

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
DECEMBER 13, 2011**

MEMBERS PRESENT:

MAYOR HERMAN EARWOOD
MAYOR PRO-TEM JOANN GORDON
COUNCIL MEMBER JOANN BUTLER
COUNCIL MEMBER JOE CREWS
COUNCIL MEMBER R.R. "BOB" MINTER
COUNCIL MEMBER STEVE HOLLAND-8:06 PM

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
POLICE CHIEF DAN CHISHOLM
FIRE CHIEF RON SHORT
OFFICE MANAGER PAULA LUCK
CITY ATTORNEY BETSY ELAM-7:10 PM
BUILDING INSPECTOR STEVEN SANDERS
PUBLIC WORKS DIRECTOR JAMES HATLEY
LIEUTENANT AVIN CARTER
POLICE ADMINISTRATOR LINDA CLARIDGE

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 13, 2011 at the River Oaks City Hall, 4900 River Oaks Blvd., River Oaks, Texas 76114.

2. INVOCATION

Public Works Director Hatley delivered the Invocation.

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

Council Member Crews 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 CITY COUNCIL MEETING NOVEMBER 22, 2011
- B. BILLS PAYABLE FOR PERIOD ENDING DECEMBER 13, 2011
- C. APPROVAL OF POLIE CHIEF'S RECOMMENDATION FOR POLICE DEPARTMENT PROMOTIONS DUE TO OPEN POSITION FOR PATROL SERGEANT
- D. APPROVAL OF THE RETIREMENT OF LINDA CLARIDGE AS THE POLICE ADMINISTRATOR OF THE RIVER OAKS POLICE DEPARTMENT

The Mayor and City Council expressed gratitude toward Linda Claridge for the job she has done.

Council Member Butler moved, seconded by Mayor Pro-Tem Gordon, to approve consent agenda items A, 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 ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION: COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION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.

At this time, the Mayor requested to skip to Agenda Item #17, 18, 19, 20, and 12.

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

17. PUBLIC HEARING: IN ORDER TO RECEIVE TESTIMONY AND COMMENTS FROM THE PUBLIC REGARDING FINAL PLAT APPROVAL CONTINGENT TO THE BOUNDARY ADJUSTMENT AGREEMENT BETWEEN THE CITY OF RIVER OAKS AND THE CITY OF FORT WORTH BEING 5.671 ACRES OF LAND LOCATED IN LOT 1, BLOCK 2, A. COZART ADDITION, AN ADDITION TO THE CITIES\OF RIVER OAKS AND FORT WORTH, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 7300, PLAT RECORDS, TARRANT COUNTY, TEXAS (EXHIBIT "A AND B" TO THE BOUNDARY ADJUSTMENT AGREEMENT DATED OCTOBER 25, 2011).(CASE # PZ2011-16).

At 7:04 p.m., Mayor Earwood opened the Public Hearing.

Mayor Earwood stated that there is a great deal of confusion when part of the High School is in Fort Worth and part in River Oaks. CS Gregory stated that the surveying and engineering are complete. The plat needs to be approved which will make all of the High School property to be in River Oaks. As of right now, the High School is in our jurisdiction because it has already been filed at Tarrant County. Mickey Thomas, CISD Engineer, was present to answer any questions.

Mayor Earwood closed the Public Hearing at 7:07 p.m.

18. ACTION FROM PUBLIC HEARING: CONSIDER FINAL PLAT APPROVAL CONTINGENT TO THE BOUNDARY ADJUSTMENT AGREEMENT BETWEEN THE CITY OF RIVER OAKS AND THE CITY OF FORT WORTH BEING 5.671 ACRES OF LAND LOCATED IN LOT 1, BLOCK 2, A. COZART ADDITION, AN ADDITION TO THE CITIES\OF RIVER OAKS AND FORT WORTH, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT

RECORDED IN CABINET A, SLIDE 7300, PLAT RECORDS, TARRANT COUNTY, TEXAS (EXHIBIT "A AND B" TO THE BOUNDARY ADJUSTMENT AGREEMENT DATED OCTOBER 25, 2011). (*ZONING CASE # PZ2011-16*).

