

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
AUGUST 27, 2013**

MEMBERS PRESENT:

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

MEMBERS ABSENT :

CM JOE ASHTON - PERSONAL
CM STEVE HOLLAND – PERSONAL

STAFF PRESENT:

CITY SECRETARY MARVIN GREGORY
CITY ATTORNEY BETSY ELAM
PUBLIC WORKS DIRECTOR JAMES HATLEY
PUBLIC WORKS EMPLOYEE KELLY HOOPER
FIRE CHIEF CHRIS HAWKINS
C.C. DIRECTOR SHIRLEY BLOOMFIELD
C.C. DIRECTOR SHIRLEY WHEAT
BI STEVE SANDERS
POLICE CHIEF AVIN CARTER
RECORDING SECRETARY CELINA MORENO

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, August 27, 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:

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 AUGUST 13, 2013
- B. BILL PAYABLE FOR PERIOD ENDING AUGUST 27, 2013
- C. RATIFY HIRING OF ADMINISTRATIVE ASSISTANT I EMPLOYEE, ZENIA BAILEY
- D. RATIFY SCHOOL FLASHER MAINTENANCE AGREEMENT WITH TX SERVICE, INC.
- E. APPROVAL OF MAINTENANCE AGREEMENT RENEWAL WITH CUMMINS SOUTHERN PLAINS FOR CITY GENERATORS

F. RATIFY RECOMMENDATION TO HIRE ROBERT C. MOORE III AS PATROL OFFICER IN THE POLICE DEPT.

~~Mayor Pro Tem~~ CM Crews pointed out that in the school flasher maintenance agreement section 2.1 should not say "two" and it should be removed. CS Gregory agreed to make the correction.

CM Gordon moved, seconded by CM Butler, to approve consent agenda items A, B, C, D and E with a correction on D. 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 DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION.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 **RESOLUTION # 775-2013** FOR SPECIAL EVENT PERMITTING IN ORDER FOR FOUNTAIN OF BLESSINGS CHURCH TO HOLD A CHURCH HARVEST FESTIVAL ON THE CHURCH PARKING LOT AT 1000 ROBERTS CUT OFF RD.

Pastor Oscar Salazar of the Fountain of Blessings Church requested to hold a Church Harvest Fest on October 31, 2013 from 5:30 pm to 8:30 pm at the church parking lot on 1000 Roberts Cut Off Rd.

CM Butler moved, seconded by Mayor Pro Tem Gordon to approve RESOLUTION # 775-2013. All voted "Aye"

8. CONSIDER APPROVAL OF **RESOLUTION # 776-2013** FOR THE SALE OF CERTAIN REAL PROPERTY AT 1601 HILLSIDE DR. ACQUIRED AT A DELINQUENT TAX FORECLOSURE SALE.

David Crawford of Purdue and Brandon presented the recent bid to purchase the vacant lot at 1601 Hillside. Discussion from the council indicated that the bid would not be adequate for the City to consider.

CM Crews moved, seconded by Mayor Pro Tem Gordon not to approve RESOLUTION # 776-2013. All voted "Aye"

9. CONSIDER APPROVAL OF NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS COOPERATIVE DATA PROGRAM PARTICIPATION AGREEMENT.

CS Gregory encouraged City's participation. Gregory was asked if the expenditure was budgeted; Gregory said it was.

Mayor Pro Tem Gordon moved, seconded by CM Crews to approve the North Central Texas Council of Governments Data Program Participation Agreement. All voted "Aye"

10. SCHEDULE AND ANNOUNCE DATE OF MEETING TO VOTE ON 2013 TAX RATE.

No Discussion.

CM Crews moved, seconded by CM Butler to approve Tuesday, September 10, 2013 as the date to vote on 2013 Tax Rate. All voted "Aye"

11. CONSIDER APPROVAL TO WAIVE FEES FOR USE OF THE COMMUNITY CENTER BY THE CASTLEBERRY BAND BOOSTERS FOR HOMECOMING DANCE AND FUND RAISERS.

A representative for the Band Boosters requested a fee waiver to rent the Community Center. CM Crews pointed out other boosters have been denied the same request but have been approved for a reduced rate. As an alternative, the Band Boosters would have the same opportunity for the reduced rental rate at \$40 per hour with a 3 hour minimum, but would still be required to pay a \$200 deposit.

