

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
FEBRUARY 24, 2015**

MEMBERS PRESENT:

MAYOR PRO TEM STEVE HOLLAND
COUNCIL MEMBER JOANN BUTLER
COUNCIL MEMBER BRUCE SCOTT
COUNCIL MEMBER JOE ASHTON
COUNCIL MEMBER JOANN GORDON

MEMBERS ABSENT:

MAYOR HERMAN EARWOOD (PERSONAL)

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
POLICE CHIEF AVIN CARTER
PUBLIC WORKS DIRECTOR JAMES HATLEY
CODE ENFORCEMENT OFFICER JOHN PAUL JONES
EMERGENCY MANAGEMENT COORDINATOR JAMES MYRICK
COMMUNITY CENTER DIRECTOR SHIRLEY WHEAT
FIRE CHIEF RUSSELL SHELLEY
RECORDING SECRETARY SUSAN STEWART
ATTORNEY DREW LARKIN (FOR BETSY ELAM)

1. CALL TO ORDER

With a quorum present, Mayor Pro Tem Holland called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, February 24, 2015 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 Butler led the Pledges of allegiance to the United States and the Texas Flags.

4. READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS

Mayor Pro Tem Holland dedicated his service for this evening to Mary Earwood, who passed away recently. Mayor Pro Tem Holland requested that Mayor Earwood and their family be remembered during this time.

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. MINUTES OF JANUARY 27, 2015 COUNCIL MEETING
- B. RATIFY BILLS PAYABLE FOR PERIOD ENDING FEBRUARY 10, 2015 (FY 2015)
- C. BILLS PAYABLE FOR PERIOD ENDING FEBRUARY 24, 2015 (FY 2015)
- D. APPROVE EMPLOYMENT CONTRACT WITH RONALD CHESTERMAN

E. APPROVE MAYOR'S RECOMMENDATION FOR HIRING OF PUBLIC WORKS EMPLOYEE

F. APPROVE CONSULTANT AGREEMENT WITH WARD & ASSOCIATES FOR ECONOMIC DEVELOPMENT PLANNING AS RECOMMENDED BY E.D.C.

Mayor Pro Tem Holland removed consent agenda item D for discussion in executive session at the end of the meeting.

CM Gordon moved, seconded by CM Scott, to approve consent agenda items A, B, C, E, and F. All voted "Aye."

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

D. APPROVE EMPLOYMENT CONTRACT WITH RONALD CHESTERMAN

Refer to executive session under agenda items 37 and 38.

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

7. CONSIDER APPROVAL OF THE 2013-2014 FISCAL YEAR AUDIT REPORT AND PROPOSAL FOR THE 2014-2015 FY AUDIT AS PRESENTED BY WILLIAM SPORE, CPA

Bill Spore presented the 2014-2015 annual financial reports for review, citing no major deficiencies. Mr. Spore presented a budgetary comparison. Mr. Spore will be present at the next regular council meeting to answer questions and present an engagement letter for next year.

No action was taken.

8. CITIZEN REQUEST AS SUBMITTED BY TERRI L. FONTENOT TO APPEAR BEFORE THE CITY COUNCIL ADDRESSING PARKING ON PUBLIC STREETS

No representative was present.

No action was taken.

9. CITIZEN REQUEST AS SUBMITTED BY TRAVIS POWELL TO APPEAR BEFORE THE CITY COUNCIL SEEKING CITY SUPPORT TO REPAIR AND MAINTAIN BMX TRAIL AT WOOLDRIDGE PARK LOCATED AT 4901 LAWTHOR DR.

Travis Powell announced his excitement to find a public BMX park for his children. Mr. Powell expressed concern over the disrepair of the park, stating that he has been maintaining the BMX park to the best of his ability. Mr. Powell requested assistance from the City to improve and maintain the BMX park. City Council thanked Mr. Powell for his interest and directed him to the Park Board to begin addressing his concerns.

No action was taken.

