

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
SEPTEMBER 14, 2021**

MEMBERS PRESENT:

MAYOR JOE ASHTON-7:13 p.m.
MAYOR PRO TEM DARREN HOUK
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER JOHN CLARIDGE
COUNCIL MEMBER YOLIE RODRIGUEZ

STAFF PRESENT:

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

ABSENT:

NONE

1. CALL TO ORDER

With a quorum present, Mayor Pro Tem Houk called the Regular Meeting of the River Oaks City Council to order at 7:03 p.m. on Tuesday, September 14, 2021 at the 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

CM Rodriguez 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 SEPTEMBER 7, 2021 REGULAR CALLED COUNCIL MEETING

B. APPROVAL BILLS PAYABLE FOR PERIOD ENDING SEPTEMBER 7, 2021 (FY 2021)

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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

PERSONAL APPEARANCES AND/OR ITEMS REQUIRING COUNCIL APPROVAL/ACTION

At this time, Mayor Pro Tem Houk skipped to Item #10.

Norm Bulaich was present. The cost presented is \$43 per ton and will be taken to the transfer station off Hwy 121 on Minnis Drive in Haltom City. This is a 3-year agreement. Currently we are contracted with Republic at \$48 per ton but that contract is running out.

CM Claridge moved, seconded by CM Rodriguez to approve the contract with Waste Connections. All voted "Aye".

8. CONSIDER APPROVAL OF DELINQUENT TAX COLLECTIONS & 2021 TURNOVER REPORT AS PRESENTED BY COREY FICKES OF LINEBARGER, ATTORNEYS AT LAW.

Corey Fickes was present. Presented is a report from July 1, 2020 to June 30, 2021. Saw a decrease in unpaid property taxes in River Oaks. Corey presented the top 25 2020 delinquent tax accounts.

They are currently working on collecting utility collections.

CM Chisholm moved, seconded by CM Rodriguez to approve the report by Corey Fickes. All voted "Aye".

9. DISCUSSION AND/OR ACTION REGARDING PRESENTATION BY THE FORT WORTH TRANSIT AUTHORITY REGARDING BUS AND MITZ SERVICE IN RIVER OAKS.

Chad Edwards, Steve Montgomery and Deitra Whitmore were present. A presentation was presented of the background, services overview, ridership graph, bus stops, Route 91 changes, new services since 2017 and the next steps to continue to do with the River Oaks City Council. Council mentioned that busses are still going down Roberts Cut Off Road. The bus stops that were installed on Roberts Cut Off have been bagged. FWTA realized a mistake was made by

adding a route on Roberts Cut Off without consulting with the city first. There have been complaints from people using the MITS service about them being stranded. All complaints need to be emailed to Deitra and all complaints are presented to their board.

This item will be tabled.

10. DISCUSSION AND/OR ACTION ON CONTRACT WITH WASTE CONNECTIONS FOR LANDFILL DISPOSAL AT THEIR LOCAL TRANSFER STATION.

This item was discussed after Item #7.

11. DISCUSSION AND/OR ACTION REGARDING FIRST AMENDMENT TO GROUND LEASE FOR MONOPOLE TOWER ON CITY PROPERTY AS PRESENTED FROM TELECOM LAW FIRM.

The red lined version is presented in the packets. Need a survey of the area before a finished product is brought back.

No motion taken.

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

12. CONSIDER APPROVAL OF RESOLUTION #1060-2021 AUTHORIZING ECONOMIC DEVELOPMENT CORPORATION (EDC) EXPENDITURES FROM THE 2021-2022 FISCAL YEAR BUDGET AS QUALIFIED FOR PROJECTS MORE THAN \$10,000.00; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

Mayor Pro Tem Houk moved, seconded by CM Chisholm to approve Resolution #1060-2021 (second reading). All voted "Aye".

13. CONSIDER APPROVAL OF RESOLUTION #1061-2021 ADJUSTING THE RESIDENTIAL SOLID WASTE COLLECTION RATES.

The residential collection rates will increase \$1 from \$25 to \$26 per month.

Mayor Pro Tem Houk moved, seconded by CM Chisholm to approve Resolution #1061-2021. All voted "Aye".

14. CONSIDER APPROVAL OF ORDINANCE #1325-2021 AMENDING ARTICLE 13.03 "WATER SYSTEM", SECTION 13.03.011 "WATER RATES" OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED; ADOPTING AND RATIFYING FEES FOR WATER RATES INSIDE AND OUTSIDE THE CITY LIMITS.

The water rates will increase approximately 9.18%. Currently we have a \$137,000 credit on raw water.

CM Chisholm moved, seconded by CM Claridge to approve Ordinance #1325-2021. All voted "Aye".

15. CONSIDER APPROVAL OF ORDINANCE #1326-2021 AMENDING ARTICLE 13.04 "SEWER SYSTEM" SECTION 13.04.013 "SEWER SERVICE RATES", OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED; ADOPTING AND RATIFYING SEWER RATES INCORPORATING A RATE INCREASE FOR RESIDENTIAL, COMMERCIAL AND APARTMENT CUSTOMERS INSIDE AND OUTSIDE THE CITY LIMITS.

Thought we were going to see a 17.64% increase from Fort Worth but realized it is a 12.5% increase.

CM Claridge moved, seconded by CM Chisholm to approve Ordinance #1326-2021. All voted "Aye".

OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

16. DISCUSSION AND/OR ACTION ON SUBSTANDARD PROPERTY AT 5901 BLACK OAK LANE.

The carport and one small building have been removed. The currently demolition company did not realize how bad this is. The representative from the demolition company came before the City Council and said that this project would be complete by the end of August 2021 (which is 14 days from the issuance of the demolition permit). The City cannot issue citations on the demolition company but can the property owner or go thru the civil penalty process. The substandard order is against the property owner, not the demolition company. If the city chooses to demolish the buildings, a lien will be placed on the property but since it is homesteaded, the city will never see that money. Mayor and Council ordered a citation be issued to the property owner every day in violation of the substandard order and start issuing them immediately.

17. 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.

ILA on Roberts Cut Off has passed.

Moratorium extension will be on the September 28th Council Agenda.

Will close on the CO Bonds tomorrow at 12 noon. In process of getting the new accounts set up. In the meantime, the money will go into the General Fund then transfer over to the new accounts.

As of September 1st, there are new policies regarding mental health. Also, any 380 agreements the city has have to be registered with the State Comptroller. Performance agreements are not 380 agreements.

As of June 15th, if a Police Employee or Fire Employee tests positive for COVID and can prove they got it on the job, they will not have to use their own time during quarantine.

CORRESPONDENCE:

18. COUNCIL MEMBER QUESTIONS, COMMENTS AND ANNOUNCEMENTS.

CM Rodriguez-has had a lot of people call asking when the construction on Yale will be done?
PWD Smith-supplies did not come in on time and will get with the contractor on dust control.

Mayor Ashton-welcomed Kelley Hooper to the meeting.

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.

NONE

RECONVENE:

20. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

NONE

ADJOURN:

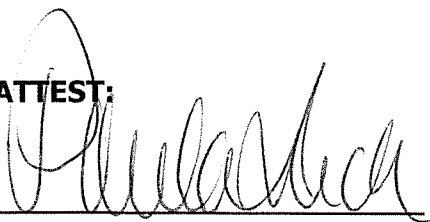
21. ADJOURN

At 9:00 p.m., Mayor Ashton adjourned the meeting. All voted "Aye".

APPROVED:


Joe Ashton, Mayor

ATTEST:


Paula Luck, City Secretary