



**City Council Meeting
Minutes
Regular Session
March 10, 2011 - 7:00 p.m.**

Rhyme City Hall
105 W. First Street
Rhyme, TX

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

Absent: Mayor Evelyn L. Obenour

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

Mayor Pro Tem Moore led the assembly in the Pledge of Allegiance.

Citizen Presentations and Public Input for Future Agenda Items: none

Announcements from Mayor and City Council

Jo Ann Wilson said at the last meeting they commented how lucky it was to live here. The Fire Department helped out one of our senior citizens. We just lost Esther Roper. She said she knew she was loved. She said they were fortunate to have the people we have.

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

Mayor Pro Tem Moore asked to remove Administration, Public Works, Police, and Fire Department from the agenda.

Police Department – Chief James Rose said they completed the racial profile report. They used the ticket writers to complete the report. They received a Training Grant from the State in the amount of \$1,114.00. Alisa Scheps just completed a class and he is going to a class in May on Advanced Code Enforcement. Debbie Gregg Reynolds was a Reserve Officer here resigned to take a position with Tarrant County full time. She got an offer work for Bell Helicopter to do catering. She would now like to be a Reserve Officer in Rhyme. They now have a second person from Experience Works to answer the telephones in the afternoon. He said he spoke with Chisholm Trail Baptist Church. They are all very pleased with the Police Department.

Gerry McBride said he would be glad to work with the Chief on a format on Code Enforcement. He said they should have it set up by the next Council meeting. He said if there isn't a sign at the By Well entrance that this is in the city limits and you must get a permit to solicit we need to get one. There have been people selling out of freezer in a pick up truck. Chief Rose said we can put permits required.

Fire Department - Chief Robert Pratt they have a bid of \$6,000 for Polyurethane Foam Roof Coating, 10 yr warranty, on the South end of the building only. It will cost \$6,700 to replace all windows in top of station, fascia around all bay doors. He said it has been hard keeping the truck warm and snow out of the bays. He said they could probably get by with \$12,000 to \$13,000 on things that need to be repaired right now. The total bid was \$22,080. That includes \$3,000 to repainting the building, repair and \$3,500 to replace, Office, Dorm and Showers. All of the work will be done by volunteers. Chief Pratt said they could drop the dorm rooms for right now. As soon as he gets approval they can begin the work. The repairs will go on the put March 24th agenda.

Public Works – Preston Gilliam, Public Works Director said Well #6 behind City Hall has been pulled and a new pump/motor was installed. All of the casing looked good. They replaced all the check valves and added an airline to measure the water table. One check valve had a hole in it the size of a marble allowing gravel and dirty water into the well casing. Both tanks at #6 have a lot of sediment in them and are requiring being cleaned be put them back on line. Our production in that well went from 54 gpm to 115 gpm after the new pump/motor was installed. He said Well #5 is totally offline! The freezing temperatures broke all of the plumbing inside the well house/c12 room and to the well head. The dilapidated building and exposed electrical wiring inside and the entire main electric feed from the TU pole coming to the building was melted. They had to drop the main fuses on the pole to kill the power coming in. They demolished the well houses/c12 room and removed all the plumbing. They no longer need the hydro tank for pressure so it's in the way and needs to go. It's not worth their time to scrap. All the well site tanks need to be inspected and cleaned. They haven't been done in four (4) years. The repairs will go on the March 24th agenda.

Administration – Ramah Burns, City Secretary said they received a bid to make repairs to City Hall in the amount \$2,200. This doesn't include the stucco on the bricks and carpet. The repairs will go on the March 24th agenda. Jo Ann Wilson said it was a good idea to have a ribbon cutting when a new business opens in Rhome since we don't have a Chamber of Commerce.

A. Approval of Minutes:

1. February 10, 2011 Regular Session

B. Acceptance of Report

1. Police Department
2. Fire Department
3. Public Works
4. Administration
5. Parks and Recreation

C. Approval of Check Registers

1. February 8, 2011 through March 7, 2011

Motion was made by David Wilson to approve the consent agenda. Gerry Mc Bride seconded the motion.

Motion carried unanimously

Discussion and necessary action concerning the following agenda items:

2. Old Business

A. Status of Drug Free Zones

Chief Rose said he has called the Pastors. He said he would get with Walt Leonard with the Pastors names and addresses to send them letters. Signs for Drug Free Zones for churches will be on the March 24th agenda.