Mayor Pro-Tem Gordon moved, seconded by Council Member Minter to approve the final plat. All voted "Aye".

19. PUBLIC HEARING: IN ORDER TO RECEIVE TESTIMONY AND COMMENTS FROM THE PUBLIC REGARDING THE *PROPOSED AMENDMENT TO THE COMPREHENSIVE ZONING ORDINANCE 883-2011 TO ESTABLISH THE "CF" COMMUNITY FACILITY ZONING CLASSIFICATION OF PROPERTIES* BEING 5.671 ACRES OF LAND LOCATED IN LOT 1, BLOCK 2, A. COZART ADDITION, AN ADDITION TO THE CITIES\OF RIVER OAKS AND FORT WORTH, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 7300, PLAT RECORDS, TARRANT COUNTY, TEXAS ALONG WITH THE JOINT ORDINANCE AGREEMENT BETWEEN BOTH CITIES INCLUSIVE WITH EXHIBIT "A" AND EXHIBIT "B" AS ATTACHMENTS TO THE FORT WORTH AND RIVER OAKS JOINT ORDINANCE AS IS ALSO RECORDED IN THE DEED RECORDS, TARRANT COUNTY, TEXAS AS INSTRUMENT # D211269047 ON NOVEMBER 4, 2011 AS FORT WORTH CITY ORDINANCE NO. 19951-10-2011 AND AS RIVER OAKS CITY ORDINANCE NO. 906-2011 CONSTITUTING THE BOUNDARY ADJUSTMENT AGREEMENT BETWEEN THE CITY OF RIVER OAKS AND THE CITY OF FORT WORTH DATED OCTOBER 25, 2011. (*ZONING CASE # PZ2011-18*).

At 7:10 p.m., Mayor Earwood opened the Public Hearing.

CS Gregory stated this has to be re-zoned to C-F since part of the property was in Fort Worth city limits.

At 7:11 p.m., Mayor Earwood closed the Public Hearing.

20. ACTION FROM PUBLIC HEARING: CONSIDER APPROVAL OF ORDINANCE # 910-2011 *AMENDING ORDINANCE NO. 883-2011, TO ESTABLISH THE "CF" COMMUNITY FACILITY ZONING CLASSIFICATION OF PROPERTIES* BEING 5.671 ACRES OF LAND LOCATED IN LOT 1, BLOCK 2, A. COZART ADDITION, AN ADDITION TO THE CITIES\OF RIVER OAKS AND FORT WORTH, TARRANT COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET A, SLIDE 7300, PLAT RECORDS, TARRANT COUNTY, TEXAS ALONG WITH THE JOINT ORDINANCE AGREEMENT BETWEEN BOTH CITIES INCLUSIVE WITH EXHIBIT "A" AND EXHIBIT "B" AS ATTACHMENTS TO THE FORT WORTH AND RIVER OAKS JOINT ORDINANCE AS IS ALSO RECORDED IN THE DEED RECORDS, TARRANT COUNTY, TEXAS AS INSTRUMENT # D211269047 ON NOVEMBER 4, 2011 AS FORT WORTH CITY ORDINANCE NO. 19951-10-

2011 AND AS RIVER OAKS CITY ORDINANCE NO. 906-2011 CONSTITUTING THE BOUNDARY ADJUSTMENT AGREEMENT BETWEEN THE CITY OF RIVER OAKS AND THE CITY OF FORT WORTH DATED OCTOBER 25, 2011. (ZONING CASE # PZ2011-18).

Council Member Crews moved, seconded by Council Member Butler to approve Ordinance #883-2011. All voted "Aye".

12. CONSIDER APPROVAL OF PLUMBING CODE OFFICIAL'S DETERMINATION PURSUANT TO SECTION 105.1 "MODIFICATIONS" OF THE 2003 INTERNATIONAL PLUMBING CODE AS ADOPTED TO MODIFY THE NUMBER OF PLUMBING FIXTURES IN TABLE 403.1 FOR A-5 OCCUPANCY APPLICABLE TO THE PROPOSED RENOVATION OF W.O. BARNES STADIUM BY THE CASTLEBERRY INDEPENDENT SCHOOL DISTRICT.

