

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
MAY 23, 2017**

MEMBERS PRESENT:

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

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
ASST CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
POLICE CHIEF AVIN CARTER
CITY ATTORNEY BETSY ELAM
EMERGENCY MGT JAMES MYRICK
EDC COORINATOR PATRICIA WARD
COMMUNITY CENTER DIRECTOR SHIRLEY WHEAT
COMMUNITY CENTER DIRECOTR SHIRLEY BLOOMFIELD
BUILDING INSPECTOR STEVE SANDERS
DEPUTY POLICE CHIEF CHRIS SPIELDENNER
LIBRARY DIRECTOR VERONICA CLARK
FIRE CHIEF RUSSELL SHELLEY
ADMINISTRATIVE ASSISTANT MARIA TUEME

ABSENT:

NONE

1. CALL TO ORDER

With a quorum present, Mayor Earwood called the Regular Meeting of the River Oaks City Council to order at 7:00 p.m. on Tuesday, May 23, 2017 at the River Oaks City Hall, 4900 River 25Oaks 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.

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

- WEEK OF MAY 21-MAY 27, 2017 AS EMERGENCY MEDICAL SERVICES WEEK IN THE CITY OF RIVER OAKS

4A. ANNUAL MEDSTAR UPDATE

Richard Brooks with Medstar was present. Mr. Brooks presented a slide show of the 2017 Medstar Update (attachment #1).

5. STATEMENT OF ELECTED/APPOINTED OFFICIALS, "OATH OF OFFICE" AND CERTIFICATE OF ELECTION FOR MAYOR AND CITY COUNCIL PLACE 5.

Mayor Pro Tem Ashton presented the Certificate of Election to Mayor Herman Earwood. Attorney Jim Minter gave Mayor Herman Earwood the Oath of Office and the Certificate of Election with Theda Jones holding the Bible.

City Council Place 5 will hold a Run-Off Election on June 10, 2017.

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. MINUTES OF APRIL 25, 2017 REGULAR COUNCIL MEETING
- B. MINUTES OF MAY 16, 2017 SPECIAL CALLED MEETING
- C. APPROVE BILLS PAYABLE FOR THE PERIOD ENDING MAY 9, 2017 (FY 2017)
- D. APPROVE BILLS PAYABLE FOR PERIOD ENDING MAY 23, 2017 (FY 2017)
- E. APPROVE HIRING OF PUBLIC WORKS EMPLOYEES AS RECOMMENDED BY MAYOR
- F. APPROVE HIRING OF PORSHA WILLIS AS FULL TIME DISPATCHER IN POLICE DEPT
- G. APPROVE RESIGNATION OF SUSAN STEWART AS ADMINISTRATIVE SECRETARY

CM Gordon moved, seconded by CM Butler to approve the Consent Agenda. All voted "Aye".

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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

NONE

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

8. CONSIDER APPROVAL OF ORDINANCE #1147-2017 APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2017 RATE REVIEW MECHANISM FILINGS.

Marilyn Ackmann with Atmos Energy was present. Ms. Ackmann presented the annual rate review. An agreement was reached between Atmos Cities Steering Committee and Atmos Energy Corp. This will result in an approximate \$2.00 rate increase and about a .43 cent customer service charge increase.

CM Holland moved, seconded by CM Scott to approve Ordinance #1147-2017. All voted "Aye".

9. CONSIDER APPROVAL OF REQUEST BY CATHY TRIANA TO WAIVE ADMINISTRATION FEES CHARGED FOR DISCONNECTION OF WATER SERVICE AT 5017 ALMENA DUE TO WATER BILL NOT BEING FORWARDED.

Cathy Triana was not present. CS Gregory said Ms. Triana requested a change of address at the Post Office but they did not forward the water bill to her new address. CM Gordon asked if she provided the city with a new address which she did not. The late fee is \$7.71 and the Administrative Fee is \$25.00. Ms. Triana lives somewhere else and still pays the water bill for that address. CS Gregory recommended her to talk with the Post Office but she did not want to do that.

Mayor Pro Tem Ashton moved, seconded by CM Gordon to deny the request to waive the Administrative Fee and direct staff to contact her to explain the late fee policy. All voted "Aye".

10. CONSIDER APPROVAL OF REQUEST BY DINORAH ROSAS TO WAIVE LIEN ON PROPERTY AT 5025 ALMENA.

Dinorah Rosas was present. Administrative Assistant Maria Tueme was present as a translator. Ms. Rosas has paid the lien in the amount of \$153.37 and is requesting a reimbursement. CS Gregory stated on September 10, 2009, the lien was filed at Tarrant County. Before the lien was filed, notices were sent out to the current owner on record. Ms. Rosas stated she purchased the house in August 2009 and was not informed by the Title Company that there was a lien on the property. Ms. Rosas is currently trying to sell the house and the lien is showing up. That is why she went ahead and paid the lien. CA Elam said the lien was probably filed after Ms. Rosas had closed on the property. Staff went by the Tarrant Appraisal Records when sending out notices.

