MINUTES OF
RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
SEPTEMBER 13, 2011

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

with the following members absent: none, 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 Davis.

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

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

Travis Malone, 3106 Elm Park
Larry Marrs, 7166 Richland Road
Ron Hyde, 6656 Hovenkamp Ave.
Ricky Head, 7078 Brooks Ave.
Martha Strain, 3663 Popplewell
Michael Logan, 2643 Kingsbury
Gerrit Spieker, 3401 Jonette

4. **PRESENTATIONS/RECOGNITIONS/PROCLAMATIONS-**

Consider recognizing and presenting awards to the following:

A) Mayor Ragan presented a five year service award to Mr. Joseph S. Batchelder, Police Officer, Police Department.

5. **BOARD APPOINTMENTS AND RESIGNATIONS-**

Motion: A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to appoint Jean Russell to the Public Transportation Advisory Board, Place 2. Motion carried by a vote of 5-0.

Motion: A motion was made by Councilmember Head, and seconded by Councilmember Lopez to re-appoint Tommy Miller to the Animal Shelter Advisory Board, Place 4B. Motion carried by a vote of 5-0.

Motion: A motion was made by Councilmember DeSoto, and seconded by Councilmember Davis to re-appoint Lynda Kelley to the Animal Shelter Advisory Board, Place 3B. Motion carried by a vote of 5-0.

Motion: A motion was made by Councilmember Goveas, and seconded by Councilmember Davis to move items #16 and #19 for discussion at this time. Motion carried by a vote of 5-0.

16. **APPROVE ORDINANCE ADOPTING NEW WATER AND WASTEWATER RATES-**

City Manager James Quin advised this item was for consideration to discuss and approve an ordinance adopting new water and wastewater rates.

Diane Palmer, Palmer Price, Inc. briefed Councilmember's regarding the revision of the rates for water and wastewater service. Ms. Palmer advised an average of $8.19 reduction will be applied to water rates.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Head to approve. Motion carried by a vote of 5-0. **Ord. No. 1211-11**

19. **DIRECT FINANCIAL ADVISORY SOUTHWEST SECURITIES TO INITIATE REFINANCE OF WATER AND SEWER BONDS-**

City Manager James Quin advised this item was for consideration to discuss and direct the City's Financial Advisory Southwest Securities to initiate process of refinancing city's long term water and sewer bond debt. This item was placed on the agenda by Mayor Ragan.

Mr. Brian Grubbs, Southwest Securities representative, discussed the refinancing of the city's long term water and sewer bonds. Mr. Grubbs stated if the city did refinancing today the cost savings for the city would be just under $400,000 in gross savings. Mr. Grubbs stated he would report back to Councilmember's to review the final savings and update in October.

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

6. **HEAR RECOMMENDATION OF PLANNING AND ZONING COMMISSION REGARDING WATER FOUNTAINS-**

City Manager James Quin advised the following was for consideration to hear and discuss Planning and Zoning recommendation regarding water fountain requirement for commercial buildings.

Ron Hyde, Chair, Planning and Zoning Commission, briefed Councilmember's on the P&Z member's recommendation to not make any change at this time.

Matt Shaffstall, Economic Development Specialist, briefed Councilmember's on the recommendation from Economic Development Advisory Board. The EDAB recommended Council should consider repealing and suspending the requirement of water fountain requirements. Water fountains in businesses are an outdated concept. Small businesses seeking to locate in the City should not be required to install water fountains.

No action required.

7. **HEAR RECOMMENDATION OF ECONOMIC DEVELOPMENT ADVISORY BOARD REGARDING BOARD STRUCTURE-**

City Manager James Quin advised the following item was for consideration to hear and discuss Economic Development Advisory Board recommendation regarding restructuring the board membership number and composition.

Matt Shaffstall, Economic Development Specialists, advised the Economic Development Advisory Board recommended Councilmember's consider five (5) members appointed by Council, and one (1) alternate member appointed by the Mayor. The board further

recommended the board should continue to be residents of the City, but also allow non-residents business owners to serve on the board.

No action taken.

8. **APPROVE RESOLUTION APPROVING INTERLOCAL AGREEMENT WITH TXDOT-**

City Manager James Quin advised the following was to consider and approving a resolution approving interlocal agreement with TXDOT to place "flags" on vehicle records and remove "flags" based upon data submissions received from Local Government as part of Scofflaw Program.

