCY MGT JAMES MYRICK
BUILDING INSPECTOR STEVE SANDERS
PWD GORDON SMITH
CITY ATTORNEY BETSY ELAM

ABSENT:

COUNCIL MEMBER STEVE HOLLAND-EXCUSED
MAYOR HERMAN EARWOOD-EXCUSED

1. CALL TO ORDER

With a quorum present, Mayor Pro Tem Ashton called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, January 14, 2020 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

Mayor Pro Tem Ashton delivered the Invocation.

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

Mayor Pro Tem Ashton led the Pledges of Allegiance to the United States and the Texas Flags.

4. 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.

5. READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS BY MAYOR.

Mayor Pro Tem Ashton read Proclamations for January 2020 School Board Appreciation Month.

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 DECEMBER, 2019 REGULAR COUNCIL MEETING

- B. APPROVE MINUTES OF DECEMBER 17, 2019 SPECIAL COUNCIL MEETING
- C. APPROVE MINUTES OF JANUARY 7, 2020 TOWN HALL MEETING
- D. RATIFY BILLS PAYABLE FOR PERIOD ENDING DECEMBER 24, 2019 (FY 2020)
- E. APPROVE BILLS PAYABLE FOR THE PERIOD ENDING JANUARY 14, 2020 (FY 2020)
- F. APPROVE RESOLUTION #998-2019 AUTHORIZING ECONOMIC DEVELOPMENT CORPORATION (EDC) EXPENDITURES FROM THE 2019-2020 FISCAL YEAR BUDGET AS QUALIFIED FOR PROJECTS MORE THAN \$10,000.00 FOR THE PURCHASE OF REAL PROPERTY AT 1512 SHENNA BLVD. (FIRST READING)
- G. APPROVE RESOLUTION #1002-2020 AUTHORIZING ECONOMIC DEVELOPMENT CORPORATION (EDC) EXPENDITURES FROM THE 2019-2020 FISCAL YEAR BUDGET AS QUALIFIED FOR PROJECTS MORE THAN \$10,000.00 INVOLVING REAL PROPERTY AT 920 ROBERTS CUT OFF ROAD PURSUANT TO CHAPTER 505 "TYPE B CORPORATIONS" THAT PROMOTES BUSINESS AND COMMERCIAL DEVELOPMENT WITHIN THE CITY. (FIRST READING)
- H. RATIFY ACTION TAKEN BY THE ECONOMIC DEVELOPMENT CORPORATION AT THE JANUARY 13, 2020 REGULAR MEETING ADOPTING E.D.C. RESOLUTION #2020-01 DIRECTING PUBLICATION OF NOTICE OF A 4B LAND ACQUISITION PROJECT AND PUBLIC HEARING.
- I. APPROVE REIMBURSEMENT FROM ECONOMIC DEVELOPMENT CORPORATION (EDC) FUNDS TO HOWE & SONS IN EARNEST MONEY & OPTION FEE PAID TO SELLER FOR THE PURCHASE OF REAL PROPERTY AT 1512 SHENNA BLVD.
- J. APPROVE AGREEMENT WITH ELTON DAN GASSER LLC FOR ELTON JOHN TRIBUTE PERFORMANCE ON SATURDAY, FEBRUARY 28, 2020 AT THE RIVER OAKS EVENT CENTER.

CM Claridge moved, seconded by CM Chisholm to approve the Consent Agenda Items #A, B, D & E with removal of Item #C. All voted "Aye".

Mayor Pro Tem reopened Item #6 and read Items #F-J.

CM Claridge moved, seconded by CM Chisholm to approve the Consent Agenda Items #F, G, H & I with removal of Item #J. All voted "Aye".

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

Item #C-CM Claridge asked PWD Smith if there are any streets ready for asphaltting. There are sections of Yale, Black Oak and Woodlawn that are ready.

Item #J-CA Elam noticed in the contract that it says the venue is in Douglas County, Kansas in which this needs to be changed to Tarrant County, Texas.

CM Chisholm moved, seconded by CM Houk to approve the Consent Agenda Items #C & J subject to the City Attorney approval of Item #J. All voted "Aye".

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

8. DISCUSSION AND/OR ACTION IN SUPPORTING OF THE 2020 CENSUS COUNT PARTICIPATION WITH THE APPROVAL OF RESOLUTION #999-2020 BY FORMULATING A COMPLETE COUNT COMMITTEE FOLLOWING THE PRESENTATION BY CHRIS CARATHERS, PARTNERSHIP SPECIALIST WITH THE U.S. CENSUS BUREAU.

Chris Carathers with the U.S. Census Bureau was present and presented a slide show. The Mayor needs to recommend to the City Council a 100% Census Complete Count Committee that will only serve through July 31st, 2020. At this time, there is not a list of recommended board members so this will be brought back at the next council meeting.

Mayor Pro Tem Ashton moved, seconded by CM Clardige to approve Resolution #999-2020. All voted "Aye".

9. CONSIDER APPROVAL OF ADDENDUM TO AGREEMENT WITH JOHNSON CONTROLS FOR DOOR LOCK SYSTEM AT THE POLICE & FIRE DEPARTMENT COMPLEX.

Jason Duling with Johnson Controls was present. In order for the Police Department to comply with CJIS, their lock system has to be separate from the Fire Department. In order to separate it, there will be an additional cost of \$2,784.00 from what was originally approved. The cost covers maintenance and there is a 15-20 year life expectancy on the locks.

