

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
NOVEMBER 12, 2013**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
MAYOR PRO TEM JOANN GORDON
COUNCIL MEMBER JOANN BUTLER
COUNCIL MEMBER STEVE HOLLAND
COUNCIL MEMBER JOE ASHTON

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
EMERGENCY MANAGEMENT COORDINATOR JAMES MYRICK
POLICE CHIEF AVIN CARTER
CODE COMPLIANCE OFFICER JOHN PAUL JONES
PUBLIC WORKS DIRECTOR JAMES HATLEY

MEMBERS PRESENT:

COUNCIL MEMBER JOE CREWS (OUT OF TOWN)

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 12, 2013 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 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. **COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION**

- A. MINUTES OF COUNCIL MEETING OCTOBER 22, 2013
- B. BILLS PAYABLE FOR PERIOD THRU NOVEMBER 12, 2013 (FY 2014)
- C. APPROVE RESIGNATION OF SGT. JUAN RIOS FROM THE POLICE DEPT
- D. APPROVE PROMOTING OFFICER STEVEN NANCE TO NIGHT SERGEANT
- E. APPROVE MUTUAL AID AGREEMENT WITH TARRANT COUNTY EMERGENCY SERVICES DISTRICT

10. CONSIDER APPROVAL OF CONTRACTING WITH TEJAS CONSTRUCTION FOR THE EMERGENCY WATER LINE REPLACEMENT PROJECT BEHIND THE 4800 BLOCKS OF RIVER OAKS BLVD. AND OHIO GARDEN RD.

CS Gregory described a deteriorated 2-inch main that is dead-end main and not looped into the system. CS Gregory requested to replace the main with a new main line from Ohio Garden down Arc to Long and relocate the services to the front of the properties at total cost for the project of \$153,000.

CM Butler moved, seconded by Mayor Pro Tem Gordon, to contract with Tejas Construction for the emergency water line replacement project behind the 4800 blocks of River Oak Boulevard and Ohio Garden Road.

CS Gregory verified that the contractor who performed the project on Meandering Road is not the contractor who will perform the project.

All voted "Aye."

11. DISCUSSION AND/OR ACTION ON THE POSSIBILITY OF HOLDING A SPECIAL ELECTION TO SELL SURPLUS PROPERTIES

The recommendation of the Park Board to sell park properties at Lydick and Black Oak and Schieffer Park was presented. CS Gregory stated that this could be on the same ballot as the general election in May 2014. CS Gregory advised the council that Schieffer Park was previously the location of a water booster station that has since been disconnected, however, if River Oaks in the future should go to Fort Worth water permanently it may become necessary to reactivate the booster station at that location. Council requested that this item be postponed if there is not a general election in May.

Mayor Pro Tem Gordon moved, seconded by CM Butler, to hold a special election to sell surplus properties. All voted "Aye."

12. CONSIDER APPROVAL TO AMEND THE SUBSTANDARD BUILDING ORDER OF SEPTEMBER 10, 2013 ON THE SUBSTANDARD PROPERTY AT 5016 WHITE OAK LANE

Code Officer Jones requested an additional 30 days for the owner to bring the property into compliance and pay all associated fees since significant progress has been made. Jones reported that three of the thirteen violations remain, all being associated with plumbing.

Tracy Sparks was present to verify that she could take care of the violations and pay the fees within the requested 30 days.

CM Ashton moved, seconded by Mayor Pro Tem Gordon, to amend the substandard building order of September 10, 2013 on the property at 5016 White Oak Lane allowing an additional 30 days. All voted "Aye."

13. CONSIDER APPROVAL OF LEASE AGREEMENT WITH KONICA MINOLTA FOR CITY COPY MACHINES

CS Gregory requested to lease 4 copiers for the Library, Police Department and Community Center and at the City Hall. CS Gregory presented that the 4th copier located at city hall would be equipped with a prism doc record server that will assist in complying with records retention. With the Fire Department copier being paid off and the budgeted amount to lease a copier for the library, the budget impact would be approximately \$900 for the fiscal year.

CM Holland moved, seconded by Mayor Pro Tem Gordon, to approve the staff request for a lease agreement for copy machines. All voted "Aye."