Mayor Pro Tem Ashton moved, seconded by CM Gordon to approve the request to reimburse the lien in the amount of \$153.37. All voted "Aye".

11. DISCUSSION AND/OR ACTION ON PRESENTATION FROM PWD GORDON SMITH AND BILL LOHRKE OF ES & CM ENGINEERING REGARDING PLANS FOR THE WATER & SEWER SYSTEM IMPROVEMENTS FUNDED WITH CERTIFICATE OF OBLIGATION BONDS.

Bill Lohrke and PWD Gordon Smith were present. Bill Lohrke stated this project started in 2014. PWD Smith presented a slide show (attachment #2). Bill Lohrke stated that plans were sent to TWDB last week. We should have them back by the end of this week with a stamped seal on them. When the construction part of this project starts the city will be on Fort Worth Water for about 3 months and some will notice pressure differences.

12. UPDATE ON STREET ASSESSMENT PROJECT-INVENTORY OF STREETS, COST PROJECTIONS AND ASSESSMENT OF THEIR CONDITION AND WHICH STREETS WILL BE IMPACTED BY THE WATER/SEWER PROJECT AND PROJECTED TIME FRAME.

PWD Gordon Smith presented a slide show (attachment #3).

13. CONSIDER APPROVAL OF AGREEMENT WITH SIXTY AND BETTER OF GREATER TARRANT COUNTY, INC WITH A COMMITMENT OF \$1,000 FOR OPERATION OF THE SENIOR MEAL PROGRAM.

Community Center Director Wheat said this is the same as last year. Last year the name was Senior Citizens. About 50 people had showed up every Wednesday.

CM Holland moved, seconded by CM Scott to approve the agreement with Sixty and Better of Greater Tarrant County, Inc with a \$1,000.00 commitment. All voted "Aye".

14. CONSIDER APPROVAL OF REQUEST FROM VERONICA CLARK, LIBRARY DIRECTOR, TO HOLD AND EXHIBIT OF A ONE-OF-A-KIND SCIENCE MUSEUM OF WHEELS IN THE CITY HALL PARKING LOT ON JULY 19, 2017 AWARDED TO THE LIBRARY FROM THE TOCKER FOUNDATION.

Library Director Veronica Clark was present. This is a one day exhibit awarded to the River Oaks Library from the Tocker Foundation. Volunteers will be available to help with the exhibit.

CM Scott moved, seconded by Mayor Pro Tem Ashton to approve holding the exhibit in the City Hall parking lot on July 19, 2017. All voted "Aye".

15. CONSIDER APPROVAL OF REQUEST TO HOLD A FUNDRAISER TO BE HELD AT 5437 RIVER OAKS BLVD. FOR SANCHEZ TAEKWONDO NATIONAL BOUND STUDENTS FOR THE 2017 NATIONALS IN FORT LAURDEDALE, FLORIDA.

CS Gregory said this was similar to what was done last year. This is a garage sale fundraiser and not for profit.

CM Holland moved, seconded by CM Butler to approve the fundraiser. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

16. CONSIDER APPROVAL OF THE MID-YEAR FY 2016-2017 OPERATIONAL CITY BUDGETS AS PRESENTED BY THE CITY SECRETARY AND APPROVAL OF ORDINANCE #1148-2017 AMENDING THE FY 2016-2017 FISCAL YEAR BUDGETS.

CM Scott moved, seconded by CM Butler to approve Ordinance #1148-2017. All voted "Aye".

17. CONSIDER APPROVAL OF ORDINANCE #1149-2017 AMENDING THE FY 2017 GENERAL FUND BUDGET BY EXPENDING FUNDS FROM THE LIBRARY DOLLAR DONATION FUND IN ORDER TO PURCHASE DVD'S FOR THE LIBRARY PATRONS TO CHECK OUT.

CM Holland moved, seconded by CM Scott to approve Ordinance #1149-2017. All voted "Aye".

18. CONSIDER APPROVAL OF ORDINANCE #1150-2017 AMENDING THE FY 2017 GENERAL FUND BUDGET BY EXPANDING IT TO CONNECT THE POLICE DEPARTMENT TO THE MUNICIPAL COURT AND PROVIDE A RECORDS ROOM FOR THE POLICE DEPARTMENT.

Mayor Pro Tem Ashton moved, seconded by CM Scott to approve Ordinance #1150-2017. All voted "Aye".

