

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
OCTOBER 08, 2013**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
COUNCIL MEMBER JOE CREWS
COUNCIL MEMBER JOANN BUTLER
COUNCIL MEMBER JOE ASHTON
COUNCIL MEMBER STEVE HOLLAND @ 7:07 PM

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
POLICE CHIEF AVIN CARTER
PUBLIC WORKS DIRECTOR JAMES HATLEY
EMERGENCY MGMT COORD JAMES MYRICK
FIRE CHIEF CHRIS HAWKINS
CODE COMPLIANCE JOHN PAUL JONES
CC DIRECTOR SHIRLEY BLOOMFIELD
CC DIRECTOR SHIRLEY WHEAT
RECORDING SECRETARY CELINA MORENO

MEMBERS ABSENT:

MAYOR PRO TEM JOANN GORDON-PERSONAL

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 08, 2013, at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

PWD James Hatley delivered the Invocation.

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

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

4. READING OF PROCLAMATION(S) BY MAYOR PRO TEM:

Mayor Pro Tem Gordon read Proclamation for 30th Annual National Night Out, October 1, 2013.

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 REGULAR COUNCIL MEETING SEPTEMBER 24, 2013
- B. BILLS PAYABLE FOR PERIOD ENDING SEPTEMBER 30, 2013 (FY 2013)
- C. BILLS PAYABLE FOR PERIOD OCTOBER 1 TO OCTOBER 8, 2013 (FY 1014)
- D. APPROV ANNUAL MEMBERSHIP RENEWAL IN E.R.C.O.T.

CM Crews pointed out that most of the checks were unreadable.
CS Gregory stated he is requesting information on a new printer.

CM Crews moved, seconded by CM Ashton to approve consent agenda items A, B, C and D. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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 **RESOLUTION #780-2013** FOR SPECIAL EVENT PERMITTING IN ORDER FOR RIVER OAKS CHRISTIAN CHURCH AT 5613 MEANDERING TO SERVE FOOD FOR THE NEIGHBORHOOD TWICE ANNUALLY.

Ida Doraiswamy stated she is requesting a permit to serve food for the homeless in the neighborhood.

CM Crews asked if it would be an indoor or outdoor event.
She stated they plan to take it an outdoor event if weather permits but they are prepared to move the event indoor if needed.

CS Gregory suggested including the Fall Festival they plan on having in November in Resolution # 780-2013 and he stated that the Resolution included that the applicant contact Police Chief 30 days in advance before event.

Mayor Earwood stated the Fall Festival since it was not posted would have to be considered later.

CM Crews moved, seconded by CM Butler to approve Resolution #780-2013. All voted "Aye"

8. CONSIDRE APPROVAL OF **RESOLUTION # 781-2013** FOR SPECIAL EVENT PERMITTING IN ORDER FOR ARELLANO'S EMBROIDERY TO HOLD A FUNDRAISER AT 5153 RIVER OAKS BLVD.

No discussion due to lack of information and no representative present.

No action taken.

9. CONSIDER APPROVAL FOR A.V. CATO ELEMENTARY TO BLOCK BARBARA ROAD BETWEEN ISABEL AND CHURCHILL FOR ITS ANNUAL BOOK PARADE.

Richard Remis represented the request on behalf of AV Cato Elementary to block Barbara Rd between Isabel and Churchill from 8:15 -9:15am in order for them to hold a book parade on October 31, 2013.

Police Chief Carter stated he will work with the school for this event.

CM Butler moved, seconded by CM Ashton to approve to block Barbara Road between Isabel and Churchill adding that the school will work with the Police Chief. All voted "Aye"

10. DISCUSSION AND/OR ACTION ON AMENDING ORDINANCE NO. 1004-2013 THAT AMENDED ARTICLE 13.02 "UTILITY POLICY" DIVISION 4 "SANITATION COLLECTION POLICY" OF THE RIVER OAKS CODE OF ORDINANCES INCORPORATING SECTION 13.02.113" (8) "CURB-SIDE RECYCLING".

CS Gregory stated that it had been recommended that residents be able to purchase recyclable blue bags at any store where they are sold but the resident must still sign up at the City Hall. He also stated that a bigger bag would be more convenient.

Mayor Earwood stated how recycling would cost the city less money due to less trash loads.

PWD Hatley stated that a town hall meeting will be held at the Community Center Oct 15 at 7pm and everyone is invited.

CS Gregory stated it would be cleaner to repeal Ordinance # 1004-2013 and adopt another ordinance that included the changes. He will bring it back at the next meeting for council consideration.

No action taken.

11. CONSIDER APPROVAL OF RECOMMENDATION FOR PARKS BOARD REGARDING THE REPAIRS TO HERITAGE PARK AS PRESENTED BY CHAIRMAN MAKARWICH.

PWD Hatley presented the estimate from Ingean Construction, Inc to repair Heritage Park for \$2,513.50.

