MINUTES OF
RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
AUGUST 9, 2011

PRE-COUNCIL WORK SESSION

The pre-council work session was called to order by Mayor David L. Ragan at 6:30 p.m., in the Conference Room of the Richland Hills City Hall to review items on the agenda prior to the regular meeting.

Mayor Ragan 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.

David L. Ragan	Mayor
Edward Lopez, Place 5	Mayor Pro Tem
Roland Goveas, Place 1	Councilmembers
Kenney Davis, Place 2	
Robert DeSoto, Place 3	
Ricky Head, Place 4	
James W. Quin	City Manager
Linda Cantu	City Secretary
Tim Sralla	City Attorney

with the following members absent: Edward Lopez, constituting a quorum, at which time the following business was transacted:

1. Call to Order

2. **INVOCATION/PLEDGES OF ALLEGIANCE**

The invocation was given by Councilmember Kenney Davis.

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

3. **PUBLIC INPUT OR PUBLIC COMMENTS-** Public

None

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember Davis to move Item #8 for discussion at this time. Motion carried by a vote of 4-0.

8. **APPROVE EMPLOYEE HEALTH PLAN FOR FISCAL YEAR 2011-12-**

City Manager James Quin advised this item was for consideration to discuss and approve health plan, accidental death and disability and long-term disability insurance for Fiscal Year 2011-12.

Jack Reeves, 1401 N. Central Expressway, Richardson, TX., briefed Councilmember's on the health plan. Mr. Reeves advised there is no change to the health plan for this year. Mr. Reeves further stated the carrier is Cigna.

The Group Life and Long Term Disability will be changed to Standard. The plan will have similar benefits, including line of duty for public safety officers. This plan will also include a three (3) year rate benefit.

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

4. **BOARD APPOINTMENTS AND RESIGNATIONS-**

At this time, the City Council considered resignations and appointments to the City's boards, commissions and committees.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto to accept the resignation from Travis Malone, Parks and Beautification Advisory Board. Motion carried by a vote of 4-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to appoint Councilmember Head as the Municipal Officer on Animal Shelter Advisory Board. Motion carried by a vote of 4-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Head to appoint Dr. William Anderson as the Licensed Veterinarian on Animal Shelter Advisory Board. Motion carried by a vote of 4-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to appoint Ursula Clover, to Place 1A on

Animal Shelter Advisory Board. Motion carried by a vote of 4-0.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to appoint Brigitte Dollarhide, to Place 1B on Animal Shelter Advisory Board. Motion carried by a vote of 4-0.

MOTION: A motion was made by Councilmember DeSoto, and seconded by Councilmember Goveas to appoint Beverly Williams, to Place 3A on Animal Shelter Advisory Board. Motion carried by a vote of 4-0.

5. **CONDUCT PUBLIC HEARING REGARDING APPROVAL OF FISCAL YEAR 2011-12 CRIME CONTROL AND PREVENTION DISTRICT BUDGET-**

City Manager James Quin advised the following was for consideration:

A) Conducting a public hearing regarding the Fiscal Year 2011-12 Crime Control and Prevention District Budget as recommended by the Board of Directors; and

B) Approving the Fiscal Year 2011-12 Crime Control and Prevention District Budget as recommended by the Board of Directors.

Mayor Ragan opened the public hearing.

There being no one to speak, Mayor Ragan closed the public hearing.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto to approve. Motion carried by a vote of 4-0.

6. **DISCUSS FISCAL YEAR 2011-12 PROPOSED TAX RATE AND SCHEDULE PUBLIC HEARINGS-**

City Manager James Quin advised this item was for consideration to discuss Fiscal Year 2011-12 proposed tax rate, taking a record vote if the proposed tax rate will raise more revenue than preceding year's revenue, and scheduling public hearings.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to adopt the 0.551757 tax rate for Fiscal Year 2011-12 which would support the health plan. Motion carried by a vote of 4-0.

7. APPROVE REQUEST TO CONSTRUCT AND OPERATE AN ELECTRONIC MESSAGE CENTER LOCATED AT 3100 HANDLEY EDERVILLE ROAD-

City Manager James Quin advised this item was for consideration to discuss and approve a request to construct and operate an electronic message center on a 1.1-acre property which is zoned Light Industrial (I-1) and located at 3100-C Handley Ederville Rd. (Lot 1A, Block A, Midway Place Addition).

Dan Boykin, 3535 Popplewell, owner of the sign company was present to answer questions from Councilmember's.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember DeSoto to grant the application of Fast Signs to install and operate a sign on their premises located on their application. Motion carried by a vote of 4-0.

9. **APPROVE A HOUSEHOLD HAZARDOUS WASTE COLLECTION AGREEMENT WITH THE CITY OF FORT WORTH-**

City Manager James Quin advised this item was for consideration to discuss and approve an agreement with the City of Fort Worth Environmental Collection Center for the collection of household hazardous waste.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to approve. Motion carried by a vote of 4-0.

