

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
SEPTEMBER 27, 2016**

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
BUILDING INSPECTOR STEVE SANDERS
EMC COORDINATOR JAMES MYRICK
COMMUNITY CENTER DIRECTOR SHIRLEY WHEAT
PUBLIC WORKS SUPERINTENDENT FABIAN NEATHERY
COMMUNITY CENTER DIRECTOR SHIRLEY BLOOMFIELD
EDC COORDINATOR PATRICIA WARD
CITY ATTORNEY BETSY ELAM
RECORDING SECRETARY SUSAN STEWART

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, September 27, 2016 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:

- RIVER OAKS COMMUNITY NIGHT OUT

Mayor Earwood read a proclamation declaring October 4, 2016 as River Oaks Night Out.

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 SEPTEMBER 6, 2016 SPECIAL COUNCIL MEETING
- B. APPROVE BILLS PAYABLE FOR PERIOD ENDING SEPTEMBER 27, 2016 (FY 2016)
- C. CONSIDER APPROVAL OF PUBLIC WORKS DIRECTOR EMPLOYMENT CONTRACT WITH GORDON SMITH.

Mayor Earwood removed consent agenda item C for discussion in executive session.

CM Gordon moved, seconded by CM Butler, to approve consent agenda items A and B. All voted "Aye."

6. DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.

No discussion occurred and no action was taken on consent agenda item C.

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

8. STATEMENT OF APPOINTED OFFICIAL AND OATH OF OFFICE FOR MS. CECILIA A. THOMAS AS AN ASSOCIATE JUDGE FOR THE RIVER OAKS MUNICIPAL COURT

Municipal Judge Andrew Vogel recommended "Cecil" Thomas as an associate municipal court judge.

Mayor Pro Tem Ashton moved, seconded by CM Gordon, to approve Ordinance #1125-2016 appointing Ms. Cecilia A. Thomas as Associate Judge for the River Oaks Municipal Court. All voted "Aye."

Judge Andrew Vogel administered the Statement of Appointed Official and the Oath of Office to Ms. Thomas.

7. CONSIDER APPROVAL OF REPORT ON DELINQUENT TAX COLLECTIONS BY LINEBARGER, GOGGAN, BLAIR & SAMPSON LLP.

Corey Fickes, representative for Linebarger, Goggan, Blair, & Sampson LLP., presented the delinquent tax reports. Mr. Fickes explained that since beginning as the City's tax collection firm in January, they have filed suit on 17 accounts and collected approximately \$18,000. Mr. Fickes described the "turnover analysis" which is a report of the accounts turned over to the firm on July 1 from the 2015 delinquent accounts. Mr. Fickes stated that approximately \$24,513 was secured from City liens. Mr. Fickes explained that the term "clean" means that there isn't a status which prohibits doing something to the account.

CM Holland moved, seconded by CM Scott, to approve the delinquent tax collections report. All voted "Aye."

8. STATEMENT OF APPOINTED OFFICIAL AND OATH OF OFFICE FOR MS. CECILIA A. THOMAS AS AN ASSOCIATE JUDGE FOR THE RIVER OAKS MUNICIPAL COURT

This agenda item was performed prior agenda item 7.

9. DISCUSSION AND/OR ACTION ON PROGRESS REPORT REGARDING SUBSTANDARD PROPERTY AT 901 CHURCHILL

BI Sanders reported no contact and no progress since the last progress check two weeks ago. Staff recommended carrying out the demolition order after October 26, 2016. BI Sanders will obtain an administrative search warrant to verify the condition of the property, disconnect the

utilities and clear the property. CA Elam requested that staff issue a 10-day notice of intent to demolish.

No action was taken.

10. DISCUSSION AND/OR ACTION ON SUBSTANDARD BUILDING LOCATED AT 5116 RIVER OAKS BLVD

BI Sanders reported contact with the potential new tenant, a church, who intends to resurface the parking lot and both roads, install walls to create rooms, and bring the restroom into ADA compliance. Sanders responded to an inquiry stating that the tenant has a signed contract.

No action was taken.