Police Chief Barbara Childress addressed the Councilmember's regarding the Scofflaw Program that addresses the red light camera violators. The resolution would allow the city to enter into an interlocal agreement with TxDOT for their automatic Scofflaw pursuit system for the automatic red light camera program.

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

9. **APPROVE RICHLAND HILLS DEVELOPMENT CORPORATION ACTION-**

City Manager James Quin advised the following was to consider discussing and approving the Richland Hills Development Corporation's action of September 13, 2011, regarding the following: A) Approval of a development agreement with Buyers Barricades, Inc. to construct a 20,000 square foot facility with a minimum value of $1.4 million located at Norton Drive and Baker Boulevard.

Matt Shaffstall, briefed Councilmember's on Buyers Barricades, Inc. Buyers Barricades buys pre-cut metal slots for signs, and applies the graphics on the signs. The uses for this property is permissible-by-right, meaning under the current zoning category they can operate at that location, as a code does not have to be changed.

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

10. **APPROVE HOTEL OCCUPANCY TAX MATCHING GRANT FUNDING APPLICATION GUIDELINES -**

City Manager James Quin advised the following was for consideration to discuss and approving Hotel Occupancy Tax Tourism and Special Events Matching Grants Guidelines as developed by the Economic Development Specialist.

Speakers: Travis Malone, 3106 Elm Park
Gerrit Spieker, 3401 Jonette
Diane Barrette, 7241 Richland Terrace

Matt Shaffstall, addressed the Councilmember's regarding the guidelines in grant funding for the Hotel Occupancy Tax funds. There are three types of events, arts events, special events, and historical preservation events that would fall under the HOT funds.

MOTION: A motion was made by Councilmember Lopez, and seconded by Councilmember Head to table to a future meeting. Motion carried by a vote of 5-0.

11. **APPROVE CONTRACT AWARD FOR THE REMOVAL AND DISPOSAL OF TREES, TRASH AND CONCRETE AT 7064 DOVER LANE-**

City Manager James Quin advised the following is for consideration to discuss and approving contract award for the amount of $6,000 to Garrett Demolition for the removal and disposal of trees, trash and concrete at 7064 Dover Lane.

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

12. **APPROVE RICHLAND HILLS DEVELOPMENT CORPORATION FY 2011-12 BUDGET-**

City Manager James Quin advised this item was for consideration to discuss and approving the Richland Hills Development Corporation budget for Fiscal Year 2011-12 containing $43,736 for an economic development specialist: $9,585 for the storefront improvement program; $6,500 for park improvements; $190,955 for economic development grants; $250,000 for street construction and $1332, 528 for debt service payment.

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

13. **APPROVE FISCAL YEAR 2011-2012 BUDGET AND CIP-**

City Manager James Quin advised this item was for consideration to discuss and a0prove an ordinance adopting a budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012, in accordance with Texas statutes and the Charter of the City of Richland Hills; Providing a severability clause; and Providing an effective date.

Larry Marrs, 7166 Richland Rd.
Travis Malone, 3106 Elm Park
Gerrit Spieker, 3401 Jonette

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Head to approve. Motion carried by a vote of 5-0. **Ord. No. 1214-11**

14. **APPROVE 2011 AD VALOREM TAX RATE-**

City Manager James Quin advised this item was for consideration to discuss and approve an ordinance approving the 2011 appraisal roll; Levying and assessing ad valorem taxes for use and support of the municipal government of the City of Richland Hills; Providing for apportioning each levy for specific purposes; Providing for a tax due and delinquent date: Providing for the continuance of exemptions currently in effect: Declaring a first prior and superior lien on real and personal property; Providing a severability clause; and an effective date.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to approve. Motion carried by a vote of 5-0. **Ord. No. 1213-11**

15. **APPROVE AMENDMENTS TO THE SALARY COMPENSATION AND POSITION CLASSIFICATION SCHEDULES-**

City Manager James Quin advised this item was for consideration to discuss and approve certain amendments to the City of Richland Hills Salary Compensation and Position Classification Schedules including the reclassification of the City Marshal position from Class 19 to Class 21.

