

**MINUTES OF THE REGULAR MEETING  
RIVER OAKS CITY COUNCIL  
NOVEMBER 22, 2011**

**MEMBERS PRESENT:**

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

**STAFF PRESENT:**

CITY SECRETARY MARVIN GREGORY  
POLICE CHIEF DAN CHISHOLM  
FIRE DEPARTMENT CAPTAIN GREG STOCKTON  
BUILDING INSPECTOR STEVE SANDERS  
PUBLIC WORKS DIRECTOR JAMES HATLEY  
CODE ENFORCEMENT OFFICER MIKE ARNOLD  
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, November 22, 2011 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**

CS Gregory led the pledges of allegiance to the United States and the Texas Flags.

**4. READING OF PROCLAMATION(S) 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.

- A. MINUTES OF REGULAR COUNCIL MEETING NOVEMBER 8, 2011
- B. BILLS PAYABLE FOR PERIOD ENDING NOVEMBER 22, 2011 (FY 2012 BUDGET)
- C. APPROVAL OF MAYOR'S RECOMMENDATION TO APPOINT MIKE ARNOLD AS THE CODE ENFORCEMENT MEMBER TO THE STORM WATER TASK FORCE.
- D. APPROVAL OF POLICE CHIEF'S RECOMMENDATION FOR THE HIRING OF RHONDA RIPPLE AS FULL TIME DISPATCHER

Mayor Pro Tem Gordon requested a correction on agenda item #8 of the Minutes of Regular Council Meeting November 8, 2011 as follows: It was decided that Mayor Pro Tem Gordon would work with ~~Library Staff~~ **CS Gregory** to revise the policy and bring back to Council at the next meeting.

**Mayor Pro Tem Gordon moved, seconded by CM Butler, to approve consent agenda item A as corrected, and items B, C, and D as presented. 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 ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION: COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION.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 AWARDING THE CONTRACT AS BID ON NOVEMBER 10, 2011 UNDER PROJECT NUMBER 023-006 FOR REHABILITATION OF BACKWASH HOLDING PONDS AND RECIRCULATION FACILITIES AT THE RIVER OAKS WATER TREATMENT PLANT.

CS Gregory stated that the engineering firm had verified the specifications used for the bids to rehabilitate the sludge lagoons and install a circulation system at the water treatment plant. The circulation system designed to pump water back to the plant that can recycled thereby reducing the amount of raw water that must be purchased.

Bill Lohrke, representative for E.S. & C.M., Inc, presented the bids that were opened on November 10, 2011. Four bids were received with RAMA Enterprises as the low bidder in the amount of \$298,000. After reviewing the credentials, Mr. Lohrke recommended awarding the bid to the low bidder, RAMA Enterprises.

CM Crews mentioned that the next low bidder was almost \$100,000 more than the low bidder. Mr. Lohrke stated that RAMA Enterprises had sufficient experience with several municipalities and met the bid specifications. Mr. Lohrke stated that the other bidders may have sufficient work at this time and therefore were not as competitive. CM Holland asked if customers had been contacted to verify the quality of work provided by RAMA Enterprises. CS Gregory pointed out that the project bids exceed the budgeted amount of \$250,000. CS Gregory stated although the project exceeds the budgeted amount, Staff was not concerned at this time.

**Mayor Pro Tem Gordon moved, seconded CM Crews, to approve awarding the contract as bid on November 10, 2011 under project number 023-006 for rehabilitation of backwash holding ponds and recirculation facilities at the River Oaks Water Treatment Plant to RAMA LLC in the amount of \$298,000. All voted "Aye."**

8. DISCUSSION AND/OR ACTION OF CODE ENFORCEMENT PROCEDURES INCLUDING UPDATE OF COMPLETED AND/OR ON-GOING INSPECTIONS OR INVESTIGATIONS AS PRESENTED BY MIKE ARNOLD, CODE ENFORCEMENT OFFICER.