11. APPROVAL OF REQUEST FROM FORT WORTH HARVEST CHURCH REPRESENTED BY PASTOR BARNEY RAMIREZ FOR EXTENDED USE OF THE COMMUNITY CENTER IN ORDER TO HOLD SERVICES WHILE THEIR CHURCH AIR CONDITIONING IS BEING REPAIRED

Barney Ramirez, Pastor of Harvest Church, requested extended use of the Community Center to hold a church service on Sundays from 10 a.m. until 1:00 p.m. while they search for a permanent place. CCD Wheat quoted the cost paid by the church at \$360 weekly. CM Holland expressed concern and requested the church not advertise the Community Center address as their permanent address. It was suggested that a time limit be implemented. Mr. Ramirez indicated that six months should be sufficient.

Mayor Pro Tem Ashton moved, seconded by CM Gordon, to approve the request of the Fort Worth Harvest Church for extended use of the Community Center on Sundays for six months as they make arrangements with the Community Center staff to hold services there while they figure out a permanent solution. All voted "Aye."

12. DISCUSSION AND/OR ACTION ON UPCOMING COMMUNITY CENTER EVENTS AS FOLLOWS:

Community Center Co-Directors presented the following:

- TRADE DAY AKA CRAFT FAIR ON OCTOBER 22ND THROUGH 23RD AND ON NOVEMBER 19TH THROUGH 20TH - A list of exceptions was cited. The fee will be \$25.
- HAUNTED HOUSE ON OCTOBER 28TH, 29TH AND 31ST – There will be a small haunted house inside the building.
- WINTER FESTIVAL, SANTA CLAUS AND CHRISTMAS TREE LIGHTING IN DECEMBER – It was suggested that the money allocated for the rides for the All American Celebration be devoted to a winter festival.

Mayor Pro Tem Ashton moved, seconded by CM Gordon, to approve the trade day, the haunted house and the winter festival as requested by the Co-Directors.

CS Gregory will present a resolution for the outside special event.

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

13. PUBLIC HEARING CONTINUED: IN ORDER TO RECEIVE CITIZEN COMMENTS ON SUBSTANDARD BUILDING ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT 606 WORTHVIEW DR.

This public hearing was continued from the September 6, 2016 meeting.

BI Sanders requested that the public hearing remain open due to foreclosure of the property. CA Elam stated that she has not received a return message from the attorney and suggested staff obtain an administrative search warrant to take pictures and proceed with action.

Mayor Earwood announced that this public hearing would remain open and be continued on October 11, 2016 at 7:00 p.m.

14. 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

None.

15. PUBLIC HEARING CONTINUED: IN ORDER TO RECEIVE CITIZEN COMMENTS ON SUBSTANDARD BUILDING ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT **603 HARRISDALE AVE.**

This public hearing was continued from the September 6, 2016 meeting.

BI Sanders recommended taking action to proceed with enforcement. Sanders showed dated photos and stated that he was in the structure two weeks ago. Sanders cited plumbing, electrical and mechanical violations. Sanders reported that the property is not feasible of repair.

At 7:52 p.m. the public hearing was closed.

16. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT **603 HARRISDALE AVE.** 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

CM Scott made the following motion, "That the City Council find that the building located at 603 Harrisdale Lane be and 1) based on the evidence presented at this hearing is substandard; and 2) that the conditions set forth in this 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 3) that the building(s) is/are not feasible of repair; and therefore order that the building to be repaired by the order within 30 days and the lienholder or mortgagee to within an additional 30-days if the owner does not comply and 1) 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 if the building is not repaired within that time there is no feasible probability that the building will be repaired within a reasonable period of time if time is given and 2) order that the substandard fee of \$150 be paid upon permit issuance; and 3) that the certificate of occupancy will not be finalized until all the fees are paid in full." Motion seconded by CM Gordon.

Discussion occurred related to the feasibility of infeasibility of repair, the ability to issue or not issue permits and the order to pay fees and repair the structure. CS Gregory cited the ordinance that requiring more than 66% of the structure not be load bearing in order to be infeasible of repair.

CM Scott withdrew the motion.

CM Scott made the following motion, "I move that the City Council find that the building located at 603 Harrisdale 1) based on the evidence presented at this hearing is substandard; and 2) that the conditions set forth in this 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 3) that the building(s) is infeasible of repair; and therefore order 1) the owner to demolish or remove the building and all debris within 30 days and the lienholder or mortgagee to within an additional 30-days if the owner does not comply and 2) if the owner fails to demolish or removed the building within 30 days and the lienholder or mortgagee to within an additional 30-days if the property owner does not comply the City shall demolish the building at its expense and place a lien on the property to recover its cost. Motion seconded by CM Gordon. All voted "Aye."

