

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
JUNE 11, 2019**

**MEMBERS PRESENT:**

MAYOR PRO TEM STEVE HOLLAND  
COUNCIL MEMBER DAN CHISHOLM  
COUNCIL MEMBER JOANN BUTLER  
COUNCIL MEMBER JOE ASHTON  
COUNCIL MEMBER DARREN HOUK

**STAFF PRESENT:**

CITY MANAGER MARVIN GREGORY  
CITY SECRETARY PAULA LUCK  
DEPUTY POLICE CHIEF CHUCK STEWART  
EMERGENCY MGT JAMES MYRICK  
BUILDING INSPECTOR STEVE SANDERS  
PWD GORDON SMITH  
EVENT CENTER DIRECTOR SHIRLEY WHEAT  
EVENT CENTER DIRECTOR SHIRLEY BLOOMFIELD  
CITY ATTORNEY BRADLEY ANDERLEE  
FIRE CHIEF GREG STOCKTON

**ABSENT:**

MAYOR HERMAN EARWOOD-EXCUSED

**1. CALL TO ORDER**

With a quorum present, Mayor Pro Tem Holland Earwood called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, June 11, 2019 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

**2. INVOCATION**

CM Houk delivered the Invocation.

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

CM 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. 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 28, 2019 REGULAR CALLED MEETING

B. APPROVE MINUTES OF JUNE 4, 2019 TOWN HALL MEETING

C. APPROVE BILLS PAYABLE FOR PERIOD ENDING JUNE 11, 2019 (FY 2019)

**CM Chisholm moved, seconded by CM Butler to approve the Consent Agenda Items #A-C. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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:**

At this time, Mayor Pro Tem Holland moved Agenda Item #8 up on the Agenda to be heard at this time due to Superintendent Ramos having another commitment.

John Ramos, CISD Superintendent was present. Permits are good for six months and can apply for a renewal at ½ of the cost of the original permit. Request is to grant an extension of permits thru October 2020 and waive the costs of the renewals. Total spent on permits for this project was \$97,491.00.

**CM Houk moved, seconded by CM Chisholm to extend permits for 415 Hagg to October 2020 and to waive permit fees associated with the extensions. All voted "Aye".**

At 7:11 p.m., Mayor Pro Tem Holland convened the Council into Executive Session under Sections 551.071, 551.072, 551.074, and 551.076.

At 7:37 p.m., Mayor Pro Tem Holland reconvened back into Regular Session.

7. DISCUSSION AND/OR ACTION ON PRESENTATION FROM RYAN SMITH OF RECYCLOPS REGARDING CURB SIDE RECYCLING PROGRAM.

Mike Bishop of Recyclops was present. A slide show was presented. The cost is \$10.00 per month per customer. The customer will buy the special bags from Recyclops. City can either add the \$10.00 on their water bill or Recyclops can bill the customer directly. Staff would like the bill come from Recyclops. Pick up is scheduled twice a month. There will be no contract with the city; therefore, the city can discontinue this service at any time. The drivers, whom are paid \$25.00 an hour, will have up to date information on an app so they know who has paid for the service. Customers will have Recyclops contact information on their bill so they can be contacted if there are any issues. The city can look at businesses recycling in a month or so after this is established first with the residential customers in River Oaks.

**CM Ashton moved, seconded by CM Chisholm to approve to begin working with Recyclops on the recycle program and that the city will help promote this. All voted "Aye".**

8. CONSIDER APPROVAL OF REQUEST FROM CASTLEBERRY INDEPENDENT SCHOOL DISTRICT SUPERINTENDENT JOHN RAMOS REGARDING PERMIT EXTENSION AND WAIVING OF PERMIT FEES FOR THE IRMA MARSH MIDDLE SCHOOL CONSTRUCTION PROJECT AT 415 HAGG.

This Item was discussed after Item #6.

9. CONSIDER APPROVAL OF REQUEST FROM CORNELL ADDINGTON AT 328 FRONTIER REGARDING NOISE COMPLAINT.

No further action was taken

Cornell Addington of 328 Frontier was present and read a letter from her to the council. Complaint is on 326 Frontier. The last time the Police Department was called for a noise disturbance was on February 23, 2019. Ms. Addington did not want to bother the Police Department anymore. There was one instance where the renters at 326 Frontier was ticketed and missed the court date; therefore, resulting in them having to pay over \$500.00. Deputy Police Chief Stewart advised Ms. Addington to call the Police at any time. CA Anderlee advised council that we cannot prevent someone from playing loud music and directed Ms. Addington to file a complaint. If the officer goes out there and does not see an issue, he cannot issue a citation, but Ms. Addington can fill out a complaint and a citation will be issued.

