

Memorandum

To: Honorable Mayor Bill Agan and members of the Richland Hills City Council
From: Linda Cantu, City Secretary
Date: May 1, 2013
Subject: Minutes 4-16-2013

City Council Action Requested:

Consider approval of April 16, 2013 City Council Minutes

Background Information:

Attachment - Minutes

Board/Citizen Input:

N/A

Financial Impact:

N/A

Staff Contacts:

Linda Cantu, City Secretary
817-616-3810
lcantu@richlandhills.com

**MINUTES OF
RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
APRIL 16, 2013**

Mayor Agan called the Regular City Council meeting to order at 7:00 p.m., in the Council Chambers of the Richland Hills City Hall, 3200 Diana Drive, Richland Hills, Texas.

Bill Agan Mayor

Roland Goveas, Place 1 Councilmembers
Toya Norton, Place 2
Robert DeSoto, Place 3
Beverly Williams, Place 4
Edward Lopez, Place 5

Curtis Hawk City Manager
Linda Cantu City Secretary
Betsy Elam City Attorney

WORK SESSION – 6:30 P.M.

1. Discussion of Possible Amendments to Richland Hills Home Rule Charter.
2. Executive Session: Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.087, 413.183(f) and 418.106(d) & (e) of the Texas Government Code (Texas Disaster Act). Refer to posted list attached hereto and incorporated herein.

REGULAR SESSION – 7:00 P.M.

with the following members absent: None, constituting a quorum, at which time the following business was transacted:

CALL TO ORDER

INVOCATION AND PLEDGES OF ALLEGIANCE

The invocation was given by Councilmember Lopez.

Councilmember Williams led the Pledge of Allegiance to the United States and Texas flags.

1. PRESENTATIONS

A. Proclamations – Motorcycle Safety and Awareness Month

Mayor Agan proclaimed May 2013 as Motorcycle Safety and Awareness Month in Richland Hills and urged all residents to do their part to increase safety and awareness in the community, and encourage riders and motorists alike to give each other the mutual respect they deserve.

B. Presentations – None at this time.

C. Citizen Appearances/Public Comments

(Citizens who have signed a card to speak to the City Council will be heard at this time. In compliance with the Texas Open Meetings Act, unless the subject matter of the presentation is on the agenda, the city staff and City Council members are prevented from discussion of the subject and may respond only with statements of factual information or existing city policy. Public comment will not be taken on items that the Council has previously considered in a public meeting).

Karen Wilson, 7079 Baker Blvd., as a new business owner in the city, Ms. Wilson introduced herself and briefly explained her business operation as a training center for registered nurses.

Travis Malone, 3106 Elm Park, requested Council consider funding for street repairs on Vance Road and Rosebud Lane near Rosebud Park.

2. CONSENT AGENDA

- A. Approval of April 2, 2013 Minutes.
- B. Agreement with Chesapeake Energy to install three temporary water lines across six acres of City of Richland Hills property.
- C. Interlocal agreement with Tarrant County to modify and expand the West Nile Virus surveillance and response program.
- D. Accept resignation of Tamatha Hawley, Animal Shelter Advisory Board and Tommy Miller, Planning and Zoning Commission.

City Manager Hawk explained the certificate of liability insurance for Item 2B, Chesapeake Energy, reflects an expiration date of July 2012. There is an error on the certificate in the item presented in the agenda. The actual expiration is July, 2013.

Councilmember Williams requested three changes to the minutes; items numbered 7, and 7, should be changed to 7 and 8; and two items discussed after executive session, Chapter 10 should reflect number 6A, and Solicitation ordinance should reflect number 7B.

MOTION: A motion was made by Councilmember Williams, and seconded by Councilmember DeSoto to approve with the changes. Motion carried by a vote of 5-0.

3. PUBLIC HEARINGS AND OTHER RELATED ITEMS

A. No items for consideration.

4. ORDINANCES, RESOLUTIONS AND OTHER RELATED ITEMS

A. Ordinance No. 1245-13, Amending the Richland Hills Code of Ordinances, Article IV, Itinerant Merchants and Vendors, Peddlers and Solicitors of Chapter 18, "Businesses" and Amending Appendix A to set forth the Application Fees for such activities.

City Manager Hawk noted a change to Ordinance 1245-13, page 14, Sec. 18-198. Appeals, line three (3) "by filing notice of appeal with the city manager, and not the police chief".

Mr. Hawk briefed Council on the key changes to the ordinance:

Change Administrator from Community Development office to City Secretary's office;
Canvasser- is a person who engages in canvassing activities;
Handbill Distributor- is a person walking or traveling by vehicle, going door to door, without personally contacting person, distributing literature;
Solicitor- a person who engages in solicitation activities;
Traffic Safety vest- each person shall wear a high visibility vest made of fluorescent material that may be clearly seen;
Mr. Hawk briefly addressed Sec. 18-174 General Regulations, Sec. 18-176 Penalty-through Sec. 18-191.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to approve. Motion carried by a vote of 5-0. **Ord. No. 1245-13**

B. Resolution No. 412-13, Appointment of City Council Finance Committee.

City Manager Hawk expressed the need to have Council appoint two (2) members of the Council to serve on a committee to periodically meet with staff to

review certain items that impact the City's current and future finances and budget.