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

17. **HEAR PRESENTATION REGARDING SAFE ROUTES TO SCHOOL PROJECT-**

City Manager James Quin advised this item was for consideration to hear and discuss Safe Routes to School project update as presented by the Director of Public Works.

Michael Barnes, Public Works Director, updated the Councilmember's on the SRTS (Safe Routes to School) project. The first phase began March, 2011, and will continue through December, 2013. Mr. Barnes stated this is a big project for one contractor. Because of the large scale, this project will take some time to complete.

18. **APPROVE RESOLUTION AMENDING RULES OF PROCEDURE REGARDING ITEMS PASSED BY THE CITY COUNCIL-**

City Manager James Quin advised this item was for consideration to discuss and approve a resolution amending the rules of procedure governing the proceedings of the City Council with regard to items passed or adopted with changes made during a council meeting.

City Attorney stated if a Councilmember request a revision to an ordinance or resolution, the item will be brought back before Council. If a Councilmember has a question for the Attorney, and the question is answered to Councilmember's satisfaction, the item will be passed without going back on the agenda.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to approve. Motion carried by a vote of 5- 0. **Res. 385-11**

20. **APPROVE REQUESTING PROPOSALS REGARDING EXTERNAL AUDIT SERVICES-**

City Manager James Quin advised this item was for consideration to discuss and approve requesting proposals regarding City's external audit services. This item was placed on the agenda by Councilmember Lopez.

Councilmember Lopez recommended the Mayor draft a letter and send to various auditing firms inquiring as to their interest in providing audit services to the city. Councilmember's will conduct interviews with interested firms and make a decision as to which audit firm will be contracted for the city's audit service.

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

21. **CONSIDER APPROVAL OF AN ORDINANCE CREATING A SPECIAL EVENTS COMMITTEE AND ESTABLISHING PROVISIONS RELATING TO THE POWERS, COMPOSITION, APPOINTMENTS AND TERMS OF OFFICE OF MEMBERS OF SUCH BOARD-**

City Manager James Quin advised this item was for consideration to discuss and consider approval of an ordinance creating a Special Events Committee to assist the City Council with the planning and funding of City-organized and sponsored special events, and establish provisions relating to the powers, composition, appointments and terms of office of the members of board, and the procedures governing its meetings.

Councilmember Goveas recommended establishment of a Special Events Committee that would consist of six (6) members and two (2) alternates' members. The funding for this committee was not addressed in the ordinance; therefore the funding will be discussed at a later date.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Lopez to approve. Motion carried by a vote of 5- 0**. Ord. No. 1212-11**

22. **CONSIDER DISCUSSING AND APPROVING SCHEDULING OF PRE-COUNCIL UPON AN AS REQUESTED BASIS-**

City Manager James Quin advised this item was for discussion and consider approving scheduling of Pre-Council on the agenda upon an as requested basis rather than a regular item. This item was placed on the agenda by Mayor Ragan.

Mayor Ragan stated he had a Councilmember who requested pre-council meetings scheduled on an as needed basis, and not at every City Council meeting.

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

23. **REMOVAL OF CONSENT AGENDA ITEMS-**

Any Councilmember may remove any item from the Consent Agenda for separate discussion and action at this time.

24. **CONSENT AGENDA-**

A) Approval of Tuesday, August 23, 2011, Regular Meeting Minutes.

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

21. **REPORTS/COMMENTS-**

Beverly Williams, 7112 Richlynn
Ron Hyde, 6656 Hovenkamp
Debbie Fritz, 7138 Maple Park Dr.
Travis Malone, 3106 Elm Park

Gerrit Spieker, 3401 Jonette
Larry Marrs, 7166 Richland Rd.

22. **EXECUTIVE SESSION-**

Mayor Ragan announced an Executive Session at 9:26 P.M., Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, executive session may be held under one or more of Sections 551.071, Consultation with Attorney; particularly, expenditure of Hotel Occupancy Tax Funds; and 551.074, Deliberation regarding Personnel Matters; particularly discuss the expectations and goals of the City Council related to the duties of the City Manager.

23. **ADJOURNMENT**

There being no further business to come before the City Council, Mayor David Ragan declared the meeting adjourned at 11:00 P.M.

ATTEST	**APPROVED**
_____	_____
Linda Cantu City Secretary	David Ragan Mayor