

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
OCTOBER 15, 2024**

**MEMBERS PRESENT:**

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

**STAFF PRESENT:**

CITY MANAGER MARVIN GREGORY  
CITY SECRETARY PAULA LUCK  
CITY ATTORNEY BRADLEY ANDERLEE  
FIRE CHIEF RUSSELL SHELLEY  
DEPUTY POLICE CHIEF ERIC PERKINS  
EMERGENCY MGT JAMES MYRICK  
BUILDING INSPECTOR STEVE SANDERS

**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 6:01 p.m. on Tuesday, October 15, 2024 at River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Claridge delivered the Invocation.

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

CM Claridge 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 OCTOBER 8, 2024 SPECIAL CALLED COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING SEPTEMBER 30, 2024 (FY 2024)
- C. APPROVE BILLS PAYABLE FOR PERIOD ENDING OCTOBER 14, 2024 (FY 2025)

**CM Claridge moved, seconded by CM Rodriguez to approve the Consent Agenda Items A-C. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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 COMMENT AND TESTIMONY ON THE APPLICATION SUBMITTED BY ELATE PROPERTIES LLC TO REZONE THE PROPERTY LOCATED AT 5309 NOTRE DAME BEING BLOCK 1, LOT 13 SITUATED IN THE OXFORD HILLS ADDITION FROM R-4 SINGLE-FAMILY ZONING TO A PLANNED DEVELOPMENT ZONING DISTRICT THAT SHALL OTHERWISE MEET SECTION 12A TWO FAMILY DISTRICT REQUIREMENTS IN ORDER TO BUILD A DUPLEX ON THE PROPERTY PURSUANT TO THE RIVER OAKS ZONING ORDINANCE #1394-2023 AS AMENDED, EXCEPT THAT THE REAR YARD SETBACK SHALL BE 15-FEET, THE MINIMUM RESIDENTIAL FLOOR SPACE FOR BOTH UNITS TOGETHER SHALL BE 1,800 SQUARE FEET, AND THE MINIMUM LOT WIDTH SHALL BE 50 FEET, AND IF APPROVED SHALL BE REZONED USING THE UNIQUE ZONING IDENTIFICATION NUMBER "PD-R6-R".

Heather Phelps was present. Request is to rezone this property from R-4 single-family to a planned development zoning district that meets two-family district requirements for a duplex. Planning and Zoning voted unanimously to deny the request because the plans do not have a garage, and this property is sitting in the middle of a single-family district. Heather provided a packet to the council. This house was bought three years ago and has had a tenant occupy it. The current house will be demolished and is proposing is a three bedroom, two bath on each side. This duplex will attract nicer tenants because it will be a nicer house. This location does not support a new single-family home. There are a lot of vehicles parked on this street and there is an auto shop at the corner. Currently the home is 1,100 square feet and the proposed will be 1,800-3,000 total square foot. Both will have single wide driveways. Can look at a double driveway on each side with green space in between.

At 6:26 p.m., Mayor Houk opened the Public Hearing.

James Myrick, Planning & Zoning Chairman-80% of notices sent out were against it. 20% did not respond. An affidavit was received with 15 signatures against it.

Ivan Zamarripa, 1222 Oxford-not happy about all these rental homes. The tenants don't care. All they care about is getting their rent money. The most recent tenants at that address were dismantling cars and peeling their vehicles out up and down the street. His friend's property backs up to this property and he is against it. Doesn't have an issue with a new single-family home but has an issue with a duplex. A single-family home can get more for rent money and will

bring in a different kind of person. Kids cannot ride their bikes down the street. The police are called out a lot for issues on this street.

Charles Richardson, Planning & Zoning Member-not against multi-family homes but they must be in the right place. The zoning did approve multi-family homes across from Grumps. A garage is a requirement, not a recommendation.

Mark Davis, 5308 Notre Dame-the police has been called out several times at this house. He has been woken up in the middle of the night with parties that end up in his yard. Doesn't feel the owner cares what is going on, they just want the rent money. He parks a truck in the street to keep others from parking there and blocking his driveway. He doesn't want to live in a construction zone while a house is being built.

At 6:55 p.m., Mayor Houk closed the Public Hearing.

9. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF ORDINANCE #1441-2024 TO REZONE THE PROPERTY LOCATED AT 5309 NOTRE DAME AS REQUESTED BY ELATE PROPERTIES, LLC FROM R-4 SINGLE FAMILY ZONING TO A PLANNED DEVELOPMENT ZONING DISTRICT THAT SHALL OTHERWISE MEET SECTION 12A TWO FAMILY DISTRICT REQUIREMENTS IN ORDER TO BUILD A DUPLEX ON THE PROPERTY PURSUANT TO THE RIVER OAKS ZONING ORDINANCE #1394-2023 AS AMENDED, EXCEPT THAT THE REAR YARD SETBACK SHALL BE 15-FEET, THE MINIMUM RESIDENTIAL FLOOR SPACE FOR BOTH UNITS TOGETHER SHALL BE 1,800 SQUARE FEET, AND THE MINIMUM LOT WIDTH SHALL BE 50 FEET, AND IF APPROVED SHALL BE REZONED USING THE UNIQUE ZONING IDENTIFICATION NUMBER "PD-R6-R".

The ordinance number should be #1441-2024 not #4141-2024. Anyone can request a zoning change like this. You must look at each case individually. If you pass the zoning change on this property, it is a change for his property only. And it stays with this property when sold later. Yes, there are some landlords and tenants that don't care, but here are some that do. The city has a vision, and this is not our vision.

**CM Forester moved, seconded by CM Rodriguez to deny the zoning change request. All voted "Aye".**

10. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC INPUT ON THE SUBSTANDARD BUILDING ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT 5401 BAYLOR AVENUE.

At 7:11 p.m., Mayor Houk opened the Public Hearing.

No one was present. This started with a Certificate of Occupancy that was not completed. Water has been off since May 2024 and people have been living there with no water. Continuous junk and debris are being brought in. Two citations have been issued and they did not show up to the courts. This property has been sold and the new owner was asked to come tonight. City Council has deemed this property substandard. There was a fire in the back of the house, and it never got repaired. The order is up to abate violations, and now council must decide going forward on an order. We can keep this Public Hearing open until the next meeting so we can present current pictures.

11. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 5401 BAYLOR AVENUE 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 Claridge moved, seconded by CM Rodriguez to keep this Public Hearing open until November 5<sup>th</sup>, 2024 at 6:00 p.m. All voted "Aye".**

12. ADMINISTRATIVE HEARING: PURSUANT TO SECTION 3.07.013 OF THE RIVER OAKS CODE OF ORDINANCES IN ORDER TO ASSESS A CIVIL PENALTY AGAINST THE PROPERTY OWNER AT 1513 SKYLINE DRIVE FOR FAILURE TO COMPLY WITH AN ORDER ISSUED BY THE BOARD PURSUANT TO SECTION 3.07.007 OF THE RIVER OAKS CODE OF ORDINANCES (2020).

At 7:29 p.m., Mayor Houk opened the Administrative Hearing. Nick Nikbakht with Catalyst Real Estate was present. He just received notice yesterday to attend this meeting. Kamy Trust owns this property. The council order is expired without any progress. Right now, it is 43 days in violation. It is presented to the council to assess civil penalties. Nick presented the council a pre-planning report. There has been some work done, but it isn't visible. Permit was pulled on the roof to replace it, but it was never replaced; it was patched. This has been going on since March 2021.

At 7:51 p.m., Mayor Houk closed the Administrative Hearing.

13. ACTION FROM ADMINISTRATIVE HEARING: CONSIDER ORDERS TO ASSESS A CIVIL PENALTY PURSUANT TO SECTION 3.07.013 OF THE RIVER OAKS CODE AGAINST THE PROPERTY OWNER AT 1513 SKYLINE DRIVE FOR FAILURE TO COMPLY WITH AN ORDER ISSUED BY THE BOARD PURSUANT TO SECTION 3.07.007 OF THE RIVER OAKS CODE.

**CM Forester moved, seconded by CM Claridge that the board finds that the building(s) located at 1513 Skyline Drive based on evidence presented at the Administrative Hearing on October 15, 2024 is in violation of the Substandard Building Order issued on July 2, 2024 from the public hearing that allowed the record owner until September 2, 2024 to abate all substandard conditions and further move to find that: 1) the record property owner, Kamy Real Property Trust has not provided proof that the property at 1513 Skyline Drive in River Oaks, Tarrant County, Texas is the owner's lawful homestead; and 2) the property owner was notified of the contents of the order issued pursuant to Section 3.07.007 of the River Oaks Code of Ordinances (2006) as amended; and 3) the property owner committed an act in violation of the order or failed to take an action necessary for compliance with the order for a period of 43 days after the deadline date of September 2, 2024; and THEREFORE MOVE TO ORDER: 1) that civil penalties assessed in accordance to Section 3.07.013 of the River Oaks Code of Ordinances (2006) as amended against the record owner pursuant to the July 2, 2024 Substandard Building Order in the amount of \$1,000.00 per day beginning on September 3, 2024 and continuing each day that the property remains in violation and furthermore civil penalties shall continue in the amount of \$1,000.00 per day until all the actions under the Substandard Building Order is released; and 2)**