Mayor Earwood explained that the International Plumbing Code calls for many more urinals than are unnecessary. CS Gregory stated that if the school installs the number of urinals in the stadium that is required under the Plumbing Code, the 8" sewer mains will be impacted. CISD Engineer said if they reduce the number of fixtures, they will meet the health and safety standards.

CISD Superintendent explained what other changes will be done to the stadium.

Council Member Crews moved, seconded by Mayor Pro-Tem Gordon to allow the changes of the fixtures and to treat these as individual cases. All voted "Aye".

At this time, the Mayor requested to go back and start with Agenda Item #7.

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

7. CONSIDER APPROVAL OF RESOLUTION #719-2011 PERMITTING AN OUTSIDE SPECIAL GRAND OPENING EVENT ON THE PROPERTY AT 1109 ROBERTS CUT OFF AS REQUESTED BY NANCY SARRIERA D/B/A HELPING HANDS TAX SERVICE.

Nancy Sarriera was not present. CS Gregory stated this event has been moved to January 2, 2012 from 1 pm-5 pm. Students will not be in school, but teachers will. Traffic is a concern. This is an outside special event and no food will be sold. All the food will be given out for no charge. Therefore, no health permit is required. Police Chief Dan Chisholm said he will have the police monitor the event and address issues as they come up. If it gets to be a hazard, he will request the event be closed down or be relocated.

Mayor Pro-Tem Gordon moved, seconded by Member Butler to approve Resolution #719-2011. All voted "Aye".

8. PASTOR DOUG MARTIN AT 1200 ROBERTS CUT OFF RD. REQUESTING CODE CLARIFICATION OF ARTICLE 3.12 "SIGNS" UNDER SECTION 3.12.082 "COPY".

Doug Martin apologized for not being present in for the past meetings. Mr. Martin received a letter late summer, early fall stating that the sign at 1200 Roberts Cut Off Rd. did not comply with the city ordinance. Mr. Martin would like clarification on what part of the sign does not comply. If the big part of the sign does not comply, it will be a big financial burden to change. CS Gregory stated the code reads if the sign is in another language, that language has to be copied in English. CS Gregory does not think the name would apply since that is the name of the church, but it would apply to the letter board. A suggestion would be is to have one side of the sign in English and the other side in Spanish. And that would comply with the city ordinance. Doug Martin asked about the banner that is on the building and in Spanish. CS Gregory said that banners are meant to be temporary and are only allowed to be up for a certain period of time.

Mr. Martin would like the information be given out to the public when inquiring about sign permits, etc. Council Member Crews and Mayor Earwood stated this information is available online on our website.

9. CONSIDER APPROVAL OF CONTRACT WITH ALLIED COMPLIANCE SERVICES FOR THE CITY'S DRUG & ALCOHOL TESTING PROGRAM.

CS Gregory stated the city has been utilizing Allied Compliance for many years. Mayor Earwood suggested before the renewal for next year, get with Cisd and find out what company they use.

Council Member Butler moved, seconded by Mayor Pro-Tem Gordon to approve the contract with Allied Compliance. All voted "Aye".

10. CONSIDER APPROVAL OF THE METHOD OF NOTICE AND APPLICATIONS FOR ZONING PUBLIC HEARING NOTICE PURSUANT TO SECTION 25 OF THE CITY'S COMPREHENSIVE ZONING ORDINANCE AND SECTION 211.007 LOCAL GOVERNMENT CODE AS ADOPTED AND AS AMENDED.

CS Gregory stated that the forms are supposed to be approved by the governing body. The site plan application has been revised to meet the provisions in Section 25.

Mayor Pro-Tem Gordon moved, seconded by Council Member Crews to approve the method of notice and applications for zoning public hearing

notice pursuant to Section 25 of the city's comprehensive Zoning Ordinance and Section 211.007 Local Government Code. All voted "Aye".

11. UPDATE ON FIRE MERGER AS PRESENTED BY MAYOR PRO-TEM GORDON AND COUNCILMAN STEVE HOLLAND.

At this time, Council Member Holland is not present. Mayor Earwood stated River Oaks Fire Department is trying to merge with Westworth Village Fire Department and Sansom Park Fire Department. Mayor Pro-Tem Gordon said there have been several meetings with Westworth Village. There needs to be a better way to serve our citizens. The goal is to have all three cities to combine Fire Departments. So far, everyone is on board with this merger; but we are currently in the preliminary stages. One of the issues is River Oaks is "Home Rule", which is governed by a charter. And Sansom Park and Westworth Village are "General Law". There is discussion about having a paid and a volunteer Fire Department.

