

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
JUNE 23, 2015**

**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  
DEPUTY POLICE CHIEF CHRIS SPIELDENNER  
PUBLIC WORKS DIRECTOR JAMES HATLEY  
CODE ENFORCEMENT OFFICER JOHN PAUL JONES  
BUILDING INSPECTOR STEVE SANDERS  
CODE COMPLIANCE OFFICER JUSTIN WOODALL  
FIRE CHIEF RUSSELL SHELLEY  
LIBRARY DIRECTOR VERONICA CLARK  
RECORDING SECRETARY SUSAN STEWART  
CITY 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, June 23, 2015 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

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 JUNE 9, 2015 COUNCIL MEETING

B. RATIFY BILLS PAYABLE FOR PERIOD ENDING JUNE 23, 2015 (FY 2015)

**CM Gordon moved, seconded by CM Butler, to approve the consent agenda items A and B. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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 BY **CAROLYN SMITH AT 5601 JAMES AVE.** REGARDING EXTENDING TIME LIMIT TO OBTAIN CERTIFICATE OF OCCUPANCY PERMIT PURSUANT DUE TO CHANGING THE NAME ON THE UTILITY ACCOUNT PURSUANT TO SEC. 13.02.044 "UTILITY CUSTOMERS WHO BECOME DECEASED"

Carolyn Smith, 5601 James Avenue, requested additional time to complete the repairs required on the certificate of occupancy inspection list due to medical reasons.

**CM Ashton moved, seconded by CM Scott, to grant Carolyn Smith at 5601 James Avenue an extension of 60-days to obtain a certificate of occupancy pursuant to changing the name on the utility account. All voted "Aye."**

Ms. Smith was told to request additional time if necessary.

8. CONSIDER APPROVAL OF REQUEST BY **CHIEF SHELLEY** FOR WARNER RADIO & COMMUNICATIONS TO INSTALL A RADIO REPEATER ON THE ELEVATED WATER TOWER

FC Shelley requested to move forward with the process of installing a repeater on the water tower at an approximate cost of \$5,500. This project would not be ready for payment until next budget year.

It was suggested that the Fire Department and the Police Department consider using the same company to save money. It was later discovered that the Police Department's project is near completion pending one issue. It was suggested that the companies work together to avoid encountering the same issue.

A representative from Warner Radio requested to run a conceptual study.

**Mayor Pro Tem Holland moved, seconded by CM Gordon, to approve the request by Chief Shelley for Warner Radio & Communications to install a radio repeater on the elevated water tower. All voted "Aye."**

9. CONSIDER APPROVAL OF **RESOLUTION # 834-2015** REQUESTING TARRANT COUNTY CONSTABLE TO SELL PROPERTIES TO THE HIGHEST BIDDER TO SATISFY DELINQUENT TAXES OWED TO THE CITY OF RIVER OAKS PURSUANT TO SECTION 34.05 OF THE TAX CODE

Charles Brady was present to explain a process that could shorten the length of time to sell properties for delinquent taxes.

**CM Scott moved, seconded by CM Butler, to approve Resolution #834-2015 allowing the Tarrant County Constable to sell the property at 1229 Cambridge. All voted "Aye."**

10. CONSIDER APPROVAL OF MAYOR'S RECOMMENDATION FOR THE 2015 BOARD AND COMMITTEE APPOINTMENTS

CS Gregory presented the recommendations of the mayor for board and committee appointees for 2015.

**CM Gordon moved, seconded by CM Butler, to approve the Mayor's recommendation for the 2015 Board and Committee Appointments. All voted "Aye."**

11. CONSIDER APPROVAL TO CONTRACT WITH NO-DIG TECH FOR THE EMERGENCY PIPE-BURSTING OF THE SEWER LINE IN THE 1400 BLOCK OF HARVARD

PWD Hatley requested funds to replace a collapsed line that is a 4-inch building sewer instead of a 6-inch collection main.

**CM Butler moved, seconded by CM Ashton, to approve the contract with No-Dig Tech for the emergency pipe-bursting in the 1400 block of Harvard in the amount of \$24,685. All voted "Aye."**

12. DISCUSSION AND/OR ACTION ON PROPOSAL BY AMERICAN TOWER CORPORATION TO EXTEND VERIZON WIRELESS LEASE AGREEMENT

Discussion occurred questioning the reason that Verizon is requesting to renew the lease with six years remaining on that lease.

