



**City Council Meeting
Minutes
Regular Session
June 10, 2010 - 7:00 p.m.**

Rhome City Hall
105 W. First Street
Rhome, TX

Council Present: Mayor Evelyn L. Obenour; Mayor Pro Tem Chris Moore; Council Members: Jo Ann Wilson, Charles Pennington, David Wilson and Gerry McBride.

Staff Present: Walt Leonard, City Attorney; Ramah Burns, City Secretary; Preston Gilliam, Public Works Director; Robert Pratt Fire Chief; James Rose Police Chief.

Pastor Roy Deaver gave the Invocation.

Mayor Obenour led the assembly in the Pledge of Allegiance.

Citizen Presentations and Public Input for Future Agenda Items:

Jan McKelleb said she has lived in Rhome for almost six (6) years in By Well Estates. She said she thinks all of Rhome needs to know what is going on. You've heard a lot on the news about bullying in school. She said these young bullies grown up to be adults bullies. She said the Mayor is being bullied, harassed, threatened and the Mayor has had her property trespassed on. The ones that voted for the Mayor I know you're going to back her. She wants to do good things for this city. She wants to see good businesses come in and growth and people living here and raising their families. There have been witnesses to some of these things and they don't say anything. There have been meetings when she was on the Parks Committee where people would bully her out "Hey Lady". This is not right – she is a woman, she is an elder and she is the Mayor. She deserves respect. One of these people has gone in her driveway and harassed her and gone to the door and rung the door bell and told her you don't know what you're doing, you don't know how to be a Mayor and you're too old to be a Mayor. She said this little group – it's not a big group – it's a little group of bullies that seems to have something against women. Evelyn won the election 110 – 68. She said a lot of Rhome spoke and they wanted her as Mayor and she is going to do a really good job. If said if these so called bullies want to join us they can but if they are not going to she said she is telling them to get out of the way because they are coming through and they are in the way and they will run over them. She said she also wants to tell the bullies to "get a life". Applause

Chris Graves said he lives in Ellis Homestead. He said he wasn't trying to step on anybody. He said the citizens aren't involved as they need to be. He said he has some issues with some of the people in the city. He said he has a police and fire background. He said he has heard lately that the boot drive that the Fire Department does is nation wide. Apparently there are people in our city that question the integrity of the fire that are volunteering their time to go stand on the street corners to raise money. The fact that anyone would question the integrity of somebody volunteering their time and put their life on the line is ridiculous and to insinuate that they are taking money. There is no reason to step on the integrity and the honor. Just the fact that the men and women put their life on the line and on a volunteer basis. It is ludicrous to think that somebody would be so asinine to question their integrity. If you that questionably about it then get off your butt and go stand on the street corner with them and be accountable for the money that comes in. That makes him sick. You can go die for us but we don't trust you. He said he owns a transportation company and it's going to happen. He has accepted the fact it's going to come into our city. He just hopes that Love's steps up to everything it's billed to. They promote charities and community involvement and funding community sport centers. He said he has 4 kids and we need more in this city. Something could get started through the city and youth organization that can be done in the City of Rhome and have decent fields so no one has to go down to Boyd, Saginaw or NISD. There are plenty of places and avenues for Love's community money to be dished out to help this city. As far as the city council goes they need to do more research when new businesses are coming in. There is no reason to give in to everything that gets presented just because it's tax dollars. You drive outside the city limits and you see new \$250,000 homes. There is no reason it can't be 300 yards this way inside the City of Rhome. He said Pioneer Days was great. He said downtown needs to be beautified and bring in businesses. He said we have to get more involved as a city and as a council. Applause.

Missy Brown said she wanted to address the Parks & Recreation. She said when this park started, she herself was working for Danny Kelly, they finished this building then they started on the park. She said she went to local businesses and tried to raise money. She said they all worked together and did a pretty good job. She contacted some people on her list that she and Evelyn had worked on. A lot of them didn't get an invitation to the Memorial Day Dedication nor did they get thank you letters for the money that was donated. She wanted to follow up about the bullying. She had a long talk yesterday with a lady that her boy was 12 years old and took her husbands gun and blew his head off because of bullying. She said she was known as the bully on the bus and the town. They have all had incidents. She said she supports her 100% in being our Mayor. She said her mom is 75 years old and there is not one penny that she doesn't know where it goes. She said it's not easy as Nell knows to run this town because there are too many rosters and not enough hens.

She said if all those rosters just want to back off for a while and try being a hen for a while it's not that bad. Applause. She wants to tell everyone that worked on the park. She wants it to be not Evelyn's park, not Ronnie's park, it's everyone's park. You're welcome to go there and pick up trash or have a little corner where you want to put a flower. It's not Rhome's Veterans Park it's everyone's park so we want have to go to the cemetery anymore to honor our veteran's. She told Evelyn she will support her 100%. She wants to make sure everyone gets a thank you card. Now we are building a Family Park. She said when she was a kid here there was nothing for the kids to do. She said the Family Park is for everyone. She said everyone needs to work together. Applause.