10. CONSIDER APPROVAL OF REQUEST BY BILL STEPHENSON TO RENEW BUILDING PERMIT FOR THE NEW CONSTRUCTION AT 1728 INSPIRATION LANE AT THE NON-EXPIRED RATE

Mayor Pro Tem Holland stated that CM Gordon has filed a conflict of interest form with the City Secretary and will not participate in discussion or action of this agenda item.

Bill Stephenson described some setbacks that have delayed the construction completion of his home. Mr. Stephenson requested a refund for half of the amount he paid to renew his permit. Mr. Stephenson explained that he was unaware that he could have renewed his permit prior to expiration at half the cost.

CM Butler moved, seconded by CM Scott, to refund ½ of the fee for the renewal of the permit in an approximate amount of \$1500. All voted "Aye."

11. CONSIDER APPROVAL TO AMEND THE JUNE 24, 2014 BOARD ORDERS ON **5008 SHERWOOD** TO ABATE SUBSTANDARD VIOLATIONS WITHIN 30-DAYS AND TO AMEND THE DECEMBER 9, 2014 ORDER THAT ASSESSED CIVIL PENALTIES FOR FAILURE TO COMPLY WITH THE JUNE 24, 2014 ORDERS

COE Jones stated that Round Point Mortgage has contacted Staff and they are unable to attend due to inclement weather. COE Jones noted that there are multiple liens for mowing and clean up on this property as well as an outstanding work order to mow at this time.

CM Ashton moved, seconded by CM Scott, to deny the request.

All voted "Aye."

12. CONSIDER APPROVAL OF **RESOLUTION 820-2015** FOR CITY MEMBERSHIP IN THE INTERLOCAL PURCHASING SYSTEM (TIPS)

CS Gregory presented the agreement as approved by the City Attorney and recommended approval of the membership.

CM Gordon moved, seconded by CM Ashton, to approve Resolution #820-2015 for City membership in the Interlocal purchasing system (TIPS). All voted "Aye."

13. CONSIDER APPROVAL OF THE RACIAL PROFILING REPORT AS PRESENTED BY POLICE CHIEF AVIN CARTER

PC Carter presented the racial profiling report, stating that there were zero complaints filed this year.

CM Ashton moved, seconded by CM Butler, to accept the racial profiling report as presented by Police Chief Avin Carter. All voted "Aye."

PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:

14. **PUBLIC HEARING:** IN ORDER TO RECEIVE CITIZEN COMMENTS ON SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT **5008 PENROD CT.**

At 8:20 p.m. Mayor Pro Tem Holland opened the public hearing.

COE Jones reported that the record owner, Flagstar Bank sent a representative to clean up the interior of the property but no permits has been obtained and no inspections have been performed. COE Jones stated that the most recent pictures are from August 22, 2014. Attorney Larkin advised that the public hearing be left open in order to discuss this agenda item in executive session.

This public hearing was left open for discussion in executive session.

15. **ACTION FROM PUBLIC HEARING:** CONSIDER COUNCIL ORDERS ON THE PROPERTY AT **5008 PENROD CT.** 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

Refer to executive session under agenda items 37 and 38.

16. **PUBLIC HEARING:** : IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE PROPOSED **TEXT AMENDMENT** TO COMPREHENSIVE ZONING ORDINANCE # 920-2012, AS AMENDED AND CODIFIED INTO THE RIVER OAKS CODE OF ORDINANCES (2006) UNDER CHAPTER 14, EXHIBIT A "ZONING ORDINANCE", TO:

- i. Amend Article 14.03 "Zoning and Sign Ordinances"*
- ii. Amend Section 4 "Definitions" of the River Oaks Comprehensive Zoning Ordinance*
- iii. Amend Section 20 "Parking and Vehicular Circulation Requirements" pertaining to the parking of major recreational vehicles in the front yard on concrete surfaces only.*
- iv. Amend Section 20 "Parking and Vehicular Circulation Requirements" requiring that the parking surface after the effective date of this ordinance in any required front yard in single-family zoning district shall be concrete.*
- v. Amend Section 20 "Parking and Vehicular Circulation Requirements" requiring that for a use other than a single-family use, the surface of a parking space, maneuvering area for parking, or driveway must consist of concrete, or in the alternative, may consist of hot mix asphalt paving which meets the NCTCOG specifications. The approach shall be a minimum of 10 feet or to the property line and shall be concrete.*
- vi. Amend Section 21 "Fence Regulations" in that a fence shall be constructed of metal, chain link, wood, masonry, or any other code approved material.*
- vii. Amend Section 21 "Fence Regulations" in that fences constructed of an ornamental material such as decorative wrought iron may be allowed to a height not greater than six (6) feet measured from the natural contour of the land providing it is at least 50%*