Fire Chief Short said volunteering has been down in all of the Fire Departments. There are about 50% of volunteers in the River Oaks Fire Department that do not live in River Oaks and cannot respond from home. Chief Short recommends merging all three Fire Departments into one. Some of the benefits would be better service for the same money, standardized care, a qualified crew, and 24 hour on-duty personnel available. Attorney Betsy Elam suggests an Inter Local Agreement, and River Oaks needs to preserve control. Council Member Crews does not want any council members to sit on this board because when elections come up, ~~will~~ we may encounter the problem in having a newly elected council member on the board who does not know what is going on.

Mayor Pro-Tem Gordon closed with saying that there are many more hours to go for discussion on this merger.

13. CONSIDER APPROVAL TO INTERCONNECT THE CITY HALL, FIRE DEPARTMENT AND POLICE DEPARTMENT TO THE CITY'S MAIN COMPUTER SERVER.

CS Gregory stated that the Fire Department has had problems accessing the internet. We can interconnect as long as we have the proper firewalls. The Police Department would like to be able to access court information. The cost to interconnect will be \$3,390 of which \$1,130 of that would be paid out of court technology. As of right now, we do not have to amend the budget.

Council Member Crews moved, seconded by Mayor Pro-Tem Gordon to approve the interconnection with the city's main computer server between the City Hall, Fire Department and Police Department. All voted "Aye".

14. CONSIDER APPROVAL TO CONTRACT WITH CARDIAC SERVICE TO INSTALL AED DEVICES IN THE CITY HALL, LIBRARY, POLICE DEPARTMENT AND COMMUNITY CENTER.

Fire Chief Ron Short said the current AED's are out of date. It is cheaper to replace them than to have them serviced. Fire Chief recommends to contract with Cardiac Service. The contract also includes training for the employees. CS Gregory stated the City Hall is the only one that has an AED. Staff would like to add three more so all buildings will have one.

Mayor Pro-Tem Gordon moved, seconded by Council Member Butler to enter into a contract with Cardiac Service. All voted "Aye".

PUBLIC HEARINGS/ACTION FROM PUBLIC HEARINGS:

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 KEITH STEELE IN ORDER TO CONVERT AN OPEN CARPORT TYPE ACCESSORY STRUCTURE LOCATED ON THE PROPERTY INTO AN ENCLOSED GARAGE THAT MEETS "C-2" COMMERCIAL DEVELOPMENT REQUIREMENTS AS LOCATED ON THE PROPERTY AT 5177 RIVER OAKS BLVD., *LEGALLY DESCRIBED AS BEING BLOCK 30, LOT 5R2; FOREST ACRES ADDITION 2ND FILING* LOCATED IN AN "C-2" COMMERCIAL ZONING DISTRICT. (ZONING CASE # SP2011-0004).

Mayor Earwood opened the Public Hearing at 8:17 p.m.

Keith Steele said his intention back in August was to close the structure in. CS Gregory stated this plan meets the masonry requirements and this will not violate the parking issues. Mr. Steele said there will be two double paned windows and the door will be made out of the wood from telephone poles. He needs this area to be climate controlled and he plans on using stucco for the siding. Council Member Crews stated that 75% of a new structure has to be covered with masonry and he would like to see the plans. Mr. Steele plans on re-facing the front of the entire strip center. He is going to go before the Economic Development Board requesting a Big Improvement Grant for re-facing the building. CS Gregory stated that Keith will be putting up metal right now until he gets approval from the EDC Board.