Announcements from Mayor and Council Members

Mayor Obenour said she wanted to extend a sincere welcome to everyone to the city council meeting. She said she really hopes we have this good of a turn out every council meeting. She knows we are all busy. Normally the council meetings don't take too long. She said she has a plaque that says, "My Town that was given to me. She wants Rhome to be My Town, Your Town and for all to feel that it's Our Town and take pride in it. She wants this more than anything to happen in the City of Rhome.

1. **Consent Agenda:** The items will be enacted with one motion. Any Council Member may remove any item form the Consent Agenda.

A. Approval of Minutes:

1. **May 13, 2010 Regular Session**
2. **May 13, 2010 Special Session**
3. **May 25, 2010 Special Session**

B. Acceptance of Report

1. **Police Department**
2. **Fire Department-Jo Ann Wilson** discussed the reserved parking signs in front of the fire station. Chief Pratt said the fireman didn't have room to park. Chief Pratt said Robert Miles offered to purchase the three (32) old trucks behind the FD for \$200 each. The council had already given approval. Chief Pratt discussed the need for a 20' overseas container for storage. Resident Chris Graves and Tod Ramirez said they would be able to get one for the FD. Chief Pratt discussed the need for a fire lane on Holly Parkway past Subway. They are having issues with 18 wheelers parking there at night and blocking the FD.

3. **Public Works-** The council approved the purchase of a 30 hp blower for the new plant for \$18,000 and a hustler zero-turn mower for \$9,408.
4. **Administration**
5. **Parks and Recreation-** Chairman Moore said the Veterans Memorial Park is everybody's park. As a Veteran he thanked the whole community and everybody that has volunteered money to put this park together. He said they are \$2,965.54 under budget. He went to the Veterans Memorial park on Memorial Day. He said there was a old man standing up and 2 of his park board members went over and offered their seat. That's the kind of people he wants on the park board. In the next 2 weeks we will have play ground equipment come in. He said they are going to put up a fence up for approximately \$1,500. We need people to help put the fence up.

He said Rebecca Williams, Co Chair Person has helped keep the budget down. The work days are July 10th, July 24th, and August 7th from 8 am to noon. She said they need help with fence, landscaping cleaning up brush. They have an email address: rhomeparks@cityofrhome.com She said Jeigh Reed is going to help with fund raising and organization of volunteers. The Garden Lady, Gwen Harper has volunteered to coordinate with the plants. The Family Park should be open by the 1st of July. Applause.

Motion was made by Gerry McBride to accept the Consent Agenda. The motion was seconded by Chris Moore.

Motion carried unanimously.

Discussion and necessary action concerning the following agenda items:

2. **New Business**

- A. **Public Hearing** opened at 7:42 pm on Variance request from the Sign Ordinance for the Budget Host Inn from Nash Patel and Mike Patel.

Mike Patel said they would like to put up a pole sign so they can get a better visibility. Currently they are behind Wise Liquor's and Subway. They are being blocked from SH 287. They think the sign will be a great opportunity for them to get some of that traffic off the highway into Rhome. They would like a 40' sign. It will be shorter than the Wise Liquor sign. They are missing out on the South bound traffic from Decatur.

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- B. Action on request from Mike Patel on the Variance request from the Sign Ordinance for the Budget Host Inn.**

Motion was made by David Wilson to approve a 40' pole sign in the parking lot of the Budget Host Inn. The motion was seconded by Charles Pennington.

Motion was unanimously

- C. Renewal contract with Code Red for three (3) years at a lower cost.**

Motion was made by Gerry McBride to approve the new contract with Code Red for three (3) years at \$2,520 yearly. The motion was seconded by Charles Pennington.

Motion was unanimously

- D. Resolution 2010-06R authorizing continued participation with the Steering Committee of cities served by Oncor.**

Motion was made by David Wilson to approve Resolution 2010-06R authorizing continued participation with the Steering Committee of cities served by Oncor. The motion was seconded by Chris Moore.

Motion was unanimously

- E. Resignation of Jeremy Webster from the Park Board.**

Mayor Obenour thanked Jeremy Webster for his service on the Park Board.

Motion was made by Jo Ann Wilson to accept Jeremy Webster's resignation from the Park Board. The motion was seconded by Charles Pennington.

Motion was unanimously

- F. Fill vacant seat on Park Board.**

Charles Pennington nominated Jeigh Reed.

Gerry McBride nominated Jason Miller. Chris Moore seconded the nomination.

Mayor Obenour asked for a vote for Jason Miller.

Gerry McBride, Chris Moore and David Wilson voted for. Jo Ann Wilson and Charles Pennington abstained.