CM Chisholm moved, seconded by CM Claridge to approve the addendum to the agreement with Johnson Controls. All voted "Aye".

10. CONSIDER APPROVAL TO AWARD CONSTRUCTION CONTRACT TO EXCEL 4 CONSTRUCTION, LLC FOR TEXAS WATER DEVELOPMENT BOARD PROJECT DWSRF 62731, PRIORITY PROJECT II, FROM ALL BIDS RECEIVED AND OPENED AT 1:00 P.M. ON DECEMBER 18, 2019 IN THE RIVER OAKS COUNCIL CHAMBERS.

Bill Lohrke was present. Three bids were opened on December 18, 2019. The low bid was Excel 4 Construction, LLC in the amount of \$1,748,900.00. Staff recommends awarding the contract to Excel 4 Construction, LLC. Construction is expected to start around mid-March.

CM Chisholm moved, seconded by CM Claridge to approve awarding the bid to Excel 4 Construction, LLC in the amount of \$1,748,900.00. All voted "Aye".

11. CONSIDER APPROVAL OF PUBLIC PROPERTY FINANCE ACT CONTRACT NO. 8983 WITH GOVERNMENT CAPITAL CORPORATION FOR THE PURCHASE OF (2) REAR LOADER GARBAGE TRUCKS AND A STREET SWEEPER.

The City Attorney and the Financial Advisor has reviewed the contract. Tonight would like council to authorize CM Gregory to sign the contracts once they are received. We have received the contract for the street sweeper but not the garbage trucks.

CM Chisholm moved, seconded by CM Houk to approve the Public Property Finance Act Contract No. 8983 with Government Capital. All voted "Aye".

12. DISCUSSION AND/OR ACTION ON REQUEST BY SHIRLEY WHEAT TO CLOSE WINTERS STREET ACCESS FROM EVENT CENTER PARKING LOT FOR ENTIRE SUMMER AND TO CONSTRUCT A SHELTER IN THE BACK.

This item will be tabled.

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

13. CONSIDER APPROVAL OF RESOLUTION #1000-2020 CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 2, 2020; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE.

The Mayor Place and Council Member Place 5 position are up this year.

CM Houk moved, seconded by CM Chisholm to approve Resolution #1000-2020. All voted "Aye".

14. CONSIDER APPROVAL OF ORDINANCE #1259-2019 AMENDING ARTICLE 3.12 "SIGNS" OF THE RIVER OAKS CODE OF ORDINANCES AS AMENDED INCORPORATING SECTION 3.12.138 "MURAL SIGNS" ESTABLISHING PROVISIONS FOR MURAL SIGNS.

Mayor Pro Tem Ashton request this being set for a Saturday workshop.

15. CONSIDER APPROVAL OF ORDINANCE #1262-2020 AMENDING THE 2019-2020 GENERAL FUND BUDGET EXPENDING COMMUNITY CENTER DOLLAR DONATION FUNDS FOR BUILDING IMPROVEMENTS.

This item will be tabled.

16. CONSIDER APPROVAL OF RESOLUTION #1001-2020 ADOPTING TARRANT COUNTY HAZARD MITIGATION ACTION PLAN, JANUARY 2020.

EMC Myrick gave a brief summary of the Tarrant County Hazard Mitigation Action Plan that involves River Oaks.

CM Chisholm moved, seconded by CM Houk to approve Resolution #1001-2020. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

17. DISCUSSION AND/OR ACTION ON REPORT BY THE CITY BUILDING INSPECTOR REGARDING SUBSTANDARD PROPERTY AT 1605 MONTROSE.

BI Sanders reported that debris has been cleaned up, temporary pole is installed, carport is removed, partial rewire is started, has replaced windows and are keeping the windows boarded up to prevent them from being broken.

18. DISCUSSION AND/OR ACTION ON UPDATES FROM THE CITY MANAGER ADVISING THE MAYOR AND CITY COUNCIL ON PERSONNEL, CITY'S FISCAL CONDITION, FUTURE NEEDS OF THE CITY, SCHEDULING OF COUNCIL WORK SESSIONS AND OTHER CITY MANAGER RECOMMENDATIONS.

There is a vacant position in Public Works and one in City Administration. Will send out a date for a Saturday work session. The city audit is on-going. A meeting is scheduled for January 21, 2020 regarding the Inter Local Agreement with Fort Worth for Meandering Road improvements. The Crud Mobile will probably be scheduled for March 7th from 9-11 a.m. May 2nd, 2020 is Election Day plus the annual car show at the event center. Candidates started filing at 8:00 a.m. on January 15, 2020 and will continue thru February 14, 2020 at 5:00 p.m.

CORRESPONDENCE:

19. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Houk-River Oaks resident Felix Bunker passed way.

Mayor Pro Tem Ashton-River Oaks resident Gene Brinley passed away.

CM Chisholm-had meeting this morning with a local investor.

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.

NONE

RECONVENE:

21. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION


NONE

ADJOURN:

22. ADJOURN

At 8:21 p.m., CM Claridge moved, seconded by CM Houk to adjourn the meeting. All voted "Aye".

APPROVED:


Joe Ashton, Mayor Pro Tem

ATTEST:


Paula Luck, City Secretary