

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
NOVEMBER 13, 2018**

**MEMBERS PRESENT:**

MAYOR HERMAN EARWOOD  
COUNCIL MEMBER BRUCE SCOTT  
COUNCIL MEMBER DAN CHISHOLM  
COUNCIL MEMBER JOANN BUTLER  
COUNCIL MEMBER JOE ASHTON

**STAFF PRESENT:**

CITY SECRETARY MARVIN GREGORY  
ASST CITY SECRETARY PAULA LUCK  
POLICE CHIEF CHRIS SPIELDENNER  
EMERGENCY MGT JAMES MYRICK  
BUILDING INSPECTOR STEVE SANDERS  
PWD GORDON SMITH  
COMMUNITY CENTER DIRECTOR SHIRLEY WHEAT  
CITY ATTORNEY BETSY ELAM  
FIRE CHIEF JAMES BROWN  
INTERIM FIRE CHIEF GREG STOCKTON

**ABSENT:**

MAYOR PRO TEM STEVE HOLLAND-EXCUSED (OUT OF TOWN)

1. CALL TO ORDER

With a quorum present, Mayor Herman Earwood called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, November 13, 2018 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Scott delivered the Invocation.

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

CM Scott led the Pledges of Allegiance to the United States and the Texas Flags.

Mayor Earwood asked all firemen in the audience to stand.

At 7:03 p.m., Mayor Earwood went into Executive Session under Section 551.074.

At 7:09 p.m., Mayor Earwood reconvened back into Regular Session.

**ACTION FROM EXECUTIVE SESSION:**

**CM Ashton moved, seconded by CM Scott to appoint Greg Stockton as the River Oaks Fire Chief with a salary of \$27,327.82. All voted "Aye".**

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

Chief Stockton gave a Special Presentation (name plaque and fire helmet) to Ex Fire Chief James Brown.

**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 OCTOBER 23, 2018 SPECIAL CALLED MEETING
- B. APPROVE MINUTES OF OCTOBER 27, 2018 JOINT ECONOMIC DEVELOPMENT CORPORATION & CITY COUNCIL STRATEGIC PLANNING WORKSHOP
- C. APPROVE MINUTES FROM THE NOVEMBER 6, 2018 TOWN HALL MEETING
- D. APPROVE BILLS PAYABLE FOR PERIOD ENDING NOVEMBER 13, 2018 (FY 2019)
- E. APPROVE FY 2018 E.D.C. 4<sup>TH</sup> QUARTER REPORT (JULY 1, 2018-SEPTEMBER 30, 2018)
- F. APPROVE FY 2018 CCPD 4<sup>TH</sup> QUARTER REPORT (JULY 1, 2018-SEPTEMBER 30, 2018)
- G. APPROVE RENEW OF ERCOT MEMBERSHIP FOR FY 2019
- H. APPROVE ANNUAL RENEWAL AGREEMENT WITH ALLIED COMPLIANCE FOR DRUG TESTING
- I. APPROVE RESIGNATION OF FRED HAMMONS IN THE PUBLIC WORKS DEPT. AS SANITATION DEPT. TRUCK DRIVER

**CM Ashton moved, seconded by CM Butler to approve the Consent Agenda Items #A-I. 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:**

**7. CONSIDER APPROVAL OF REQUEST BY DANIEL ENRIQUEZ AT 1717 LONG FOR WATER BILL ADJUSTMENT DUE TO WATER LEAK.**

Daniel Enriquez was present. He was out of town for several months. The September consumption was 6,215 cubic feet. The Water Department went by policy and put a door tag on his door notifying him of a possible leak unaware the customer was out of town. The next month (October) was even higher at 16,407 cubic feet. At this time, the Water Department turned his water off. Customer came back into town and found a leak in a toilet and fixed it. Mr. Enriquez is requesting a water bill adjustment due to the leak.