CM Crews moved, seconded by CM Butler to approve to deny approval to waive fees for use of the Community Center by the Castleberry Band Boosters for Homecoming Dance and Fund Raisers. All voted "Aye"

12. CONSIDER APPROVAL TO HOLD A CITY CHRISTMAS PARADE.

Community Center Directors Shirley Bloomfield and Shirley Wheat presented the plan to charge an entry fee of \$10 and the best float will win a \$100 prize. They also presented the idea of changing the route of the parade. CM Crews explained that the fee will probably prevent some people from joining. Mayor Pro Tem Gordon brought up the plan of having the Marathon Run on that same night.

Motion together with next agenda item.

13. CONSIDER APPROVAL OF EMPLOYEE CHRISTMAS BANQUET ON FRIDAY, DECEMBER 6, 2013.

No discussion.

CM Crews moved, seconded by Mayor Pro Tem Gordon to approve both Christmas Parade and Employee Christmas Banquet. All voted "Aye"

PUBLIC HEARING / ACTION FROM PUBLIC HEARINGS:

14. **ADMINISTRATIVE HEARING:** PURSUANT TO SECTION 3.07.013013 OF THE RIVER OAKS CODE OF ORDINANCES IN ORDER TO ASSESS A CIVIL PENALTY AGAINST THE PROPERTY OWNER AT **604 FRONTIER STREET** FOR FAILURE TO COMPLY WITH

AN ORDER ISSUED BY THE BOARD PURSUANT TO SECTION 3.07.007 OF THE RIVER OAKS CODE OF ORDINANCES (2006).

At 7:30 P.M. Mayor Earwood opened the Administrative hearing.

City Attorney Elam explained that the property was still under the property owners' names Joseph C. Etux Joy L. Nowlin. She also asked if we were certain the owners received a copy of the order. Building Inspector Steve Sanders testified that the order was hand delivered to them and he pointed out that in the past three months the city has mowed the property four times.

CA Elam stated that before considering assessing civil penalties, testimony would have to be given to the Board proving the Owners had committed an act of violation of the order in not meeting the time limits of the order.

BI Sanders testified that the structure is still substandard and that the Record Owners had not complied with the original order dated March 26, 2013 that allowed the Owner of Record 89-days in order to abate all substandard violations and an additional 30-days for the Lienholders, if any, to comply in the event the Owner failed to comply. The Owners have committed an act of violation for failure to comply with the March 26, 2013 Order to Repair.

CS Gregory testified that the Owners had not provided proof that 604 Frontier is their legal homestead; however the Tarrant Appraisal District Records indicated that it was the legal homestead for Joseph C. Etux Joy L. Nowlin. CS Gregory suggested the penalties start in the amount of \$10 a day using the date of July 24, 2013 as the date that civil penalties can be assessed for failure of the owners and/or lienholders to comply with the March 26, 2013 Order.

At 7:45 P.M. Mayor closed the Administrative hearing.

15. ACTION FROM THE ADMINISTRATIVE HEARING: CONSIDER ORDERS TO ASSESS A CIVIL PENALTY PURSUANT TO SECTION 3.07.013 AGAINST THE PROPERTY OWNER AT 604 FRONTIER STREET FOR FAILURE TO COMPLY WITH AN ORDER ISSUED BY THE BOARD PURSUANT TO SECTION 3.07.007 OF THE RIVER OAKS CODE.

CM Crews moved, seconded by Mayor Pro Tem Gordon that the Board find that the Building(s) located at 604 Frontier St. *based on evidence presented at the Administrative Hearing of August 27, 2013*, is in violation of the Substandard Building Order issued on March 29, 2013 from the March 26, 2013 public hearing that allowed the Owners of Record until June 23, 2013 and the Lienholders of Record until July 23, 2013 to abate all **Substandard Conditions** and further move to find that:

1. the record property owners, *Joseph C. etux Joy Nowlin* have **not** provided proof that the property at **604 Frontier St** in River Oaks, Tarrant County, Texas is the owner's lawful homestead; and
2. the property owner was notified of the contents of the order issued pursuant to Section 3.07.007 of the River Oaks Code of Ordinances (2006) as amended; and