Code Enforcement Officer Mike Arnold was present to relay the plan of action of the Code Enforcement Department. Mr. Arnold has spent the past few months becoming familiar with the procedures and codes of the City of River Oaks, as well as the streets. The plan is to thoroughly inspect the city in quadrants. In addition, Mr. Arnold will train with Building

Inspector Sanders one day a week and use Friday of each week to follow up on previous inspections. Mr. Arnold stated that the intention of the Code Department is to gain compliance through education.

CM Crews mentioned site triangle violations that block the vision of motorists, specifically at Winters and Blackstone.

Mayor Pro Tem Gordon asked about the response of the citizens related to the new yard parking ordinance. Mr. Arnold responded that that majority of the citizens are receptive. Mayor Pro Tem Gordon mentioned the property at Yale and Dartmouth. Mr. Arnold stated that he had not observed any violations since speaking to the occupant.

CM Holland noted that the complaint form has the incorrect verbiage for yard parking.

CM Crews pointed out that the boundary for Skyline Drive is incorrect on the map.

**No action was taken.**

9. DISCUSSION AND/OR ACTION ON CREATING A CULTURAL FACILITIES FINANCE CORPORATION.

CM Holland explained that the finance committee, the bond attorney and the city attorney have met regarding "Conduit Financing." Under state statute, cities are allowed to create an organization that can issue debt to non-profit organizations, thereby generating revenue at low risk. It is believed that the City would not be responsible in the incident of default on the part of the borrower, nor would the transaction affect the bond rating of the City. It was noted that although the City may not be responsible for bad debt, every default becomes negative media attention.

**No action was taken.**

10. DISCUSSION AND/OR ACTION ON THE NORTHWEST EMERGENCY RESPONSE TEAM CONSTITUTION, A TEXAS NON-PROFIT CORPORATION ORGANIZED TO PROVIDE MUTUAL AID FIRE AND EMERGENCY SERVICES.

Captain Greg Stockton was present to obtain support from the Council to participate in the Northwest Emergency Response Team. The local volunteer fire departments are forming an organization that will enhance mutual aid and improve the possibility of receiving grants. CA Elam stated that several cities are considering this option and their law firm will be reviewing the contract in order to provide legal approval. Captain Stockton stated that the contract would be presented to the Council in December. Council Members unanimously agreed to support the mutual aid arrangement.

**No action was taken.**

11. RATIFICATION OF MAYOR'S EXECUTION OF THE TRANSACTION CONFIRMATION FOR ELECTRIC SUPPLY FROM TXU ENERGY.

Mayor Earwood stated that he had signed a three-year contract with TXU Energy that resulted in a rate decrease from \$0.09977kWh to \$0.05395 kWh.

**CM Holland moved, seconded by Mayor Pro Tem Gordon, to ratify the electric contact with TXU. All voted "Aye."**

**12. DISCUSSION AND/OR ACTION ON PROTOCOL FOR COUNCIL MEETING AGENDAS AS PRESENTED BY MAYOR HERMAN EARWOOD.**

Mayor Earwood stated that Council Members have requested agenda items to be removed from the agenda due to their absence at a particular meeting. Mayor Earwood stated his objection to this practice, stating that business should be handled if a quorum is present. Mayor Earwood suggested that comments or concerns could be written down and expressed during the meeting. Mayor Earwood stated that no changes should be made once the agenda is set. CM Crews agreed that once the agenda is set, no changes be made, however, the preliminary agenda should be flexible. CS Gregory cited a recommended deadline of noon on Wednesday for agenda changes.

**No action was taken.**

**PUBLIC HEARINGS / ACTION FROM PUBLIC HEARINGS:**

**13. PUBLIC HEARING: SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT 1409 LAWRENCE RD.**

At 8:01 p.m. Mayor Earwood opened the public hearing.

Building Inspector Sanders displayed photos taken during an administrative search on November 16, 2011. Sanders reported foundation issues, plumbing violations, mechanical violations and numerous electrical violations that constitute a hazard to the health safety and welfare of the general public. Sanders stated that the structures are feasible of repair.

At 8:13 p.m. Mayor Earwood closed the public hearing.

