

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
AUGUST 24, 2010**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
MAYOR PRO TEM JOANN GORDON
COUNCIL MEMBER JOANN BUTLER
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER JOE CREWS
COUNCIL MEMBER R.R. "BOB" MINTER

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
POLICE CHIEF DAN CHISHOLM
FIRE CHIEF BILL CREWS
OFFICE MANAGER PAULA BAGWELL
COMMUNITY CENTER DIRECTOR SHIRLEY WHEAT
BUILDING INSPECTOR STEVE SANDERS
PUBLIC WORKS SUPERINTENDENT JAMES HATLEY
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, August 24, 2010 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

PWS Hatley delivered the Invocation.

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

Council Member Crews led the pledges of allegiance to the United States and the Texas Flags.

4. READING OF PROCLAMATION(S) 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

- A. MINUTES OF CITY COUNCIL MEETING AUGUST 10, 2010
- B. MINUTES OF SPECIAL CALLED CITY COUNCIL MEETING AUGUST 17, 2010
- C. BILLS PAYABLE FOR PERIOD ENDING AUGUST 24, 2010

Council Member Crews moved, seconded by Council Member Butler, to approve consent agenda items A, B, and C as presented. All voted "Aye."

6. ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION: COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION

None.

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

7. PRESENTATION BY CRAIG CUNNINGHAM OF WELLS AND NELSON REGARDING THE FINAL PRICING REPORT FOR THE 2010 TAX AND SURPLUS REVENUE REFUNDING BONDS

Craig Cunningham, Wells Nelson & Associates, was present to summarize the savings from refinancing the water treatment plant bonds. The projected gross savings was \$70,452.41 with a net present value of \$64,040.21. The actual gross savings was \$84,100 with a net present value of \$77,246.61.

No action was taken.

8. CITIZEN COMPLAINT BY STEVE BARTO REGARDING DIRTY WATER

CS Gregory reported that the requestor no longer desires to proceed with this request.

CS Gregory stated that this condition occurs each year when the lake turns over due to the heat. Due to the demand for high flow, the particles from cast iron pipes and galvanized pipes break loose causing discoloration of the water. Mayor Earwood added that the water is safe and is constantly monitored at the treatment plant. Mayor Earwood stated that the water flow would be switched to Fort Worth water if at any time the water were deemed not safe.

No action was taken.

9. SHIRLEY BLOOMFIELD AND SHIRLEY WHEAT REQUESTING COUNCIL DIRECTION ON THE PROPER PROCEDURES TO FOLLOW IN OBTAINING ASSISTANCE FROM THE CITY DURING COMMUNITY CENTER EVENTS

Community Center Co Directors Shirley Wheat and Shirley Bloomfield were present to request assistance from the Fire Department during City events and to thank Officer TC Williams for his continued assistance at Community Center Events. FC Crews offered the service of the department whenever possible. FC Crews explained that a volunteer department is at the mercy of the availability of the volunteers, especially with short notice.

Council Member Crews suggested an earlier closing time for events such as the water slide event in order to allow for adequate clean up time.

Council Member Crews asked if Medstar could be secured for such events. FC Crews replied that a fee of approximately \$1,200 for a minimum of 4 hours would be required.

No action was taken.

10. CONSIDER APPROVAL OF THE CITY'S SUBMITTAL TO TARRANT COUNTY PRECINCT 4 FOR THE 2010-2011 FISCAL YEAR STREET IMPROVEMENT PROJECT

CS Gregory recommended Gustav from River Oaks Blvd to Truman for the 2010-2011 street improvement project with Tarrant County. In addition to Gustav, CS Gregory recommended the replacement of curbs and gutters on Almena.

Council Member Crews moved, seconded by Council Member Minter, to approve the City's submittal to Tarrant County Precinct 4 for the 2010-2011 Fiscal Year Street Improvement Project as presented. All voted "Aye."

11. CONSIDER APPROVAL OF CHANGE ORDER FOR THE DRAINAGE IMPROVEMENT PROJECT IN THE 1700 BLOCK OF INSPIRATION LANE WITH HALL-ALBERT CONSTRUCTION

Mayor Earwood announced that Mayor Pro Tem Gordon had filed a conflict of interest form with CS Gregory.

