

**MINUTES OF THE REGULAR MEETING
RIVER OAKS CITY COUNCIL
AUGUST 13, 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
EMERGENCY MANAGEMENT COORDINATOR JAMES MYRICK
POLICE CHIEF AVIN CARTER
FIRE CHIEF CHRIS HAWKINS
PUBLIC WORKS DIRECTOR JAMES HATLEY
BUILDING INSPECTOR STEVE SANDERS
RECORDING SECRETARY SUSAN STEWART

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 13, 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

CM Butler led the pledges of allegiance to the United States and the Texas Flags.

4. READING OF PROCLAMATION(S) AND SPECIAL PRESENTATIONS 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. **COUNCIL RESERVES THE RIGHT TO REMOVE ANY ITEM ON THE CONSENT AGENDA FOR FURTHER DELIBERATION**

- A. MINUTES OF SPECIAL CALLED COUNCIL MEETING JULY 30, 2013
- B. BILLS PAYABLE FOR PERIOD ENDING AUGUST 13, 2013
- C. RATIFY RESIGNATION AND HIRING OF A POLICE DISPATCHER
- D. APPROVE SERVICE AGREEMENT WITH 3M LIBRARY SYSTEMS
- E. RATIFY HIRING OF LAURA ATKINS AS AN ADMINISTRATIVE I SECRETARY

Mayor Earwood removed agenda items D and E from the consent agenda.

Mayor Pro Tem Gordon moved, seconded by CM Ashton, to approve consent agenda items A, B, and C and remove items D and E. All voted "Aye."

6. DISCUSSION OR ACTION TAKEN ON ITEMS WITHDRAWN FROM CONSENT AGENDA FOR SEPARATE DELIBERATION

CS Gregory stated that the Library 3M contract has been renewed for the past 13 years however, Library Director Earwood does not believe the system is essential at a cost of \$576 per year.

Mayor Earwood stated that the applicant chosen to fill the administrative position has declined the position.

No action was taken on consent agenda items D and E.

PERSONAL APPEARANCES AND ITEMS REQUIRING COUNCIL APPROVAL/ACTION:

7. CONSIDER APPROVAL OF CHANGE ORDER NUMBER 1 IN ORDER TO INCLUDE ACCEPTANCE OF ALTERNATE BID ITEMS ON THE SHEAR DR. STORM WATER EXTENSION PROJECT

CS Gregory explained that Council had approved the contract without including the alternate bids for curb and guttering and inlets since the school was to participate in sharing the cost using their contractor. Following meetings with the contractor, it was determined that the city contractor would perform the work at a lower cost. CS Gregory stated that the total cost of the contract will remain at approximately \$96,000.

Mayor Pro Tem Gordon moved, seconded by CM Crews, to approve change order number 1 as presented. All voted "Aye."

8. CONSIDER APPROVAL OF EMERGENCY WATER LINE PROJECT WITH TEJAS COMMERCIAL CONSTRUCTION IN ORDER TO REPLACE WATER MAIN IN THE 1100 AND 1200 BLOCKS OF CHURCHILL

PWD Hatley requested ratification of funding for the emergency water line replacement of 1,155 feet on Churchill in the amount of \$54,240.

CM Crews moved, seconded by CM Butler, to approve the emergency water line project on Churchill as presented. All voted "Aye."

9. CONSIDER APPROVAL TO PAY THE 2013-2014 DUES TO TARRANT REGIONAL TRANSPORTATION COALITION FOR MEMBERSHIP

CM Crews stated that this organization is similar to a Lobby representing several organizations. CS Gregory stated that Incode does not reflect any payments for previous participation in this membership.

Mayor Pro Tem Gordon moved, seconded by CM Butler, to deny the 2013-2014 dues to Tarrant Regional Transportation Coalition. All voted "Aye."

10. DISCUSSION AND/OR ACTION ON CONTRACTING WITH CITY OF SANSOM PARK FOR ANIMAL SHELTER

PC Carter presented a verbal proposal of Sansom Park to continue utilizing the animal shelter at a cost of \$500 per month. PC Carter added that a proposal to swap animal shelter services for building inspection services was mentioned. Council was not receptive to the "service swap" and directed PC Carter to present a contract outlining the duties and responsibilities of both parties and the cost.

No action was taken.

11. DISCUSSION AND/OR ACTION ON STAFF RECOMMENDATION FOR UPDATING THE CITY'S MODEL CONSTRUCTION CODES AS RECOMMENDED BY NCTCOG

CS Gregory stated the PLMC is recommending that cities adopt the 2012 model construction codes. Staff will present a series of codes in the near future.

No action was taken.