10. DISCUSSION AND/OR ACTION ON COMMUNITY ANNUAL CLINICS BEING HELD IN CITY HALL PARKING LOT EVERY THIRD SATURDAY OF THE MONTH BY TOWN & COUNTRY VETERINARY CLINIC.

In the past, two vet clinics have used the Fire Department truck bay to hold shot clinics. Now there is only one vet clinic that uses the Fire Department but it became problematic and the Fire Department notified the clinic that they cannot use the Fire Department anymore. Now they are using the City Hall parking lot for their clinics and not sure who at the city gave them permission to use our facility. Council directed CM Gregory to send them a letter asking them to remove or alter their sign on their building that advertises that they are the River Oaks Animal Shelter. The city has not used them in years to hold our animals. A shot clinic is scheduled for this weekend at the city complex.

**CM Chisholm moved, seconded by CM Butler to not allow Town & Country Veterinary Clinic to use the city complex for shot clinics effective immediately due to no agreement in place. No further clinics will be allowed without council approval. All voted "Aye".**

11. DISCUSSION AND/OR ACTION ON MAYOR'S RECOMMENDATION FOR BOARD AND COMMISSIONS APPOINTMENTS FOR TERM YEAR 2019.

Council cannot take action tonight on the 2019 Board and Commissions Appointments until after the election results are canvassed. The only exception is the Economic Development Board. The EDC Board approved last night to appoint Charles Richardson as Place 1 Member and David Bedford as Place 3 Member.

**CM Chisholm moved, seconded by CM Hendrickson to approve the appointment of Charles Richardson to Place 1 and David Bedford to Place 3; and also to reappoint Darren Houk to Place 5 and Greg Hendrickson to Place 7. All voted "Aye".**

12. DISCUSSION AND/OR ACTION ON AMENDING THE EVENT CENTER RENTAL POLICIES AND PROCEDURES REGARDING RENTALS.

This was brought to the council at the last meeting due to an issue they encountered on a rental. After the Event Center directors met with CM Gregory, it was decided to input verbiage into the agreement that any additional charges will be due and payable in advance prior to the end of the scheduled rental period and shall not be deducted from the refundable deposit. In the event that the specific rental time ends and the building has not been cleaned, the renter shall forfeit the deposit. Council agreed to add language in the policy about a credit card will be required and a hold be put on the card.

**CM Houk moved, seconded by CM Ashton to direct CM Gregory to work out the details with the Event Center Directors and incorporate wording that is agreeable to all. All voted "Aye".**

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

13. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE APPLICATION SUBMITTED BY ROY AND REBA REEVES REPLATTING LOTS 14 & 15 IN BLOCK 5 SITUATED IN THE RIVER OAKS PARK ADDITION OTHERWISE KNOWN AS 5312 & 5316 TAYLOR ROAD PURSUANT TO SECTION 212.016 "AMENDING PLAT" OF THE TEXAS LOCAL GOVERNMENT CODE AND CHAPTER 10 "SUBDIVISIONS" OF THE RIVER OAKS CODE BY AMENDING THE PRECEDING PLAT WITHOUT VACATION OF THAT PLAT REPLATTING BOTH LOTS INTO A SINGLE PLATTED LOT DESCRIBED AS BECOMING BLOCK 5, LOT 14R IN THE RIVER OAKS PARK ADDITION. (ZONING CASE #PZ 2019-0003).

At 8:54 p.m., Mayor Pro Tem Holland opened the Public Hearing.

The request is to combine two lots into one. The Planning and Zoning Commission approved this request and recommended it to the City Council. Both lots are owned by the same person and both lots meet the requirements.

At 8:55 p.m., Mayor Pro Tem Holland closed the Public Hearing.

CM Ashton suggests minor re-plats be approved by staff instead of council approval.

14. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF THE REPLAT APPLICATION SUBMITTED BY ROY AND REBA REEVES REPLATTING LOTS 14 & 15 IN BLOCK 5 SITUATED IN THE RIVER OAKS PARK ADDITION OTHERWISE KNOWN AS 5312 & 5316 TAYLOR ROAD PURSUANT TO SECTION 212.016 "AMENDING PLAT" OF THE TEXAS LOCAL GOVERNMENT CODE AND CHAPTER 10 "SUBDIVISIONS" OF THE RIVER OAKS CODE BY AMENDING THE PRECEDING PLAT WITHOUT VACATION OF THAT PLAT REPLATTING BOTH LOTS INTO A SINGLE PLATTED LOT DESCRIBED AS BECOMING BLOCK 5, LOT 14R IN THE RIVER OAKS PARK ADDITION. (ZONING CASE #PZ 2019-0003).

**CM Ashton moved, seconded by CM Chisholm to approve the replat request of 5312 & 5316 Taylor Road and to revise the Subdivision Ordinance to permit City Staff to approve minor plats. All voted "Aye".**

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

15. CONSIDER APPROVAL OF ORDINANCE #1235-2019 AMENDING ARTICLE A.02 "SCHEDULE OF FEES AND CHARGES"; SPECIFICALLY IN SECTION A.02.002 "REGISTRATION OF CONTRACTORS GENERALLY", (5) "BUILDING CONTRACTORS" OF THE CODE OF ORDINANCES OF THE CITY OF RIVER OAKS, TEXAS.

An Ordinance was approved at the last meeting regarding residential building permit fees being set by square footage and not by valuation but realized that Building Contractor Registration was not revised to be based also on square feet

**CM Ashton moved, seconded by CM Chisholm to approve Ordinance #1235-2019. All voted "Aye".**

16. CONSIDER APPROVAL OF ORDINANCE #1236-2019 AMENDING THE 2018-2019 GENERAL FUND BUDGET EXPANDING ACCOUNT #01-520-5274 "ROAD REPAIRS".

EDC expanded the budget for the Truman project for \$6,345.71; but the Byrd project went over \$16,207.00 so therefore a budget amendment needs to be made in the General Fund.

**CM Ashton moved, seconded by CM Chisholm to approve Ordinance #1236-2019 in the amount of \$16,207.00. All voted "Aye".**

**STAFF REPORTS:**

17. REPORT BY FIRE CHIEF ON THE JUNE 5, 2019 INSPECTION PERFORMED BY THE TEXAS COMMISSION ON FIRE PROTECTION.

The Fire Department had a surprise inspection last week. The only violation was the Fire Chief had to attend a six hour course which will be scheduled in July 2019 in order to hold the Chief position.

**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**

CM Chisholm-reminded everyone the River Oaks Area Business Association meeting this Thursday at 6:30 p.m. at the Lions Club. The lot on Roberts Cut Off for the entrance sign is being discussed at the Fort Worth City Council meeting tonight. Thanked JoAnn Butler for her years of service as a Council Member.

CM Ashton-Thanked JoAnn Butler for her years of service as a Council Member.

CM Houk-Car Show this Saturday from 11 a.m.-3 p.m. at the Event Center and Christmas in Action will have a concession stand. Thanked JoAnn Butler for her years of service as a Council Member. June 22<sup>nd</sup> is Artfull Village at the Event Center which will have handmade art and a concession stand.

Mayor Pro Tem Holland- Thanked JoAnn Butler for her years of service as a Council Member and welcomed John Claridge.

CM Gregory-will hold the election canvassing around June 18<sup>th</sup>. Blythe Murphy is the new hire in the water department administration.

CM Butler-thanked the citizens, Council Members, staff, etc.

**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 complaint or charge against an Officer or Employee.
- d. Section 551.076 Deliberation regarding security devices.

This item was discussed before Item #7.

**RECONVENE:**

20. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

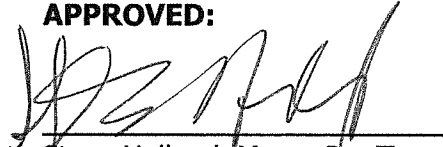
**NONE**

**ADJOURN:**

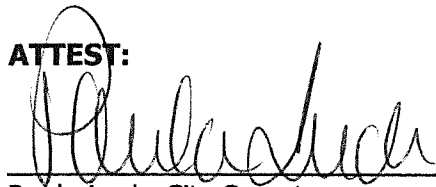
21. ADJOURN

**At 9:16 p.m. Mayor Pro Tem Holland adjourned the meeting. All voted "Aye".**

**APPROVED:**

  
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Steve Holland, Mayor Pro Tem

**ATTEST:**

  
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Paula Luck, City Secretary