G. Resignation of Rebecca Williams from the Planning & Zoning Commission.

Motion was made by Chris Moore to accept Rebecca Williams's resignation from the Planning & Zoning Commission. The motion was seconded Gerry McBride.

Motion was unanimously

H Fill vacant seat on the Planning & Zoning Commission.

Motion was made by Jo Ann Wilson to appoint Nell Fernandez. The motion was seconded by Gerry McBride

Motion was unanimously

I. 2009 Annual Drinking Water Quality Report.

Mayor Obenour said this was for information.

J. Recommended changes to city policy.

Sue Isabel said what she has to talk about concerns one (1) council member. She said she was addressing this to David Wilson. Concerning the treatment of the Mayor and things that have been said since the election: She said he overwhelming lost the election to Mayor Obenour. The city spoke loud and clear that he was not the one that they wanted to be our city mayor. She asked him what makes him think the citizens want you to have power that belongs to our duly elected Mayor.

David Wilson asked Sue Isabel what makes her think that the duly elected Mayor has anymore power than the city council. City council directed the Mayor in all that she or he or anyone else does.

Sue Isabel said they were suppose to represent the citizens of Rhome as a council member and not to pursue his own agenda or his personal vendetta.

David Wilson said he didn't know why anybody thinks he has a personal agenda or vendetta against anyone. He said all of the recommendation he put on there will take that possibility out of any Mayoral election. The State Legislature delegates the city council of any municipality to do certain things. It also delegates to the Mayor certain things that they do. One of those things is: The Mayor is the Chief Executive Officer of the Municipality. The Mayor shall at all times actively insure that the law's and ordinances of the municipality are properly carried out. The Mayor shall perform the duties and exercise the power prescribed by the governing body of the Municipality.

Sue Isabel said he wanted to take a lot of her power away and make it where he will make choices that she will no longer have.

David Wilson said this has been policy all along.

Sue Isabel said the hatred and the contempt on this council has got to stop. There is a lot of hatred going on here and he is keeping our city form moving forward.

David Wilson said he didn't understand how she thinks he is doing that. He said absolutely nothing to anyone about discharging anyone on the city staff.

Sue Isbell said there have been a lot of rumors around.

David Wilson said that was exactly right. He said it would prevent anybody running for office for Mayor to say, "I'm going to fire the City Secretary or Public Works Director when I get to be Mayor." They will not have the power to do that.

Sue Isbell said our Mayor has been on the job for one (1) month and she feels Evelyn needs to have the opportunity to do the job that she was elected to do and that he as a council member needs to do the job he was elected to do and not go after his personal agenda.

David Wilson said he doesn't have a person agenda. He said that's not what her rumor mill says. He said anytime she has a problem she needs to come and talk with him with anything he does or anything that she hears that he has said.

Gerry McBride made a motion to Table until there is a Special Session of Council to iron it out.

Jo Ann Wilson said she didn't hear him.

Gerry McBride said he made a motion to Table this item in its entirety until they have an opportunity to call a Special Session of the council to work this out. He said this needs to have conversation both ways and some understanding. The motion was seconded to Chris Moore.

Motion had Gerry McBride and Chris Moore voting yes. David Wilson, Jo Ann Wilson and Charles Pennington vote no.

Mayor Obenour said she would at this time take the opportunity to give them her thoughts on the Changes to the city policy. This agenda item was submitted by David Wilson and there are seven (7) items on changes to the city policy that wishes the council to discuss and act upon. There are three (3) items which are being carried out at this time. On three (3) of the items she would like to comment on them. Item 3 the Vernon's Texas Code Annotated that says the Mayor and City Administrator working in conjunction to exercise their best judgment in determining what other items of city business to come before the council. A city council member in accordance with VTCA government code 551.042 may purpose and item for inclusion on the agenda for a subsequent meeting and any deliberation or decision on such item shall be limited to the proposal to place the item on the agenda. Item # 2 that there be an outside separate audit on all city accounts. She said she believes we need to consider our goals and why we want to have this discussion. She said yes there are things that can be changed. On the item for the inventory of city property we do have a fixed inventory already. She said inventory of things that change from day to day is pretty difficult to inventory. On budgeted expenditures we already have in place that not budgeted expenditures will be approved by the city council. She said there needs to be an emergency clause in there. She said this isn't something they can work on in a council meeting where they have already had a full agenda. She said to have two (2) regular scheduled council meetings each month will throw a conflict in on the court that take place on the 4th Thursday besides all of the extra expense.

They already know about the Mayoral duties. She said she has taken them very serious. She said she has an issue with Number 1 and 7. This is why in her Mayoral duties feel that this is something that needs to worked out not in a hurry. It needs to have time spent on it in the proper way.