B. No action was taken on Police Blotters.

3. New Business

A. Street name change from PR 4927 to Iron Horse Ct.

Motion was made by David Wilson to change the name of PR 4927 to Iron Horse Ct. Jo Ann Wilson seconded the motion.

Motion carried unanimously.

B. Agreement with NISD and City of Rhome to hold joint election.

Motion was made by David Wilson to approve the agreement with NISD and City of Rhome to hold joint election. Gerry McBride seconded the motion.

Motion carried unanimously.

C. Bids for metal building at Well #5 on Pecan Court.

Motion was made by Gerry McBride to approve the bid from Joe's Iron Works in the amount of \$4,000.00 Jo Ann Wilson seconded the motion.

Motion carried unanimously.

D. Appoint a new member to the Park & Recreation Board.

Motion was made by Charles Pennington to appoint Louis Godfrey. Jo Ann Wilson seconded the motion.

Motion carried unanimously.

E. Aqua Texas Wise County CCN

Gerry McBride said the citizen of By Well Estates doesn't have city water or sewer. He said water is supplied through Aqua Texas and septic. His email has been full from complaints about the water. Sandra has been on the phone constantly with TCEQ. The fire hydrants are painted black. He said Preston Gilliam came out and checked chlorine and it was below State standards. He received a letter 2 or 3 weeks ago that they were going to a rate change. There is going to be a hearing on that. The first of this month he received a letter that Aqua Texas is changing over the CCN. He said he has talked with employees of Aqua Texas and they say there isn't enough volume in By Well to make any changes because they won't make any money. He thought if Aqua Texas is giving up their CCN in Wise County we could roll the CCN in our city limits and ETJ into the City of Rhome. He said advantages would be if we can get the CCN that would certainly open Rhome up for expansion. Our ETJ goes to Ramhorn Hill Road and on the East side it includes Lexington.

David Wilson said he thinks this is a good idea but the letter they sent to Gerry is saying is Aqua Utilities is selling the portions of the CCN to Aqua Texas, Inc. He said the thing is if their not relinquishing the CCN - we can go to them and say we would like them to relinquish their CCN us. If the new company no we want to try and make a go of it and we'll improve it out there then the only alternative he can see is if we go to TCEQ ourselves and tell them we have people that live in the city and the service they are getting sucks and we want to force them to relinquish their CCN. He said then you have to decide what to do with their facilities out there because they are sub standard, the pipes are not the right size and the fire hydrants are wrong. He said it gets into an economic issue – do we really want their utilities? He said if we are ever going to grow our water wells we are going to have to go East. He said he didn't think we can force TCEQ to relinquish their CCN until this new company have a chance to prove what they can do.

Walt Leonard said it appears to be reorganization. Anyone that is out there that is dissatisfied can send something to Austin or as a group request a hearing.

Gerry McBride said he was looking for an avenue for growth. We are going to have to supply water to the Rollin V one of these days. If you go on the East side of the road you can put a well there.

David Wilson said TCEQ hasn't allowed us to sell water back to Aqua Texas because it's in different water shed. Our argument is our sewer plant drains to that water shed.

Gerry McBride said several times in the last year we have had opportunities to discuss details with Aqua Texas in the neighborhood.

David Wilson said if we can figure out how to do it he is with Gerry. He said we need to investigate – the water transfer from one water shed to the other, what are they going to ask for system and how and much would it cost us to upgrade that system to meet standards? He said wherever this hearing is it would hurt for someone to go down there and see what they are trying to do.

Gerry McBride asked how we can push the buttons to get some movement here.

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David Wilson said we can tell TCEQ that By Well Estates is in our city limits and if that CCN can be acquired because of default then we want it. That could be a button the city could push and the homeowners could go to TCEQ and take documentation showing bad chlorine residuals, bad water pressure. He said he thinks that TCEQ will give the new entity even though they know it's a paper shuffle they are pretty well obligated by law to give them time to try to correct the issues. He said the residents can take samples of the water to Denton to have them tested.

Gerry McBride said he thinks the city needs all it can get because water is going to be the goal of the future.

Jo Ann Wilson asked if we were going to help Gerry set up a hearing?

Walt Leonard said any citizen that's interested can send their request. If they want the city to do you will need a more specific agenda item. He said we will have a meeting in two (2) weeks.

