



**City Council Meeting
Minutes
Regular Session
June 9, 2011 - 7:00 p.m.**

Rhome City Hall
105 W. First Street
Rhome, TX

**Council Present: Mayor Evelyn L. Obenour; Mayor Pro Tem Gerry McBride;
Council Members: Chris Moore, Jo Ann Wilson, Chris Grave, and Cole L.
Blanche.**

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

Mayor Obenour led the assembly in the Pledge of Allegiance.

Citizen Presentations and Public Input for Future Agenda Items:

None

Announcement from Mayor and Council Members

**Mayor Obenour said they have a full agenda and to please make them any
comments short.**

**Jo Ann Wilson said the Fire Department was having a Spaghetti Dinner on
June 18th. She thanked everyone that signed the petition to hold a Local
Option election in November for off premise beer and wine for properties
annexed since the last liquor election.**

**Mayor Obenour said she appreciated Jo Ann with all of her efforts to get
signatures on the petition.**

A. Approval of Minutes:

- 1. May 12, 2011 – Regular Session**
- 2. May 20, 2011 – Special Session - Canvass**
- 3. May 20, 2011- Special Session**
- 4. May 26, 2011 – Regular Session**

B. Acceptance of Report

1. Police Department

Chief Rose said school is out so Officer Douglas will be able to help during the summer.

2. Fire Department

Chief Pratt said they have had a busy month so far with 21 calls. They have 15 active members on the Fire Department. They are looking at 3 applications.

3. Public Works

Preston Gilliam said he and Chris Graves looked at manholes. He is getting prices. The estimate is \$13,600 to take care of them. He is about one (1) month away from putting the bid out on the Eastside Plant. Well #5 should be back on line sometime next week. They should have water sample from Love's by the end of the week. The quote on the fence behind the fire station is \$9,000. They are going to wait on this. He said the June 20th they are going to start the lift station at Love's. There is a leak in on Troxell Blvd. in Crown Point. He would like to use a company to repair the leaks. They will repair the leak for \$45 an hour using the city backhoe. Preston said he hasn't heard back from Juan Flores with TX Dot on the Zero Tolerance signs. They can't be within 200 ft of another TX Dot sign.

Jo Ann Wilson asked if we can still put them in the city like in front of the entrance to the subdivisions.

Preston said yes as long as it's not TX Dot right of way.

James Rose said he can get 6 signs 24 x 36. The first for \$93 the rest for \$82.

Motion was made by Cole Blanche and seconded by Chris Graves to accept the quote of \$13,600 from Acme Utility.

Motion carried unanimously.

4. Administration

Ramah Burns said her new employee, Angie Kasinger will begin on June 20th. Edwards Surveying should begin surveying the lot on Old Mill Road and Morris. They are also going to survey at Well #5.

5. Parks and Recreation

The irrigation system was installed by Obermeier Irrigation in the Family Park. There was an issue with the pressure since its at the end of the line but they are working that out.

C. Approval of Check Registers

1. April 12, 2011 through May 9, 2011

Motion was made by Gerry McBride and seconded by Chris Moore to approve the consent agenda.

Motion carried unanimously

Discussion and necessary action concerning the following agenda items:

2. Old Business

A. Dave's Auto World – Certificate of Occupancy – Mayor Obenour said at this time this is under investigation. Walt Leonard said there are things to be clarified. He said they are trying to fine out what is wrong at that location if anything. Walt Leonard said this should be on Executive Session for July 14th and have the Building Official present.

Motion was made by Chris Graves and seconded by Chris Moore that this Dave's Auto World will be on the agenda under Executive Session and the Building Official will be present.

Gerry McBride said he would like to comment. He wants to make sure the Building Official will be at the next meeting and he will be prepared with the necessary information.

Mayor Obenour said she will make sure. She will contact him.

Jo Ann Wilson said Chief Rose also needs to be at that meeting.

Motion carried unanimously.

B. Status on Asbestos Survey of Old Rhome School

Chief Pratt said he would make a suggestion to do an asbestos survey on all of the buildings on the property.

Motion was made by Chris Moore and seconded by Chris Graves to move forward and pay \$500 - \$ 1,000 to do an estimate only on all buildings.

Motion carried unanimously.

C. Animal Control Contract with NTACA or Wise County Animal Control

Mayor Obenour said a letter was given to Kerry and he has requested a meeting with the Mayor within 30 days.