14. CONSIDER APPROVAL OF SCHEDULING FOR HOLIDAY EVENTS AND CLOSINGS

CS Gregory requested December 24, December 25, and January 1 off for the holidays with December 31 as a half work day. Mayor Earwood supported December 31 as a full day off. CM Holland pointed out the budget impact created by the additional holiday since some employees (police department) work. CM Holland gave a reminder that the extra day mentioned in the personnel policy was to be used when a holiday occurred near the weekend.

CM Butler moved, seconded by CM Ashton, to approve the scheduling for holiday events and closings as presented with the addition of closing on December 31, 2013.

15. CONSIDER APPROVAL FOR HOLIDAY UTILITY BILLING

No discussion occurred.

Mayor Pro Tem Gordon moved, seconded by CM Butler, to approve the holiday utility billing schedule. All voted "Aye."

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

16. CONSIDER APPROVAL OF **RESOLUTION 785-2013** FOR SPECIAL EVENT PERMITTING PURSUANT TO SECTION 19E "OUTSIDE SPECIAL EVENTS PERMITTING" OF THE CITY'S COMPREHENSIVE ZONING ORDINANCE AUTHORIZING THE ANNUAL WINTER FESTIVAL, FUN RUN AND CHRISTMAS PARADE AS AN OUTDOOR SPECIAL EVENT TO BE PERMITTED AT THE COMMUNITY CENTER LOCATED AT 5300 BLACKSTONE

No discussion occurred.

Mayor Pro Tem Gordon moved, seconded by CM Ashton, to approve Resolution #785-2013. All voted "Aye."

17. CONSIDER APPROVAL OF **ORDINANCE # 1010-2013** AMENDING ARTICLE 5.08 "FIREWORKS" PURSUANT TO HOUSE BILL 1813

Mayor Earwood stated that this agenda item would be postponed until further notice.

No action was taken.

STAFF REPORTS:

18. STAFF REPORT ON REQUEST TO WAIVE LIENS REGARDING PROPERTIES DESCRIBED AS BEING A PORTION OF BLOCK 25, LOTS 25 & 22, RIVER OAKS ADDITION

CS Gregory reported that the liens were paid in 2008.

No action was taken.

19. PWD JAMES HATLEY REPORTING OF CURB-SIDE RECYCLING PROGRAM

PWD Hatley gave an update on the recycling program that has 148 participants. PWD Hatley indicated a potential savings of approximately \$200 since the program began.

No action was taken.

PUBLIC FORUM:

20. 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

CM Holland asked about the question and answer document in the packet to which CS Gregory explained it was from an interview with River Oaks News regarding the recycling program.

CM Butler gave an update on Inspector Steve Sanders who is recovering from surgery.

Shlomara Giles, 5520 North Schilder, inquired about her request to install hardiboard siding on her home. It was explained to her that the request was approved and staff would assist her with permitting.

John Paul Jones presented the option to use the city garbage trucks as "rolling billboards".

CM Holland reported a successful MPS Run with approximately 150 people in attendance.

Mayor Pro Tem Gordon promoted the "Fun Run" that the EDC is facilitating on December 14, 2013 beginning at 5:00 p.m. The entry fee will be a new toy that will be donated to the Marines Toys for Tots program. The first 200 applicants will receive a t-shirt. Registration should be available on the city website in a few days.

Mayor Earwood explained an opportunity to assist the Community Center and the Castleberry High School Band in supplying some items to the troops.

Mayor Earwood promoted the Christmas Parade on December 14, 2013.

Mayor Earwood stated that the City of Fort Worth has a parade and other upcoming events related to the opening and lighting of the 7th Street Bridge.

Mayor Earwood stated that Burger King should open in about two weeks.

Mayor Earwood stated that Subway should open in about four weeks.

EXECUTIVE SESSION:

21. 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:

- 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:

22. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

None.

ADJOURN:

23. ADJOURN

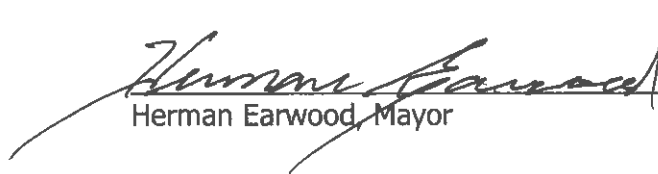
At 8:19 p.m. CM Holland moved, seconded by Mayor Pro Tem Gordon, to adjourn the meeting. All voted "Aye."

APPROVED:

ATTEST:



Marvin Gregory, City Secretary


Herman Earwood, Mayor