12. CONSIDER APPROVAL FOR CITY TO HOLD A CHRISTMAS PARADE

Discussion occurred relative to interest in re-instating the annual Christmas Parade. It was agreed that Staff would prepare a survey to evaluate the level of anticipated participation.

No action was taken.

ORDINANCES / RESOLUTIONS REQUIRING COUNCIL APPROVAL/ACTION:

13. CONSIDER APPROVAL OF **ORDINANCE NO. 989-2013** AMENDING ORDINANCE 875-2011 PURSUANT TO SECTION 12.08 "OFFICIAL BOND FOR APPOINTED OFFICERS" REQUIRING BONDING OF EMPLOYEES WHOSE DUTIES PERTAIN TO CASH HANDLING

CS Gregory relayed the recommendation of the auditor to bond all employees that handle cash. CS Gregory suggested that Assistant City Secretary Luck and he be bonded for \$100,000 and the employees be bonded for an amount up to \$50,000 each.

Mayor Pro Tem Gordon moved, seconded by CM Ashton, to approve Ordinance #989-2013. All voted "Aye."

14. CONSIDER APPROVAL OF **ORDINANCE NO. 990-2013** AMENDING ARTICLE 12.05 "STOPPING, STANDING AND PARKING" SPECIFICALLY IN SECTION 12.05.011 "SPECIAL NO PARKING ZONES" OF THE RIVER OAKS CODE OF ORDINANCES BY ESTABLISHING NO PARKING ZONES ON ROBERTS CUT OFF RD. AND INSPIRATION LANE

PC Carter recommended that Roberts Cut Off from River Oaks Boulevard to Skyline be designated as no parking on both sides of the street.

Mayor Pro Tem Gordon moved, seconded by CM Butler, to approve Ordinance #990-2013 amending Article 12.05. All voted "Aye."

15. CONSIDER APPROVAL OF **ORDINANCE NO. 991-2013** AMENDING ARTICLE 12.02 "OPERATION OF VEHICLES" INCORPORATING SECTION 12.02.010 "3-LANE MINOR UNDIVIDED ARTERIAL ROAD; CENTER TURN LANE DESIGNATED AS LEFT TURN ONLY LANE; PROHIBITIONS" OF THE RIVER OAKS CODE OF ORDINANCES AS AMENDED

PC Carter recommended that a turn lane be designated on Roberts Cut Off from the post office to Notre Dame.

CM Crews moved, seconded by CM Ashton, to approve Ordinance #991-2013. All voted "Aye."

16. FY 2013-2014 BUDGET WORKSHOP

Discussion occurred over adopting a deficit budget of approximately \$85,000 with a large portion of that being for Fire Department personnel in a situation that is unknown at this time. It was noted that the Standard & Poor rating is affected by adopting deficit budgets. It was decided by a vote of 3/2 that the \$75,000 be removed from the budget leaving only a \$10,000 deficit. Mayor Earwood stated that a final decision on the direction of the Fire Department would be made by January 1, 2014 and he directed staff to place the item on the December 10, 2013 agenda for consideration.

17. ACTION IF ANY FROM BUDGET WORKSHOP

CS Gregory indicated that the deficits of \$10,000 in the general fund and \$24,000 in the water fund could be eliminated.

No action was taken.

PUBLIC FORUM:

18. 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**

An unidentified citizen asked about code and substandard enforcement on the property at 5016 White Oak. Inspector Sanders reported that this property will be presented to the City Council on August 27, 2013 for substandard enforcement and the code department has active cases as well.

EXECUTIVE SESSION:

19. 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:

- Section 551.071 Pending or contemplated litigation or to seek advice from attorney:
- Section 551.072 Discussion regarding possible sale, lease or acquisition of real estate:
- 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.
- Section 551.076 Deliberation regarding security devices

None called for.

RECONVENE:

20. CONSIDER APPROVAL OF ANY ACTION FROM EXECUTIVE SESSION

None.

ADJOURN:

21. ADJOURN

Inspector Sanders stated that Burger King has passed the framing inspection and is near the rough in phases for electrical, plumbing and mechanical permits. Sanders reported that Burger King is experiencing a delay from Fort Worth over the sewer line.

Inspector Sanders reported that the contractor for Subway has obtained their permit.

Inspector Sanders reported that the plans for the Washateria are being reviewed.

Mayor Earwood stated that the property (Dollar Store) across from City Hall may have a new owner.

Mayor Earwood stated that Dixie House has closed which has positively affected River Oaks Café.

Mayor Earwood stated that Walter Bowen's wife is hospitalized after suffering a stroke.

At 8:31 p.m. CM Holland moved, seconded by Mayor Pro Tem Gordon, to adjourn the meeting. All voted "Aye."

APPROVED:

ATTEST:



Marvin Gregory, City Secretary

Herman Earwood, Mayor