Mayor Earwood closed the Public Hearing at 8:31 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 KEITH STEELE IN ORDER TO CONVERT AN OPEN CARPORT TYPE ACCESSORY STRUCTURE LOCATED ON THE PROPERTY INTO AN

ENCLOSED GARAGE THAT MEETS "C-2" COMMERCIAL DEVELOPMENT REQUIREMENTS AS LOCATED ON THE PROPERTY AT 5177 RIVER OAKS BLVD., LEGALLY DESCRIBED AS BEING BLOCK 30, LOT 5R2; FOREST ACRES ADDITION 2ND FILING LOCATED IN AN "C-2" COMMERCIAL ZONING DISTRICT. (ZONING CASE # SP2011-0004).

Mayor Pro-Tem Gordon moved, seconded by Council Member Minter to allow this Site Plan Proposal and to give 90 days to get the whole project completed, which includes the BIG Grant improvements. All voted "Aye".

21. PUBLIC HEARING CONTINUED FROM NOVEMBER 22, 2011: 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 8:33 p.m., Mayor Earwood re-opened the Public Hearing from the November 22, 2011 Council Meeting.

David Vega was present and would like to continue this to the January 10, 2012 Council Meeting.

CISD Superintendent Gary Jones has concerns and would like more information because of the new school being built on Barbara & Isbell. Mayor Earwood stated that we were going to consider scheduling hearings to change the zoning at 715 Isbell to single family but this has been postponed for a while. Mayor Earwood would like to see more control on what goes in around the schools.

22. 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 TAKEN. CONTINUED TO THE JANUARY 10, 2012 COUNCIL MEETING.

23. PUBLIC HEARING: SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT 4525 ALMENA RD.

Mayor Earwood opened the Public Hearing at 8:38 p.m.

Building Inspector Sanders presented pictures of 4525 Almena and went over the violations.

At 8:52 p.m., Mayor Earwood closed the Public Hearing.

24. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 4525 ALMENA 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.

The owner, Chase Bank, wants to bring the house up to code. CS Gregory wants the accessory building demolished since it does not meet any type of code.

Council Member Crews made the motion, seconded by Mayor Pro-Tem Gordon **THAT:**

(1) 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 **main structure is/ are feasible of repair** and therefore ORDER the Buildings to be repaired BY THE OWNER OF RECORD within **89 days** and the LIENHOLDER OR MORTGAGEE OF RECORD to within an *additional 30 days* if the OWNER does not comply. The OWNER OR LIENHOLDER OF RECORD shall establish specific schedules with the Building Official and commence with the repairs within **30-days from the date of the public hearing**; 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 OF RECORD and the debris removed within **89 days** or by the LIENHOLDER OR MORTGAGEE OF RECORD 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; and

(4) if the building is not repaired within **89** 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) further find that the accessory structure on the property is infeasible of repair and must be demolished and all debris removed from the property by the OWNER OF RECORD within **89 days** or by the LIENHOLDER OR MORTGAGEE OF RECORD to within an additional **30-days** if the OWNER OF RECORD 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; and

(6) 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.

All Voted "Aye".

ORDINANCES/RESOLUTIONS AND OTHER ITEMS REQUIRING COUNCIL APPROVAL/ACTON:

25. CONSIDER APPROVAL OF RESOLUTION #720-2011 AUTHORIZING CHEATHAM AND ASSOCIATES ENGINEERING TO RECOMMEND TO TARRANT COUNTY THE ACCEPTANCE OF PM CONSTRUCTION & REHAB, LLC AS THE LOW BIDDER FOR THE 37TH YEAR CDBG PROJECT.

CS Gregory stated this Resolution is to recommend to Tarrant County to award the bid to PM Construction & Rehab, LLC for the 37th year CDBG Project. This project will consist of replacing the sewer main on Shenna from Long to River oaks Blvd.

Council Member Crews moved, seconded by Mayor Pro-Tem Gordon to approve Resolution #720-2011. All voted "Aye".

26. CONSIDER APPROVAL OF ORDINANCE #911-2011 AMENDING ARTICLE 13.09, DIVISION 2, "REGULATIONS GOVERNING INDUSTRIAL WASTEWATERS" OF THE CODE OF ORDINANCES (2006) AS ADOPTED AND AS AMENDED.

CS Gregory stated that about two years ago, TCEQ had recommended some stream line changes to the City's Industrial Waste Ordinance. All the changes presented to the council in this ordinance are recommended by TCEQ and there are no changes to the fee schedule.