**14. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 1409 LAWRENCE RD. 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 Crews made the following motion, "I move that the City Council find that the building located at 1409 Lawrence Rd. based on evidence presented at this 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 Building to be**



repaired **BY THE OWNER** within 60 days and the **LIENHOLDER OR MORTGAGEE** to within an additional 30-days if the owner does not comply; and 3) **THE BOARD ORDERS** commencement of the repairs within 30-days; and 4) **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 60 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 60 days, that there is no reasonable probability that the building will be repaired within a reasonable period of time if additional time is given. If the building is not repaired within 60 days in full conformance with Section 3.07.004 of the River Oaks Code of Ordinances (2006), that civil penalties shall be assessed against the property owner following an Administrative Hearing pursuant to Section **3.07.013** of the River Oaks Code of Ordinances (2006) as amended for failure to comply with this Order; and 5) Order that the substandard fee of \$150.00 be paid upon permit issuance. Certificate of Occupancy will not be final until all substandard fees are paid in full. Motion seconded by CM Butler. All voted "Aye."

15. **PUBLIC HEARING:** IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE **SITE PLAN PROPOSAL** IN COMPLIANCE WITH SEC. 25 "SITE PLAN REQUIRED" OF THE CITY'S ZONING ORDINANCE AS REQUESTED FOR BY VEGA FAMILY TRUST IN ORDER TO OPERATE A RECYCLING FACILITY AT 715 ISBELL RD. LEGALLY DESCRIBED AS BEING BLOCK 3, LOT 15; WEATHERFORD RW S/D LOCATED IN AN "I" INDUSTRIAL ZONING DISTRICT. (ZONING CASE # SP2011-0002)

At 8:19 p.m. Mayor Earwood opened the public hearing.

Mayor Earwood reported that the Planning and Zoning Commission recommended denying the proposed site plan application. Mayor Earwood requested that this agenda item be postponed.

Mayor Earwood announced that this public hearing would remain open and be continued at the Regular Meeting of the City Council on December 13, 2011 at 7:00 p.m.

16. **ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF THE PROPOSED **SITE PLAN PROPOSAL** IN COMPLIANCE WITH SEC. 25 "SITE PLAN REQUIRED" OF THE CITY'S ZONING ORDINANCE AS REQUESTED FOR BY VEGA FAMILY TRUST IN ORDER TO OPERATE A RECYCLING FACILITY AT 715 ISBELL LEGALLY DESCRIBED AS BEING BLOCK 3, LOT 15; WEATHERFORD RW S/D LOCATED IN AN "I" INDUSTRIAL ZONING DISTRICT (*ZONING CASE # SP2011-0002*).

**No action was taken.**

17. **PUBLIC HEARING:** IN ORDER TO RECEIVE PUBLIC COMMENT AND TESTIMONY ON THE **SITE PLAN PROPOSAL** IN COMPLIANCE WITH SEC. 25 "SITE PLAN REQUIRED" OF THE CITY'S ZONING ORDINANCE AS REQUESTED FOR BY **Q-TEL D/B/A KINGDOM ICE** IN ORDER TO CONSTRUCT A NEW 225 SQUARE FOOT ICE HOUSE SETBACK 25-FEET FROM THE FRONT AND SIDE YARD PROPERTY LINES ON THE PROPERTY AT **4817 RIVER OAKS BLVD.**

DESCRIBED AS BEING BLOCK 25, LOT A; RIVER OAKS ADDITION LOCATED IN AN "C-2" COMMERCIAL ZONING DISTRICT. (ZONING CASE # SP2011-0003)

At 8:23 p.m. Mayor Earwood opened the public hearing.

CS Gregory reported that the Planning and Zoning Commission recommended denying the site plan citing that it does not meet the intent for development in that location. This action would require a super majority vote of the City Council for approval.

Chris Miller, owner and operation of Q-Tel, was present. Discussion occurred that lead to Mr. Miller agreeing to shield the refrigeration units on the top of the building and to construct the building with stucco and stone.