**CM Scott moved, seconded by CM Chisholm to approve the adjustment by averaging the past 12 months on water only and adding 10%. CM Scott, CM Chisholm and CM Ashton voted "Aye". CM Butler voted "Nay". Motion passed.**

8. CONSIDER APPROVAL OF REQUEST BY ANGELICA GARCIA AT 5067 RIVER OAKS BLVD FOR WATER BILL ADJUSTMENT DUE TO WATER LEAK.

Angelica Garcia was present. There was a leak at the meter but was unknown because of the rain. Once it stopped raining, the leak was noticeable and was fixed.

**CM Ashton moved, seconded by CM Scott to approve the adjustment by averaging the past 12 months including sewer and adding 10%. CM Scott, CM Chisholm and CM Ashton voted "Aye". CM Butler voted "Nay". Motion passed.**

9. DISCUSSION AND/OR ACTION FROM PRESENTATION BY DAN KESSLER OF NCTCOG & PROJECT DESIGN ENGINEERS ON THE MEANDERING ROAD PROJECT.

Dan Kessler with North Central Texas Council of Governments was present; Clint Hoover, Project Manager and Jay Vonahsen with the City of Fort Worth were present; and Jill Van Howeyk and Eric Greenman both with Lamb-Star were present and all went over the Meandering Road project and presented a slideshow. Next presentation will be at the January 2019 Community Forum Meeting.

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

10. PUBLIC HEARING: TO RECEIVE PUBLIC INPUT ON THE CREATION OF A REINVESTMENT ZONE AND ITS BENEFITS TO THE CITY OF RIVER OAKS AND TO PROVIDE A REASONABLE OPPORTUNITY FOR ANY OWNER OF PROPERTY WITHIN THE PROPOSED ZONE TO PROTEST THE INCLUSION OF THEIR PROPERTY WITHIN THE PROPOSED ZONE, WHICH PROPOSED REINVESTMENT ZONE CONTAINS APPROXIMATELY 151 ACRES OF LAND GENERALLY LOCATED ALONG THE RIVER OAKS BOULEVARD CORRIDOR AND BEING WHOLLY LOCATED WITHIN THE CORPORATE LIMITS OF THE CITY OF RIVER OAKS, TEXAS.

At 8:46 p.m., Mayor Earwood opened the Public Hearing.

Kyle Sikorski representing Petty and Associates was present. Kyle briefly talked about what a TIRZ is. Tonight being brought before the Council is an Ordinance that creates the TIRZ and creates the board. Boundaries and board members can be changed in the future with an Ordinance amendment.

At 8:55 p.m., Mayor Earwood closed the Public Hearing.

11. ACTION FROM PUBLIC HEARING: CONSIDER ADOPTION OF ORDINANCE #1208-2018 CREATING THE TAX INCREMENT REINVESTMENT ZONE AND OTHER RELATED MATTERS.

**CM Chisholm moved, seconded by CM Butler to approve Ordinance #1208-2018. All voted "Aye".**

**OTHER ITEMS THAT MAY REQUIRE COUNCIL ACTION:**

12. CONSIDER APPROVAL OF AGREEMENT WITH MULTATECH ARCHITECTS & ENGINEERS FOR ENGINEERING REQUIRED IN CREATING A REINVESTMENT ZONE.

Multatech will prepare a legal boundary description to support the city's TIRZ program.

**CM Ashton moved, seconded by CM Chisholm to approve the agreement with Multatech Architects & Engineers not to exceed \$2,600.00. All voted "Aye".**

13. CONSIDER APPROVAL OF REVISED INTERLOCAL AGREEMENT BETWEEN THE CITY OF FORT WORTH AND THE CITY OF RIVER OAKS TO FACILITATE CONSTRUCTION OF THE LAKE WORTH TRAIL THROUGH THE CITY OF RIVER OAKS AND REPEALING THE FORMER INTERLOCAL AGREEMENT AS APPROVED ON SEPTEMBER 25, 2018.

The Project Manager had left the City of Fort Worth and now there is another Project Manager which has changed the agreement. Residents that are affected need to be made aware of this project.

**CM Chisholm moved, seconded by CM Ashton to approve the revised Interlocal Agreement with the City of Fort Worth and the City of River Oaks. All voted "Aye".**

14. CONSIDER APPROVAL OF REQUEST FROM COMMUNITY CENTER CO-DIRECTOR, SHIRLEY WHEAT, TO WAIVE THE RENTAL FEE FOR LARRY MILLS.

