

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
OCTOBER 28, 2014**

MEMBERS PRESENT:

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

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
POLICE CHIEF AVIN CARTER
PUBLIC WORKS DIRECTOR JAMES HATLEY
EMERGENCY MANAGEMENT COORDINATOR JAMES MYRICK
COMMUNITY CENTER CO-DIRECTOR SHIRLEY WHEAT
COMMUNITY CENTER CO-DIRECTOR SHIRLEY BLOOMFIELD
CODE ENFORCEMENT OFFICER JOHN PAUL JONES
ATTORNEY BETSY ELAM

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, October 28, 2014 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

PWD Hatley delivered the Invocation.

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

PWD Hatley led the pledges of allegiance to the United States and the Texas Flags.

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

Mayor Earwood read the proclamation proclaiming October 27th through October 31st as Red Ribbon Week.

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 SEPTEMBER 23, 2014 COUNCIL MEETING

B. BILLS PAYABLE FOR PERIOD ENDING SEPTEMBER 30, 2014 (FY 2014)

C. BILLS PAYABLE FOR PERIOD OCTOBER 1 THRU OCTOBER 28, 2014 (FY 2015)

D. APPROVE RESIGNATION OF PUBLIC WORKS EMPLOYEES

E. APPROVE 4TH QUARTER (JULY 1-SEPT. 30) INVESTMENT REPORT

F. APPROVE RESIGNATION OF JASON MARTINEZ AS ALTERNATE ZBA MEMBER

G. APPROVE TARRANT COUNTY EMERGENCY SERVICES DISTRICT NO. ONE AGREEMENT FOR MUTUAL AID SERVICE

H. APPROVE MEMBERSHIP APPLICATION AND AGREEMENT FOR MEMBERSHIP IN FY 2015 WITH E.R.C.O.T.

CM Butler moved, seconded by CM Gordon, to approve consent agenda items A through H. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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 FROM TERRI L. GILMORE TO PLACE AN ANGEL TREE IN THE CITY HALL COMPLEX SO THAT THE COMMUNITY CAN ADOPT A RESIDENT FOR CHRISTMAS.

Terri Gilmore was present requesting permission to put up an Angel Christmas Tree in the City Hall to support giving gifts to the elderly residents in the River Oaks Rehabilitation Center. The concept is that the public could pick an angel from the tree and on the back it gives a list of the things the resident had requested. The names of the residents were omitted from the angel due to HIPPA laws. The tree would remain in place from November 11th until December 11th.

CM Gordon moved, seconded by CM Ashton to approve the request of Terri L. Gilmore to put up an angel tree in the city hall lobby from November 11th through December 11th. All voted "Aye".

MAYOR MOVED AGENDA ITEM # 14 UP ON THE AGENDA TO BE HEARD AT THIS TIME.

(14). CONSIDER APPROVAL OF 1.93 PERCENT RATE INCREASE FROM PROGRESSIVE WASTE SOLUTIONS FOR COMMERCIAL GARBAGE SERVICE"

Norm Bullaich representing Progressive Waste Solutions requested approval of a 1.93% increase for commercial garbage service beginning on December 1, 2014 based on the percentage change in the Consumer Price Index (CPI) as provided for in their contract with the City.

CM Gordon moved, seconded by CM Holland to approve the request to increase commercial rates 1.93% on December 1, 2014 as submitted from Progressive Waste Solutions. All voted "Aye".

Mayor thanked Norm Bullaich for Progressive Waste's assistance in the city's curb side recycling program by dumping the containers at no additional cost to the city.

COUNCIL RETURNED BACK TO REGULAR AGENDA BEGINNING WITH AGENDA ITEM # 8.

8. CONSIDER APPROVAL OF **RESOLUTION # 812-2014** APPROVING SPECIAL EVENT PERMITTING AT CASTLEBERRY ELEMENTARY TO HOLD THE 3RD ANNUAL TURKEY TROT ON NOVEMBER 15, 2014.