Citizen John Claridge mentioned another ice dispenser that was denied by the City Council based on 24 hour operations used by construction contractors. CM Crews replied that the mentioned application was for a location that adjoined residential property.

Citizen Hub Makarwich asked if the building line setbacks are in compliance. Inspector Sanders verified that the structure does meet the setbacks.

At 8:47 p.m. Mayor Earwood closed the public hearing.

**18. ACTION FROM PUBLIC HEARING:** CONSIDER APPROVAL OF THE PROPOSED **SITE PLAN PROPOSAL** IN COMPLIANCE WITH SEC. 25 "SITE PLAN REQUIRED" OF THE CITY'S ZONING ORDINANCE AS REQUESTED FOR BY **Q-TEL D/B/A KINGDOM ICE** IN ORDER TO CONSTRUCT A NEW 225 SQUARE FOOT ICE HOUSE SETBACK 25-FEET FROM THE FRONT AND SIDE YARD PROPERTY LINES ON THE PROPERTY AT **4817 RIVER OAKS BLVD.** DESCRIBED AS BEING BLOCK 25, LOT A; RIVER OAKS ADDITION LOCATED IN AN "C-2" COMMERCIAL ZONING DISTRICT. (ZONING CASE # SP2011-0003)

**CM Butler moved, seconded by CM Holland, to allow the 225 square feet building in the parking lot at 4817 River Oaks with the following: 1) 25% stone and 75% stucco and the roof shield covering the refrigeration units; 2) provide a copy of the lease to be on file with the City; 3) if the business operations cease, the property must be returned to the original condition; and 4) the structure must be on a permanent foundation. All voted "Aye."**

**ORDINANCES / RESOLUTIONS AND OTHER ITEMS REQUIRING COUNCIL APPROVAL/ACTION:**

19. CONSIDER APPROVAL OF **RESOLUTION # 718-2011** AMENDING RESOLUTION 632-08, EXHIBIT A, CIRCULATION POLICY, POLICY STATEMENT 4 "TEX SHARE CARDS".

Mayor Pro Tem Gordon reviewed the proposed revisions to the library policy. The proposal includes TexShare Card renewals and defines the term "good standing." Discussion occurred that included additional methods of determining responsibility and the liability of the City when items are not returned.

**CM Holland moved, seconded by CM Crews, to amend the library policy and adopt Resolution # 718-011 as follows: Any patron with a valid River Oaks Public Library card in good standing may obtain or renew a TexShare card. Good Standing means that the patron has an active library card and has no outstanding fines due and/or late or unreturned items."**

20. CONSIDER APPROVAL OF **ORDINANCE # 909-2011** AMENDING THE EDC FY 2011-2012 BUDGET BY EXPANDING FUNDS FOR A PROJECT RELATED TO RECREATIONAL OR COMMUNITY FACILITIES SUITABLE FOR BUILDING IMPROVEMENTS AND COMMUNITY CENTER IMPROVEMENTS AS QUALIFIED FOR THE PROMOTION OF NEW OR EXPANDED BUSINESS PURSUANT TO THE LOCAL GOVERNMENT CODE TITLE 12 "PLANNING AND DEVELOPMENT", CHAPTER 505 "TYPE B CORPORATIONS".

Mayor Pro Tem Gordon stated that the EDC approved a wrought iron fence with stone columns at the Community Center.

**Mayor Pro Tem Gordon moved, seconded by CM Butler, to approve Resolution # 909-2011. All voted "Aye."**

CS Gregory verified that the resolution expands the EDC Budget an additional \$11,000.

**STAFF REPORT:**

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

Inspector Sanders gave the following updates on substandard properties:

- 1129 ST. EDWARDS – No change to report. CS Gregory stated that this property is expected to be presented for sale at the county court house in December.
- 5314 AMHERST – No inspections to report with a building permit that expires in February 2012.
- 1205 CHURCHILL – No change to report. City Council order to repair expires November 22, 2011. This property will be presented to the City Council for further enforcement action.