3. the property owner committed an act in violation of the order or failed to take an action necessary for compliance with the order for a period of **35 days** after the deadline date of July 23, 2013 ; and

THEREFORE MOVE TO ORDER:

1. that civil penalties be assessed in accordance to Section 3.07.013 of the River Oaks Code of Ordinances (2006) as amended against the record owner, **Joseph C. etux Joy Nowlin** pursuant to the March 26, 2013 Substandard Building Order as amended in the amount of \$350.00 (**\$10 per day**) **beginning on July 24, 2013 and continuing each day that the property remains in violation and furthermore civil penalties shall continue in the amount of \$ 10.00 per day** until all the actions under the Substandard Building Order is released; and
2. after the civil penalty is assessed, the city secretary shall file with the district clerk of the county in which the property is located a certified copy of the order assessing the civil penalty stating the amount and duration of the penalty; and
3. the civil penalty may be enforced by the city in a suit brought by the city in a court of competent jurisdiction for a final judgment in accordance with the assessed penalty. A civil penalty under this subsection is final and binding and constitutes prima facie evidence of the penalty in any suit. **All voted "Aye"**

16. **ADMINISTRATIVE HEARING:** PURSUANT TO SECTION 3.07.013013 OF THE RIVER OAKS CODE OF ORDINANCES IN ORDER TO ASSESS A CIVIL PENALTY AGAINST THE PROPERTY OWNER AT **809 GUSTAV** FOR FAILURE TO COMPLY WITH AN ORDER ISSUED BY THE BOARD PURSUANT TO SECTION 3.07.007 OF THE RIVER OAKS CODE.

At 7:50 P.M. Mayor Earwood opened the Administrative Hearing.

City Attorney Elam announced that the property is owned by Bank of America, it has been foreclosed and HUD will soon take over.

Mayor Earwood announced that the hearing will remain open until Tuesday, September 10, 2013 at 7:00 P.M. in order to allow CA Elam additional time in which to verify that the Bank had been properly notified and had received a copy of the Order as is required before civil penalties can be assessed and to verify if in fact the property had been foreclosed on and is under the control of HUD.

No Further Action was taken.

17. **ACTION FROM THE ADMINISTRATIVE HEARING:** CONSIDER ORDERS TO ASSESS A CIVIL PENALTY PURSUANT TO SECTION 3.07.013 AGAINST THE PROPERTY OWNER AT **809 GUSTAV** FOR FAILURE TO COMPLY WITH AN ORDER ISSUED BY THE BOARD PURSUANT TO SECTION 3.07.007 OF THE RIVER OAKS CODE OF ORDINANCES.

No action taken.

18. **PUBLIC HEARING:** SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT **5016 WHITE OAK LANE.**

At 7:55 P.M. Mayor Earwood opened the Public Hearing.

Mrs. Sparks representing Sharon F. Valentine Estate stated she had no knowledge of why the property was deemed substandard or why it would be a hazard to anyone. Her mom had passed away and since that time until recently her son had lived there. BI Steve Sanders explained that this all started when they needed a CO before water could be connected and be approved for occupancy. Sanders testified that compliance was never met and the violations cited were due to health and safety causing the structure to be deemed substandard. Mayor Earwood instructed that pictures needed to be taken inside of the property and arrangements needed to be made for that, meanwhile the hearing would remain open until Tuesday, September 10, 2013 at 7:00 P.M.

19. **ACTION FROM PUBLIC HEARING:** CONSIDER COUNCIL ORDERS ON THE PROPERTY AT **5016 WHITE OAK LANE** THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURES(S) OR ADOPTION OF RESOLUTION IMPLOING A FEDERAL AGENCY TO ABATE ALL SUBSTANDARD VIOLATION IN ORDER TO BE BROUGHT INTO COMPLIANCE WITH SECTION 3.07.004 OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED.

No action was taken.

20. **PUBLIC HEARING:** SUBSTANDARD ENFORMEMENT ACTION REGARDING STRUCTURE(S) LOCATEDON THE PROPERTY AT **933 CARONDOLET**.

At 8:20 P.M. Mayor Earwood opened the Public Hearing.

