

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
NOVEMBER 28, 2017**

MEMBERS PRESENT:

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

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
BUILDING INSPECTOR STEVE SANDERS
POLICE CHIEF CHRIS SPIELDENNER
CITY ATTORNEY BRADLEY ANDERLE
EMERGENCY MGT JAMES MYRICK
EDC COORINATOR PATRICIA WARD
FIRE CHIEF JAMES BROWN
PW SUPT. FABIAN NEATHERY
CODE ENFORCEMENT OFFICER DEBRA VECHNAK
LIBRARY DIRECTOR JEANETTE WINTER

ABSENT:

ASST CITY SECRETARY PAULA LUCK (MEDICAL)
PUBLIC WORKS DIRECTOR GORDON SMITH (VACATION)

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, November 28, 2017 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.

At 7:00 P.M. the Mayor moved to adjourn the Council into Executive Session.

EXECUTIVE SESSION:

(33). 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:

(34). CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

The City Council reconvened into open session at 7:20 p.m. taking no formal action from Executive Session.

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

NONE

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 NOVEMBER 14, 2017 REGULAR COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING NOVEMBER 28, 2017 (FY 2018)
- C. APPROVE 4TH QUARTER STORM WATER FUND REPORT (JULY 1-SEPT. 30, 2017)
- D. APPROVE AGREEMENT WITH ALLIED COMPLIANCE SERVICES FOR DRUG & ALCOHOL TESTING
- E. APPROVE DELINQUENT PROPERTY TAX REPORT (JULY-SEPT) FROM LINEBARGER

CM Butler moved, seconded by CM Scott to approve the Consent Agenda, Items A-E. 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. PERSONAL APPEARANCE OF **JIMMY REED AT 940 CODY COURT** REQUESTING ADJUSTMENT TO WATER BILL DUE TO A WATER LEAK THAT REPAIRS COULD NOT BE MADE BECAUSE OF AN INOPERABLE CITY CUTOFF VALVE.

Mr. Jimmy Reed appeared before the City Council stating that on October 16, 2017 he reported that there was a leak on his property in which the city could not cut off the water flow through the meter due to the valve not completely seating. On that date he was told that the city's water department would take care of it. The valve had not been repaired by the City and then on October 19, 2017 the leak still hadn't been repaired since the valve still hadn't been repaired. At that time, they were able to make a temporary repair under pressure. However, there was a second leak that could not be repaired since the water flow could not be shut off.

BI Sanders reported at the time of the inspection, the customer line was still leaking. BI Sanders reported that the customer cut off was also broken and was believed to have been broken by the apartment's maintenance man. Jimmy Reed didn't think their people had broken it, he felt it was already broken. Jimmy Reed said the City didn't repair their cutoff until November 10th and because the water couldn't be cut off a lot of water went through the meter and he is requesting that the city be willing to split the bill.

Mayor Earwood felt that the city should credit at least \$1200 of the bill since the city valve did not seat and the leak couldn't be repaired because of the continuing flow.

CM Scott moved, seconded by CM Holland to approve the request of Jimmy Reed to adjust the October bill of \$2,491.54 by \$1200. All voted "Aye".

8. DISCUSSION AND/OR ACTION ON CITY ABANDONING THE 50-FOOT RIGHT-OF-WAY ON THE WEST 142-FEET OF THE 50-FOOT RIGHT-OF-WAY ON TRUMAN DRIVE BEHIND THE PROPERTIES AT 5404 THROUGH 5412 RIVER OAKS BLVD. AS REQUESTED BY **KRIS FRANKS**.

Kris Franks introduced himself to the Council and stated that he is interested in purchasing the properties at 5404-5412 River Oaks Blvd. In developing the property with the limited amount of land that goes with the property and that in order to provide adequate parking, he is requesting that the City consider abandoning the 50-wide Right-of-Way in the rear of the properties at 5404-5412 River Oaks Blvd. that was previously dedicated to the City of River Oaks for a street right-of-way. If the council is receptive to abandoning the Right-of-Way to him, he (Kris Franks) would pave it as a parking lot.