Michael Jenkins requested approval to hold the 3rd annual Turkey Trot at Castleberry Elementary on November 15, 2014 at 9:00 A.M. Castleberry Elementary will also be holding a can food drive during the event. They will get the Police Chief's assistance in blocking the streets during the mile fun walk/run that should last about 1 hour.

CM Butler moved, seconded by CM Scott to approve Resolution 812-2014 approving Special Event Permitting in order to hold a Turkey Trot on November 15, 2014. All voted "Aye".

9. CONSIDER APPROVAL OF **RESOLUTION # 813-2014** APPROVING SPECIAL EVENT PERMITTING AT GIGGLES THERAPY LOCATED AT **905 ROBERTS CUT OFF RD.** TO HOLD ITS ANNUAL FALL FESTIVAL ON OCTOBER 30TH FROM 6:00 TO 8:00 P.M.

Susan Broomhall represented Giggles Therapy in their request to hold its annual Fall Festival on October 30, 2014 from 6:00 P.M. to 8:00 P.M. at 905 Roberts Cut Off Rd. There will be games, candy and fun children activities provided. There will be plenty of parking and volunteers.

Mayor commented on the gorgeous facility that Giggles Therapy had built on that site.

CM Holland moved, seconded by CM Butler, to approve Resolution 813-2014 approving special event permitting at 905 Roberts Cut Off Rd. for Giggles Therapy to hold a Fall Festival on October 30, 2014 from 6:00 P.M. until 8:00 P.M. All voted "Aye."

10. CONSIDER APPROVAL OF **RESOLUTION # 814-2014** APPROVING SPECIAL EVENT PERMITTING AT ONE FAITH CHURCH LOCATED AT **1200 ROBERTS CUT OFF RD.** TO HOLD A FALL FESTIVAL ON OCTOBER 31ST.

One Faith Church requested to hold its annual Fall Festival on October 31, 2014 in the church parking lot at 1200 Roberts Cut Off Rd. Mayor said since they had a previous engagement, he told them they did not need to be here to present the request since it was the same as last year.

CM Gordon moved, seconded by CM Ashton, to approve Resolution 814-2014 approving special event permitting at 1200 Roberts Cut Off Rd. for One Faith Church to hold a Fall Festival on October 31, 2014. All voted "Aye."

11. CONSIDER APPROVAL TO EXTEND THE CERTIFICATE OF OCCUPANCY PERMIT DEADLINE ON **5100 TULANE AVE.**

John Pierce was present requesting additional time in order to comply. He intends to move in once the house is brought up to code. **Code Enforcement Officer Jones** stated that the property in its present condition was not hazardous, but the applicant needed to bring the house into full compliance in order to occupy.

CM Holland asked if the code department had been back in the house recently to verify its present condition? Jones stated that he had. **CM Butler** felt it would be appropriate for the city to waive the re-inspection fees.

CM Butler moved, seconded by CM Scott, to approve John Pierce for an additional 60-days to comply and to waive the re-inspection fees. All voted "Aye."

12. CONSIDER APPROVAL OF REQUEST FROM CARMELLA HODOCK AT **4908 ALMENA RD.** REQUESTING A 5TH BILL PAYMENT ARRANGEMENT ON THE WATER ACCOUNT.

Carmella Hodock was present requesting a 5th payment arrangement on her water bill due to her husband being sick and he just recently was able to return to work.

CM Holland stated that the policy allows for up to 4 payment arrangements within the year that can be approved by the City Secretary. He asked Ms. Hodock if approved for a 5th payment arrangement; would she be able to stay current on her bill the rest of the year? She answered that she would.

CM Ashton moved, seconded by CM Butler, to approve a 5th payment arrangement for Carmella Hodock at 4908 Almena Rd. for medical reasons. All voted "Aye."

13. CONSIDER APPROVAL TO INSTALL HARDIE BOARD SIDING IN A RESIDENTIAL ZONING DISTRICT AT **1201 BANKS ST.** AS REQUESTED BY NOEL VILLALOBES.