Larry Mills was the Manager at SuperSave in River Oaks. He has given so much to the River Oaks community with numerous donations. Mr. Mills did not request the fee to be waived and this is a one-time request.

**CM Ashton moved, seconded by CM Chisholm to approve a one-time waiving of the rental fee for Larry Mills. All voted "Aye".**

15. CONSIDER APPROVAL OF ENGINEERING AND PROFESSIONAL SURVEY SERVICES FOR STREET, CURBING & GUTTER RECONSTRUCTION IN THE 4400 TO 4600 BLOCKS OF BYRD DRIVE (WOODLAWN TO SHENNA BLVD) TO BE EXPENDED FROM STORM WATER FUNDS.

Byrd Street from Shenna to Woodlawn is experiencing failures in both the street and the curb drainage system. City staff has asked City Storm Drainage Engineer Michael Thomas to review the situation and possible how to also incorporate the final road repairs with using the City's annual agreement with Tarrant County. After review, MJ Thomas Engineering presented a proposal to have the area surveyed and incorporate the survey into a concrete curb replacement project. Once the new curbs and possible driveway approaches are in place, the County then could come in and reconstruct the road to the new curb elevations. The road should start around April or May.

**CM Butler moved, seconded by CM Scott to approve the survey services at a cost of \$19,000.00. All voted "Aye".**

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

16. CONSIDER APPROVAL OF RESOLUTION #946-2018 RATIFYING "OUTSIDE SPECIAL EVENTS PERMITTING" PURSUANT TO SECTION 19E OF THE CITY'S COMPREHENSIVE ZONING ORDINANCE AUTHORIZING AN OUTSIDE SPECIAL EVENT TO BE PERMITTED AT THE VICTORY CHURCH LOCATED AT 5116 RIVER OAKS BLVD.; AND PROVIDING AN EFFECTIVE DATE.

**CM Chisholm moved, seconded by CM Butler to approve Resolution #946-2018. All voted "Aye".**

17. CONSIDER APPROVAL OF ORDINANCE #1207-2018 AMENDING CHAPTER 4 "BUSINESS REGULATIONS" OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED INCORPORATING ARTICLE 4.09 "SECONDARY METAL RECYCLERS" THAT PROVIDES DEFINITIONS, LICENSING, RECORDKEEPING AND ENFORCEMENT PROCEDURES FOR SECONDARY METAL RECYCLERS.

This ordinance is the result of a culmination of meetings and collaboration with the City of Fort Worth as well as Tarrant County Law Enforcement Executives Association. The City needs to have a strong and fair Ordinance in place for future use.

**CM Ashton moved, seconded by CM Chisholm to approve Ordinance #1207-2018. All voted "Aye".**

**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**

Shirley Wheat-Dog and cat vaccination and registration for senior citizens were today and had about 50 people.

PC Spieldenner-Detective Whitley got bit four times by a Pit Bull but will be fine.

CS Gregory-Special Called Meeting Thursday at 7:00 p.m. at the Library to canvass votes, call for a runoff election and have a drawing for place on the ballot.

**EXECUTIVE SESSION:**

19. CONVENE IN EXECUTIVE SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE: THE COUNCIL RESERVES THE RIGHT TO CONVENE IN EXECUTIVE SESSION(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-**Appointment of Fire Chief.**
- d. Section 551.076 Deliberation regarding security devices.

This item was discussed after Item #3.

**RECONVENE:**

20. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

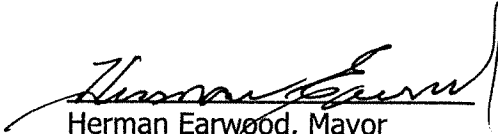
This item was discussed after Item #3.

**ADJOURN:**


21. ADJOURN

**At 9:27 p.m. CM Ashton moved, seconded by CM Chisholm, to adjourn the meeting. All voted "Aye".**

**APPROVED:**

  
Herman Earwood, Mayor

**ATTEST:**

  
Marvin Gregory, City Secretary