David Wilson said if she wants an explanation on every item on there he can give her one. To start with the Number 1 item where he thinks it's been common practice that the city council been doing the hiring and firing of the Department Heads. He just wants it in the record that that is part of the function that is designated to the city council and is not designated to the Mayor. The Vernon Statues that he read says that the Mayor will perform the duties and excise the power as prescribed by the council. The council is where the buck stops. That would elevate all this problem that apparently came up with the rumor mill that he had a vendetta against Ramah and that was the first thing he was going to do was fire her. He said he went to Ramah specifically and told her that was not true. He tried to head that rumor mill off. If people want to take things like that and run with them – this eliminates that. Because the Mayor no matter who they are could say they are going to fire everybody. They won't have the power to do that. That falls with the council. The \$500 expenditure item is common practice. On anything that is not a budgeted item unless it is an emergency. If you have two (2) regular council meeting each month, if there is no business that needs action on you can cancel the second one. If you have to call a special meeting for a particular purpose you have to have four (4) members to make quorum instead of three (3). He said with Love's coming in and the growth that will come along – it's going to be a time decision need to be made more often than once a month. That would give them that opportunity than rather than call a Special Meeting and if someone is out of town and can't get there then you can't do the business because you don't have enough people there.

Item #5 is the duties of the Mayor and everything else will be done by the city council and the Mayor will be directed by the city council.

Item #6 is each department shall prepare an inventory. He said he is not talking about pen and pencils, paper clips, screws, nuts and bolts. He is talking about items that are on our insurance. Preston may get a new lawn mower. It needs to be added to that inventory and insurance. Everything city accounts for what they have, copiers, computers, lawn mowers, etc. These are capital budgeted items every year because they can get misplaced. If you have one that's broken you take it off your inventory.

Item #7 the reference to City Administrator the way it's written right now is 26 times. He is saying until such time that they get a City Administrator on staff working full time that that refers to the City Council. There are decisions that need to be made.

Mayor Obenour said she has heard before that he wanted an outside audit. Yes, when you have a change of command she would say that that is a good idea. The only thing that she is going to say about it is that the cost of independent outside audit is going to cost the city at least \$25,000. Are we going to want that to come out of our budget?

Gerry McBride said if somebody thinks there is something wrong they should call the Texas Rangers. He said let's not have an audit.

Mayor Obenour said as far as the inventory is concerned. That isn't a big issue. She wants to work with the citizens of Rhome.

David Wilson said he didn't suspect anything. He doesn't think anything is going on. If you have the same Mayor for eight (8) years and the same auditing firm just about every year. He said he thinks it would be good for an outside firm to look at it. It is a good business practice. He doesn't think anything is going on.

Chris Moore said there are things in here that he agrees with David. The one he would like to know more about is the inventory.

Walt Leonard, City Attorney said there is several things everybody agrees on. You could do something with that and Table the rest.

David Wilson said the way he has always done it is – he goes into his office and says okay I've got a typewriter, a computer, desk, 6 chairs, a clock that cost \$50 on the wall. He said they could develop an inventory sheet.

Gerry McBride said if it is a fixed asset it belongs on the inventory.

Mayor Obenour said she thinks we are still at an impasse in deciding what items you want to have on discussion that why she thinks it should be tabled until for a future agenda.

Chris Moore said he agrees until they can get more information.

David Wilson said we will have guide lines to build around.

David Wilson said to pick a date or he will not vote for it. He said he is going to be opposed to everything in the world if they don't come to some conclusion over this and do it real quick.

Motion was made by Chris Moore to set the date of July 1, 2010 at 6:30 p.m. for a Workshop. The motion was seconded by Gerry McBride.

Motion was amended by David Wilson to have a Workshop on July 1, 2010 at 6:30 p.m. on the seven (7) items on the next agenda and the item about the audit. The amended motion was seconded by Gerry McBride.

Motion carried unanimously.

- L. Fuelman DFW contract between Fuelman of DFW and City of Rhome.

Charles Pennington said we were going through Tarrant County. They didn't renew their contract. We are now going directly to Fuelman.

Motion was made by David Wilson to approve the contract with Fuelman DFW. The motion was seconded by Gerry McBride.

Motion carried unanimously.

- 3. Recess to Executive Session at 8:40 p.m.: The Rhome City Council will convene into Executive Session in compliance with Chapter 551 of the Texas Government Code (Open Meeting Act) Vernon's Texas Code Annotated, as follows:
 - A. Section 551.074 Personnel – Police Chief
- 4. No action was taken at 9:20 p.m. on Item 3A.
- 5. Future Agenda Items:

6. Adjourn.

Motion was made by David Wilson to adjourn. Gerry McBride seconded the motion.

Motion Carried unanimously

There being no further business the meeting adjourned at 9:20 p.m.

CERTIFICATION:

Passed and approved on this 8th day of July, 2010.

Evelyn L. Obenour
Mayor

Ramah Burns
City Secretary