MOTION: A motion was made by Councilmember Williams, and seconded By Councilmember Norton to approve the Resolution and to Nominate Council Member Lopez and Council Member Goveas to serve on the Finance Committee. Motion carried by a vote of 5-0.
Res. No. 412-13

- C. Resolution No. 413-13, Authorizing the City Attorney to bring a Condemnation Action for the purpose of obtaining fee title to real property for use by the City for construction of a Municipal Complex and/or Community Activity Center, or for other Public purposes permitted by law.

City Manager Hawk reviewed for Council the background on the City's need for the property owned by Mr. Spencer Hodge at 3271 Matthews Drive, and discussed the contents of the resolution, the City's eminent domain powers, and the condemnation process. Mr. Hawk pointed out that the resolution authorizes the City Manager and/or City Attorney to make a final offer to the owner of the property, based upon appraisals available to the City, and authorizes the City Attorney to bring a condemnation lawsuit against the owner in order to acquire the property through the City's eminent domain process if the owner and all other parties having an interest in the property fail or refuse to accept the City's final offer.

MOTION: Councilmember Norton made the following motion: "I move that the City Council of the City of Richland Hills authorize the use of the power of eminent domain to acquire the property at 3271 Matthews Drive, owned by Spencer Hodge, for a municipal complex and/or community activity center project, and adopt the resolution as presented." Councilmember Goveas seconded the motion and a roll call vote was taken. Motion carried by a vote of 5-0. **Resolution 413-13.**

5. **CONTRACTS, AGREEMENTS, BID AWARDS AND OTHER RELATED ITEMS**

A. Approve completion of Phase 1 of the Public Works Building Improvements.

Michael Barnes, Public Works Director stated this is the second part of Phase 1 of the Public Works Improvements in the amount of \$6,681. Mr. Barnes further stated the existing tables, chairs and refrigerator are fifteen (15) years or older, and are in bad shape.

The following improvements consist of:

1. New table and chairs for break room

2. New refrigerator and double oven
3. Painting offices

Following the completion of Phase I, the city will begin accepting bids for Phase II. That will include:

1. Administrative Assistant Office: Remove shelving and replace office furniture.
2. Foreman Office: Replace all desks and shelving.
3. Superintendent Office: Replace office furniture.
4. Entry: Replace furniture and fixtures.
5. Directors Office: Replace office furniture (if funds available).

MOTION: A motion was made by Councilmember Williams, and seconded by Councilmember DeSoto to approve. Motion carried by a vote of 5-0.

6. OTHER ITEMS FOR CONSIDERATION

- A. Consider appointments to various boards, commissions and committees.

MOTION: A motion was made by Councilmember Williams, and seconded by Councilmember Goveas to appoint Kyle LaPointe to Planning and Zoning as an Alternate. Motion carried by a vote of 5-0.

7. REPORTS & DISCUSSION ITEMS

- A. Discussion of Possible Amendments to Richland Hills Home Rule Charter.

City Manager Hawk stated this item will be on all future agendas until all the work is finished of the Charter Review Commission. The Charter Ad Hoc Commission is reviewing all the recommendations. Mr. Hawk stated this should be completed by the summer.

- B. Presentation of Department Reports.

Council Members expressed their approval of the Departmental Reports.

8. COMMUNITY INTEREST ITEMS

City Manager Hawk mentioned the successful Easter Egg Hunt, which took place on Saturday, April 6. There were approximately twenty (20) children that participated. Mr. Hawk thanked all the staff and volunteers that helped with the event.

Lisa Wood, Library Director, briefed Council Members on the following:

- Ms. Wood produced two (2) before and after pictures showcasing the renovation of the Library. The funding for the renovation is a result of grant money and donations from the community.
- A program scheduled for May 4th, and suggested by Council Member Williams, will be a High Tea that will be conducted at the Community Center. This is a chance for Mothers and Daughters to enjoy some time together in honor of Mothers Day. China tea cups will be given to participants;
- Family friendly events are taking place every Saturday, at 11 a.m. Library staff reported forty (40) residents are attending these events; this month's theme is "Spring";
- GED classes are going well; Tarrant County College representatives and Ms. Wood will go to the Richland Middle School carnival and pass out literature and talking to parents about the GED Classes;
- Summer reading program is set to begin, this year the theme is Summer O' Fun;
- Second annual Park in the Dark will take place the month of June;

Ms. Wood said programs are going well at the Library, and foot traffic is good.

Eric Strong briefed Council Members on the new Family Dollar Store grand opening on Saturday, April 20, at 8 a.m.

Council Member Williams mentioned the Take Back the Meds program, taking place April 27; Earth Day Rally will take place at the BISD Coliseum on Monday, April 22; There was another good turnout for Richland Hills Lunch Bunch. The next lunch is May 10th.

Council Member Norton requested Board members RSVP for the Volunteer Dinner, that will take place on April 25 at the La Quinta Hotel.

Mayor Agan reported some campaign signs have been defaced, and stated there is a reward for any information regarding the person responsible for destroying the signs. It is a private individual that is posting the reward.

Mr. Hawk spoke briefly regarding the emergency response in place in the event the city has an emergency.

9. EXECUTIVE SESSION

No Executive Session this evening.

10. ADJOURNMENT

There being no further business to come before the City Council, Mayor Bill Agan declared the meeting adjourned at 8:17 P.M.

ATTEST

APPROVED

Linda Cantu, City Secretary

Bill Agan, Mayor