**after the civil penalty is assessed, the City Secretary shall file with the district clerk of the county in which the property is located a certified copy of the order assessing the civil penalty stating the amount and duration of the penalty; and 3) the civil penalty may be enforced by the city in a suit brought by the city in a court of competent jurisdiction for a final judgement in accordance with the assessed penalty. A civil penalty under this subsection is final and binding and constitutes prima facie evidence of the penalty in any suit. All voted "Aye".**

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

14. CONSIDER APPROVAL OF RESOLUTION #1132-2024 ADOPTING THE OFFICIAL INVESTMENT STRATEGY AND INVESTMENT POLICY FOR FISCAL YEAR 2025 IN ACCORDANCE WITH PUBLIC FUNDS INVESTMENT ACT (CHAPTER 2256 OF THE TEXAS GOVERNMENT CODE) OF THE CITY OF RIVER OAKS; REVISING THE INVESTMENT POLICY IN ACCORDANCE TO THE PUBLIC FUNDS INVESTMENT ACT.

This is to be reviewed annually by law. There are no changes.

**CM Claridge moved, seconded by CM Rodriguez to approve Resolution #1132-2024. All voted "Aye".**

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

15. DISCUSSION AND/OR ACTION ON APPROVING THE REVISED SERVICE LEVEL INTERLOCAL AGREEMENT WITH THE CITY OF FORT WORTH FOR EMS SERVICES.

Council adopted the Interlocal Agreement on September 17, 2024. Staff from several cities have determined that amendments were needed to the agreement:

Section 5.1-some cities requested a 5-year term. Would like to stay with the 10-year term that council approved.

Section 5.3-allows member cities to terminate the agreement. Fort Worth added 5.4 allowing them to terminate the agreement with any member city.

Section 6-March 15 estimates will be sent out each year. There will also be a December 15 true-up which will require a deduction from or addition to the amount owed the next fiscal year which will be included in the March 15 estimate.

**Mayor Pro Tem Turner moved, seconded by CM Claridge to approve the revised agreement as presented without an amendment 5.1. All voted "Aye".**

16. CONSIDER APPROVAL TO EXPEND FUNDS FROM THE HOTEL-MOTEL FUND IN ORDER TO PROMOTE TOURISM FOR THIS YEAR'S CITY CHRISTMAS FESTIVITIES.

Hotel/Motel funds can only be used to promote tourism within our city. Would like to get professional signs made that can be used each year. Need to create a committee for this fund.

**CM Rodriguez moved, seconded by CM Forester to allocate \$5,000.00 from the**

**Hotel/Motel Tax Fund for the 2024 Christmas Festivities. All voted "Aye".**

17. CONSIDER APPROVAL TO WAIVE ENFORCEMENT OF THE YARD PARKING PROHIBITIONS DURING THE CHRISTMAS PARADE AND FESTIVITIES.

Need streets that are in the parade route vacated.

**CM Forester moved, seconded by CM Rodriguez to approve allowing yard parking from 5 p.m. on December 6<sup>th</sup> to 9 a.m. on December 9<sup>th</sup> and to have a backup date from 5 p.m. on December 13<sup>th</sup> to 9 a.m. on December 16<sup>th</sup> if needed. All voted "Aye".**

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.

Haunted House-October 18<sup>th</sup> and 19<sup>th</sup> and October 25<sup>th</sup> & 26<sup>th</sup> at 7 p.m. Entry fee is \$7.00 per person.

Community Dance-November 9<sup>th</sup> from 8:00 p.m. to 12:00 midnight. Entry fee is \$20.00 per person. BYOB coolers are welcome with a \$20.00 charge.

75<sup>th</sup> Gala-November 2<sup>nd</sup> from 5:30 p.m. to 9:30 p.m.

Water Plant Update-waiting on approval from TCEQ.

November 9<sup>th</sup> parade for Mr. Southerland at 1 p.m. Parade will start at AV Cato.

**STAFF REPORTS:**

19. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 1513 SKYLINE DR-discussed earlier.
- 5016 ALMENA RD-been removed from substandard.
- 5401 BAYLOR AVE-discussed earlier.
- 5609 JAMES DR-owner working on eviction process.

**QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:**

20. **POLICE DEPT. MONTHLY REPORT** INCLUDING PATROL ACTIVITY, RESPONSE CALLS, NUMBER OF CRIMINAL INVESTIGATION CASES, WARRANTS ISSUED AND ANIMAL CONTROL CALLS INCLUDING CITATIONS ISSUED.

One open position. October 24<sup>th</sup> is AV Cato Trunk-or-Treat from 6 p.m. to 8 p.m. PD, FD, and Public Works will be there. November 7<sup>th</sup> is a fundraiser at Grumps from 11 a.m. to 3 p.m. for peace officers that are injured or killed in the line of duty. National Night out-would like to attract more kids.

21. **FIRE DEPT. REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE AND FIRE TRAINING EXERCISES.
22. **INSPECTIONS AND CODE COMPLIANCE ACTIVITY REPORTS** INCLUDING NUMBER OF PERMITS ISSUED AND CODE VIOLATIONS WORKED.
23. **MUNICIPAL COURT** INCLUDING COURT ACTIVITY FROM FINES, BONDS, WARRANT FEES, COURT TAXES, COURT FEES, ARREST FEES, COURT SECURITY FEES, COURT TECHNOLOGY FEES, PAYMENT PLANS, STATE COURT COSTS AND AGENCY COLLECTION FEES
24. **PUBLIC WORKS ACTIVITY REPORT** INCLUDING ROAD REPAIRS COMPLETED, SIGNS INSTALLED, WATER PRODUCTION, WATER MAIN AND SERVICE LEAKS REPAIRED, NUMBER OF FIRE HYDRANTS AND DEAD-END LINES FLUSHED, NUMBER OF SEWER OVERFLOWS AND STOPPAGES, CUBIC TONS OF SOLID WASTE COMPACTED AND PUBLIC WORKS EQUIPMENT REPAIRS
25. **PARK BOARD ACTIVITY REPORT** INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD
26. **EVENT CENTER ACTIVITY REPORT** INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES
27. **CITY SECRETARY ACTIVITY REPORT** INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEXPOOL AND CRIME SALES TAX
28. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES AND UPCOMING PROJECTS.

Been in contact on a building that has been vacant for three years.

29. **STORM WATER TASK FORCE ACTIVITY REPORT** INCLUDING ACTINS TAKEN UNDER THE MS4 PERMIT, COMMUNITY EDUCATION AND PROMOTIONAL EVENTS REGARDING STORM WATER PREVENTION POLLUTION
30. **EMERGENCY MANAGEMENT ACTIVITY REPORT** INCLUDING POLICIES, PROCEDURES, AND INFORMATION PERTAINING TO EMERGENCY MANAGEMENT PLANNING

No positives recently.

**CORRESPONDENCE:**

31. COUNCIL MEMBER QUESTIONS, COMMENTS, AND ANNOUNCEMENTS.

CM Claridge-enjoyed 75<sup>th</sup> festival.

Mayor Pro Tem Turner-75<sup>th</sup> festival was phenomenal. Bragged on Public Works for their work at the festival.

CM Rodriguez-thanked all on the festival. Been trying to put the November 9<sup>th</sup> dance out there and hope it is a success.

CM Holland-we need blinking yellow lights at Merritt and River Oaks Blvd. TXDOT supposed to be working on it. The flyers are still being thrown at houses. CA Anderlee-will have to amend the ordinance. The Gala, everyone should come if they can. Noticed there is nothing on the water applications regarding the \$1 donations.

CM Forester-sometimes we must have hard conversations like we did tonight.

Mayor Houk-is a grandfather as of a couple of days ago.

Citizens in attendance were Charlie & Hailey Crawford who just moved in two weeks ago on Barbara Road.

**EXECUTIVE SESSION:**

32. 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:**

33. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

**NONE**

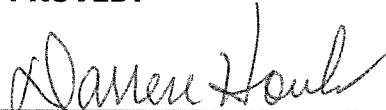


**ADJOURN:**

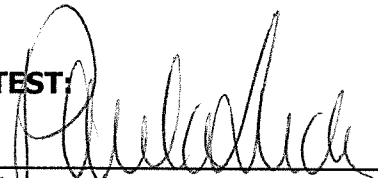
34. ADJOURN

**At 9:00 p.m., Mayor Houk adjourned the meeting.**

**APPROVED:**

  
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Darren Houk, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Paula Luck, City Secretary