

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
JULY 24, 2018**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
MAYOR PRO TEM STEVE HOLLAND
COUNCIL MEMBER JOE ASHTON
COUNCIL MEMBER DAN CHISHOLM
COUNCIL MEMBER JOANN BUTLER
COUNCIL MEMBER BRUCE SCOTT

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
ASST CITY SECRETARY PAULA LUCK
PUBLIC WORKS DIRECTOR GORDON SMITH
POLICE CHIEF CHRIS SPIELDENNER
BUILDING INSPECTOR STEVE SANDERS
CITY ATTORNEY BRADLEY ANDERLE
EMERGENCY MGT JAMES MYRICK
COMMUNITY CENTER DIRECTOR SHIRLEY WHEAT
COMMUNITY CENTER DIRECTOR SHIRLEY BLOOMFIELD
FIRE CHIEF JAMES BROWN

ABSENT:

NONE

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, July 24, 2018 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

Mayor Pro Tem Holland delivered the Invocation.

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

Mayor Pro Tem Holland led the Pledges of Allegiance to the United States and the Texas Flags.

4. READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS BY MAYOR:

NONE

Mayor Earwood introduced Marilyn Ackmann with Atmos Energy whom is retiring. Marilyn introduced her replacement Darwin Winfield.

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. APPROVE MINUTES OF JULY 10, 2018 REGULAR COUNCIL MEETING

B. APPROVE MINUTES OF JULY 17, 2018 SPECIAL CALLED MEETING

C. APPROVE BILLS PAYABLE FOR THE PERIOD ENDING JULY 24, 2018 (FY 2018)

D. APPROVE HIRING OF PUBLIC WORKS EMPLOYEE, JEFFREY CURRY, IN STREET DEPARTMENT AS EQUIPMENT OPERATOR

E. APPROVE AGREEMENT WITH MULTATECH FOR PROFESSIONAL ENGINEERING SERVICES INVOLVING LAND DEVELOPMENT

CM Ashton moved, seconded by CM Butler to approve the Consent Agenda items #A-E with corrections to Item #A. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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 ORDINANCE #1193-2018 TO RE-APPOINT ANDREW VOGEL AS THE MUNICIPAL COURT JUDGE PURSUANT TO SECTION 7.02.003 OF THE RIVER OAKS CODE OF ORDINANCES.

CM Scott moved, seconded by CM Chisholm to approve Ordinance #1193-2018. All voted "Aye".

- STATEMENT OF APPOINTED OFFICIAL AND OATH OF OFFICE FOR THE MUNICIPAL JUDGE

CS Gregory gave the Statement of Appointed Official and the Oath of Office to Andrew Vogel as the Municipal Judge.

8. CONSIDER APPROVAL OF ORDINANCE #1194-2018 TO RE-APPOINT CECILIA "CECIL" A. THOMAS AS THE ASSOCIATE MUNICIPAL COURT JUDGE PURSUANT TO SECTION 7.02.003 OF THE RIVER OAKS CODE OF ORDINANCES.

Mayor Pro Tem Holland moved, seconded by CM Chisholm to approve Ordinance #1194-2018. All voted "Aye".

- STATEMENT OF APPOINTED OFFICIAL AND OATH OF OFFICE FOR THE ASSOCIATE MUNICIPAL JUDGE

CS Gregory gave the Statement of Appointed Official and the Oath of Office to Cecil Thomas as the Associate Municipal Judge.

9. CONSIDER APPROVAL OF RESOLUTION #933-2018 TO HOLD AN OUTDOOR SPECIAL EVENT FOR ST. PAUL'S CATHOLIC CHURCH LOCATED AT 5508 BLACK OAK LANE.

Adela Guerrero was present. This is to raise awareness and have closer fellowship to the community. This is the first time to hold this type of outdoor event which is a car show on Sunday, September 23, 2018. There will be children games, bounce houses, concessions, a couple of vendors will come out, face painting, etc.

CM Ashton moved, seconded by CM Scott to approve Resolution #933-2018. All voted "Aye".

10. APPEARANCE OF COREY FICKES OF LIENBARGER, GOGGAN, BLAIR & SAMPSON, LLP PRESENTING ANNUAL DELINQUENT TAX REPORT, 3RD QUARTER FEES AND FINE REPORTS AND UPDATES ON TAX TURNOVER REPORT AND UTILITY BILLING.

Corey Fickes was present. Residents and property owners are paying their property taxes at a high collection rate. End year report on property taxes was presented. Also presented were the court collections from October 2017 to now. The court collections have a high resolution number. The indigent law has affected the collections.

PUBLIC HEARINGS; ACTION FROM PUBLIC HEARINGS:

11. PUBLIC HEARING: IN ORDER TO RECEIVE PUBLIC INPUT ON SUBSTANDARD BUILDING ENFORCEMENT ACTION REGARDING STRUCTURES(S) LOCATED ON THE PROPERTY AT 1605 MONTROSE DR.

At 7:39 pm, Mayor Earwood opened the Public Hearing.