10. **APPROVE AWARD OF CONTRACT FOR DEMOLITION OF STRUCTURE AT 7064 DOVER LANE-**

City Manager James Quin advised the following was for consideration to discuss and approve an award of contract for Base Bid ($21,855), Alternate 1 ($5,800) and Alternate 2 ($6,509) to Garrett Demolition to demolish and dispose of a structure at 7064 Dover Lane, remove and dispose of live and dead trees and install wood and chain link fencing. This item was tabled at Council's Tuesday, July 26, 2011, Regular City Council Meeting.

There was general discussion regarding the installation of the wood fence.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto to approve the demolition of the house and removal of asbestos for $21,855. Motion carried by a vote of 4-0.

Mayor Ragan requested the Public Works Director coordinate with the City Attorney and the City Manager on the demolition.

11. **APPROVE LANDSCAPE MAINTENANCE AGREEMENT WITH TXDOT REGARDING IMPROVEMENTS AT SH 183 AND SH 26-**

City Manager James Quin advised the following was for consideration to discuss and approve a landscape maintenance agreement with the Texas Department of Transportation regarding landscape improvement which will be constructed at State Highway 183 and State Highway 26 funded by 2007 Governor's Community Achievement Award grant.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to approve. Motion carried by a vote of 4-0.

12. **APPROVE ORDINANCE APPROVING A NEGOTIATED RESOLUTION REGARDING ATMOS FOURTH ANNUAL RATE REVIEW MECHANISM-**

City Manager James Quin advised the following was for consideration to discuss and approve an ordinance of the City Council of the City of Richland Hills, Texas, ("city") approving a Negotiated Resolution between the Atmos Cities Steering Committee ("ACSC" or "Steering Committee") and ATMOS ENERGY CORP., MID-TEX DIVISION ("ATMOS MID-TEX" or "Company") regarding the company's FOURTH ANNUAL rate review mechanism ("RRM") filing.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Head to approve. Motion carried by a vote of 4-0.

13. **CONSIDER APPROVING FUNDING OF CAPITAL EQUIPMENT PURCHASES IN FISCAL YEAR 2010-11-**

City Manager James Quin advised the following was for consideration to approve and discuss the purchase of a fire station door and fire department hydraulic rescue tool in FY 2010-11 utilizing proceeds from the 2011 PPFCO Issue. This item was placed on the agenda by Councilmember Lopez.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember DeSoto to approve. Motion carried by a vote of 4-0.

14. **CONSIDER AMENDING ORDINANCE NO. 1204-11 REGARDING MEMBERSHIP APPOINTMENTS-**

City Manager James Quin advised the following was for consideration to approve and discuss amending Animal Shelter Advisory Board Ordinance No. 1204-11 regarding membership appointments. This item was placed on the agenda by Mayor Ragan.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto to direct the City Attorney to make appropriate changes and move this item for discussion at the next City Council meeting. Motion carried by a vote of 4-0.

15. **CONSIDER CEASING FUTURE FUNDING OF LEGAL EXPENSES FOR FORMER COUNCIL MEMBER MARRS-**

City Manager James Quin advised this item was for consideration and discuss ceasing future funding of legal expenses for former Council Member Marrs. This item was tabled at Council's Tuesday, July 26, 2011 Regular City Council Meeting.

Councilmember Goveas stated the city is waiting for the final bill. The motion would be to proceed with one final payment and ruling from the Ethics Committee. If the outcome is negative, then future expenses will be Mr. Marrs responsibility.

City Attorney Tim Sralla asked for clarification on the negative wording. Did Councilmember's interpret that to mean if the ethics complaint would be upheld or Sustained. Councilmember's agreed.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember DeSoto to approve. Motion carried by a vote of 4-0.

16. **CONSIDER APPROVAL OF AN ENCROACHMENT AGREEMENT WITH E.L. BAKER, JR., LTD. PERMITTING USE BY THE PROPERTY OWNER OF CITY RIGHT OF WAY FOR PARKING PURPOSES AT PROPERTY LOCATED AT 7224 BURNS STREET-**

City Manager James Quin advised the following was to consider discussing and approving a proposed agreement with E.L. Baker, Jr., Ltd., allowing the property owner to encroach onto City right-of-way for purposes of constructing and maintaining parking on the property described as Lots 43 and 44, Richland Industrial Park, located at 7224 Burns Street.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to approve. Motion carried by a vote of 4-0.

17. **REMOVAL OF CONSENT AGENDA ITEMS**

There were no items removed from the consent agenda for individual consideration.

18. **CONSENT AGENDA --**

City Manager James Quin presented the consent agenda as follows:

A) Approval of Tuesday, July 26, 2011 Regular Meeting Minutes.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto to approve. The motion carried by a vote of 4-0.

19. **PUBLIC INPUT OR PUBLIC COMMENTS** – Public

Bill Agan, 6900 Katherine Ct., asked Councilmember's if the water bill was going to be lowered, also requested a culvert adjacent to the park.
Barbara Childress, Chief of Police, addressed the newsletter articles, RadKids, New Residents moving to the city, and the Digital Stop Signs.
Travis Malone, 3106 Elm Park, spoke on budget cuts.

20. **EXECUTIVE SESSION**

There was no executive session this evening.

21. **ADJOURNMENT**

There being no further business to come before the City Council, Mayor David Ragan declared the meeting adjourned at 8:10 P.M.

ATTEST **APPROVED**

Linda Cantu
City Secretary

David Ragan
Mayor