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

- 1712 LAWTHORP – Christmas in Action is working with the owner to bring the property into compliance.
- 5414 BAYLOR – A new owner has paid the substandard fee and obtained a building permit that expires March 9, 2012.

- 720 WINTERS – Permit for roof was approved. Permit for garage repair was recently issued with an expiration date of six months.
- 1629 HILLSIDE – Only electrical violations remain.
- 4824 SHERWOOD – Substandard fee paid and a building permit was obtained that expires January 28, 2012.
- 4525 ALMENA – Will be presented to the City Council in December.

**23. SUBSTANDARD PROPERTIES RELEASED**

- 5406 DARTMOUTH – Approved Certificate of Occupancy.
- 1716 LAWTHOR – Approved Certificate of Occupancy.
- 4833 OHIO GARDEN – Approved Certificate of Occupancy. Pictures were shown of the abatement.

**24. PUBLIC WORKS DIRECTOR HATLEY REGARDING PLANS FOR A RECYCLING PROGRAM**

PWD Hatley gave an update on a proposal to begin a pilot recycling program. Mayor Earwood stated that the program would be no cost to the City. The City sanitation trucks would pick up the items on Wednesdays. The cost of the bins would be paid by the participant at a cost of between \$16 and \$75. David Vega stated that a curb side program may not be compatible in this City and he offered to meet with the committee to discuss the appropriate options.

**QUESTIONS RELATED TO STAFF REPORTS INCLUDING:**

**25. 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.**

**26. FIRE DEPARTMENT MONTHLY ACTIVITY REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE.

Captain Stockton reported 64 calls from November 1-22, 2011.

**No action was taken.**

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

**No discussion or action.**



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

**No discussion or action.**

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 or action.**

30. **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.**

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

**No discussion or action.**

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

**No discussion or action.**

33. **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.**

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

**No discussion or action.**

35. **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.**

**PUBLIC FORUM:**

36. 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**

Hub Makarwich asked who is responsible for the grass growing between the curb and the street. It was stated that the property owner is responsible. It was suggested that Storm Water Task Force may be able to enact enforcement based on water flow obstructions.

**EXECUTIVE SESSION:**

37. 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: **Litigation on substandard property at 4833 Ohio Garden 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, evaluation, reassignment of duties, discipline or dismissal of a Public Officer or Employee or to hear a compliant or charge against an Officer or Employee. **Department Head Evaluations (*Police Chief Dan Chisholm, Fire Chief Ron Short, Public Works Director James Hatley, Librarian Mary Earwood and City Secretary Marvin Gregory*)**
- d. Section 551.076 Deliberation regarding security devices

**None called for.**

**RECONVENE:**

38. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

**None.**

**ADJOURN:**

39. ADJOURN

**At 9:37 p.m. Council Member Crews moved, seconded by Mayor Pro Tem Gordon, to adjourn the meeting.**

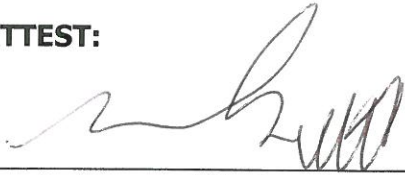
David Vega requested that the Council re-address the property at 4833 Ohio Garden. Mayor Earwood stated that a report had previously been given on this property. Mr. Vega requested

confirmation that the property had been removed from substandard. It was confirmed that the property at 4833 Ohio Garden was in compliance with an approved certificate of occupancy.

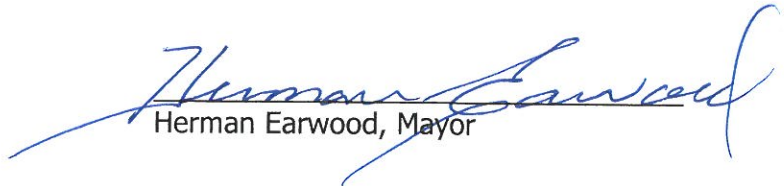
**All voted "Aye."**

**APPROVED:**

**ATTEST:**



Marvin Gregory, City Secretary



Herman Earwood, Mayor