



**City Council Meeting
Minutes
Regular Session
April 14, 2011 - 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: David E. Wilson, Jo Ann Wilson, Charles Pennington 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.

Invocation: David E. Wilson

Mayor Obenour led the assembly in the Pledge of Allegiance.

Citizen Presentations and Public Input for Future Agenda Items: none

Brad McDannald – 1314 Prairie Point spoke about the fences in Ellis Homestead that hasn't been repaired not only at the entrance but behind his home. He didn't know in January when he spoke before who owned the fence. He said they have been going through this with complaints on it. He said there is a covenant that is run by an individual. He said the covenant says declarant desires to provide the preservation of the values and immensities in said community and for maintenance of said open spaces, landscaping, sprinkler systems, streets, common lighting, fencing, drives, screen walls and any and other common improvements. Mr. McDannald said that tells him right now that it not his and that Allen Arnold wants to maintain those things. Since the cattle broke down the fence he has complained every month to Ramah and every month she contacts the people that own the cattle or the declarantor and every month they say they will get to it. At what point do we as a city say it's time to start making citations. If his grass got to high the city wouldn't allow it to get to high for eight (8) months. He said it looks really horrible and they have a beautification project going on in the city. You can drive in the Ellis Addition and you can see where they taped it up with duck tape or it's broken off and even the center post behind his house. He feels sorry for the individual because he put that fence up as a decorator fence and it's wonderful but he probably didn't expect cattle to be running there. Maybe the city can look at the fence ordinance to see what kind of fencing has to be in place before cattle can be running in an open field.

Announcements from Mayor and City Council

Mayor Obenour said the seniors will have an Easter egg hunt on April 23rd from 9 am to 11 am at the field next to the Fire Department. Also, Life Pointe Church will have one at the Family Park from 11 am – 1 pm.

Gerry Mc Bride said there are pros and cons to everything. There are things that people and dislike. He said he wanted to say something about Love's coming to the city. He wants everybody to understand Love's is investing more than \$7 million on this site. They went forth and worked with the state to make sure that the City of Rhome gets sales tax on all of the construction material and they are paying it up front. They are putting in twice more money for our water and sewer system. He said he knows there are going to be people that are disappointed with some things that come to this town but let's look on the bright side of what has happened here and see if we can welcome a good neighbor.

Jo Ann Wilson said last year they had mega kids at the Easter egg hunt. They hope to have twice as many this year. They have stuffed 1,200 eggs so far. They could use more candy and on April 23rd if anyone would want to come and help and bring cookies. The senior garage sale is coming up in May. Anyone that has items to donate can contact Bill Childress or Marie Moore to make arrangements for pick up. The senior group in Rhome is self supporting. They are not funded by the city and what they make here last all year long. Every Friday have a fellowship and lunch at the red building in from of the Fire Department.

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

Jo Ann Wilson asked that Police Department be removed.

Jo Ann Wilson asked Chief Rose how where are we on the Zero Tolerance Drug Signs?

Chief Rose said they discussed that in the Staff Meeting. He said he wasn't sure if it was ever decided what we are going to do on it. He said they adopted the policy but didn't discuss if they want the signs to say Zero Tolerance. He is not sure what the council wants on them.

Jo Ann Wilson said she thought they said to scatter a few around.

Mayor Obenour said she remembered that also and they would be placed underneath a Stop Sign.

Jo Ann Wilson asked about the peddler sign that Gerry wanted.

Chief Rose said he didn't remember discussing a peddler ordinance.

Gerry McBride said if they can get a sign posted there in By Well to let them know they need to come to the city for a permit.

Chris Moore asked if there is a web site that talks about Zero Tolerance that may give them an idea what the signs looks like so they know what's on them.

Chief Rose said he will look on the web site and email information to them.

Mayor Obenour said Walt Leonard states in the minutes on March 24, 2011, signs could be posted at the entrances to the city, schools, parks, etc whatever they felt appropriate. Jo Ann Wilson made the motion for the city to implement a police for Zero Tolerance for drug offenses in the city and if necessary signs can be posted. The motion was seconded by Charles Pennington.