There has been no contact with anyone regarding this property. Pictures were presented. There has been no change on this property. City did a board up last week to prevent people from going into the house. All the electrical wiring and plumbing have been removed and also anything of value. Staff is asking to deem substandard and for a 30 day intent to repair and will bring back after the 30 days and request demolition.

At 7:57 pm, Mayor Earwood closed the Public Hearing.

12. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 1605 MONTROSE 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.

Mayor Pro Tem Holland moved, seconded by CM Butler to move that the City Council find that the building(s) located at 1605 Montrose Drive based on evidence presented at the hearing, is Substandard and: 1) that the conditions set forth in the 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 2) that the building(s) is/are feasible of repair and therefore order the buildings to be repaired by the owner within 30 days and the lienholder or mortgagee to within an additional 30 days if the owner does not comply; and 3) 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 that if the building is not repaired within that time, that there is no reasonable probability that the

building will be repaired within a reasonable period of time if additional time is given; 4) order that the substandard fee of \$150.00 be paid upon permit issuance. Certificate of Occupancy will not be finalized until all substandard fees are paid in full. All voted "Aye".

ORDINANCES/RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

13. CONSIDER APPROVAL OF ORDINANCE #1195-2018 EXPANDING THE FY 2018 GENERAL FUND BUDGET FOR THE UNPLANNED EXPENDITURE TO REPLACE ONE OF THE AIR CONDITIONING UNITS AT THE COMMUNITY CENTER THAT HAS BURNED OUT.

Mayor Pro Tem Holland moved, seconded by CM Chisholm to approve Ordinance #1195-2018 to repair the unit in the amount of \$7,950.00. All voted "Aye".

14. CONSIDER APPROVAL OF RESOLUTION #934-2018 PERMITTING A JOINT NATIONAL NIGHT OUT EVENT TO BE HELD AT THE RIVER OAKS METHODIST CHURCH LOCATED AT 4800 OHIO GARDEN RD, ON THE FIRST TUESDAY IN OCTOBER (OCTOBER 2ND).

CM Chisholm moved, seconded by CM Ashton to approve Resolution #934-2018. All voted "Aye".

15. DISCUSSION AND/OR ACTION REGARDING PARTICIPATING IN THE KIOSK SIGNAGE PROGRAM AS REQUESTED BY SHIRLEY WHEAT & SHIRLEY BLOOMFIELD INCLUDING DESIGNATING SITE LOCATIONS FOR SIGNS AT NOT COST FROM THE CITY.

Pictures are included in the packet. The only concern would be not a lot of participation. The cost for someone to advertise is \$50.00 per month. The city can use 20% of the sign. The River Oaks logo will be on the top. Council agreed to let the company know the city is on board with the sign. No action taken tonight.

At 8:14 p.m., Mayor Earwood and the City Council went into Executive Session under Sections 551.071, 551.072, 551.074 & 551.076.

At 8:30 p.m., Mayor Earwood and the City Council reconvened into Open Session.

STAFF REPORTS:

16. UPDATE ON SUBSTANDARD PROPERTIES AT:

- 1617 HILLSIDE-active permits & actively working
- 621 OAKLAWN (4721 BARBARA RD)-process of executing demolition order
- 1605 MONTROSE-ordered 30 day repair with 30 day lien

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

18. **FIRE DEPT. REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE AND FIRE TRAINING EXERCISES.

The new communications are working well. Assisted with the fire at a restaurant on Eagle Mountain Lake this week.

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

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

21. **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

22. **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

Final touches are being put on the clarifier.

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

24. **COMMUNITY CENTER ACTIVITY REPORT** INCLUDING NUMBER OF COMMUNITY CENTER RENTALS, EVENTS AND ACTIVITIES

25. **CITY SECRETARY ACTIVITY REPORT** INCLUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEXPOOL AND CRIME SALES TAX

26. **EDC ACTIVITY REPORT** INCLUDING FUNDED PROJECT UPDATES, UPCOMING PROJECTS AND REPORTING FROM WARD & ASSOCIATES, CONSULTANT, ON ECONOMIC DEVELOPMENT.

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

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

PUBLIC FORUM:

29. 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**

CS Gregory-Special called Council Meeting for the Property Tax Rate will be July 31st at 7 pm.

CM Chisholm-Clothes closet event at the Community Center this Thursday.

EXECUTIVE SESSION:

30. 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.

Held earlier after Agenda Item #15.

RECONVENE:

31. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION


NONE

ADJOURN:

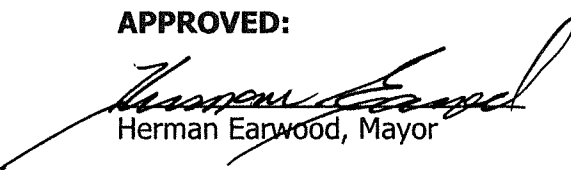
32. ADJOURN

At 8:39 p.m. CM Ashton moved, seconded by CM Scott, to adjourn the meeting. All voted "Aye".

ATTEST:


Marvin Gregory, City Secretary

APPROVED:


Herman Earwood, Mayor