BI Steve Sanders provided indoor and outdoor pictures to show the substandard condition of the property. BI Sanders testified that due to the accumulation of junk and debris inside and outside on the property and violations of the Property Maintenance Code regarding the plumbing system, the structure had been deemed to be a substandard building. Jeffery McKinney representing the James McKinney Estate testified that his priority was to first clean the property then he was waiting for money in order to complete the plumbing. He stated that in a total of 6 weeks he would complete the work.

CM Crews asked if he was planning to live in it and Jeffery McKinney stated he planned to rent it out. Mayor Pro Tem Gordon suggested he stay in touch with the city.

At 8: 30 P.M. Mayor Earwood closed the Public Hearing.

21. **ACTION FROM PUBLIC HEARING:** CONSIDER COUNCIL ORDERS ON THE PROPERTY AT **933 CARONDOLET** THAT MAY INCLUDE SECURING, VACATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITION OF STRUCTURES(S) OR ADOPTING OF RESOLUTION IMPLOING A FEDERAL AGENCY TO ABATE ALL SUBSTANDARD VIOLATIONSIN ORDER TO BE BROUGHT INTO COMPLIANCE WITH SECTION 3.07.004 OF THE RIVER OAKS CODE OF ORDINANCES (2006) AS AMENDED.

CM Crews moved, seconded by Mayor Pro Tem Gordon 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 that the **structure(s) is/ are feasible of repair and therefore, move to order that:**

the Buildings to be repaired BY THE OWNER OF RECORD within **60 days** and the LIENHOLDER OR MORTGAGEE OF RECORD to within an *additional 30 days* if the OWNER does not comply; and the commencement of repairs within **30-days** and has established specific time schedules with the Owner of Record; and the building(s) 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 from the date of the public hearing** 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 **90 days from the date of the public hearing**, 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 90 days** in full conformance with Section 3.07.004 of the River Oaks Code of Ordinances (2006), the building shall be demolished; and Order that 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"**

22. PUBLIC HEARING: SUBSTANDARD ENFORCEMENT ACTION REGARDING STRUCTURE(S) LOCATED ON THE PROPERTY AT 1221/1223 ROBERTS CUT OFF RD.

At 8: 31 P.M. Mayor Earwood opened the Public Hearing.

CS Gregory reported that both properties had recently changed ownership and one of the new owners had taken out the necessary permits in order to abate the substandard violations within 120-days and the second property owner had made contact and would be in this week to make application for his permits. Gregory requested that the Board take no action at this time and to allow the new owners the opportunity to comply under voluntary compliance.

At 8: 35 P.M. Mayor Earwood closed the Public Hearing with no council action taken.

23. ACTION FROM PUBLIC HEARING: CONSIDER COUNCIL ORDERS ON THE PROPERTY AT 1221/1223 ROBERTS CUT OFF RD. THAT MAY INCLUDE SECURING, VAVATING OF OCCUPANTS, REMOVAL, REPAIRING OR DEMOLITON OF STRUCTURE(S) OR ADOPTING OF RESOLUTION IMPLORING 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.

No action was taken.

ORDINANCES/ RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

24. CONSIDER APPROVAL OF **ORDINANCE NO. 992-2013** AMENDING ARTICLE 12.05, "STOPPING, STANDING AND PARKING", OF THE CITY OF RIVER OAKS CODE OF ORDINANCES (2006 BY INCORPORATING INTO SECTION 12.05.012 "SPECIAL STOP INTERSECTIONS" AS SECTION 12.05.012 (m) and (n) OF THE RIVER OAKS CODE.

CM Butler moved, seconded by Mayor Pro Tem Gordon to approve Ordinance #992-2013. All Voted "Aye"

25. CONSIDER APPROVAL OF **RESOLUTION NO. 777-2013** AUTHORIZING ECONOMIC DEVELOPMENT CORPORATION (EDC) EXPENDITURES FROM THE 2013-2014 FISCAL YEAR BUDGET AS QUALIFIED FOR PROJECTS MORE THAN \$10,000.00 AND PROVIDING AN EFFECTIVE DATE (FIRST READING).