CM Butler questioned Mr. Franks about the plans for maintaining it if he had control of it and Franks stated he would maintain it and provide lighting. CM Chisholm was concerned about the property being used exclusively for parking and Mr. Franks stated as the landlord he would be responsible to not permit any use other than for parking. CM Holland expressed that the council should be careful in abandoning the Right-of-Way only when Mr. Franks closed on the property.

CS Gregory stated that Mr. Franks would be responsible for the costs of surveying and of any legal fees involved in preparing the necessary documentation in order for the City to convey ownership. Otherwise, the City would not require Mr. Franks to buy the Right-of-Way from the City.

Mayor Pro Tem Ashton moved, seconded by CM Chisholm to approve abandoning the 50-foot Right of Way as requested by Kris Franks contingent on him closing on the purchase of the property. All voted "Aye".

9. **PUBLIC HEARING CONTINUED:** IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE APPLICATION SUBMITTED BY **CHARLES CLARKE OF ROYAL GRANITE & FLOORS AT 2621 JACKSBORO HWY** REQUESTING A SIGN VARIANCE IN ORDER TO INSTALL A 245.34 SQUARE FEET ATTACHED BUILDING SIGN IN LIEU OF THE REQUIRED 26.25 SQUARE FEET FOR AN ATTACHED SIGN AND A ROOF SIGN THAT IS 203.33 SQUARE FEET IN LIEU OF THE REQUIRED 26.25 SQUARE FEET IN WHICH BOTH SIGNS WOULD BE IN VIOLATION OF SEC. 3.12.083 "ATTACHED SIGN" (D) "MAXIMUM AREA" OF THE RIVER OAKS CODE AND IN VIOLATION OF SECTION 3.12.083 (E) "MAXIMUM NUMBER OF SIGNS". (VA 312-2017-01).

Public Hearing opened at 7:39 P.M. Charles Clarke was requested at the November 14th public hearing to bring back a rendering of the proposed sign. His Associate present at this meeting explained from the rendering displayed up on the city's monitor that the sign would be placed on the front of the building that would be 26-foot wide by 8-foot tall. The red blank sign on top of the roof would be painted or left blank. Charles Clarke stated if permitted, he would like to install signage on both sides of the blank sign. Mayor Pro-Tem Ashton wanted the blank signs to not be included at this time.

CS Gregory stated that he had included a picture in tonight's packet of what the signage on the building looked like when it was Evans Vacuum Cleaner. Charles Clarke stated the signage on the front would be digital print with 2-inch aluminum bordering over corrugated plastic backing. BI Sanders stated that digital vinyl still has to be maintained. CM Scott believes the signage is still too big. Mayor Earwood stated that the other signage at the adjacent businesses cover most of the front of the buildings. CM Chisholm would prefer the signage cover the entire front.

In reference to the proposed signs on the top blank double sided sign, the Mayor suggested that the applicant bring it back later, but not at this time. **Public Hearing closed at 7:57 P.M.**

10. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF THE APPLICATION SUBMITTED BY **CHARLES CLARKE OF ROYAL GRANITE & FLOORS AT 2621 JACKSBORO HWY** REQUESTING A SIGN VARIANCE IN ORDER TO INSTALL A 245.34 SQUARE FEET ATTACHED BUILDING SIGN IN LIEU OF THE REQUIRED 26.25 SQUARE FEET FOR AN ATTACHED SIGN AND A ROOF SIGN THAT IS 203.33 SQUARE FEET IN LIEU OF THE REQUIRED 26.25 SQUARE FEET IN WHICH BOTH SIGNS WOULD BE IN VIOLATION OF SEC. 3.12.083 "ATTACHED SIGN" (D) "MAXIMUM AREA" OF THE RIVER OAKS CODE AND IN VIOLATION OF SECTION 3.12.083 (E) "MAXIMUM NUMBER OF SIGNS". (VA 312-2017-01).

