

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
DECEMBER 10, 2013**

MEMBERS PRESENT:

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

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
POLICE CHIEF AVIN CARTER
FIRE CHIEF CHRIS HAWKINS
CODE COMPLIANCE OFFICER JOHN PAUL JONES
EMERGENCY MANAGEMENT COORDINATOR JAMES MYRICK
PUBLIC WORKS DIRECTOR 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, December 10, 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) BY MAYOR:

None.

Mayor Earwood announced that his grandson is turning 15 years old today.

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 NOVEMBER 23, 2013 SPECIAL CALLED MEETING
- B. MINUTES OF NOVEMBER 26, 2013 COUNCIL MEETING
- C. BILLS PAYABLE FOR PERIOD ENDING DECEMBER 10, 2013 (FY 2014)

Mayor Pro Tem Gordon moved, seconded by CM Ashton, to approve consent agenda items A, B, and C. 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 ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION: COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION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 OF REQUEST FROM PEDRO GARCIA TO RENT THE COMMUNITY CENTER FOR A RELIGIOUS EVENT IN WHICH THE USE OF WINE WILL BE USED AS A PART OF THE CEREMONY.

Pedro Garcia and Jose Cervantes requested to have wine that will be used symbolically at the Community Center to celebrate a church event on April 14, 2014. It was indicated that the wine would not be consumed.

Mayor Pro Tem Gordon moved, seconded by CM Butler, to allow Pedro Garcia and the church to celebrate Passover in the Community Center and have wine as a symbol of Christ's blood. All voted "Aye."

8. DISCUSSION AND/OR ACTION PERTAINING TO FIRE SERVICE OPTIONS AS PRESENTED BY MAYOR PRO-TEM GORDON AND CM HOLLAND.

Committee members Holland and Gordon gave an update on a plan to have one independent fire department that would service River Oaks, Westworth Village and Sansom Park. A board would be established that includes two council members from each city as voting members and one of the mayors (selected randomly) that would serve as the board chairman with voting rights only in the case of a tie. A board president would be elected by the board members. The board would hire a fire chief. The fire chief would be responsible for the procedures, hiring of employees, and budgeting with board approval. It is the vision of the committee to have a fire chief by April 1, 2014 and a full time paid staff of firefighters by October 1, 2014. The active fire station would be in River Oaks. The current fire stations in the other two cities would be inactive. It was indicated that this project could begin with the funds already budgeted by each of the cities for the current budget year. Additional equipment and supplies will be sold with the proceeds going into a separate operating budget for the fire department. One of the main goals for the combined fire department would be to provide consistent 24/7 coverage to the citizens of all three cities using volunteers and paid firefighters.

Fire Department representatives (Gibson, Ballard, and Dissinger) spoke in support of the project with some hesitance related to losing traditions established over the years and how much input the firefighters would have in the newly created department. Fire Department representatives requested to be included and updated with the most current information.

CS Gregory confirmed that the City Charter would not be affected by the proposed changes in the fire department.

No action was taken.

9. CONSIDER APPROVAL OF REQUEST TO EXPEND FUNDS FROM THE FIRE DEPARTMENT DOLLAR DONATIONS IN ORDER TO ADD A KITCHEN AREA IN THE FIRE HALL AND TO PURCHASE RECLINERS FOR THE MEDIA ROOM.

FC Hawkins requested to remodel the kitchen in the fire department with new cabinets and countertops, small appliances, and kitchen ware. Recliners for the media room were also requested.

Mayor Pro Tem Gordon moved, seconded by CM Butler, to approve the request of the Fire Department from Dollar Donations for a kitchen remodel, recliners, and miscellaneous small appliances not to exceed \$11,000. All voted "Aye."

10. DISCUSSION AND/OR ACTION ON UPCOMING CITY EVENTS:

Mayor Earwood reviewed the following events:

- i. CITY CHRISTMAS BANQUET RESCHEDULED FOR DECEMBER 13TH
- ii. CITY CHRISTMAS PARADE – There are 17 paid entries thus far that have committed to the City Christmas Parade.
- iii. STUFF THE STOCKING FUN RUN ON DECEMBER 14TH

No action was taken.

11. DISCUSSION AND/OR ACTION ON ECONOMIC DEVELOPMENT REPORT AS SUBMITTED BY PAM MUNDO OF MUNDO AND ASSOCIATES

Pam Mundo presented the EDC Report that included reviews of recent trade shows, business retention through shopriveroaks, Facebook and Twitter updates, and the River Oaks Revival project. Ms. Mundo mentioned recent visits with some of the businesses in River Oaks.

CM Holland inquired about a previous EDC project that has been altered. CS Gregory stated that Staff is aware and is conducting research.