Noel Villalobes requested to be permitted to install horizontal hardie board on his house at 1201 Banks Street. He has replaced the windows and now needs to replace the siding. He noted that this would be hardie board cement siding.

CM Holland moved, seconded by CM Gordon to approve the request of Noel Villalobes to install horizontal hardie board siding on the structure at 1201 Banks St. All voted "Aye".

14. CONSIDER APPROVAL OF 1.93 PERCENT RATE INCREASE FROM PROGRESSIVE WASTE SOLUTIONS FOR COMMERCIAL GARBAGE SERVICE.

MOVED UP ON THE AGENDA TO BE HEARD BEFORE AGENDA ITEM # 8. (SEE # (14))

15. CONSIDER APPROVAL TO AWARD BID TO UNISON SITE MANAGEMENT LLC. TO PURCHASE THE WIRELESS COMMUNICATION EASEMENT IN THE REAR OF THE PROPERTY AT 4900 RIVER OAKS BLVD. OWNED AND OPERATED BY THE CITY OF RIVER OAKS.

CS Gregory reported that bids were opened at 3:00 P.M. on October 17, 2014 with only Unison Site Management LLC bidding. Their bid was \$110,000 and furthermore included terms that the city would receive 55% of revenues received from any future new leases. CS Gregory raised concern over the agreement with Unison Site Management in that it provided for 1500 square feet of area to be in the purchase that would include where the city generator is currently located.

City Attorney Elam stated that the council didn't have to make a decision now, if they needed additional time. Mayor doesn't want to see this denied now without additional time to review all of

the facts. Council then directed staff to bring this back at the next council meeting after further research.

No Action Taken.

16. CONSIDER APPROVAL TO AMEND THE JUNE 10, 2014 SUBSTANDARD BUILDING ORDERS ON THE PROPERTY AT 933 CARONDOLET AS REQUESTED BY THE NEW OWNER, NICK PAPAJOHN.

Nick Papajohn introduced himself as the new owner of the property at 933 Carondolet that is currently substandard. He provided a plan of action for abating all substandard violations. He reported that since he obtained ownership he has taken out an electric permit in order to upgrade the electrical and has removed a majority of the debris on the outside of the property. At closing all civil penalties for the previous owner's failure to bring the property into compliance have been paid in full. He requested 89-days to bring property into compliance.

CM Holland moved, seconded by CM Gordon to amend the June 10, 2014 Council Order allowing Nick and Pat Papajohn an additional 89-days from October 28, 2014 to bring the property into full compliance. All voted "Aye".

17. CONSIDER APPROVAL **RESOLUTION # 815-2014** APPROVING SPECIAL EVENT PERMITTING FOR THE CITY TO HOLD A CHRISTMAS PARADE AND CRAFTS FAIR ON SATURDAY, DECEMBER 6, 2014.

Shirley Wheat requested approval for Special Event Permitting for this year's Christmas Parade and Craft Fair to be held on December 6, 2014. **Mayor Earwood** indicated that the City Council would be interested in the planned parade route for this year's parade.

Shirley Wheat stated as approved by the Police Chief this year's parade will start from Castleberry Elementary School parking lot, then south on Roberts Cut Off to Ohio Garden Rd., east on Ohio Garden Rd to Merritt Street; south on Merritt to River Oaks Blvd.; then west on River Oaks Blvd. to its intersection with Roberts Cut Off and then south on Roberts Cut Off to Blackstone Drive and then east on Blackstone Drive to the Community Center. The entry fee this year is \$10 and the prize to the best float is \$100. **CM Holland** asked if we had done the \$100 prize in previous parades. Shirley Wheat stated that we did it last year. **Shirley Wheat** also noted that the craft fair will start at noon and Santa will be arriving after the parade that night for the lighting of the Christmas tree.

There will also be a Fun Run on that day beginning in the W.O. Barnes parking lot that is being sponsored by the EDC as a part of the City's request.

CM Gordon moved, seconded by CM Ashton to approve Resolution # 815-2014 for the special event permitting in order for the City to hold its annual Christmas parade, craft fair, tree lighting and fun run. All voted "Aye".

