

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
NOVEMBER 24, 2009**

MEMBERS PRESENT:

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

STAFF PRESENT:

POLICE CHIEF DAN CHISHOLM
OFFICE MANAGER PAULA BAGWELL
CODE ENFORCEMENT OFFICER APRIL OLMO
BUILDING INSPECTOR STEVE SANDERS
SECRETARY SUSAN STEWART
CITY ATTORNEY BETSY ELAM

STAFF ABSENT:

CITY SECRETARY MARVIN GREGORY (MEDICAL)

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 24, 2009 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

Mayor Pro Tem Crews delivered the Invocation.

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

Council Member Holland 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 NOVEMBER 10, 2009
- B. MINUTES OF SPECIAL COUNCIL MEETING NOVEMBER 12, 2009
- C. BILLS PAYABLE FOR PERIOD ENDING NOVEMBER 24, 2009
- D. APPROVAL TO PURCHASE TICKETS FOR THE TRI CITIES CHAMBER CHRISTMAS BANQUET
- E. RESIGNATION OF DAN GADDIS AS ALTERNATE MEMBER ON THE PLANNING AND ZONING COMMISSION

Council Member Gordon made a correction to the City Council Minutes from November 10, 2009. Terry Cooley was incorrectly mentioned at the presenter of information. Tuesday Cooley made the presentation regarding the property at 604 Frontier.

Council Member Gordon moved, seconded by Mayor Pro Tem Crews, to approve Consent Agenda Items A, B, C, D and E, with the noted change to the City Council Minutes from November 10, 2009. 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 ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION: COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION.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. CONSIDER APPROVAL TO PARTICIPATE WITH THE UNITED WAY AS PRESENTED BY HEATH NIEMEYER, UNITED WAY DIRECTOR OF RESOURCE DEVELOPMENT

Heath Niemeyer, Director of Resource Development for United Way, was present to request participation from the City in the form of volunteers, advocacy through publications, and assistance in raising funds.

Mayor Pro Tem Crews volunteered as a liaison between the City and United Way.

Mayor Pro Tem Crews moved, seconded by Council Member Minter, to approve to participate with the United Way as presented by Heath Niemeyer. All voted "Aye."

8. CODE ENFORCEMENT OFFICER OLMO IN REFERENCE TO ALLEGED VIOLATIONS AT 604 FRONTIER

Code Enforcement Officer Olmo reported contact with the homeowner at 604 Frontier who was willing to clean up a few items on the property. Officer Olmo stated that although unsightly, there were no code violations on the property.

No action was taken.

9. CONSIDER APPROVAL TO AMEND THE AUGUST 25, 2009 CONTRACT APPROVAL REGARDING THE BUSINESS IMPROVEMENT GRANT APPLICATION REQUEST OF NORTH TEXAS SUPER SAVE LP AT 5116 RIVER OAKS BLVD. BY WILLIAM F. KIKER

EDC President Gordon reported the EDC has recommended to the City Council to amend the BIG contract with Super Save. The original quote for \$10,000 is no longer a valid quote and a new contractor has bid \$16,500 equating to a City contribution of \$8,150.

Council Member Gordon moved, seconded by Council Member Butler, to approve to amend the August 25, 2009 contract regarding the Business Improvement Grant application request of North Texas Super Save at 5116 River Oaks Blvd. All voted "Aye."

10. CONSIDER APPROVAL OF FY 2010 MUTUAL AID AGREEMENT WITH TARRANT COUNTY EMERGENCY SERVICES DISTRICT

Council Member Gordon moved, seconded by Council Member Holland, to approve the Fiscal Year 2010 Mutual Aid Agreement with Tarrant County Emergency Services District. All voted "Aye."

11. DISCUSSION AND/OR ACTION ON PLANS FOR SCHEDULING CITY COUNCIL MEETINGS AS A RESULT OF THE RECENT CHARTER ELECTION

Mayor Earwood suggested that the City continue to hold two meetings per month with the exception of December in order to have a regular schedule.

CA Elam recommended that the City adopt an ordinance that would designate two regular meetings per month with the option to cancel one and still comply with the City Charter.

Mayor Pro Tem Crews requested this agenda item be tabled and re-presented with an ordinance as described by CA Elam.

No action was taken.

STAFF REPORTS:

12. **STAFF REPORT ON SUBSTANDARD PROPERTIES AT:**

- 4833 OHIO GARDEN RD – Inspector Sanders reported an active permit for the rear building that expires in 6 months.
- 1129 ST. EDWARDS – Inspector Sanders reported no change.
- 1728 HILLSIDE – Inspector Sanders reported that Staff has notified the foreclosing bank of the existing Council Order. This property should be presented to the City Council in January if compliance is not met.
- 5406 DARTMOUTH – Inspector Sanders reported that as of last week the accessory building has not been removed. This property should come before the City Council in January if compliance is not met.
- 5060 RIVER OAKS BLVD. – Inspector Sanders reported that the tanks, canopies, and all but one sign have been removed. The soil test has been received and is satisfactory.

13. **SUBSTANDARD PROPERTIES UNDER VOLUNTARY COMPLIANCE AT:**

- 1412 LAWRENCE – Inspector Sanders reported that a local contractor has purchased this property and intends to obtain permits to bring the property into compliance.

14. **REPORT ON PROPERTIES UNDER SUBSTANDARD CONSIDERATION AT:**

- 724 THERSA – Inspector Sanders reported no change and this property should be presented to the City Council in January.
- 4804 ARC – Inspector Sanders reported this property is in compliance with the exception of an accessory building.

QUESTIONS RELATED TO STAFF REPORTS INCLUDING:

15. **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

PC Chisholm described the 1st Annual Law Enforcement Chili Cook-off in which 12 participants competed for 1st place. River Oaks Police Department was awarded the best booth award.

PC Chisholm encouraged attendees to observe a whole body vibration machine that the Police Department has recently acquired.

PC Chisholm reported that the Police Department is the recipient of \$175,000 in grant money that will be used to install computers and camera systems in the police cars and a new police radio console.

Council Member Gordon promoted participation in the Toy Patrol sponsored by the River Oaks Police Department. Super Save has a convenient system that allows for donations.

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

No discussion or action.

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

No discussion or action.

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

No discussion or action.

19. **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.

20. **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.

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

No discussion or action.

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

No discussion or action.

23. **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.

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

No discussion or action.

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

No discussion or action.

PUBLIC FORUM:

26. 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**

Council Member Butler commented on how successful the Community Luncheon was due to the number of city employees who attended at the Mayor's recommendation. Mayor Earwood stated the City Hall was closed for one hour to allow the employees to attend the luncheon. Council Member Butler suggested that City Hall be closed every month for the Community Luncheon to allow the employees to continue to participate.

Mayor Pro Tem Crews expressed gratitude for the many people who supported him and his family during the recent passing of his father.

EXECUTIVE SESSION:

27. 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:

28. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

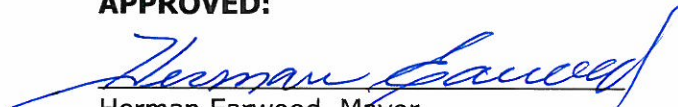
None.

ADJOURN:

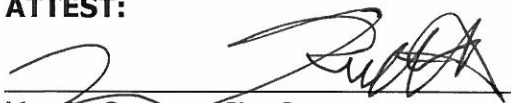
29. ADJOURN

At 7:51 p.m. Mayor Pro Tem Crews moved, seconded by Council Member Minter, to adjourn the meeting. All voted "Aye."

APPROVED:


Herman Earwood, Mayor

ATTEST:


Marvin Gregory, City Secretary