Jo Ann Wilson said they also talked about Police blotter. Are they moving forward on that for the web page?

Chief Rose said something else Fort Worth has the same thing that they call Zero Tolerance. If they have a certain area they have Zero Tolerance on the cars and they flood that area.

Jo Ann Wilson said the main thing is to let people know what our position is. And lastly you and Gerry were working on something on tracking ordinances and enforcement. You said you would have it ready by this council meeting.

Gerry McBride said he put the program together but he hasn't had an opportunity to get with Chief Rose on it.

Jo Ann Wilson said by next council meeting would that be a good time.

Gerry McBride said sure Chief Rose and I can get together on that. He said they have made a date three (3) different times.

Jo Ann Wilson asked if Dave's Auto World had a CO?

Chief Rose said he talked with Jason Cottongame a while back and he is working with him to get it up to snuff. We don't want to run him out of business but for it too look decent. He is working on putting a fence on the side.

Jo Ann Wilson said he can't because he doesn't have any room.

Chief Rose said he talked with Jason and he said he was working with the guy to get the code stuff inside.

Jo Ann Wilson said that is secondary because he doesn't have any room to park cars. He only has two (2) feet in front of his business. He is locked in on each side. She told Evelyn that this needs priority

Gerry McBride said Jason Cottongame works for the city. He didn't know why we can't have Jason here. He said he has a couple of items the Chief has gone through in By Well. He said they keep going back and forth. They leave it up to Jason and they don't get an answer.

David Wilson said one thing also that Jason needs to know too, is the Zoning has some requirements to have a certain type of business. You have to have a certain number of parking spaces. Jason needs to be made aware that he is in compliance with the zoning ordinance even it is a commercial building. The type of business that he has may not comply because of the restrictions of the parking area.

Mayor Obenour said this item keeps coming back up to haunt us.

Chief Rose said Walt and Jason and we kind of got side tracked. He said he would

Gerry McBride said that was his total point that they have gone through this several different times. He said 2 or 3 times he has noted that we don't have a response back on what action is going to be taken.

David Wilson said one thing is to require Jason Cottongame to be at the meetings. And make him aware of the issues that we have and make him aware of the zoning book.

Mayor Obenour said she promises them she will get a hold of Jason and she will set a time and we will have him at the meetings from now on.

Chief Rose said a lot times the folks don't realize in a small town you see them drive by. We have a great group of folks working for us now.

Alisa Scheps she works nights. She had a traffic stop that turned into a pursuit. Turned them into Tarrant County, caught one of them. They had a lot of merchandise. They cleared up a lot of cases.

Chance Garrett is one the Reserves. He works full time for Weatherford Police Department as a Dispatcher. He is a Certified Peace Officer. He puts in as much time for free as he does for work. This month he was our No. 1 Traffic Enforcement Officer.

Mike Conklin works full time for NISD Security. He also is a Reserve Officer. He was instrumental for getting the no cell phone ordinance at the schools. He has worked for Trophy Club for several years. Mike comes to work and donates his time. He doesn't know this yet but the State of Texas has issued him Master Peace Officer's license.

Kirby Lord isn't here but he has a Master Peace Officer's License and he is a Reserve Officer.

Thomas Pennington is his right hand guy. He has rebuilt the Shooting Range and he repairs our patrol cars. We thought we lost a 1 ½ years of data. He found where it was backed up. He has done more than I could ever thank him for and usually on his own time.

Jo Ann Wilson said she would like to pull off the Fire Department.

Chief Pratt said the Church of Christ gave the Fire Department a dinner and a \$1,000 donation. They are going to buy boots with it.

A. Approval of Minutes:

1. March 10, 2011 - Regular Session
2. March 24, 2011 - Special 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. March 8, 2011 through April 11, 2011

Motion was made by Gerry McBride to approve the consent agenda. Jo Ann Wilson seconded the motion.