18. CONSIDER APPROVAL OF COMMUNITY CENTER EVENTS:

- REQUEST BY HALLIE PIERCE TO HOLD A QUARTER AUCTION FOR CHARITY:

Shirley Wheat reported this request would be for a quarter auction where the funds would go to a local charity. **CM Holland** was in the opinion that a quarter auction being a game of chance might be illegal under law. He provided information from his research into quarter auctions of how they are conducted. It was generally agreed to by the Council that if quarter auctions are legal, this request wouldn't need to come back for approval.

- REQUEST BY SHIRLEY WHEAT TO HOLD A QUARTER AUCTION FOR THE CITY

Shirley Wheat presented the request that if quarter auctions are legal, she would like to do one for the community center. **CA Elam** stated she can further research the law and get back with the council, but in her opinion quarter auctions are a game of chance that under the statute would be considered to be gambling and illegal. **Mayor Earwood** directed PC Carter to find out and if it is illegal, we can't permit it. **CA Ashton** is ok with doing quarter auctions if the Police Chief finds that it is legal.

- PLAYOFF SUPER BOWL PARTY AT COMMUNITY CENTER

Community Center Co-Directors requested that they be permitted to hold a Super Bowl Party at the Community Center this year where people can gather and watch the game and bring in snacks and drinks.

CM Ashton moved, seconded by CM Butler to approve the Super Bowl Party request and to also approve quarter auctions pending approval by the Police Chief. All voted "Aye".

PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:

19. **PUBLIC HEARING CONTINUED TO OCTOBER 28, 2014:** IN ORDER TO RECEIVE CITIZEN COMMENTS ON SUBSTANDARD BUILDING ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT **817 WALTER DR.**

Public Hearing continued at 7:58 P.M. CEO Jones reported that he had meet with the property preservation company and they granted him permission to go inside and make an updated inspection. The items found were minor that included repairing the roof and the water heater. He found nothing rendering the property to be unsafe and hazardous. **CEO Jones** recommended that the council take no action.

Mayor Earwood questioned when they plan to repair the hole in roof? **CEO Jones** stated they were going to sell the property in its present condition and the prospective buyers would take care of those repairs under a Certificate of Occupancy Permit before it could be occupied. At the present time they have it covered with plastic according to HUD specifications. **CEO Jones** said even with the hole in the roof there was no substantial structural damage since the water drained out through an inside drain.

Public Hearing was closed at 8:03 P.M. No Action was taken.

20. **ACTION FROM PUBLIC HEARING:** CONSIDER COUNCIL ORDERS ON THE PROPERTY AT **817 WALTER DR.** 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.

NONE.

21. **ADMINISTRATIVE HEARING CONTINUED TO OCTOBER 28, 2014:** PURSUANT TO SECTION 3.07.013013 OF THE RIVER OAKS CODE OF ORDINANCES IN ORDER TO ASSESS A CIVIL PENALTY AGAINST THE PROPERTY OWNER AT **1167 GREENBRIER DR.** FOR FAILURE TO COMPLY WITH AN ORDER ISSUED BY THE BOARD PURSUANT TO [SECTION 3.07.007](#) OF THE RIVER OAKS CODE OF ORDINANCES.

Administrative Hearing continued at 8:04 P.M. CEO Jones reported that they have approved the Certificate of Occupancy permit without meeting HVAC requirements as directed by the City Council. The HVAC requirements would be met upon change of ownership.

Public Hearing closed at 8:05 P.M.

22. **ACTION FROM ADMINISTRATIVE HEARING:** CONSIDER ORDERS TO ASSESS A CIVIL PENALTY PURSUANT TO SECTION 3.07.013 AGAINST THE PROPERTY OWNER AT **1167 GREENBRIER DR.** FOR FAILURE TO COMPLY WITH AN ORDER ISSUED BY THE BOARD PURSUANT TO [SECTION 3.07.007](#) OF THE RIVER OAKS CODE.

