MINUTES OF
RICHLAND HILLS CITY COUNCIL
REGULAR MEETING
JANUARY 24, 2012

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
Roland Goveas, Place 1 Kenney Davis, Place 2 Robert DeSoto, Place 3 Ricky Head, Place 4 Edward Lopez, Place 5	Councilmembers
James W. Quin	City Manager
Linda Cantu	City Secretary
Rob Abillon	City Attorney

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

1. Call to Order

2. **INVOCATION/PLEDGES OF ALLEGIANCE**

The invocation was given by Mayor David Ragan.

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

3. **PRESENTATIONS/RECOGNITIONS/PROCLAMATIONS -**

Mayor Ragan presented five-year service awards to A) Office John R. Burkes, Jr., Firefighter/Paramedic, Fire Department; and

B) Mayor Ragan presented five-year service award to City Secretary Linda I. Cantu.

4. **COUNCIL APPOINTED BOARDS-**

No appointment or resignations were made.

5. **APPROVE APPOINTMENT OF ZONING BOARD OF ADJUSTMENT CHAIRPERSON -**

City Manager James Quin advised the following was for discussion and approving the appointment of a chairperson for the Zoning Board of Adjustment.

Don Acker, 7146 Hovenkamp, stated he has served on the Zoning Board of Adjustment in various capacities over the past 20 years. He stated his experience has been that the board members of the Zoning Board of Adjustment have always elected the Chair. He asked that this comment be noted during discussion.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember Lopez to appoint Jerry Plowman as Chair of the Zoning Board of Adjustment. Motion carried by a vote of 5-0.

6. **HEAR PRESENTATION OF MR. OLIVER PETTIT REGARDING FUND RAISING FOR BUILDING AT KATE BAKER PARK-**

City Manager James Quin advised the following was to consider hearing and discussing a presentation of Mr. Oliver Pettit regarding fund raising for a building at Kate Baker Park. This item was placed on the agenda by Mayor Ragan.

Mayor Ragan advised that Mr. Pettit requested this item tabled, as he was not able to attend the meeting tonight.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember DeSoto to table this item to the Feb. 7, 2012 regular City Council meeting. Motion carried by a vote of 5-0.

7. **CONDUCT PUBLIC FORUM ON FISCAL YEAR 2012-13 BUDGET –**

City Manager James Quin advised this item was for consideration to Conduct Public Forum on Fiscal Year 2012-13 Budget in accordance with Section 12.01 of the City Charter to receive citizen comment on items they would like to see included or considered in the budget for the upcoming year.

Mayor Ragan opened the Public Forum on Fiscal Year 2012-13 Budget in accordance with Section 12.01 of the City Charter to receive citizen comment on items they would like to see included or considered in the budget for the upcoming year.

There being no one to speak, Mayor Ragan closed the Public Forum.

No action taken.

8. **CONDUCT PUBLIC HEARING REGARDING 38th YEAR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM-**

City Manager James Quin advised the following was to consider:

1) Conduct public hearing regarding 38th Year Community Development Block Grant Program concerning improvements to Henry Drive and Reeves Street; and
2) Approve 38th Year Community Development Block Grant Program concerning improvements to Henry Drive and Reeves Street.

Michael Barnes, Public Works Director, was present to answer any questions. Mr. Barnes briefed Councilmember's on the continuation of the work that is being done on Henry Drive and Reeves Street.

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

9. **APPROVE AWARD OF CONTRACT TO P.C. CONTRACTORS REGARDING 2012 SEWER IMPROVEMENTS-**

City Manager James Quin advised the following was to discuss and approve an award of contract for the amount of $173,497.60 to P.C. Contractors to construct improvements to the City's sewer system.

Michael Barnes, Public Works Director, stated all the improvements are located in the southwest sewer shed which flows thru the Richland Hills south metering station. The project will include installing 1,554 LF of sewer line by pipe bursting, replace 23 service lines, remove and replace 52 manhole lids and covers.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Davis to approve with completion of 120 days. Motion carried by a vote of 5-0.

