

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
JANUARY 24, 2017**

MEMBERS PRESENT:

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

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
POLICE CHIEF AVIN CARTER
PUBLIC WORKS DIRECTOR GORDON SMITH
ASST CITY SECRETARY PAULA LUCK
FIRE CHIEF RUSSELL SHELLEY
COMMUNITY CENTER DIRECTOR SHIRLEY WHEAT
BUILDING INSPECTOR STEVE SANDERS
CITY ATTORNEY BETSY ELAM
EDC COORINATOR PATRICIA WARD

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, January 24, 2017 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

CM Holland delivered the Invocation.

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

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

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 JANUARY 10, 2017 REGULAR COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR THE PERIOD ENDING JANUARY 24, 2017 (FY 2017)
- C. APPROVE EDC 1ST QUARTER FINANCIAL REPORT (OCT 1 – DEC 31, 2016)
- D. APPROVE CCPD 1ST QUARTER FINANCIAL REPORT (OCT 1 – DEC 31, 2016)
- E. APPROVE STORM WATER FUND 1ST QUARTER FINANCIAL REPORT (OCT 1 – DEC 31, 2016)
- F. APPROVE 1ST QUARTER INVESTMENT REPORT

CM Gordon moved, seconded by CM Butler, to approve the consent agenda. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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. REQUEST BY SCOTT KIRK OF LIBERTY TAX SERVICE TO ERECT "LADY OF LIBERTY" ON TOP OF BUILDING AT 4833 RIVER OAKS BLVD. PURSUANT TO SECTION 3.12.037(3) OF THE RIVER OAKS CODE.

Scott Kirk was present. The Lady of Liberty is already up. He tried to get on agenda two weeks ago but was too late. A temporary permit has been pulled. Mr. Kirk is requesting the Lady of Liberty be up from January 2017 thru April 18th, 2017.

Mayor Pro Tem Ashton moved, seconded by CM Holland to erect "Lady of Liberty" on top of the building at 4833 River Oaks Blvd pursuant to Section 3.12.037(3) of the River Oaks Code and allow to have up thru April 18, 2017. All voted "Aye".

8. CONSIDER APPROVAL OF REQUEST FROM TIERRA MCCUTCHEON-RAPER FOR USE OF THE COMMUNITY CENTER WEEKLY ON SATURDAYS FOR KID'S PROGRAMMING.

Tierra McCutcheon-Raper was not present. Council asked this item not to be put back on the agenda again since this is the third time she has been on the agenda and has not shown up.

9. DISCUSSION AND/OR ACTION ON AMENDING OR ENFORCING THE JUNE 28, 2016 ORDER OF THE BUILDING BOARD OF APPEALS AS EXTENDED UNTIL JANUARY 24, 2017 ON THE SUBSTANDARD PROPERTY AT 901 CHURCHILL

Thomas Bankston was present. The only thing left is the plumbing and the flooring. The plumbers have been paid but has not done the job yet.

BI Sanders reported for plumbing all that needs to be done is a gas pressure test and to connect fixtures.

CA Gregory stated we keep extending the temporary water service.

Mayor Pro Tem Ashton moved, seconded by CM Scott to amend the June 28, 2016 order through February 14, 2017 with February 14, 2017 being the final extension and the end of temporary water service. All voted "Aye".

10. CONSIDER APPROVAL OF INTERLOCAL AGREEMENT WITH NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS FOR LICENSING AGREEMENT FOR WEB-BASED MAPPING SYSTEM FOR CONTOUR DATA

PWD Smith said this will allow engineers to have direct access to the web based mapping system thru North Central Texas Council of Governments. The cost is \$418 annually.

CM Gordon moved, seconded by Mayor Pro Tem Ashton to approve the Interlocal Agreement with North Central Texas Council of Governments. All voted "Aye".