CM Butler moved, seconded by CM Crews to approve Resolution # 777-2013 on the first reading. All voted "Aye"

STAFF REPORTS:

26. STAFF REPORT ON SUBSTANDARD PROPERTIES UNDER COUNCIL ORDER:

- 809 GUSTAV – Was discussed earlier.
- 604 FRONTIER ST. – Was discussed earlier.

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

- 1463 LONG – They are replacing windows. Active Permits.
- 5401 POMONA – Working under active permits.
- 5612 N.SHILDER – Have pulled electrical permits, should be completed by end of the month.
- 1221 & 1223 ROBERTS CUT OFF RD. – Both properties have sold. Permits will be issued under voluntary compliance.
- 500 FRONTIER – Permits have been issued.
- 5016 WHITE OAK – No Permits. Public Hearing to be continued on September 10th.
- 933 CARONDOLET – Board Orders issued earlier tonight.

28. **STAFF UPDATE ON WARD OF T.E.R.P. GRANT**

CS Gregory stated that the City was approved for the TERP Grant which gives the City the opportunity to purchase two trucks at 20% of total cost.

Kelly Hooper explained that he'd like the city to purchase one custom 4 wheel drive truck first and wait two years before the City buys the second truck.

No further action was taken.

QUESTIONS RELATED TO MONTHLY STAFF REPORTS INCLUDING:

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

No action taken.

30. **FIRE DEPT. REPORT** INCLUDING NUMBER OF CALLS FOR SERVICE.

No Discussion.

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

No Discussion.

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

No Discussion.

33. **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.

34. **PUBLIC WORKS ACTIVITY REPORTS** 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.

35. **PARK BOARD ACTIVITY REPORTS** INCLUDING BALLFIELD RENTALS, GRANT UPDATES AND QUESTIONS PERTAINING TO MUNUTES FROM THE PARK BOARD.

No Discussion.

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

CM Crews stated his concern that the Community Center Reports is not including all expenses in the 70/30 % split between the vendors. CS Gregory stated he would get that corrected.

37. **CITY SECRETARY ACTIVITY REPORT** INCUDING REVENUE FROM SALES TAX, DOLLAR DONATIONS, EDC SALES TAX, TEX POOL AND CRIME SALES TAX.

No discussion.

38. **EDC ACTIVITY REPORT** INCLUDING RUNDED PROJECT UPDATES, UPCOMING PROJECTS AND BIG IMPROVEMENT GRANT APPLICATIONS.

No discussion.

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

No discussion.

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

No discussion.

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 EXITING POLICY ON THAT ISSUE, OR DIRECTING THE PERSON MAKING THE INQUIRY TO VISIT WITH CITY STAFF ABOUT THE ISSUE. **NO COUNCIL DELIBERATION IS PERMITTED**

EXECUTIVE SESSION:

42. 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: Advice from City Attorney regarding possible litigation on substandard properties at 1205 Churchill, 1409 Lawrence and 4525 Almena 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, evacuation, 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:

43. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

None.

ADJOURN:

42. ADJOURNMENT

Mayor Earwood reported that Quick Trip sales has exceeded what they anticipated.

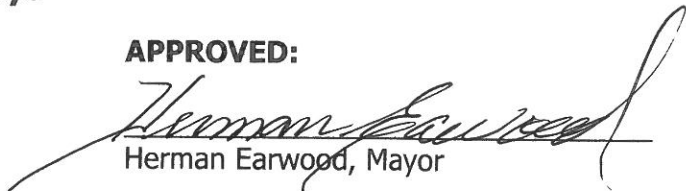
Mayor Earwood reported that Burger King is going along good.

Mayor Earwood reported that Subway will open soon and there is a rumor that a Dollar Store might be located across the street from City Hall and the plan was to split the building into possibly 3 separate units, but we have received no confirmation of that.


Mayor Pro Tem Gordon reported that at the PLMC Open House she had received word that the City would be granted the Livable Community Grant for the River Oaks Blvd. Master Plan and announced that meetings could start in October 2013.

At 9:15 p.m. Mayor Pro Tem Gordon moved, seconded by CM Butler to adjourn the meeting. All voted "Aye"

APPROVED:


Herman Earwood, Mayor

ATTEST:


Marvin Gregory, City Secretary