- open and is determined to be architecturally compatible within that particular zoning district by the Building Official.*
- viii. Amend Section 21 "Fence Regulations" requiring approved screening where a lot zoned for commercial uses abuts property zoned for or used for residential uses.*
 - ix. Amend Section 22 "Accessory Uses" in that the accessory building may not exceed the size of the principle structure on any individually platted residential lot and must meet all other applicable requirements for accessory buildings.*
 - x. Amend Section 22 "Accessory Uses" requiring that an approved site plan pursuant to Section 25 of the Comprehensive Zoning Ordinance as a condition for approval of a building permit application for construction of all Accessory Buildings in any commercial, industrial, Multi-Family and Planned Zoning Districts.*
 - xi. Amend Section 22 "Accessory Uses" in that the design and number of gasoline delivery stations or pumps be pre-approved by the City's Fire Inspector.*
 - xii. Amend Section 22 "Accessory Uses" in Section 22.A "Authorized Accessory Uses" # 13.5 in that Snow cone stands previously approved by the City Council shall be permitted to operate subject to City Council approval each year for a period not to exceed 180 days unless otherwise approved by City Council.*
 - xiii. Amend Section 22 "Accessory Uses" requiring that existing accessory buildings designed for residential human occupation may be used for human occupation, limited to family members as defined by this Ordinance providing they existed prior to the adoption of the zoning ordinance and are registered as a legal non-conforming structure.*
 - xiv. Amend Sec. 25 'Site Plans required for Multi-Family, Commercial, Industrial, Planned Districts and Zone Changes" in that a person is required to submit a site plan for approval of Accessory Buildings to be constructed and expansions in excess of 25% of the accessory building size.*
 - xv. Amend Section 27A "Landscaping Requirements" in that all uses that were in existence at the time of the adoption of the Zoning Ordinance as amended which do not meet the landscape requirements will be considered legal nonconforming subject to the provisions established in Section 28 of the Zoning Ordinance as a legal nonconforming use.*
 - xvi. Amend Section 28 "Nonconformities"; "Alteration in Size of Structure" in that no such nonconforming structure may be enlarged, extended, reconstructed, repaired, or altered in a way that increases its nonconformity except as provided for in section 28 H.*

At 8:26 p.m. Mayor Pro Tem Holland opened the public hearing.

It was announced that the Planning and Zoning Commission meeting was postponed until March 3, 2015 due to inclement weather.

Mayor Pro-Tem Holland announced for the record that the Public Hearing shall remain open and continued to March 10, 2015 at 7:00 P.M. in the City Council Chambers located at 4900 River Oaks Blvd., River Oaks, Texas.

17. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF ORDINANCE # 1060-2015 of the proposed **text amendments** to Comprehensive Zoning Ordinance # 920-2012, as amended and codified into the River Oaks Code of Ordinances (2006) under Chapter 14, Exhibit A "Zoning Ordinance to:

- i. *Amend Article 14.03 "Zoning and Sign Ordinances"*
- ii. *Amend Section 4 "Definitions" of the River Oaks Comprehensive Zoning Ordinance*
- iii. *Amend Section 20 "Parking and Vehicular Circulation Requirements" pertaining to the parking of major recreational vehicles in the front yard on concrete surfaces only.*
- iv. *Amend Section 20 "Parking and Vehicular Circulation Requirements" requiring that the parking surface after the effective date of this ordinance in any required front yard in single-family zoning district shall be concrete.*
- v. *Amend Section 20 "Parking and Vehicular Circulation Requirements" requiring that for a use other than a single-family use, the surface of a parking space, maneuvering area for parking, or driveway must consist of concrete, or in the alternative, may consist of hot mix asphalt paving which meets the NCTCOG specifications. The approach shall be a minimum of 10 feet or to the property line and shall be concrete.*
- vi. *Amend Section 21 "Fence Regulations" in that a fence shall be constructed of metal, chain link, wood, masonry, or any other code approved material.*
- vii. *Amend Section 21 "Fence Regulations" in that fences constructed of an ornamental material such as decorative wrought iron may be allowed to a height not greater than six (6) feet measured from the natural contour of the land providing it is at least 50% open and is determined to be architecturally compatible within that particular zoning district by the Building Official.*
- viii. *Amend Section 21 "Fence Regulations" requiring approved screening where a lot zoned for commercial uses abuts property zoned for or used for residential uses.*
- ix. *Amend Section 22 "Accessory Uses" in that the accessory building may not exceed the size of the principle structure on any individually platted residential lot and must meet all other applicable requirements for accessory buildings.*
- x. *Amend Section 22 "Accessory Uses" requiring that an approved site plan pursuant to Section 25 of the Comprehensive Zoning Ordinance as a condition for approval of a building permit application for construction of all Accessory Buildings in any commercial, industrial, Multi-Family and Planned Zoning Districts.*
- xi. *Amend Section 22 "Accessory Uses" in that the design and number of gasoline delivery stations or pumps be pre-approved by the City's Fire Inspector.*
- xii. *Amend Section 22 "Accessory Uses" in Section 22.A "Authorized Accessory Uses" # 13.5 in that Snow cone stands previously approved by the City Council shall be permitted to operate subject to City Council approval each year for a period not to exceed 180 days unless otherwise approved by City Council.*
- xiii. *Amend Section 22 "Accessory Uses" requiring that existing accessory buildings designed for residential human occupation may be used for human occupation, limited to family members as defined by this Ordinance providing they existed prior to the adoption of the zoning ordinance and are registered as a legal non-conforming structure.*
- xiv. *Amend Sec. 25 'Site Plans required for Multi-Family, Commercial, Industrial, Planned Districts and Zone Changes" in that a person is required to submit a site plan for approval of Accessory Buildings to be constructed and expansions in excess of 25% of the accessory building size.*
- xv. *Amend Section 27A "Landscaping Requirements" in that all uses that were in existence at the time of the adoption of the Zoning Ordinance as amended which do not meet the landscape requirements will be considered legal nonconforming subject to the provisions established in Section 28 of the Zoning Ordinance as a legal nonconforming use.*

- xvi. *Amend Section 28 "Nonconformities"; "Alteration in Size of Structure" in that no such nonconforming structure may be enlarged, extended, reconstructed, repaired, or altered in a way that increases its nonconformity except as provided for in section 28 H.*

No action was taken.

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

18. CONSIDER APPROVAL OF **ORDINANCE # 1059-2015** EXPANDING THE FY 2015 GENERAL FUND BUDGET BALANCE IN ORDER TO EXPEND FUNDS FROM THE FIRE DEPARTMENT DOLLAR DONATION FUND FOR A FIRE DEPARTMENT WEBSITE AND EMAIL ACCOUNTS.

FC Shelley recommended an upgrade to the Fire Department website and email accounts in the amount of \$2,250. This would allow a separate webpage similar to the Police Department and each firefighter to have a department email address.

CM Ashton moved, seconded by CM Gordon, to approve Ordinance #1059-2015 expanding the FY2015 general fund budget in order to expend funds from the Fire Department dollar donation for in the amount of \$2250. All voted "Aye."

19. CONSIDER APPROVAL OF **ORDINANCE # 1061-2015** EXPANDING THE FY 2015 GENERAL FUND BUDGET BALANCE IN ORDER TO EXPEND ADDITIONAL FUNDS FROM COURT TECHNOLOGY TO UPGRADE CITY AND POLICE DEPARTMENT WEBSITES AND EMAIL ACCOUNTS.

No discussion occurred.

CM Ashton moved, seconded by CM Butler, to approve Ordinance #1061-2015 expanding the FY 2015 general fund budget in order to expend additional funds from court technology to upgrade City and Police Department websites and email accounts. All voted "Aye."