19. CONSIDER APPROVAL OF ORDINANCE #1151-2017 AMENDING THE FY 2017 GENERAL FUND BUDGET BY TRANSFERRING FUNDS TO ACCOUNT 02-541-5431 FROM ACCOUNT 02-540-5430 FOR SEWER LINE RENOVATIONS IN THE REMAINDER OF THE FY 2017 BUDGET YEAR.

CM Holland moved, seconded by Mayor Pro Tem Ashton to approve Ordinance #1151-2017. All voted "Aye".

20. CONSIDER APPROVAL OF ORDINANCE #1152-2017 AMENDING ARTICLE 13.03 "WATER SYSTEM", SECTION 13.03.011 "WATER RATES" OF THE RIVER OAKS CODE OF ORDINANCES (2006) ESTABLISHING THE EFFECTIVE DATE AS ADOPTED IN ORDINANCE #1143-2017 TO BE EXTENDED UNTIL OCTOBER 1, 2017.

CM Butler moved, seconded by Mayor Pro Tem Ashton to approve Ordinance #1152-2017 extending the increase to October 1, 2017 and to send out a flyer in the water bills. CM Holland requested the Finance Committee meet about this before October 1st, 2017. All voted "Aye".

21. CONSIDER APPROVAL OF ORDINANCE #1153-2017 AMENDING THE FY 2017 GENERAL FUND BUDGET BY EXPENDING FUNDS FROM THE COMMUNITY CENTER DOLLAR DONATION FUND IN ORDER TO PURCHASE A TRAILER TO HAUL WATER SLIDE TO AND FROM EVENTS.

Community Center Director Wheat had the slide pulled out and it has no rips or tears. This slide will be used this year on Fun Day Monday's. Ms. Wheat is requesting to purchase a small trailer to store this slide on each year.

Mayor Pro Tem Ashton moved, seconded by CM Butler to approve Ordinance #1153-2017. All voted "Aye".

STAFF REPORTS:

22. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 4900 ALMENA RD.-no change
- 1202 BANKS- Public Hearing June 13th, civil penalties
- 619 HARRISDALE-ongoing
- 5411 PURDUE-Public Hearing in June, civil penalties, accessory building
- 606 WORTHVIEW-no change
- 5513 AMHERST-no change
- 1505 GREENBRIER-should be off substandard end of May
- 1101 OXFORD-Public Hearing
- 1617 HILLSIDE-Public Hearing
- 4817 LANGLEY-owner plans to demolish

- 1213 CAMBRIDGE-burn out, 30 days ends end of May
- 4605 BYRD DR.-voluntary demolish
- 617 OAKLAWN DR.-warrant, no power, up for sale

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

Deputy Police Chief Spieldenner stated a new dispatcher, Porsha Wills has been hired and Danystephany Malagon will be moving to the Police Officer position.

24. **FIRE DEPT. REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE AND FIRE TRAINING EXERCISES

Chief Shelley stated there are 36 staffed and two applicants waiting background. Here recently there have been several fires in the city.

25. **INPSECTIONS AND CODE COMPLIANCE ACTIVITY REPORTS** INCLUDING NUMBER OF PERMITS ISSUED AND CODE VIOLATIONS WORKED

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

27. **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

28. **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

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

30. **COMMUNITY CENTER ACTIVITY REPORT** INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES

31. **CITY SECRETARY ACTIVITY REPORT** INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEXPOOL AND CRIME SALES TAX

32. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES, UPCOMING PROJECTS AND REPORTING FROM WARD & ASSOCIATES, CONSULTANT, ON ECONOMIC DEVELOPMENT

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

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

PUBLIC FORUM:

35. 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**

Citizen Don Istook is concerned about new homes that are being built with no garages or carports. The current ordinance does not require a carport or garage on new construction.

CM Holland mentioned the Mentors Providing Hope Gala will be held on June 10th, 2017 at the River Oaks Community Center. Tickets are \$25.00. There will be BBQ, and a silent and live auction.

Mayor Pro Tem Ashton mentioned the Car Show has been rescheduled for June 17th, 2017 at the River Oaks Community Center.

EXECUTIVE SESSION:

36. 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 compliant or charge against an Officer or Employee.
- d. Section 551.076 Deliberation regarding security devices.

RECONVENE:

37. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

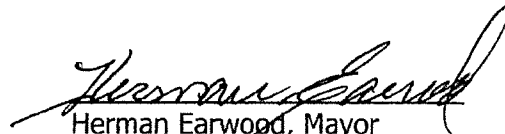
NONE

ADJOURN:


38. ADJOURN

At 9:17 p.m. CM Holland moved, seconded by Mayor Pro Tem Ashton, to adjourn the meeting. All voted "Aye".

APPROVED:


Herman Earwood, Mayor

ATTEST:


Marvin Gregory, City Secretary