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

17. CONSIDER APPROVAL OF **RESOLUTION # 872-2016** FOR SPECIAL EVENT PERMITTING ONE FAITH CHURCH AT 1200 ROBERTS CUT OFF RD. TO HOLD A FALL FESTIVAL ON OCTOBER 31ST

Pastor Andy Salazar, One Faith Church, requested to hold their annual fall festival.

CM Gordon moved, seconded by CM Butler, to approve Resolution #872-2016. All voted "Aye."

18. CONSIDER APPROVAL OF **RESOLUTION # 861-2016** FOR SPECIAL EVENT PERMITTING FOR O'REILLY'S AUTO PARTS AT 1220 LONG TO HOLD A CUSTOMER APPRECIATION DAY ON OCTOBER 14, 2016

A representative was not present.

Mayor Earwood spoke in support of the annual event.

CM Gordon moved, seconded by Mayor Pro Tem Ashton, to approve Resolution #861-2016. All voted "Aye."

19. CONSIDER APPROVAL OF **ORDINANCE # 1122-2016** AMENDING ARTICLE 13.03 "WATER SYSTEM", SECTION 13.03.011 "WATER RATES" OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED; ADOPTING AND RATIFYING FEES FOR WATER RATES INSIDE AND OUTSIDE THE CITY LIMITS

CS Gregory presented an increase of approximately 5.1% to the water rates. CS Gregory projected the revenue would increase from \$1,099,421 to \$1,155,881.76.

CM Butler moved, seconded by CM Scott, to approve Ordinance #1122-2016. All voted "Aye."

20. CONSIDER APPROVAL OF **ORDINANCE # 1123-2016** AMENDING CHAPTER 13 "UTILITIES" OF THE RIVER OAKS CODE OF ORDINANCES (2006); SECTION 13.12.012, "STORMWATER UTILITY FEE"; INCREASING MONTHLY STORMWATER UTILITY FEES FOR THE PURPOSE OF FUNDING THE STORMWATER UTILITY SYSTEM AS AUTHORIZED BY LAW

CS Gregory requested this agenda item be postponed until the requirement for three notices is satisfied.

No action was taken.

21. CONSIDER APPROVAL OF **ORDINANCE # 1124-2016** GRANTING TO ATMOS ENERGY ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO CONSTRUCT, MAINTAIN, AND OPERATE PIPELINES AND EQUIPMENT IN THE CITY OF RIVER OAKS, TARRANT COUNTY TEXAS, FOR THE TRANSPORTATION, DELIVERY, SALE, AND DISTRIBUTION OF GAS IN, OUT OF, AND THROUGH SAID CITY; PROVIDING FOR THE PAYMENT OF A FEE OR CHARGE FOR THE USE OF THE PUBLIC RIGHTS-OF-WAY; AND PROVIDING THAT SUCH FEE SHALL BE IN LIEU OF CERTAIN OTHER FEES AND CHARGES

Marilyn Ackman, Atmos Energy Public Affairs Manager, presented the franchise agreement. CA Elam summarized some of the negotiated points and recommended approval. It was stated that the franchise fee is increasing from 4% to 5%.

Mayor Pro Tem Ashton moved, seconded by CM Gordon, to approve Ordinance #1124-2016. All voted "Aye."

22. CONSIDER APPROVAL OF **RESOLUTION # 874-2016** INCREASING RESIDENTIAL SANITATION SERVICE FEES WITHIN THE CITY AND PROVIDING AN EFFECTIVE DATE

CS Gregory recommended increasing the residential sanitation rate from \$19.46 to \$22.00 plus tax.

CM Butler moved, seconded by CM Gordon, to approve Resolution #874-2016. All voted "Aye."

OTHER DISCUSSION ITEMS THAT MAY REQUIRE COUNCIL ACTION:

23. DISCUSSION AND/OR ACTION ON POSSIBLE BUILDING IMPROVEMENTS FOR THE PUBLIC WORKS DEPARTMENT

Mayor Earwood stated that the gates between the Library and City Hall have been moved for security reasons. Mayor Earwood presented a plan to create an office for the Public Works Director and a plans room in the large meeting room in the Library. Staff will bring an ordinance to amend the budget to the Council at the next meeting.

CM Holland moved, seconded by Mayor Pro Tem Ashton, to allow up to \$10,000 to make modifications to the library to accommodate Public Works Director. All voted "Aye."

STAFF REPORTS:

24. STAFF REPORT ON SUBSTANDARD PROPERTIES

BI Sanders gave a report on some of the following properties:

Sanders reported that 604 Frontier has been removed from substandard with an approved certificate of occupancy.