11. CONSIDER APPROVAL OF INTERLOCAL AGREEMENT WITH TARRANT COUNTY FIRE MARSHAL'S OFFICE FOR FIRE INVESTIGATION AND EVIDENCE COLLECTION SERVICES

FC Shelley said this agreement gives us involvement in the Tarrant County Arson Task Force. It enhances the ability for fire investigations.

CM Gordon moved, seconded by CM Butler to approve the Interlocal Agreement with Tarrant Council Fire Marshal's Office. All voted "Aye".

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

12. PUBLIC HEARING: IN ORDER TO RECEIVE CITIZEN COMMENTS ON SUBSTANDARD BUILDING Enforcement Action regarding STRUCTURE(s) located on the Property at 606 WORTHVIEW DR.

Mayor Earwood opened the Public Hearing at 7:18 pm.

BI Sanders said there is no change. There has been no contact except with one person in California whom has no interest in the property and hasn't for 20 years. This property is in foreclosure and will be sold on the court house steps in February 2017 or April 2017. BI Sanders did state this property could be repaired if there was an interest.

At 7:22 pm, Mayor Earwood passed to item #14.

At 7:29 pm, Mayor Earwood went back to item #12.

Mayor Earwood closed the Public Hearing at 7:41 pm.

13. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 606 WORTHVIEW 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

Mayor Pro Tem Ashton moved, seconded by CM Gordon to: find that the building(s) located at 606 Worthview based on evidence presented at the hearing, is Substandard and: (1) That the conditions set forth in the Building Official's report exist to the extent that the life, health, property or safety of the public (and

occupants of the building(s), if applicable) are endangered; and (2) That the building(s) is/are feasible of repair and therefore order the buildings to be repaired by the owner within 30 days and the lienholder or mortgagee to within an additional 30 days if the owner does not comply; and (3) order that the building be repaired in conformance with the requirements of Section 3.07.004 of the River Oaks Code of Ordinances (2006) as amended or demolished by the owner and the debris removed within 30 days or by the lienholder or mortgagee to within an additional 30 days if the owner does not comply and further find that if the building is not repaired within that time, that there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given. (4) order that substandard fee of \$150.00 be paid upon permit issuance. Certificate of Occupancy will not be final until all substandard fees are paid in full. All voted "Aye".

14. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC INPUT ON THE 43RD YEAR (FY 2017) COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Mayor Earwood opened the Public Hearing at 7:22 pm.

PWD Smith passed out surveys to residents to fill out. The 43rd Year CDBG proposal is 707 feet of pipe bursting wastewater collection main from Merritt to 1208 Greenbrier and 180 feet of pipe bursting wastewater collection main from center of Greenbrier to the manhole located behind 4900 River Oaks Blvd. Also included is 494 feet of wastewater collection line from 5101 Langley south to the rear of 5029 Penrod. Also included is 278 feet of wastewater collection line from rear of 5101 Kessler to the existing manhole on Merritt at the rear of 5101 Almena.

There is 1,659 feet total which comes to \$190,170 (\$180,170 for project and \$10,000 for engineer). The grant will be up to \$155,000 and we have \$20,000 from the last grant. PWD is requesting a \$30,000 city pledge commitment.

CS Gregory read results from survey: #1 is water, #2 is sewer.

Mayor Earwood closed the Public Hearing at 7:29 pm.

15. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF RESOLUTION #879-2017 AUTHORIZING THE CITY SECRETARY TO SUBMIT THE 43RD YEAR CDBG PROJECT SUBMITTAL FOR THE CITY OF RIVER OAKS TO TARRANT COUNTY COMMUNITY DEVELOPMENT

CM Butler moved, seconded by CM Scott to approve Resolution #879-2017 with a \$30,000 commitment from the city. All voted "Aye".

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

16. CONSIDER APPROVAL OF RESOLUTION #880-2017 CALLING FOR A GENERAL ELECTION TO BE HELD ON MAY 6, 2017; APPROVING A JOINT ELECTION WITH TARRANT COUNTY; AND ESTABLISHING PROCEDURES FOR THAT ELECTION; AND PROVIDING AN EFFECTIVE DATE

CM Gordon moved, seconded by Mayor Pro Tem Ashton to approve Resolution #880-2017. All voted "Aye".