CM Crews asked if by "repairing" they meant replacing the wood with new wood. Mayor Earwood stated that he would like to see a more detailed explanation of the scope of work that will be included in that estimate.

No action taken.

12. CONSIDER APPROVAL OF UPCOMING COMMUNITY CENTER EVENTS:

i. HALLOWEEN HAUNTED HOUSE

- ii. ACTION ON REQUEST BY COMMUNITY CENTER FOR TALLY ENTERPRISES TO PROVIDE CARNIVAL RIDE FOR UPCOMING CITY EVENTS
- iii. DISCUSSION AND/OR ACTION ON PLANS FOR CITY CHRISTMAS PARADE

CC Directors Shirley Wheat and Shirley Bloomfield explained that the Haunted House is already taking place but this year to make it different they are expanding it a little more and temporarily blocking the access lane behind the center.

Fire Chief Hawkins was asked if that would be violating maintaining a fire lane and he stated that as long as it is a movable object it's not in violation, a violation would be if something is permanently parked.

CS Gregory asked if they were still doing the hay rides because he included it in the resolution. CC Directors Shirley Wheat and Shirley Bloomfield explained that they decided the hay rides were too dangerous but would like to get approval for Carnival Rides from an outside vendor to bring in about four rides possibly for the Christmas Parade and Winter Festival. They explained that Carnival Rides would be a lot of work for just a day and would like approval for it to stay up for three or four days.

Mayor Earwood stated that Carnival Rides would be a great activity for Spring Break.

CC Directors explained that so far they have ten registered for the Christmas Parade.

Mayor Earwood asked how long TXDot requires in advance for permitting to block the highway. Police Chief Carter stated it takes about a week.

It was stated that the parade for this year would be go on as planned.

No further action was taken.

13. CONSIDER CITY COUNCIL APPROVAL OF MAYOR'S RECOMMENDATION TO APPOINT JAMES MYRICK AS CHAIRMAN OF THE PLANNING AND ZONING COMMISSION.

No discussion occurred.

CM Crews moved, seconded by CM Ashton to approve to appoint James Myrick as Chairman of the Planning and Zoning Commission. All voted "Aye"

14. CONSIDER SCHEDULING WORKSHOPS FOR CITY BUDGET PLANNING FOR FY 2015.

CM Crews stated he'd like to set a Budget Meeting before 2013 was over. CS Gregory stated that as of Nov 24th he'd be out for wife's surgery. A tentative date is set for November 23rd at 8:00 am.

No further action was taken.

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

15. CONSIDER APPROVAL OF RESOLUTION 782-2013 FOR SPECIAL EVENT PERMITTING PURSUANT TO SECTION 19E "OUTSIDE SPECIAL EVENTS PERMITTING" OF THE CITY'S COMPREHENSIVE ZONING ORDINANCE AUTHORIZING THE ANNUAL HAUNTED HOUSE AS AN OUTDOOR SPECIAL EVENT TO BE PERMITTED AT THE COMMUNITY CENTER LOCATED AT 5300 BLACKSTONE.

Resolution No. 782-2013 was bypassed since the Haunted House is an indoor event and there would be no outside activities.

No action taken.

16. DISCUSSION AND/OR ACTION ON JANITORIAL CLEANING SERVICE WITH NIGHT LINE JANITORIAL.

CS Gregory stated that he did compare services of all 3 cleaning services and for the most part they were all basically the same, with a few differences.

He informed that a security clearance for the two that will be doing the janitorial service at the city hall is complete and there were no bad references. He stated everything is ready to have them start on October 15th.

No action taken.

PUBLIC FORUM:

17. 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:

18. 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: Advice from City Attorney regarding possible litigation on substandard properties at 1205 Churchill, 1409 Lawrence and 4525 Almena Rd.
- 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, evacuation, 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

[At 7:53 p.m. Mayor Earwood convened into executive session under Code c.]

RECONVENE:

[At 8:00 p.m. Mayor Earwood reconvened into regular session]

19. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

None.

ADJOURN:

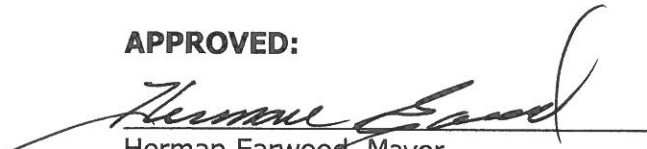
20. ADJOURN

Nancy Crews announced Red Ribbon week Oct 28 –November 1 and invited the community to attend CISD school program on the 28th. Each class will release red balloons.

Fire Chief Hawkins reported that on Thursday a house on Yale caught fire and a resident slipped and fell in the kitchen floor. Two River Oaks police officers were able to bring the woman out of the house safe. He reported that 80% of the house was lost.

At 8:08 p.m. CM Crews moved, seconded by CM Ashton to adjourn the meeting. All voted "Aye"

APPROVED:


Herman Earwood, Mayor

ATTEST:


Marvin Gregory, City Secretary