- 5008 SHERWOOD – Vacant property. No change. No contact. The permits have been finalized. Waiting on a final certificate of occupancy.
- 603 HARRISDALE
- 4900 ALMENA RD. – CA Elam stated that an ad litem attorney has been appointed. Some interest has been expressed to purchase the property. An order will be issued.
- 4829 KESSLER – New owner closed on the property and demolition was halted. The attorney fees and lien payments have been received. CA Elam stated that a letter of credit has been issued and if the work is not complete the City can finish the work or demolish the structure.
- 5905 BLACK OAK – District court issued a 60 day demolition order. No progress. CA Elam reported that there is a signed agreement with the owner to pay the attorney fees.

- 5909 BLACK OAK – refer to 5905 Black Oak.
- 1202 BANKS
- 619 HARRISDALE
- 5411 PURDUE – Council allowed 180 days to get a permit to rebuild or remove the accessory building.
- 606 WORTHVIEW
- 901 CHURCHILL –
- 5116 RIVER OAKS BLVD
- 5511 AMHERST –
- 5513 AMHERST
- 1123 YALE
- 1505 GREENBRIER –
- 334 FRONTIER – Active permits with continual progress.
- 5600 TAYLOR – Active permits with 30 day progress checks.

No action was taken.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

PC Carter gave a reminder of River Oaks Night Out next Tuesday.

PC Carter shared that "Inside River Oaks" compared him to the chief of Mayberry. Carter gave assurance that he does not think River Oaks is Mayberry. Carter stated the job of the department is to keep the citizens from being exposed to what the department is exposed to.

A few stories were shared from past experiences.

No action was taken.

26. FIRE DEPT. REPORT INCLUDING NUMBER OF CALLS FOR SERVICE

No discussion occurred.

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

No discussion occurred.

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

No discussion occurred.

29. **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.

30. **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.

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

No discussion occurred.

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

No discussion occurred.

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

No discussion occurred.

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

No discussion occurred.

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

No discussion occurred.

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

No discussion occurred.

[Agenda items 37 and 38 were presented after agenda items 39 and 40.]

EXECUTIVE SESSION:

39. 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. **Employment contract for Public Works Director**
- d. Section 551.076 Deliberation regarding security devices.

[At 8:41 p.m. Mayor Earwood convened into executive session under Section 551.071, 551.072, and 551.074 and 551.076.]

RECONVENE:

[At 9:08 p.m. Mayor Earwood reconvened into regular session.]

40. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

No action was taken.

PUBLIC FORUM:

37. 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**

James Myrick announced a national alert testing tomorrow at 1:20 p.m.

PC Carter told a story about bikes that are confiscated when riders are arrested and he became alarmed when he noticed a child sized car amongst the bikes.

David Vega described the collective responsibility of all elected and appointed officials to inform the citizens. Mr. Vega expressed his interest in the prosperity of the community and his concern for businesses interested in River Oaks. Mr. Vega acknowledged the police department for maintaining safe neighborhoods and the newly rebuilt school district which attracts families. Mr. Vega will make a request to address the Council or present a packet of information regarding keeping the public informed. Mr. Vega cited several situations including the issuance

of a citation / summons to his parents. Mr. Vega stated that transparency and the Public Information Act are citizen's right. CM Ashton stated that the Public Information Act guarantees that if a record exists and it is requested, other than a personnel file, that it be made available. Mr. Vega responded records should be given freely and without hindrance. Mr. Vega will refile his address to the Council. Mayor Earwood stated that the Council cannot address these concerns. CM Gordon stated that the citizen has the responsibility to get the information.

CM Butler told a story about a child she encountered at the school.

38. 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**

This was a duplicate item. No further presentations or discussion.

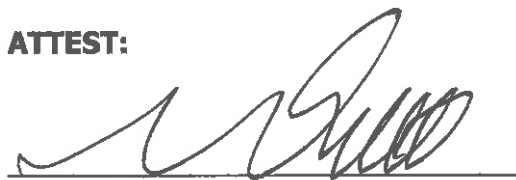
ADJOURN:

41. ADJOURN

At 9:23 p.m. CM Gordon moved, seconded by Mayor Pro Tem Ashton, to adjourn the meeting. All voted "Aye".

APPROVED:

ATTEST:



Marvin Gregory, City Secretary


Herman Earwood, Mayor