**No action was taken.**

13. CONSIDER APPROVAL FOR COUNCILMEMBER REGISTRATION FOR THIS YEAR'S TML SEMINAR IN SAN ANTONIO, TEXAS

CS Gregory stated that there is \$6,900 remaining in the budget for Council training.

**Mayor Pro Tem Holland moved, seconded by CM Gordon, to allow Council Members who desire to attend TML to make arrangements with CS Gregory. All voted "Aye."**

**ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:**

14. CONSIDER APPROVAL OF **ORDINANCE # 1076-2015** AMENDING FY 2015-2016 GENERAL FUND BUDGET FOR THE EXPENDITURES OF FIRE DEPARTMENT DOLLAR DONATIONS IN ORDER TO PURCHASE TABLET COMPUTERS FOR ITS TWO PRIMARY RESPONSE VEHICLES FOR CAD INTERFACE WITH DISPATCH.

FC Shelley requested funds to install tablets in two of the vehicles which interface with CAD.

**CM Gordon moved, seconded by CM Ashton, to approve Ordinance #1076-2015 to use dollar donation funds in the amount of \$2,000 to purchase tablets for the Fire Department. All voted "Aye."**

**STAFF REPORTS:**

15. **STAFF REPORT ON SUBSTANDARD PROPERTIES**

CEO Jones gave updates on the following substandard properties:

- 604 FRONTIER – No change. Civil penalties continue to accrue.
- 5008 SHERWOOD – Civil penalties were suspended until September 7, 2015. The exterior is being maintained. No permits and no plan of action have been received.
- 1121 CAMBRIDGE – Scheduled for the initial inspection on June 26, 2015. Staff has been authorized to allow 30-days to complete any required repairs.
- 5008 PENROD – An updated title search has been requested and will be presented to the City Council in July to consider civil penalties.
- 1709 LONG AVE. – Has until 7/27/2015 to comply with the Council order. No permits have been issued.
- 1705 LONG AVE. - Has until 7/27/2015 to comply with the Council order. There is an active electrical permit with no inspections made. The substandard fee has not been paid.
- 603 HARRISDALE – Has until 7/26/2015 to comply with the Council order. No permits have been issued, no plan of action and substandard fee has not been paid. Mr. Rodger Waggoner recently contacted staff and will submit his plan of action soon.
- 1202 BANKS – Staff has received an application for water and a certificate of occupancy which was not approved. The applicant has indicated that they may back out of the owner finance purchase of the property.
- 1609 YALE – on hold following a recent City Council Meeting.
- 4900 ALMENA - on hold following a recent City Council Meeting.
- 1108 YALE – had until June 15, 2015 to comply with the order of the Building Official. An interested party has contacted staff regarding purchasing the property in the current condition. Staff is performing an updated title search to bring to the City Council if the property is not purchased.
- 1425 BYRD – is a burnout and is on hold pending insurance.
- 5312 TAYLOR - had until June 21, 2015 to comply with the building official's order to repair. Staff is performing an updated title search to bring to the City Council.
- 4717 ALMENA – Has until 6/27/2015 to comply with the order of the building official to repair. No permits, no plan of action and the substandard fee has not been paid.

- 1213 CAMBRIDGE – Has until 7/4/2015 to comply with the order of the building official to repair. No permits, no plan of action and the substandard fee has not been paid.
- 1203 YALE ST. - Has until 7/9/2015 to comply with the order of the building official to repair. No permits, no plan of action and the substandard fee has not been paid.
- 5116 LANGLEY RD. - Has until 8/19/2015 to comply with the order of the building official to repair. The substandard fee has been paid and there is an active building permit.

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

No discussion occurred.

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

No discussion occurred.

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

No discussion occurred.

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

LD Clark reported that the press release for the eBook and audio book program, Overdrive, will be published Friday. Staff will also email the notification to the Council and the email groups.

**No action was taken.**

**20. 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.

**21. 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.

**EXECUTIVE SESSION:**

29. 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:

- 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

**None called for.**

**RECONVENE:**

30. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

**None.**

**ADJOURN:**

31. ADJOURN

**At 7:57 p.m. CM Gordon moved, seconded by CM Ashton, to adjourn the meeting. All voted "Aye".**

**APPROVED:**

  
Herman Earwood, Mayor

**ATTEST:**

  
Marvin Gregory, City Secretary