20. CONSIDER APPROVAL OF **ORDINANCE # 1062-2015** AMENDING ARTICLE 12.05, "STOPPING, STANDING AND PARKING", OF THE CITY OF RIVER OAKS CODE OF ORDINANCES (2006) BY INCORPORATING INTO SECTION 12.05.012 "SPECIAL STOP INTERSECTIONS" SUBSECTION (q) "SPECIAL STOPPING INTERSECTIONS ON SHENNA BLVD & ALMENA ROAD" OF THE CITY OF RIVER OAKS CODE OF ORDINANCES (2006) DESIGNATING LAWRENCE RD. AT SHENNA, BYRD ST. AT SHENNA AND ALMENA RD. AT LONG AVE. AS SPECIAL STOP INTERSECTIONS.

PC Carter requested stop signs at Lawrence and Shenna, Almena and Long, and Byrd and Shenna.

CM Scott moved, seconded by CM Ashton, to approve Ordinance #1062-2015 for special stop sign needs. All voted "Aye."

OTHER ITEMS POSSIBLY REQUIRING COUNCIL ACTION:

21. DISCUSSION AND/OR ACTION ON AMENDING ARTICLE A.02 "SCHEDULE OF FEES AND CHARGES INCORPORATING REDUCED FEES FOR ANNUAL INSPECTIONS FOR NON-PROFIT ORGANIZATIONS, CHURCHES AND SCHOOLS.

FC Shelley stated the request of the school district for a flat fee for all buildings and the Lions Club for reduced fees on annual fire inspections. It was mentioned that the fee is intended to cover the cost of the inspector. FC Shelley stated that the school buildings take 1-2 days to complete an inspection. Mayor Pro Tem Holland suggested the program continue as planned and be assessed in one year.

CM Gordon moved, seconded by CM Scott, to deny the request. All voted "Aye."

22. DISCUSSION AND/OR ACTION ON EXTENDING COUNCIL ORDER FOR CERTIFICATE OF OCCUPANCY COMPLIANCE AT 4412 LAWRENCE RD. BY JANUARY 22, 2015.

COE Jones requested direction to obtain compliance with the Certificate of Occupancy requirements on this property that was marked by the inspection "Not approved for move-in" almost one year ago. COE Jones stated that the City Council had allowed the new owners an additional 6-months to comply and that time has expired without compliance. S

CM Gordon moved, seconded by CM Scott, to direct Staff to issue a 10-day notice to the owners of 4412 Lawrence informing them of mandatory compliance or the utilities would be disconnected for non-compliance. All voted "Aye."

STAFF REPORTS:

23. STAFF REPORT ON SUBSTANDARD PROPERTIES:

COE Jones gave updates on the following substandard properties:

- 604 FRONTIER – No change. Civil penalties continue to accrue.
- 5008 SHERWOOD – This property was discussed under agenda item 11.
- 4412 LAWRENCE – This property was discussed under agenda item 22.
- 1121 CAMBRIDGE – Council had extended the requirement to obtain a certificate of occupancy and change the water account until May 25, 2015.
- 1709 LONG AVE. – Discovered with unauthorized occupancy. Under police investigation. Will bring to Council for substandard consideration.
- 817 WALTER DR. – Substandard fee has been paid. New owner has an approved plan of action and active building permit. The roof has been repaired.
- 1202 BANKS – No change. Will enforce with certificate of occupancy.

- 5008 PENROD CT. – This property was discussed in executive session.

COE Jones reported 933 Carondelet and 5516 N Schilder are both in compliance with an approved certificate of occupancy.

Mayor Pro Tem Holland inquired about the process for discovering substandard properties when the water is turned off.

CM Ashton commented that staff could write administrative search warrants to be reviewed by CS Gregory.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

PC Carter compared the racial profiling report to last year's report. PC Carter stated that all complaints are investigated and most are unfounded.

25. FIRE DEPT. REPORT INCLUDING NUMBER OF CALLS FOR SERVICE

FC Shelley stated that an auctioned fire engine brought in \$8,550 which is more than the anticipated \$5000.