17. CONSIDER APPROVAL OF ORDINANCE #1134-2017 REPEALING AND REPLACING THE CITY'S UNIFORM EMS ORDINANCE IN ARTICLE 6.07 "AMBULANCES" OF THE RIVER OAKS CODE OF ORDINANCES AS AMENDED

FC Shelley said Medstar decided to update the EMS Ordinance.

Mayor Pro Tem Ashton moved, seconded by CM Gordon to approve Ordinance #1134-2017 with noted change from CS Gregory. All voted "Aye".

18. CONSIDER APPROVAL OF INTERLOCAL COOPERATIVE AGREEMENT BETWEEN CITY OF RIVER OAKS AND METROPLITAN AMBULANCE AUTHORITY TO ADMINISTER AND OPERATE A PREHOSPITAL EMERGENCY MEDICAL SERVICES & TRANSPORTATION WITHIN THE CITY

FC Shelley stated there are new performance standards that are included in this agreement.

Mayor Pro Tem Ashton moved, seconded by CM Gordon to approve the Interlocal Agreement with Metropolitan Ambulance Authority. All voted "Aye".

19. CONSIDER APPROVAL OF ORDINANCE #1135-2017 AMENDING THE 2016-2017 GENERAL FUND BUDGET BY EXPANDING IT TO MEET HANDICAP REQUIREMENTS AT THE CITY HALL COMPLEX

Mayor Earwood explained that the city complex does not meet the handicap requirements; handrails are needed. CS Gregory stated this is an ADA requirement and two estimates have been received.

Mayor Pro Tem Ashton moved, seconded by CM Gordon to approve Ordinance #1135-2017 not to exceed \$7,000. All voted "Aye".

STAFF REPORTS:

20. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 5008 SHERWOOD-no change
- 4900 ALMENA RD-civil penalties, no change
- 5905 BLACK OAK-extension on demo, no change
- 5909 BLACK OAK-extension on demo, no change
- 1202 BANKS-actively working
- 619 HARRISDALE-actively working
- 5411 PURDUE-180 days not up, no permits pulled
- 606 WORTHVIEW-on agenda tonight
- 901 CHURCHILL-on agenda tonight
- 5513 AMHERST-under Building Official order
- 1505 GREENBRIER-actively working
- 1101 OXFORD-no contact
- 1112 YALE-under Building Official order
- 1617 HILLSIDE-under Building Official order

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

PC Carter mentioned the body cameras are in. But there is a problem with the state on reimbursement which is being worked on.

There is a buyer for the Escalade.

We are waiting on paperwork on a Dodge Pick Up.

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

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

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

25. **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

26. **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

PWD Smith passed out to council what is going on in regards to the streets. A database has been created on all the streets in River Oaks.

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

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

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

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

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

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

PUBLIC FORUM:

33. 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**

EXECUTIVE SESSION:

34. 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 complaint or charge against an Officer or Employee.
- d. Section 551.076 Deliberation regarding security devices.

NONE

RECONVENE:

35. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

NONE

ADJOURN:


36. ADJOURN

At 8:10 p.m. CM Gordon moved, seconded by CM Holland, to adjourn the meeting.

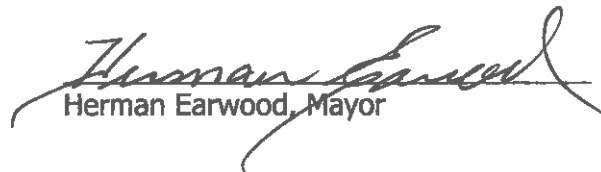
All voted "Aye".

APPROVED:

ATTEST:



Marvin Gregory, City Secretary


Herman Earwood, Mayor