CS Gregory explained that additional necessary work was noticed once the project began in the amount of an additional \$8,780 for a project total of \$ 22,766.

Council Member Crews moved, seconded by Council Member Butler, to approve the change order for the drainage improvement project in the 1700 block of Inspiration Lane in the amount of an additional \$8,780 as presented. All voted "Aye."

12. CONSIDER APPROVAL TO CANÇEL THE OCTOBER 26, 2010 CITY COUNCIL MEETING

Mayor Earwood recommended canceling the last regular City Council meeting in October in order to allow Council Members to attend the annual TML conference.

Mayor Pro Tem Gordon moved, seconded by Council Member Butler, to approve to cancel the October 26, 2010 City Council Meeting. All voted "Aye."

PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:

13. **PUBLIC HEARING:** IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE PROPOSED **TEXT AMENDMENT** TO COMPREHENSIVE ZONING ORDINANCE # 766-07, AS AMENDED AND CODIFIED INTO THE RIVER OAKS CODE OF ORDINANCES (2006) UNDER CHAPTER 14, EXHIBIT A "ZONING ORDINANCE", SPECIFICALLY IN SECTION 16B "USE REGULATIONS" TO:

Amend the Use Regulations in a "C-3" Commercial Zoning District permitting Pet Cremations as an acceptable use. (Zoning Case # 2010-PZ-01)

At 7:22 p.m. Mayor Earwood opened the public hearing.

CS Gregory stated that the Planning and Zoning Commission voted 5 ayes and 0 nays to recommend denying the text amendment to the Zoning Ordinance that would allow pet cremations in C-3 Zoning Districts. CS Gregory listed some recommendations from the Planning and Zoning Commission, should the Council decide to approve the text amendment as follows: 1) an emergency backup generator; 2) semi-annual inspections by the City; 3) the building containing the incinerator be completely enclosed by screening fences, and 4) compliance with TCEQ rules and regulations. Staff reported the receipt of written opposition totaling more than 20% of property owners that were notified as required. Due to these two conditions, a super majority vote of the City Council is required to pass the text amendment.

CS Gregory added that TCEQ monitors some of operations of pet cremations such as daily operating hours and a required air-monitoring permit.

CS Gregory stated that mortuaries and funeral parlors are currently allowed in C-2 Zoning Districts and therefore allowed in C-3 Zoning Districts. However, pet cremations are not currently listed as an allowable use and are therefore prohibited.

Jon Evans, requestor and property owner, was present. Mr. Evans stated that his desire is to reinvent the property since the current business on the property, a vacuum store, is suffering due to the economy. Mr. Evans stated his intention of placing a pet crematory that is in high demand, profitable and suitable on the property. Mr. Evans stated that the costly equipment is designed to emit no detectable odor or hazardous emissions. Mr. Evans stated that he agrees to install a backup generator as requested by the Planning and Zoning Commission. Mr. Evans stated that the improvements to the property would make it more secure and less attractive to vagrants.

Mayor Earwood expressed concern with the recommendations of the Planning and Zoning Commission since the City is not qualified to perform inspections other than building inspections. Mayor Earwood cautioned that bars and adult entertainment facilities are currently allowable uses in C-3 Zoning Districts.

Mayor Earwood mentioned re-zoning the property to Planned Commercial that would allow a pet crematory only on that property.

Leo Vargas, 1804 Long, spoke in opposition of the request, stating that his main concern was odor that could be emitted. Mr. Evans explained that the chamber is heated to 1600 degrees and takes many hours to cool down. Mr. Evans gave assurance that TCEQ would respond if odor became a problem.

Kathy Rodden, 1001 Keith Pumphrey, stated that not all cremations are individual and that communal cremations are allowed. Ms. Rodden added that crematories emit

mercury, which could cause a health concern. Mr. Evans stated that the number of animals does not impact the emission.

Council Member Butler commented that many of residents that are present, were not present to express concern at the Planning and Zoning Meeting.

Lori Watson, Planning and Zoning Chairperson, gave the P&Z recommendation, stating that the Board Members could not comfortably recommend this usage as requested.

James Myrick, 5825 Meandering, stated that pet cremations are not regulated as strictly as human cremations. Mr. Myrick noted that in the case of communal animal cremations, the remains are often disposed of at a landfill. Mr. Myrick added that the license required for pet cremations is valid for 10 years. Mr. Myrick stated that when electrical power is shut down during the cremation process, an odor would be emitted. Mr. Evans responded that in the case of an electrical outage; the backup generator would allow for a cremation in process to continue.