Walt Leonard said Kerry has invoked an appeal provision and asked to meet and we have to meet with him within 30 days.

Gerry McBride said we have around 90 days so he elected not to bring Wise County Animal Control in.

D. Amended Master Services Agreement with Kimley-Horn and Associates, Inc.

Walt Leonard said the changes they request have been done. The contract is as they requested.

Motion was made by Chris Graves and seconded by Gerry McBride to approve the amended Master Services Agreement with Kimley-Horn and Associates, Inc. concerning adding the lift station in the plans.

Motion carried unanimously.

E. Regulations of Solicitors/Peddlers

Walt Leonard said the general idea was that you can set up a system of permits where you ask for information certifying their status. That they are who they say they are and where they are from. You get a copy of their 501 3C certification. This would apply to everybody. They have to abide by all State & Federal laws or it can be revoked.

Gerry McBride said it could be a minimal fee but he does like the permits. Who should administer it?

Chris Grave said Ramah could issue the paperwork and make sure it's correct. He thinks they should have a 5 to 7 days advance before it was approved.

Sue Isbell asked if set hours could be set. She has had people knocking on her door at 10 pm.

Walt Leonard said the Chief could suspend it. Walt said he would put something together to start with.

Chris Graves said he thinks we need to know when they are here.

Walt Leonard said you could have an over arching permit which would be good for a year. If you want to do a specific solicitation or fun raising event you could have to come in and get a secondary permit which would specify dates.

3. New Business

A. Proposed Reserve Officer Brody Brown

Chief Rose said Brody Brown was an officer for the City of Decatur. He now works for USP. He is asking for approval pending back ground check.

Motion was made by Chris Moore and seconded by Jo Ann Wilson to approve Reserve Officer Brody Brown pending the final background check.

Motion carried unanimously.

B. Preliminary/Final Plat with recommendation from Planning & Zoning Commission for Chris E. Marshall & Angela L. Marshall, Lots 1, 2, & 3, Block 1, Marshall Addition being 9.321 acre tract in Block 20, Smith County School Land Survey, Abstract Number 743, Wise County Texas. (Property is located in ETJ – East on Hwy. 114)

Motion was made by Jo Ann Wilson and seconded by Chris Graves to approve the Final Plat for Chris E. Marshall & Angela L. Marshall, Lots 1, 2, & 3, Block 1, Marshall Addition being 9.321 acre tract in Block 20 Smith County School Land Survey, Abstract Number 743, Wise County Texas.

Motion carried unanimously

- C. Proposed Ordinance 2011-05 – Approving negotiated resolution between the Steering Committee and Oncor Electric.**

Motion was made by Gerry McBride and seconded by Chris Moore to approve Resolution 2011-05 between Steering Committee and Oncor Electric.

Motion carried unanimously

- D. Proposed Resolution 2011-04R Oncor – Accept Steering Committee recommendation.**

Motion was made by Jo Ann Wilson and seconded by Gerry McBride to approve Resolution 2011-04R to accept Steering Committee recommendation.

Motion carried unanimously

- E. Designation of Voting Representative for NCTCOG**

Motion was made by Jo Ann Wilson and seconded by Gerry McBride to appoint Mayor Obenour.

Motion carried unanimously.

- F. Change Mayor Pro Tem on all bank accounts and Safe Deposit Box.**

Motion was made by Chris Graves and seconded by Cole Blanche to add Mayor Pro Tem Gerry McBride to all bank accounts and Safe Deposit Box.

Motion carried unanimously.

- G. Appoint Planning & Zoning Commission members.**

Richard McKelleb was present. He said he has lived here for 6 years. He wants to stay involved. He doesn't have any problem being at the meetings.

Steve Cole was present. He was on the Zoning Commission for one (1) in the City of Fort Worth. He was on the Economic Development Committee in the City of Justin. He has lived here for 4 years. He doesn't have any problem being at the meetings unless they was a disaster and was needed.

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Michelle Pittman was present. She has lived here for 18 years. She is a CPA. She wouldn't have any problem making the meetings.

Motion and Nomination was made by Chris Moore – Richard McKelleb, Michelle Pittman and Steve Cole.

Motion and Nomination was made by Jo Ann Wilson – Shawn Holliman, Pam Davis and Steve Cole.

Chris Graves seconded Chris Moore motion.

Motion carried for Richard McKelleb, Michelle Pittman and Steve Cole 4-1. Jo Ann Wilson voting no.