Motion carried unanimously

Discussion and necessary action concerning the following agenda items:

2. Old Business

A. Resolution 2010-02R – City Facilities for Political Messages or Advertisements.

Motion was made by David Wilson to accept Resolution 2010-02R. Gerry McBride seconded the motion.

Jo Ann Wilson asked what is it saying about putting political advertisement on city property.

Chris Moore said he sees political messages can't be on city newsletter, billing or website.

Walt Leonard said the original language had something in it about property.

David Wilson said they talked about the right of way. State law states you can't put them on their right of way but the city doesn't have anything about their right of way. The intent of the thing was to keep them from posting them on the buildings and in the buildings. They talked about the newsletter, water billing and web site. The streets themselves were free game as long as it was a Texas Hwy. He said they need to clarify the wording in this.

Walt Leonard said the simplest thing would be to prohibit anything on any properties save and except highway right of way that are not regulated by the State. He said they can specify how you all want it changed and direct the staff to correct it and authorize the Mayor to sign it

Amended Motion by David Wilson to send this back with the changes that would disallow any political advertising on all city entities or buildings except the right of ways of city streets which would cover Fire Department property, Community Center, Parks, etc. Chris Moore seconded the motion.

Motion carried 4-1. Gerry McBride opposed.

3. New Business

A. Impact Fees

Walt Leonard said Impact Fees are rather complex subject and we have talked about it off and on for the last several years. Impact Fees are basically a system where a city can attempt to deal with the cost that will be imposed on them by development. Cities in the past have a problem with new development coming in and they have to foot the bill. When people come in and have new development will impose a burden on the city infrastructure. We have enough for everybody right now and probably a little more but you can have instances you can be swamped. We are 114 and 287 and the economy hadn't stalled out, we would be dealing with the same thing Roanoke is dealing with.

The State has given us a system in Section 395 of the Local Government Code. This is to allow us to recoup when someone comes in and says I want to put this in – the future cost are the burden that they are going to add to the infrastructure. That is what an impact fee is. How we get there under the State system is for from simple. He said there are several things you must do. One of them will take a while. We have to come up with a plan which is called the Capital Improvement Plan and the State specifies very narrowly on how we are suppose to do this. He said it is not something we are going to do ourselves. It's going to require the use and hiring of professionals, possibly more than one. It's good for about ten (10) years depending on how you set the thing up. It attempts to quantify units. When someone comes in to build a house that's one unit. That's going to require certain costs – water, sewer, roads, parks, all kinds of things like that are going to be needed because this development is occurring. Each one of those things is going to be affected by the development. We have to figure out a way to have a fair system to at least estimate as close as we can the impact cost of whatever this is. You can have different types of units, apartments may have different requirement like single family homes may have a different requirement. This Capital Improvement Plan is the both figure out what we are probably going to need figure out how much it would cost the city per unit and set that up. It's not easy and it requires a good deal of work and a good deal of planning. It will take us literally months to do so. We process beginning to end could take a year. Then we have to adopt the beast. When we get this together then you draw up an ordinance that has all this in it then you will have public hearings.

You will have to up it every five (5) years the some way. You also have a Capital Improvement Advisory Committee which consists of people who kind of keep an over site to see if this is working correctly or if it's appropriate. The committee will be at 40 % from the development industry to give input to make sure those who have to pay the thing by in large are well represented. The whole idea is to pass on the cost for those that come in. This does give us a system for us to recover the money that we are going to have to find when new things come in.

He said there are alternatives but they aren't as easy and frankly somewhat dangerous. We can have things like water tap fees like we have done in the past. State law says they have to be equivalent to the actual cost to do it. We are bringing this up now because the council needs to think about this and to get from A to Z it will cost us time and money. A fair amount of money because you are hiring professionals We will be spending money and a lot of work for everybody here and the professionals. The council will want feed back from everybody in terms of what we see being needed for this up coming ten (10) with parks, streets and water. This is kind of a wake up call for where are we going to be in ten (10) years and how are we going to get there.