Mayor Earwood asked Ms. Mundo to describe what she is personally responsible for in bringing businesses into the City. Ms. Mundo explained that her job is to organize and educate the EDC Board and Staff. CM Crews and CM Ashton expressed concern over the amount spent for the EDC Coordinator versus the benefit received. Ms. Mundo explained that although Mundo and Associates work for several cities, she works 40 hours per month for River Oaks. CM Ashton mentioned the White Settlement EDC Director has been directly responsible for bringing businesses into that city. Ms. Mundo pointed out that River Oaks has limited space available and economic growth is a process that takes time. Mayor Pro Tem Gordon stated that the EDC Board is stronger and more informed because of Pam Mundo. Mayor Earwood stated that he would like to see what Ms. Mundo has personally done in her monthly reports.

No action was taken.

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

12. CONSIDER APPROVAL OF **ORDINANCE # 1012-2013** AMENDING ARTICLE 4.07 "WRECKERS AND WRECKER COMPANIES" OF THE RIVER OAKS CODE OF ORDINANCES.

PC Carter stated that staff is in the process of revising the wrecker ordinance which is from 1965. CA Elam requested this agenda item be postponed until the next regular meeting on January 10, 2014 to allow for review and revisions due to changes in state and/or federal law.

No action was taken.

STAFF REPORTS:

13. **STAFF REPORT ON SUBSTANDARD PROPERTIES UNDER COUNCIL ORDER:**

Code Officer Jones gave the following updates:

- 809 GUSTAV – the substandard fee has been paid and there are active permits that expire January 10, 2014.
- 604 FRONTIER ST. – No change and no contact.
- 933 CARONDOLET – No contact from owner, this property will be presented to the Council in January for administrative penalties.
- 5016 WHITE OAK LANE – Active plumbing permit that expires January 10, 2014. Substandard fee is to be paid and compliance to be met by that time.

No action was taken.

14. **REPORT ON SUBSTANDARD PROPERTIES UNDER ORDER OF BUILDING OFFICIAL:**

- 1223 ROBERTS CUT OFF RD. – Active building permit that expires December 22, 2013. Staff is waiting for architectural plans for the roof that require approval of CS Gregory.
- 1029 YALE ST. – Demo permit obtained that expires February 7, 2014.
- 1450 GREENBRIER – The structure has been removed and the contractor is raking the lot.
- 603 OAKLAWN – A representative for the owner has submitted a plan of action.
- 1005 KEITH PUMPHREY – No contact. The property remains substandard on the exterior. Staff will obtain an administrative search warrant to inspect the interior.

- 5516 NORTH SCHILDER – Owner allowed access and will submit a plan of action.

No action was taken.

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**

No discussion or action.

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

FC Hawkins responded to an inquiry related to dispatched calls that were cancelled in route.

FC Hawkins will look into reports that will separate calls by City.

No action was taken.

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, GRANT UPDATES 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. MARKETING ACTIVITIES REPORT FROM MUNDO AND ASSOCIATES INCLUDING BUSINESS RETENTION AND EXPANSION, MARKETING FOR NEW DEVELOPMENT, SHOP RIVER OAKS TEXAS, FACEBOOK AND TWITTER ACCOUNTS.

No discussion or action.

26. 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.

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

No discussion or action.

PUBLIC FORUM:

28. 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 Butler announced the Community Luncheon will be held on December 17, 2014 at the Community Center.

CM Crews mentioned that two city workers were assisting Castleberry ISD by removing icy hazards at A.V. Cato.

CS Gregory called attention to the Storm Water Report, stating that the result of a vote to renew the permit should occur tomorrow.

Mayor Pro Tem Gordon gave a reminder of the Christmas Parade and Fun Run on December 14, 2013 and the Christmas Dinner on Friday December 13, 2013.

Mayor Earwood requested that Representative Charlie Geren be placed near the front of the parade that would allow him easy access should he have to leave.

Mayor Earwood stated that the new Subway is opening tomorrow.

FC Hawkins noted that memorial services for Brian Collins father, John Collins, would be at Birchman Baptist Church on Saturday at 2:30 p.m.

Mayor Earwood and **FC Hawkins** mentioned that several firefighters graduated from the TCC academy recently.

EXECUTIVE SESSION:

29. 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:

30. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

None.

ADJOURN:

31. ADJOURN

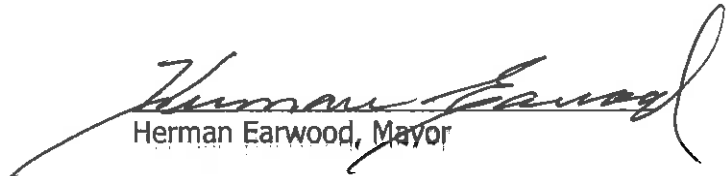
At 9:14 p.m. Mayor Pro Tem Gordon moved, seconded by CM Ashton, to adjourn the meeting. All voted "Aye."

APPROVED:

ATTEST:



Marvin Gregory, City Secretary



Herman Earwood, Mayor