H. Proposed amended Ordinance 2011-06 – Inventory of City Property.

Motion was made by Chris Graves and seconded by Chris Moore to approve Ordinance 2011-06 – Inventory of City Property.

Motion carried unanimously.

I. Proposed amended Ordinance 2011-07 – Scheduling of regular city council meetings.

Gerry McBride said this looks the same and the last one. He thought their intent was to have the regular meeting then if needed the seconded meeting.

Jo Ann Wilson asked if they want to have one (1) meeting a month and a Special Session if something comes up.

Motion was made by Jo Ann Wilson and seconded by Chris Graves to accept Ordinance 2011-07.

Motion was retracted by Jo Ann Wilson and seconded by Chris Graves.

Motion was made by Chris Grave to approve 2011-07 showing one (1) regular meeting with the option to cancel based on the Mayor. Gerry McBride seconded.

Motion carried unanimously.

J. Proposed amended Ordinance 2011-08 – Officer’s of the city.

Motion was made by Chris Graves to accept and amended Ordinance 2011-08 changing and state, “shall serve under the terms and conditions established by the governing body of the City of Rhome”. Jo Ann Wilson seconded the motion as amended.

Motion carried uanimoulsy.

K. Proposed amended Ordinance 2011-09 – City Council agenda’s.

Motion was made by Chris Graves to amend Ordinance 2011-09 on the 24 hours prior to the deadline.

Gerry McBride said it states notification for an agenda item can be given to Mayor or City Secretary. He would like that changed to Mayor and City Secretary.

Walt Leonard said it could be stated, “any member of the council as presents such request to the Mayor and/or City Secretary at least 1 (one) working day prior to the dead line of the posting of the notice for such meeting.”

Mayor Obenour asked if she had a recommendation to Table this.

Motion was made by Chris Moore to Table Ordinance 2011-09 so Walt Leonard to rewrite it for the next council meeting. Gerry McBride seconded the motion.

Chris Graves said he will withdraw his previous motion.

Motion carried 4-1. Chris Graves abstained.

L. Proposed amended Ordinance 2011-10 – Expenditures.

Motion was made by Chris Graves and seconded by Gerry McBride to approve the may Mayor may spend up to \$1,500.

Motion carried unanimously.

L. Proposed New Development Board/Committee

Chris Moore said he would like to start a new process for new business and developments that want to come into the city. So we will have a starting point working with these businesses. So the businesses will know what they need to do as far as our ordinances and codes. This way everyone will be on the same page. He has talked with Decatur and they have this process in place. They state with the Building Official, Health Inspector, Fire Inspector and Public Works if needed. A new business would turn in an application to this Board. The Board looks at the business and each individual member looks at their part of the plans. They give them the go ahead or these are items that need to be looked at to come into the city.

Walt Leonard said this is very similar to the Development Review Board in Fort Worth. They have a whole system set up. He might be able to borrow their paper work. The idea basically is to make sure before anybody gets into a hole somewhere they will be directed on what they need to do.

Chris Moore said he talked with the Decatur Fire Inspector. They meet on a weekly basis. They do an immediate review. Once everything is completed then that's when a Certificate of Occupancy is issued. He said this is a starting point.

N. Open bid on painting city hall.

Quotes will be requested to paint city hall.

4. Recess to Executive Session at 9:14 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 – Consultation with City Attorney – Professional Contracts – Codification.**
- b. Section 551. 071 – Consultation with City Attorney – Professional Contracts – Judge.**
- c. Section 551.071 – Potential Litigation – Aqua Texas**
- d. Section 551.072 – Real Property - Parks**

5. The following action was taken at 11:14 p.m. on Item 4.
- a. Motion was made by Chris Moore and seconded by Gerry McBride to appoint Franklin Legal Publishing to proceed to codify the ordinances.

Motion carried unanimously

- b. Motion was made by Cole Blanche and seconded by Chris Graves to appoint Judge Lyn Kelly as the alternate Judge when Judge William Burdock is out.

Motion carried unanimously.

6. Future agenda items:
1. New Development Board
 2. Impact Fee Study – Workshop
 3. Invite WCAC to talk with Council
7. Motion was made by Chris Moore and seconded by Gerry McBride to adjourn at 11:14 p.m.

Motion carried unanimously.

There being no further business the meeting adjourned at 11:14p.m.

CERTIFICATION:

Passed and approved on this 14th day of July, 2011

Evelyn L. Obenour
Mayor

Ramah Burns
City Secretary