FC Shelley announced the receipt of a grant from the Texas Forest Service in the amount of \$3,000 to reimburse the City for life insurance and worker's compensation insurance. FC Shelley stated that the Fire Department is actively researching and submitting grants.

26. INSPECTIONS AND CODE COMPLIANCE ACTIVITY REPORTS INCLUDING NUMBER OF PERMITS ISSUED AND CODE VIOLATIONS WORKED

No discussion occurred.

27. LIBRARY ACTIVITY REPORT INCLUDING NUMBER OF BOOKS, VIDEOS, PAPERBACKS, AND INCLUDING NUMBER OF PATRON ASSISTANCE

No discussion occurred.

28. 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

No discussion occurred.

29. 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

No discussion occurred.

30. **PARK BOARD ACTIVITY REPORTS** INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD

No discussion occurred.

31. **COMMUNITY CENTER ACTIVITY REPORTS** INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES

No discussion occurred.

32. **CITY SECRETARY ACTIVITY REPORT** INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEX POOL AND CRIME SALES TAX

No discussion occurred.

33. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES, UPCOMING PROJECTS AND BIG IMPROVEMENT GRANT APPLICATIONS

No discussion occurred.

34. **STORM WATER TASK FORCE ACTIVITY REPORT** INCLUDING ACTIONS TAKEN UNDER THE MS4 PERMIT, COMMUNITY EDUCATION AND PROMOTIONAL EVENTS REGARDING STORM WATER PREVENTION POLLUTION

No discussion occurred.

35. **EMERGENCY MANAGEMENT ACTIVITY REPORT** INCLUDING POLICIES, PROCEDURES AND INFORMATION PERTAINING TO EMERGENCY MANAGEMENT PLANNING

No discussion occurred.

PUBLIC FORUM:

36. 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 Butler complimented the Fire Department on an enjoyable banquet.

CM Scott announced that he would be having back surgery and would miss at least the next City Council meeting.

CM Ashton thanked the Fire Department for the recent banquet invitation.

CM Gordon described a professional and nice evening at the Fire Department banquet.

Mayor Pro Tem Holland stated that he was in Washington, D.C. and was unable to attend the banquet.

EMC Myrick gave warning of a potential snow storm

EXECUTIVE SESSION:

37. 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:

- Section 551.071 Pending or contemplated litigation or to seek advice from attorney:
- Section 551.072 Discussion regarding possible sale, lease or acquisition of real estate:
- 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.
- Section 551.076 Deliberation regarding security devices

At 9:21 p.m. Mayor Pro Tem Holland convened into executive session under Section 551.071 and Section 551.074.

RECONVENE:

38. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

The City Council convened back into regular open session at 9:52 p.m. on February 24, 2015 and took the following action:

AGENDA ITEM # 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.**

- D. APPROVE EMPLOYMENT CONTRACT WITH RONALD CHESTERMAN:

Action tabled. No further action was taken.

AGENDA ITEM # 14. PUBLIC HEARING: IN ORDER TO RECEIVE CITIZEN COMMENTS ON SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT **5008 PENROD CT.**

Mayor Pro-Tem Holland announced for the record that the Public Hearing shall remain open and continued to March 10, 2015 at 7:00 P.M. in the City Council Chambers located at 4900 River Oaks Blvd., River Oaks, Texas.

ADJOURN:

39. ADJOURN

PC Carter asked the question what Agenda Item # 8 addressing parking on public streets was about? Mayor Pro-Tem Holland stated he understood she had heard that the city was considering closing one side of each street in order to reduce parking on both sides of the street and had requested to be on the agenda to voice her opposition. However, since she didn't appear, that item had been tabled without any council action. PC Carter mentioned he had talked to a lady previously about street parking and wasn't sure if this was the same issue. Mayor Pro-Tem Holland stated the city had no plans at this time to prohibit public street parking.

At 9:55 p.m. CM Gordon moved, seconded by CM Ashton, to adjourn the meeting. All voted "Aye".

APPROVED:



Steve Holland , Mayor Pro Tem

ATTEST:



Marvin Gregory, City Secretary