Mayor Pro Tem Ashton moved, seconded by CM Butler to approve the Sign Variance Request of Charles Clarke of Royal Granite & Floors at 2621 Jacksboro Highway with a 2-foot border around the 208 square feet sign to be built on front of the building only. CM Ashton, CM Holland, CM Butler & CM Chisholm voted "Aye"; CM Scott voted "Nay". Motion Passes with a 4 to 1 vote in favor.

11. **PUBLIC HEARING:** IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE APPLICATION SUBMITTED BY **LA MICHOCANA MEAT MARKET AT 4845 RIVER OAKS BLVD.** REQUESTING A SIGN VARIANCE IN ORDER TO INSTALL A 153 SQUARE FEET ATTACHED BUILDING SIGN IN LIEU OF THE REQUIRED 63 SQUARE FEET FOR ATTACHED SIGNAGE THAT IS IN VIOLATION OF SEC. 3.12.083 "ATTACHED SIGN" (D) "MAXIMUM AREA" OF THE RIVER OAKS CODE AND ALSO IN VIOLATION OF SECTION 3.12.082 "COPY" IN THAT ANY SIGN WITH COPY IN A LANGUAGE OTHER THAN ENGLISH SHALL CONTAIN THE SAME COPY IN THE ENGLISH LANGUAGE IN A SIZE AT LEAST EQUAL TO THE COPY IN THE OTHER LANGUAGE. (VA 312-2017-02).

Public Hearing Opened at 7:58 P.M. Representative of La Michoacana Meat Market was present to request a variance to install a 153 square foot sign that is their designed signage used on all stores numbering about 200 stores. He stated that all the stores in Texas use this same signage and that the words "Panaderia", "Taqueria" and Fruteria" is not copied in the English language on any of their signs. CM Butler stated she still thinks the sign should meet the requirement to be copied in English. CM Holland is of the opinion it would qualify as a franchise sign, which under the sign ordinance would not be required to meet the sign

regulations. CM Ashton states that Staff appears to interpret it being a chain or franchise store.
Public Hearing closed at 8:14 P.M.

12. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF THE APPLICATION SUBMITTED BY **LA MICHOACANA MEAT MARKET AT 4845 RIVER OAKS BLVD.** REQUESTING A SIGN VARIANCE IN ORDER TO INSTALL A 153 SQUARE FEET ATTACHED BUILDING SIGN IN LIEU OF THE REQUIRED 63 SQUARE FEET FOR ATTACHED SIGNAGE THAT IS IN VIOLATION OF SEC. 3.12.083 "ATTACHED SIGN" (D) "MAXIMUM AREA" OF THE RIVER OAKS CODE AND ALSO IN VIOLATION OF SECTION 3.12.082 "COPY" IN THAT ANY SIGN WITH COPY IN A LANGUAGE OTHER THAN ENGLISH SHALL CONTAIN THE SAME COPY IN THE ENGLISH LANGUAGE IN A SIZE AT LEAST EQUAL TO THE COPY IN THE OTHER LANGUAGE. (VA 312-2017-02).

CM Chisholm finds *the variance request of LA Michoacana at 4845 River Oaks Blvd* that a literal enforcement of the sign regulations will create an unnecessary hardship or a practical difficulty on the applicant, that the situation causing the unnecessary hardship or practical difficulty is unique to the affected property and is not self-imposed and that the variance will not injure and will be wholly compatible with the use and permitted development of adjacent properties, and that the granting of the variance will be in harmony with the spirit and purpose of this article. **Therefore CM Chisholm moves to grant a variance to the sign code** in order for *LA Michoacana at 4845 River Oaks Blvd to erect the 153 square feet sign* designating the sign to be exempted from the provisions of the sign code as being a nationally recognized franchise and said signage is being designed in full compliance with the franchise engineered design, seconded by CM Holland.