CM Holland moved, seconded by CM Butler not to access civil penalties for failure to comply with the Substandard Building Order. All voted "Aye".

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

23. **CONSIDER APPROVAL OF ORDINANCE # 1045-2014** AMENDING ARTICLE A.02 "SCHEDULE OF FEES AND CHARGES; SPECIFICALLY IN SECTION A.02.001 "ESTABLISHED GENERALLY", SECTION A.02.002 "REGISTRATION OF CONTRACTORS GENERALLY", SECTION A.02.003 "ELECTRICAL CONTRACTOR REGISTRATION" AND SECTION A.02.004 "FIRE PERMITS GENERALLY" OF THE CODE OF ORDINANCES.

CS Gregory reported he had performed an extensive research of the city's permit fees and found in comparison to other cities that he had researched, our fees needed to be updated. The proposed fees are somewhere in the middle when compared to other cities.

CM Gordon moved, seconded by CM Scott to adopt Ordinance # 1045-2014 revising the city's fee schedule. All voted "Aye".

24. CONSIDER APPROVAL OF **ORDINANCE # 1046-2014** AMENDING ARTICLE 13.03 "WATER SYSTEM", SEC. 13.03.009 "METER DEPOSITS AND OTHER FEES" SUBSECTION (b) "OTHER UTILITY DEPOSIT FEES" OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED; INCORPORATING DEPOSIT FEES FOR WATER ONLY ACCOUNTS.

CS Gregory reported that the sole purpose of this ordinance is to establish a deposit fee for irrigation meters that is not currently provided for in the policy.

CM Holland moved, seconded by CM Butler to adopt Ordinance # 1046-2014 establishing water deposit fees for Irrigation Water Meters. All voted "Aye".

25. CONSIDER APPROVAL OF **ORDINANCE # 1047-2014** AMENDING SECTION 5.05.001 "RESTRICTIONS ON BURNING" OF ARTICLE 5.05 "OUTDOOR FIRES" AND SECTION 13.08.007 "TRASH BURNING" OF ARTICLE 13.08 "SOLID WASTE" OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED; REVISING BURNING RESTRICTIONS.

CEO Jones reported that the current code provisions tracks the Administrative Code in Texas that prohibits outside burning including barbecue grills unless the municipality adopts an ordinance allowing them within their city limits. There was much discussion on what is an approved grill or smoker. Jones stated the device used for cooking outdoors had to be approved by the manufacturer with approved spark arresting screens or grates in place and couldn't be operated within 10-feet of structure. **CM Scott** verified that the fire code sets the 10-distance requirement.

Fireplaces and fire pits are considered to be structures that have to be permitted and inspected. **CM Butler** is concerned about the city over permitting people that really wasn't necessary. **CEO Jones** stated that permits are not required for portable grills and smokers. **CM Holland** questioned if a fire box out in the yard would be deemed a permanent structure, Jones answered, if it is a permanent structure, then it had to be permitted. **CEO Jones** stated that he feels there is a misunderstanding of what the ordinance is being proposed for and that is to permit the use of barbecue grills for outside cooking and not for the burning of trash, tree limbs, leaves and other debris.

CM Holland moved, seconded by CM Gordon to adopt Ordinance # 1047-2014 establishing restrictions on outside burning. All voted "Aye".

26. CONSIDER APPROVAL OF **ORDINANCE # 1048-2014** AMENDING THE 2014-2015 FISCAL YEAR BUDGET DUE TO AN UNPLANNED EXPENDITURE FOR PENSION UNDER FIRE DEPARTMENT ACCOUNT # 517-5194.

CM Holland reported that the Finance Committee had met with the director of the Texas Emergency Services Retirement System (TESRS) and in that meeting we learned a lot about the plan that we really were not aware of. Previously during budget time it was presented to the council that with a 30-day notice, the city could terminate their participation and because of that, the city council adopted the budget without the funding for the plan being included.