10. **CONSIDER DISCUSSING AND APPROVING ADOPTION OF AN ORDINANCE AMENDING THE FEE SCHEDULE TO ESTABLISH FEES FOR VARIOUS PERMITS, INSPECTIONS AND FEES, SPECIFICALLY FEES RELATING TO VACANT BUILDING INSPECTION AND REGISTRATION-**

City Manager James Quin advised this item was for consideration to discuss and adopt an ordinance amending fee schedule relating to vacant building inspection and registration.

Sylvia Bibb, 3520 Ruth Rd., a business owner, voiced her concern regarding this ordinance. Ms. Bibb stated business owners are already stressed because of the down

economy. She cautioned Council Members on the impact this will have on current business owners in the City.

Councilmember Head had many questions and comments on various sections of the ordinance, and suggested changes to the ordinance.

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

11. **APPROVE RESOLUTION AMENDING CITY COUNCIL RULES OF PROCEDURE-**

City Manager James Quin advised this item was for consideration to discuss and approve a resolution amending the City Council Rules of Procedure establishing that the City Council shall regularly meet at least once a month, with the first and third Tuesdays established as regular meeting nights. Ms. Betsy Elam will attend Council Meetings on these dates.

MOTION: A motion was made by Councilmember Goveas, and seconded by Councilmember Lopez to approve effective February 7, 2012. Motion carried by a vote of 5-0.

12. **CONSIDER DISCUSSING AND APPROVING AMENDING LEASE AGREEMENT WITH FOUR SEVENS OIL COMPANY AND SUCCESSOR IN INTEREST CHESAPEAKE EXPLORATION LP AND TOTAL E&P-**

City Manager James Quin advised this item was for consideration to discuss and approve amending an oil and gas lease entered into on August 3, 2005 by and between the City of Richland Hills and Four Sevens Oil Company, Ltd., and subsequently revived, amended and assigned to Chesapeake Exploration, LLC, as successor in interest to Chesapeake Exploration LP, and Total E&P, USA, Inc., a memorandum of said lease is filed of record with the Tarrant County Clerk's office as Instrument #D205248763, with a corrected property description filed of record as instrument #: D205295001, and subsequently amended and filed of record as instrument #: D208297704, D209139096, and D210003598, in order to amend the pooling provisions of said lease.

MOTION: A motion was made by Councilmember Head, and seconded by Councilmember Davis to table this item to the February 7, 2012, regular City Council meeting. Motion carried by a vote of 5-0.

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

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

14. **CONSENT AGENDA-**

A) Approval of Tuesday, January 10, 2012, Regular Meeting Minutes.

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

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

David White, 7008 Popplewell
Andy Baugh, 3604 Granada
Larry Marrs, 7166 Richland Rd.
Gerald Page, 2915 Scruggs Park
Rick Strain, 3663 Popplewell
Horace Hamilton, 7517 Hovenkamp
Chris Thomas, 4110 Aaron, Highland Village
Bonnie Solecki, 3151 Gerome

16. **EXECUTIVE SESSION-**

Mayor Ragan announced an Executive Session at 8:18 p.m., Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, in particular Section 551.071: Consultation with Attorney, item 2) Consider approving mediated settlement agreement in litigation or contemplated litigation currently pending against the City; specifically, Denice Thomas v. City of Richland Hills.

Mayor Ragan reconvened the meeting at 8:56 p.m.

MOTION: A motion was made by Councilmember Davis, and seconded by Councilmember Goveas to approve the mediated settlement agreement between the City; specifically, Denice Thomas v. City of Richland Hills. Motion carried by a vote of 5-0.

17. **ADJOURNMENT**

There being no further business to come before the City Council, Mayor David Ragan declared the meeting adjourned at 8:58 P.M.

ATTEST **APPROVED**

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Linda Cantu
City Secretary

David Ragan
Mayor