Mayor Pro-Tem Gordon moved, seconded by Council Member Butler to approve Ordinance #911-2011. All voted "Aye".

STAFF REPORTS:

27. STAFF REPORT ON SUBSTANDARD PROPERTIES UNDER COUNCIL ORDER:

Inspector Sanders gave the following updates on substandard properties:

- 1129 ST. EDWARDS-CS Gregory stated this property was pulled from the court house steps. Our tax attorney will be here at the January 10th, 2012 meeting to give an update. Should go back on the court house steps in February.
- 5314 ½ AMHERST-No inspections to report with a building permit that expires in February 2012.
- 1205 CHURCHILL-Council repair order expired November 22, 2011. Will bring to council on January 10, 2012.
- 1409 LAWRENCE-No Change.

28. REPORT ON SUBSTANDARD PROPERTIES UNDER ORDER OF BUILDING OFFICIAL:

- 1712 LAWThER-Christmas in Action is working with the owner to bring the property into compliance.
- 5414 BAYLOR-Permits expire March 9, 2012. Substandard Fee has been paid.
- 720 WINTERS-Building Permit expires June 7, 2012.
- 1629 HILLSIDE-Permits expire March 8, 2012. Owner has completed the Owner's Repair Summary Sheet.
- 4824 SHERWOOD-Building Permit expires January 28, 2012. Owner's Repair Summary Sheet has been completed.
- 4525 ALMENA-Owner is given 89 days to repair the house and the Lienholder/Mortgagee is given an additional 30 days if the owner does not comply. The accessory building is to be demolished and debris be removed from the premises within 89 days.

29. NOTICE OF INTENT TO SUBSTANDARD:

- 5519 NOTRE DAME-Intent to Substandard expires December 16, 2011. Must allow the inspector access to do an exterior and interior inspection.

- 1616 LAURA (VACANT)-Intent to Substandard expires December 17, 2011. Must allow the inspector access to do an exterior and interior inspection.
- 4608 ALMENA-Intent to Substandard expires December 18, 2011. Must allow the inspector access to do an exterior and interior inspection.

QUESTIONS RELATED TO STAFF REPORTS INCLUDING:

30. **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.

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

No discussion or action.

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

No discussion or action.

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

No discussion or action.

34. **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.

35. **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.

36. **PARK BOARD MONTHLY ACTIVITY REPORTS** INCLUDING BALLFIELD RENTALS AND QUESTIONS PERTAINING TO MINUTES FROM THE PARK BOARD

No discussion or action.

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

Council Member Crews questioned where the revenue goes from the Halloween events. He also questioned the Stratoplex rentals and the monitoring fees from those rentals. CS Gregory responded that the revenue from the Halloween events is deposited into a Revenue account. As for the Stratoplex rentals, staff will check on that.

38. 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.

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

No discussion or action.

40. 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:

41. 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

Citizen John Claridge asked the Fire Department if they can go to the colleges and recruit volunteers. Fire Chief Short stated they have been doing that and has brought some over from the colleges.

Mayor Earwood commented on how well the fence at the Community Center looks.

Mayor Earwood gave an update in regards to QT. Currently there is another TXDOT problem. The city has another meeting set up with them to discuss the problems.

Shirley Minter commented on how great the Christmas Dinner turned out.

Jim with the River Oaks Lions Club announced they are selling rodeo tickets.

Mayor Pro-Tem thanked PWD Hatley on all the work done on the fence at the Community Center.

EXECUTIVE SESSION:

42. 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 purchase, exchange, lease or value of real property:
- 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

RECONVENE:

43. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

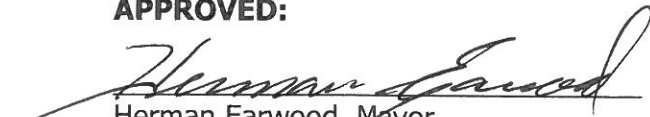
NO ACTION WAS TAKEN.

ADJOURN:


44. ADJOURN

At 9:26 p.m. Mayor Pro-Tem Gordon moved, seconded by Council Member Crews, to adjourn the meeting. All voted "Aye."

APPROVED:


Herman Earwood, Mayor

ATTEST:


Marvin Gregory, City Secretary