David Wilson said to put this on the agenda for March 24th to see if anyone wants to participate in anyway to go to this meeting and have Walt to send a letter along with the representative meeting saying we are interested in acquiring the CCN.

F. Political advertisements placement on city web site and water bills.

Motion was made by David Wilson to have Walt Leonard prepare an Resolution not to allow political advertisements placement on city web site, water bills, entity, property or other aspect of the City of Rhome shall be used for political messages or advertisements. Charles Pennington seconded the motion.

Motion carried unanimously.

G. Speed limit on service road.

Charles Pennington said they have talked about this before. He said the two (2) areas he is talking about are: When you go across bridge to get on US 287 or SH 114 it's 30 mph to the stop sign which probably needs to be a yield sign. When you come off US 287 coming into Rhome headed towards to Dairy Queen you have a short distance to slow down from 65 to 70 mph and drop down to 30 mph.

Walt Leonard said it does confuse people that have to come to Municipal Court.

David Wilson it wouldn't hurt to go to TX Dot and talk with them.

Charles Pennington said he doesn't mind going. He said he would get with Bill Nelson and have a report on March 24th.

H. Proclamation to proclaim March 20 – 26, 2011, as Poison Prevention Week.

Motion was made by David Wilson to proclaim March 20 – 26, 2011, as Poison Prevention Week. Gerry McBride seconded the motion.

Motion carried unanimously.

I. Policy on storing and using the Old Rhome School.

Walt Leonard said the Mayor asked him about it and he said they need to ask the council. He said over time we've used the old Rhome School for various organizations to store. The Fire Department has some equipment there, Preston has some stuff, there are old records and the Senior Citizens has some stuff there. He asked what they want to do about it? He said there is potential for rats, fire whatever. Do they want a policy or say never mind. Do they want to make a distinction and allow city records, or Preston and the Fire Departments items.

Charles Pennington asked if city records were still in there.

David Wilson said if they pass a directive that the building needs to be secured – doors and windows. And the people who have stuff in there – move it and give them a reasonable amount of time and do it.

Mayor Pro Tem Moore said he agrees with David that the back door needs to be fixed so no one can get in. He said we need to get with Preston to replace all of that rotted plywood. He thinks we need to board it up until they can decide what to do with it. He said the roof is soft.

David Wilson said someone is going to get in there and it's going to burn down right on top of them or they will get hurt.

Mayor Pro Tem Moore said he thinks we need to move everything out and board everything up.

Charles Pennington asked to have it shut off to everything including training.

Chris Moore said yes he thought so. They have quit having fun raisers. He said you have one wall on the back that is a hazard.

David Wilson said it is not a good idea to have anybody in there that is not really safety conscience. Some of the floors are coming apart. Until we decide what to do with it and spend some money fixing these things there is a tremendous amount of liability.

Bill Childress asked what the seniors are going to do for a fund raiser? He said they need 30 to 60 days to get the donations in.

David Wilson said maybe they can find some other place to do it.

Mayor Pro Tem Moore said the roof is soft and there are no lights in it.

Chief Pratt said his policy is if it catches on fire he is not sending any Firemen in.

David Wilson said he thinks they need to secure it. He said maybe they can talk with one of the churches. He said he feels the hazard is really great up there.

Mayor Pro Tem Moore asked Ramah Burns to find some people and some names and contact info to help them find a place.

J. Pioneer Days

Charles Pennington said the last couple of years we have done Pioneer Days in May. He said the Fire Department isn't going to do it this year. He said right now it's too late to plan anything for May. He said he would like the council to set a date for it. He hates to see it dropped.

Mayor Pro Tem Moore the only thing he has with Pioneer Days is there isn't a lot of participation?

Charles Pennington asked if we could put a committee together. He said Bill Childress and Marie Moore would like to organize it.

Mayor Pro Tem Moore said he and David talked down at Newark that one time. They wish we could get the people. We just never have.

David Wilson said it should just be for one (1) day.

Charles Pennington said the Pioneer Days in Justin they hook up with National Barbecue Association. He said Bill is looking at September 9th and 10th.

Mayor Pro Tem Moore said another issue is where are we going to have it.

David Wilson said the best place to have it is at First and Old Mill.

Charles Pennington said he will get with Bill Childress and put the committee together.