He said we need to think about this very seriously. Right now this is just putting this out in front of everybody because we are just starting to swim out of the recession slowly and things will be happening pretty soon. We have all kinds of infrastructure that we are in the process of thinking about that needs to be calculated into this.

Preston Gilliam said he and Ramah were talking to a gentleman that said Rhome was the perfect place for opening up a food distribution center. He said they would have very high waste water of 500,000 to 750,000 a day. He asked can you treat that much waste water they are going to have to have at least that much water. He said there are people that are looking at Rhome.

B. Clean up date

Motion was made by David Wilson to have clean up date on May 7th and May 14 from 9 am to 1 pm. Jo Ann Wilson seconded.

Motion carried unanimously.

C. Irrigation system in Family Park

Motion was made by Chris Moore to approve Obermeier Irrigation to Complete the irrigation system in the Family Park in the amount of \$3,990.47. Charles Pennington seconded.

Motion carried unanimously.

D. Expansion of existing ground storage at Well #5.

Preston Gilliam said when he first stated he had Pittsburgh Tank & Tower comes out to do an inspection and cleaning on all of the ground storage tanks. Well #5 on Pecan Court was built in the 70's has a 15,000 ground storage tank. In 2006 Pittsburgh Tank quoted \$76,513 to repair this tank. He said he has a price to upgrade to a 50,000 ground storage tank which includes the tank painted and ready to go on line for \$80,000. Well #5 supplies all of Crown Point and most of everything on that side of the railroad. He also has a price for a 75,000 gallon tank for \$95,000.

He said the hydro tank is going away and we can fence in the land they already own, expand and put a larger tank there. The 15,000 gallon tank is 12 ground by 24 tall. An 50,000 is 19 ground and 24 tall, 75,000 gallon is 23.6 ground by 24 tall. They try and utilize all the well water they can but we still pay Upper Trinity .22 cents per 1,000 but that is cheaper than \$5.00 a 1,000 from Walnut Creek. He said right now they are ready to redo the plumbing. He said the only thing he would have to do is expand the concrete, move the tank and float one line into the tank and it's done.

He said wherever they drill a new well it's going to have to go into ground storage to be disinfected and then plumbed back into the distribution system. He said if they go this route then the next thing would be to enlarge Well #6 to a larger tank instead of these two (2) tanks. He said for the city and its future this is the right way. He said they can finish the building and get Well #5 back on line they don't have to tear it down tomorrow. We can wait until the end of the fiscal year. Preston said we don't have to fence in the whole area that was purchased from J. E. Norman but it's belongs to the city so we ought to go ahead and fence it in.

Mayor Obenour said she thinks Preston needs to look at more companies and come back at their next meeting.

4. Recess to Executive Session at 8:05 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 – Professional Services/Impact Fee Study
 - b. Section 551.071 - Master Service Agreement – Kimley-Horn and Associates, Inc.
 - c. Section 551.071 – Future Water Needs
 - d. Section 551.071 – Potential litigation – Elm Street and 330 Morris Street
 - e. Section 551.074 – Personnel – Walt Leonard dual employment
5. Action was taken on Item #a. Professional Services/Impact Fee Study at 10:55 p.m.

Motion was made by David Wilson to take all of the Impact Fee information Received in Executive Session under consideration and put it on the next agenda for further discussion. Gerry McBride seconded the motion.

Motion carried unanimously.

5. Further Agenda Items

Jo Ann Wilson said she had two (2) items: 1. Ordinance 150.60 Unsafe Buildings – Discuss and take action on the demolition/disposition of the city owned substandard structure on the corner of Old Mill and Morris. Identify other properties within the city that meets the unsafe building definition and develop a plan of action to deal with these in accordance with existing ordinances. 2. Develop a brochure with information promoting Rhome to mail to future or interested parties.

There being no further business the meeting adjourned at 10:55 p.m.

CERTIFICATION:

Passed and approved on this 12th day of May 2011.


Evelyn L. Obenour

Mayor



Ramah Burns
City Secretary