CM Ashton, CM Holland & CM Chisholm votes "Aye". CM Butler & CM Scott vote "Nay". Motion passes with a 3 to 2 vote in favor.

CM Holland questioned CS Gregory if he felt it was necessary to open again the 1st Sign Variance Public Hearing at 2601 Jacksboro Highway in order to follow the same motion language as done in this one. CS Gregory felt that it was. Comment from the audience was that would be improper. CM Holland was of the opinion that it would not as long as the council member that made the motion to open the public hearing had voted Aye. There was no action taken to reopen the previous public hearing since the Attorney ruled that it was not necessary and the motion was sufficient for approval.

13. **PUBLIC HEARING:** IN ORDER TO RECEIVE CITIZEN COMMENTS ON THE PROPOSED PROPERTY RE-PLAT IN THE **J.J. ASBURY ADDITION BEING 1.361 ACRES OF LAND** AS REQUESTED BY THE RECORD OWNER(S), JDJC HOMES, LP, RE-PLATTING THE EXISTING LOT 10 OTHERWISE KNOWN AS 5505 ASBURY DR. INTO 3 SEPARATE INDIVIDUAL RESIDENTIAL LOTS IN AN R-1 SINGLE-FAMILY ZONING DISTRICT. (**ZONING CASE # PZ 2017-03**).

At 8:18 pm, Mayor Earwood opened the Public Hearing. KC Harrison gave a brief summary of the property. The plan is to split 1.361 acres of land into 3 lots. They are not sure what they plan to do with the existing house. Mayor Pro-Tem Ashton questioned CS Gregory if the issue with the Planning and Zoning Commission that caused them to vote to deny the request has since been resolved. CS Gregory stated in consultation with the city attorney, the depth requirement on Lot 10R1 was to be measured from the cul-de-sak and in doing so it measured 124.99 feet, which meets the 120-foot requirement. All other lots meet the minimum

lot requirements. CS Gregory reported since the Planning and Zoning Commission recommended that the replat be denied, it would require a super majority vote (4 votes) of the City Council in order to approve. **Public Hearing was closed at 8:24 P.M.**

14. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF THE PROPERTY RE-PLAT IN THE **J.J. ASBURY ADDITION BEING 1.361 ACRES OF LAND** AS REQUESTED BY THE RECORD OWNER(S), JDJC HOMES, LP, RE-PLATTING THE EXISTING LOT 10 OTHERWISE KNOWN AS 5505 ASBURY DR. INTO 3 SEPARATE INDIVIDUAL RESIDENTIAL LOTS IN AN R-1 SINGLE-FAMILY ZONING DISTRICT. **(ZONING CASE # PZ 2017-03).**

Mayor Pro-Tem Ashton moved, seconded by CM Chisholm to approve the replats as revised. All voted "Aye".

OTHER ITEMS REQUIRING POSSIBLE COUNCIL ACTION:

15. CONSIDER APPROVAL TO EXTEND TIME FOR CLOSING LIBRARY FROM DECEMBER 4TH THROUGH JANUARY 2ND, 2018 DUE TO CARPET & PAINTING ALONG WITH THE SHELVING INSTALLATION PROJECT AS FUNDED THROUGH THE TOCKER FOUNDATION, LIBRARY DONATION EXPENSE FUND AND LIBRARY DOLLAR FUND.

The Library Director, Jeanette Winter was present requesting that the City Council extend the Library closure until January 2, 2018 to allow additional time to paint and carpet the Library before installing the new shelving.

Mayor Pro-Tem Ashton moved, seconded by CM Chisholm to approve the extension until January 2, 2018 to close the Library due to renovations. All voted "Aye".

16. CONSIDER APPROVAL OF **ORDINANCE # 1173-2017** AMENDING THE 2017-2018 FISCAL YEAR GENERAL FUND BUDGET FOR EXPENDITURE OF DOLLAR DONATIONS FUNDS FOR CARPETING & PAINTING PRIOR TO COMPLETION OF THE SHELVING INSTALLATION PROJECT.