Patsy Stark, 1808 Long, stated that in her 34-year stay in the City, her electricity has been off for multiple days on several occasions. Mr. Evans stated that in the event of multiple days without electricity, the animals would be stored in freezers.

At 8:18 p.m. Mayor Earwood closed the public hearing.

14. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF **ORDINANCE # 853-2010** AMENDING THE RIVER OAKS CODE OF ORDINANCES UNDER CHAPTER 14, EXHIBIT A "ZONING ORDINANCE", SPECIFICALLY IN SECTION 16B "USE REGULATIONS" BY REVISING ***THE USE REGULATIONS IN A "C-3" COMMERCIAL ZONING DISTRICT PERMITTING PET CREMATIONS AS AN ACCEPTABLE USE.*** (ZONING CASE # 2010-PZ-01)

Council Member Holland moved, seconded by Council Member Butler, to deny the request to amend the Zoning Ordinance to allow pet cremations in C-3 Zoning Districts. All voted "Aye."

15. **PUBLIC HEARING:** IN ORDER TO RECEIVE TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE PROPOSED AMENDMENT TO COMPREHENSIVE ZONING ORDINANCE # 766-07, AS AMENDED, **TO CHANGE THE ZONING CLASSIFICATION OF** BLOCK 5, LOT 16BR1, ROCKWOOD TERRACE ADDITION, OTHERWISE KNOWN AS 1816 LONG AVE. FROM "R-2" SINGLE-FAMILY TO "C-3" COMMERCIAL ZONING DISTRICT IN ORDER TO OPERATE A PET CREMATION (ZONING CASE # 2010-PZ- 02)

CA Elam stated that Staff would be required to republish this agenda item based on action from agenda item number 14. The Mayor held the public hearing open until September 14, 2010 at 7:00 p.m. in order for the application to be considered by the Planning and Zoning Commission on August 30, 2010

16. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF **ORDINANCE # 854-2010** AMENDING THE RIVER OAKS CODE OF ORDINANCES UNDER CHAPTER

14, EXHIBIT A "ZONING ORDINANCE" THAT CHANGES THE ZONING CLASSIFICATION OF APPROXIMATELY 1.47 ACRES OF LAND DESCRIBED AS BEING BLOCK 5, LOT 16BR1, ROCKWOOD TERRACE ADDITION, OTHERWISE KNOWN AS 1816 LONG AVE. FROM "R-2" SINGLE-FAMILY TO "C-3" COMMERCIAL ZONING DISTRICT

No action was taken.

17. **PUBLIC HEARING:** IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE **REPLAT AND SITE PLAN PROPOSAL** OF 2 D PARTNERS TO AMEND THE PROPERTY PLAT OF A PORTION OF LOT 16 BR1 AND LOTS 17A AND 17B IN BLOCK 5 OF THE ROCKWOOD TERRACE ADDITION INTO A SINGLE PLATTED LOT FOR THE PURPOSE OF BUILDING A PET CREMATORY ON THE PROPERTY IN COMPLIANCE WITH SEC. 25 "SITE PLAN REQUIRED" OF THE CITY'S ZONING ORDINANCE (*ZONING CASE # 2010-PZ-03*)

At 8:41 p.m. Mayor Earwood opened the public hearing and announced that this public hearing would remain open and be continued at the regular meeting of the City Council on September 14, 2010 at 7:00 p.m.

18. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF THE PROPOSED **REPLAT AND SITE PLAN PROPOSAL** OF 2 D PARTNERS TO AMEND THE PROPERTY PLAT OF A PORTION OF LOT 16 BR1 AND LOTS 17A AND 17B IN BLOCK 5 OF THE ROCKWOOD TERRACE ADDITION INTO A SINGLE PLATTED LOT IN COMPLIANCE WITH SEC. 25 "SITE PLAN REQUIRED" OF THE CITY'S ZONING ORDINANCE (*ZONING CASE # 2010-PZ-03*).

No action was taken.