K. Conference room chairs

Mayor Pro Tem Moore said Evelyn bought some chairs for the conference room to replace the wooden chairs in the amount of \$635. Since this was not a budgeted item you can't go over \$500.

Jo Ann Wilson said she asked for it to be on the agenda. She said she could care less about the chairs but they passed a Resolution that says if it's not a budgeted item anything over \$500 has to go to the council.

Gerry McBride said at the last executive meeting they had, Walt, Charles and Mr. Wilson was there –

David Wilson said he wanted to preempt something before you start your conversation – nothing discussed in that Executive Session can be discussed in Open Session out here.

Gerry McBride said the Executive Session hadn't started. We were waiting for Ms. Jo Ann to come into the room. He said he mentioned in that room before everybody got there. He said he would start again – Walt, Charles, David, Chris and the Mayor was there. He said Madam Mayor could see it within our budget to get us some decent chairs. We've had people that we have had people back there got a chuckle out of our chairs.

If you'll do that I will take it upon myself and refinish the table. He doesn't remember anyone saying we shouldn't do that. When we made our mistake is probably when we made the same kind of mistake when we some of us raising thunder about somebody driving fire trucks. They never voted. So if we have a problem here – is it one (1) chair – whoever doesn't want a chair we can send it back.

David Wilson said the problem is it could have been brought back up to the council. We should have come out here and made a motion.

Jo Ann Wilson said should we have had it on the agenda – yes to approve the cost.

Gerry McBride asked why don't we send one chair back.

Jo Ann Wilson said that would be splitting an order. You order what you need.

Mayor Pro Tem Moore said you get have split the order and done two (2) bills.

Jo Ann Wilson said that's not what we are about. We're about staying above board.

David Wilson said there are ways to do it and didn't get done all the way around.

Mayor Pro Tem Moore said what they need to do is address the Mayor that these are the rules and don't do it again. Now do we want to keep the chairs? He said he thinks the chairs are needed.

David Wilson said the whole thing is it hasn't been six (6) months they laid out the Resolutions. He said we as a council failed to follow our own ground rules. They screwed up by not voting on it, she screwed up by ordering them and not asking.

Charles Pennington said if they aren't going to abide by the rules then why do they bother making them.

Mayor Pro Tem Moore said he can say something to her or the council can say this is the rule and you can't do it.

Gerry McBride said I think it was a flat over site.

Jo Ann Wilson said no she knew it was not an over site. She was told it should go on the agenda.

Gerry McBride said if we want to start throwing darts.

Jo Ann Wilson said she wasn't throwing darts.

Mayor Pro Tem Moore said they have a limit of \$500 and we need to talk to her and say don't do this again.

Walt Leonard said at this point if there was an error made then that needs to be brought to the attention of the appropriate official and directed not to do this again. They also have the questions of theatrically the chairs are kind of in limbo. He said you can ratify the action of the Mayor as you previously said go ahead and do it. That means we can keep the chairs.

Motion was made by Charles Pennington to keep the conference room chairs and let's use them. Gerry McBride seconded the motion.

Motion carried 3-2. David Wilson said he was voting against the motion because he thinks the chairs are needed as anybody else does but he is in the inclination she should have followed protocol. Jo Ann Wilson opposed.

Mayor Pro Tem Moore said he would tell her we screwed up and she can't do it again.

4. **Recess to Executive Session at 7:30 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 551.071 – Potential litigation – Easement – Sewer Plant**
 - b. **Section 551.071 – Status of communication with TCEQ regarding 75/90 Rule.**
5. **Discuss, Consider, and Act Regarding Taking Any Appropriate Action – Executive Session Item 4a or 4b.**

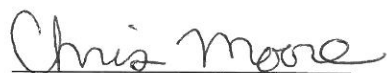
No Action was taken at 9:40 p.m.

There being no further business the meeting adjourned at 9:40 p.m.

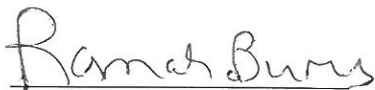
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CERTIFICATION:

Passed and approved on this 14th day of April 2011.

A handwritten signature in cursive script that reads "Chris Moore".

Chris Moore
Mayor Pro Tem

A handwritten signature in cursive script that reads "Ramah Burns".

Ramah Burns
City Secretary