Mayor Pro-Tem Ashton moved, seconded by CM Butler to approve Ordinance # 1173-2017 amending the FY 2018 budget an additional \$10,401.89 for carpet and painting in the Library. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

17. CONSIDER APPROVAL OF **ORDINANCE # 1161-2017** AMENDING ARTICLE 6.03 "PROPERTY MAINTENANCE" OF THE RIVER OAKS CODE OF ORDINANCES (2006) INCORPORATING "DIVISION 3 "OUTSIDE STORAGE OF PERSONAL PROPERTY".

The City Attorney had drafted an ordinance prohibiting outside storage of personal property in public view on residential property. Mayor Pro-Tem Ashton was fine with the ordinance as revised until he got to # 6 regarding furniture and requested that Indoor Furniture be added to # 6 instead of just furniture. Also it was requested to add camper shells to # 11 and in (a) remove the words "or in any other location this is visible from a public". CM Holland brought it to CS Gregory's attention that Cumulative was misspelled in the ordinance heading.

Mayor Pro-Tem Ashton moved, seconded by CM Holland to approve Ordinance # 1161-2017 as revised. All voted "Aye".

18. CONSIDER APPROVAL OF **ORDINANCE # 1174-2017** AMENDING THE 2017-2018 FISCAL YEAR GENERAL FUND BUDGET FOR EXPENDITURE OF FIRE DEPT. DOLLAR DONATIONS FUNDS FOR PURCHASING RADIOS.

FC James Brown presented the request to purchase (3) APX 8000 portable handheld radios with appurtenances in the amount of \$13,000 to be expended from the Fire Department Dollar Donation Fund.

CM Chisholm moved, seconded by CM Butler to approve Ordinance # 1174-2017. All voted "Aye".

STAFF REPORTS:

19. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 1101 OXFORD-----No Change, will bring back to council later.
- 5601 TAYLOR RD.—making progress, may be completed by December 12, 2017.
- 1202 BANKS-----still doing weekly checks
- 1617 HILLSIDE-----Trying to establish heirs. Will bring back to Council later.
- 5411 PURDUE-----Accessory Building still not removed. We will visit it again after January 1st.
- 606 WORTHVIEW---No Change.

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.

NONE.

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

NONE.

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

NONE.

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

NONE.

24. **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.

NONE.

25. **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.

NONE.

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

NONE.

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

NONE.

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

NONE.

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

NONE.

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

NONE.

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

NONE.

PUBLIC FORUM:

21. 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**

Mayor Earwood announced that the Community Forum will be December 5th and this year's employee Christmas Banquet will be Friday, December 8th at 7:00 P.M. in Community Center.

CM Scott will be undergoing back surgery but thinks he will be able to return by the first meeting in January.

CS Gregory reminded everyone since Shirley Wheat was not in attendance of the December 1st Christmas at Community Center. Doors open at 6:30 P.M. Santa will arrive at 7:00 P.M.

CM Chisholm announced about the open house on White Settlement Road.

Mayor Earwood reported that all townhomes on Roberts Cut Off Rd. have sold but one. Also Istook's Property on Yale has all sold but 1.

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(Held earlier on Agenda following Agenda Item #3)

RECONVENE:

34. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

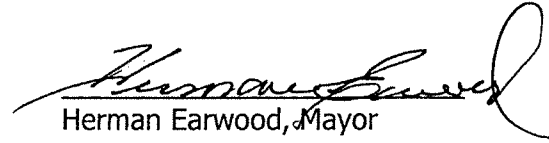
(Held earlier on Agenda following Agenda Item #3)

ADJOURN:


35. ADJOURN

At 8:56 p.m. Mayor Pro-Tem Ashton moved, seconded by CM Chisholm, to adjourn the meeting. All voted "Aye".

APPROVED:


Herman Earwood, Mayor

ATTEST:


Marvin Gregory, City Secretary