19. **PUBLIC HEARING:** FIRST PUBLIC HEARING ON TAX RATE PROPOSAL OF \$0.910000/\$100 OF PROPERTY VALUE (SECOND PUBLIC HEARING SCHEDULED FOR AUGUST 31, 2010 AT 7:00 P.M.)

At 8:44 p.m. Mayor Earwood opened the public hearing.

CS Gregory stated that the proposed tax rate was published at \$.910000, which at a 96% collection rate would produce total revenue of \$ 1,883,698. CS Gregory disclosed that Council Members are considering a tax rate of \$.86000 that would produce revenue of \$ 1,798,341.

Patsy Stark, 1808 Long, asked how the property values are determined. Mayor Earwood responded that Tarrant County Appraisal District determines the values.

Kathy Rodden, 1001 Keith Pumphrey, inquired about the collection rate. CS Gregory responded that the actual collection rate is approximately 90%. Ms. Rodden spoke in opposition of raising taxes while some property owners do not pay their taxes. CA Elam and Council Members explained that the City employs a firm with the expertise to collect delinquent property taxes. Citizen Nancy Crews added that the reason the property tax must be increased is due to a significant reduction in property values and is not due to unpaid taxes.

James Ashley, 802 Merritt, cited several "secrets" held by the City, such as painting the water towers, installation of fuel tanks, senior center improvements, fireworks, a fire truck, and signs. In addition, Mr. Ashley stated that although the City is required to have 3 months of expenses in reserves, the City actually has 9 to 12 months operating expenses in reserves. Mayor Earwood explained that the money used to fund the EDC projects can not be used for general operating expenses. Mr. Ashley spoke in opposition of raising the tax rate.

Leo Vargas, 1804 Long, thanked City Council Members for doing a great job.

Mayor Earwood explained that although the tax rate would increase, the City would actually be operating with less money this fiscal year due to the decreases in property value.

Council Member Holland expressed appreciation for citizen input.

At 9:31 p.m. Mayor Earwood closed the public hearing.

No action was taken.

STAFF REPORTS:

20. STAFF REPORT ON SUBSTANDARD PROPERTIES AT:

- 4833 OHIO GARDEN RD. – Building Inspector (BI) Sanders reported a "habitable space" inspection and an insulation inspection with continued progress on the interior of the main structure.
- 1129 ST. EDWARDS – BI Sanders reported no change.
- 1728 HILLSIDE – BI Sanders reported that a foundation permit has been obtained but no inspections had been performed.
- 1201 OXFORD – BI Sanders reported that the City would demolish this property after the utilities are verified disconnected.
- 1467 WESTWICK – BI Sanders reported that a structure fire had occurred that resulted in a total loss. Inspector Sanders stated that the owner intends to rebuild on the same lot.

21. REPORT ON SUBSTANDARD PROPERTIES UNDER ORDER OF BUILDING OFFICIAL:

- 5501 BLACK OAK LANE – BI Sanders reported no change and no recent inspections.

22. PROPERTIES UNDER INTENT TO SUBSTANDARD:

- 1229 CHURCHILL – BI Sanders reported no change.

QUESTIONS RELATED TO STAFF REPORTS INCLUDING:

23. **POLICE DEPARTMENT MONTHLY ACTIVITY REPORT** INCLUDING PATROL ACTIVITY, RESPONSE CALLS, NUMBER OF CRIMINAL INVESTIGATION CASES, WARRANTS ISSUED AND ANIMAL CONTROL CALLS FOR SERVICE INCLUDING CITATIONS ISSUED

No discussion or action.

24. **FIRE DEPARTMENT MONTHLY ACTIVITY REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE

No discussion or action.

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

No discussion or action.

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

No discussion or action.

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

No discussion or action.

28. **PUBLIC WORKS MONTHLY 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 or action.

29. **PARK BOARD MONTHLY ACTIVITY REPORTS** INCLUDING BALLFIELD RENTALS AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD

No discussion or action.

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

No discussion or action.

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

No discussion or action.

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

EDC President Gordon gave an update on potential applicants for the Business Improvement Grant. Tri-Oaks has recently been purchased and an application has been submitted. Keith Steele, the new candle shop, Dr. Cate, and Fort Worth Automotive have expressed interest in the program.

Mayor Earwood noted that TX Dot has approved the median project and the project has begun.

FC Crews stated that Palmer's Upholstery has moved with Shark Performance Art on Red Oak Lane.