However, since then we have discovered that state statute doesn't permit termination for volunteer fire departments like River Oaks. As long as River Oaks is a volunteer fire department, we will have to remain in the system. Because the funds were not budgeted for this year's participation, it necessitates that we amend the budget an additional \$15,000.

CM Gordon moved, seconded by CM Butler to adopt Ordinance 1048-2014 expanding the FY 2015 General Fund Budget an additional \$15,000 for the costs associated with the volunteer fire department pension plan. All voted "Aye".

STAFF REPORTS:

27. STAFF REPORT ON SUBSTANDARD PROPERTIES:

CEO Jones updated the following substandard properties:

- **604 FRONTIER:** Continues to accrue civil penalties for failure to comply.
- **933 CARONDOLET:** Ownership change. Council amended the order 89-days.
- **5008 SHERWOOD:** Has been transferred to Bayview Properties. Based on last inspection, there are no changes. Next, will be for staff to proceed with Administrative Hearing procedures.
- **4412 LAWRENCE:** Permits active. Electric Permit active until 01/22/2015.
- **1117 LONG AVE.:** Active Permits. Must comply by 01/22/2015.
- **5516 N. SCHILDER:** Still under Building Official's Orders. Staff is performing weekly inspections.
- **1709 LONG AVE.:** On hold pending Certificate of Occupancy Permit Approval.
- **817 WALTER DR.:** On hold pending certificate of Occupancy Permit Approval.
- **1202 BANKS:** Code violations have been abated.
- **5008 PENROD CT.:** Property has sold. Ownership transferred. Nothing else to report at this time.
- **817 YALE (ACCESSORY BUILDING):** Demolishing permit has been issued.

No Further Action Taken.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

28. 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 gave statistics on fatal and serious accident injuries. His message was never stand behind car when on the side of the road. If you have an accident, get off the road and get away from the

car. Numerous accidents are caused because people don't practice this. **CM Holland** questioned if Warrant program is working; to which the chief replied that it was.

29. **FIRE DEPT. REPORT INCLUDING NUMBER OF CALLS FOR SERVICE.**

None.

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

None.

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

None.

32. **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.

33. **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.

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

None.

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

None.

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

None.

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

None.

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

None.

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

EMC Myrick reported on his meeting with the weather people in trying to iron out some problems. He also reported on Ebola and the D68 virus. Ebola copies the flu and he has been working with city staff in taking the necessary precautions. Above all, use soap and water to wash hands. He did order laser temperature gauges but finally settled on using the disposable ear piece thermometers to measure employee's temperatures. He will be meeting collectively with other EMC's with the heads of hospitals tomorrow. He reported that the October 10th Alpha Pod exercise gave us a lot of insight on the procedures involved.

PUBLIC FORUM:

40. 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 asked if there was anything to report from the audience. Without anything, he turned to the council for any comments. **CM Holland** asked how the transition to the new library hours was working? Mayor reported it was going well.

CM Gordon announced she would have to miss the Fun Run this year since she will be out of town on December 6th.

Mayor Earwood reported that he had met with TXDOT about obtaining easement for additional parking for the Dollar Tree. He felt they had a positive meeting. He also announced that Doctor Brown is now in a new location. He also commented on the good turnout for the leadership breakfast held earlier today.

EXECUTIVE SESSION:

41. 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.
- d. Section 551.076 Deliberation regarding security devices

None called for.

RECONVENE:

42. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

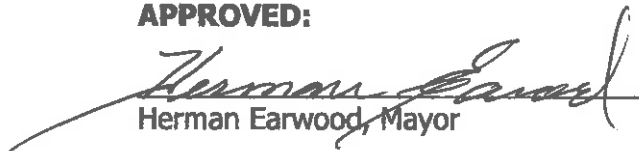
None.

ADJOURN:

43. ADJOURNMENT

At 9:12 p.m. CM Ashton moved, seconded by CM Gordon, to adjourn the meeting. All voted "Aye."

APPROVED:


Herman Earwood, Mayor

ATTEST:


Marvin Gregory, City Secretary