FC Crews listed Fort Worth Auto Supply, Rivas, River Oaks Flooring, Angel's Super Save, and Keith Corley as BIG program recipients.

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

No discussion or action.

PUBLIC FORUM:

34. 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**

FC Crews noted that Bill Throne had passed away. Mr. Throne served 27 years as a volunteer firefighter for the City. Three of Mr. Throne's sons also served as firefighters for the City including Dean Throne who served 10 years as Fire Chief. Visitation will be

at Greenwood on Thursday from 6-8 with a graveside service at Greenwood on Friday at 9:30 a.m.

WORKSHOPS:

At 9:42 p.m. Mayor Earwood announced a brief recess.

At 9:58 Mayor Earwood reconvened into regular session.

35. BUDGET WORKSHOP # 3 WITH THE CITY COUNCIL OVER THE 2010 -2011 FISCAL YEAR GENERAL OPERATING BUDGET

CS Gregory reviewed the updated "Adjusted" budget, which included the changes that had been requested during the previous budget workshop.

CS Gregory stated that the salary increases had been reduced to 2% as requested. CS Gregory stated that the proposed budget includes a tax rate of \$.860000 at a 96% collection rate.

Council Member Crews asked CS Gregory the anticipated rebate amount for the Oncor rebate as part of the SECO Grant. CS Gregory replied that the rebate should be approximately \$21,600.

Council Member Holland inquired as to why EDC sales tax and Crime sales tax is proposed at \$150,000 each but the general fund projected amount is only \$290,000. CS Gregory stated that the General Fund sales tax should be \$300,000 thereby reducing the total deficit to \$61,919.

Council Member Crews mentioned library grants and donations. CS Gregory responded that the auditor prefers those items be reflected as gifts. CS Gregory explained that the dollar donation funds are not budgeted, but when the amounts are known following council approval by Ordinance, the budget is amended to incorporate those expenditures and they are adjusted by the auditor.

Council Member Crews requested a comparison of Community Center revenue versus expenditures.

A lengthy discussion occurred related to the advantages and disadvantages of continuing with Tarrant County Fire Alarm for fire dispatch services.

FC Crews requested the continuation of fire dispatch services with Tarrant County Fire Alarm, which provides a dedicated professional fire dispatcher for each incident and a remote command center if necessary.

Council Member Butler expressed concern that the city has recently been criticized for a delay in response times. Council Member Butler also expressed concern as to why other local fire departments do not participate in the program.

Mayor Earwood stressed his desire to be notified with a phone call of all structure fires or major occurrences.

Mayor Earwood stated that he supports the recommendation of the department heads.

Mayor Pro Tem Gordon also expressed concern regarding response times and the additional burden on the budget if fire dispatch with Tarrant County Fire Alarm is continued. Mayor Pro Tem Gordon also supported the recommendation of FC Crews.

Council Member Holland summarized his concerns with continuing with Tarrant County Fire Alarm. A small city could and has in the past taken care of this service with self-sufficiency. Difficult economic times have created a stressed budget without the added expense of \$100,000 for fire dispatch services over a four-year period. Council Member Holland stated his preference to handle this service in house (using police dispatchers) if a "sound, credible job" is possible.

FC Crews stated that the Fire Department had made many budget cuts in order to operate with less revenue than previous year's budgets so that the fire dispatch service could be continued.

PC Chisholm stated that in his opinion, the police dispatchers handled fire dispatch as adequately as Tarrant County Fire Alarm, however, he also supports FC Crews to decide the best dispatch method for his department.

Council Member Crews stated that \$22,500 is a small cost for the benefits received such as notification of other fire departments automatically.

36. ACTION IF ANY FROM BUDGET WORKSHOP

None.

EXECUTIVE SESSION:

37. 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 called for.

RECONVENE:

38. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

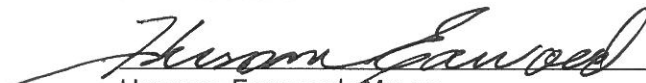
None.

ADJOURN:

39. ADJOURN

At 11:45 p.m. Council Member Holland moved, seconded by Council Member Crews, to adjourn the meeting. All voted "Aye."

APPROVED:


Herman Earwood, Mayor

ATTEST:


Marvin Gregory, City Secretary