



**City Council Minutes
Regular Session
June 13, 2013 – 7:00 p.m.**

Rhome City Hall
105 First Street
Rhome, TX 76078

Mayor Chris Moore presented a Certificate of Appreciation and a city pin to Masoud Farhadi of Giant Burger for his continued support of the City, Parks and Fire Department. This is in recognition of his kind generosity and commitment to building a better community through his continued support of the city sponsored events and celebrations. Through his generosity and goodwill the city has been able to continue these activities that make Rhome a better neighborhood.

Council Present: Mayor Chris Moore; Mayor Pro Tem Jo Ann Wilson; **Council Members:** Michelle Pittman, Louis Godfrey, Charles Pennington and Ronnie Moore.

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

Mayor Moore called the meeting to order and announce a quorum was present:

Mayor Moore led the assembly in the Pledge of Allegiance.

Citizen Presentation and Public Input:

Monty Danner, 670 South Randall spoke. He said he has experienced racket all night long for the last 4 years from Heil Trailers International. He said he has sent emails and contacted Corporate Office. He said they work a split shift and they come and go all through the night. He said it seems like they drive just as fast as they can to make a corner. He said it just needs to stop. He said he has talked with the Police Department about it. He said if they see a patrol car they just ease along. He said there is a little cobra come out of there. The other day he came out of there sideways. All of this is unnecessary. He said somebody is going to get hurt bad.

William (Bill) Childress said he would like to have prayer at the council meetings.

Announcements from Mayor and Council Members

None

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

A. Approval of Minutes:

1. May 9 - Regular Session
2. May 17, 2013 - Special Session
3. May 30, 2013 - Special Session

**B. 2. Approval of Check Registers:
May 7, 2013 through June 10, 2013**

Motion was made by Louis Godfrey, seconded by Jo Ann Wilson to approve the consent agenda.

Motion carried unanimously.

- 1. A. Department Reports: Staff Reports (No action needed.)**
 - 1. Police Department: Jo Ann Wilson asked to discuss this.**
 - 2. Fire Department - Jo Ann Wilson asked to discuss this.**
 - 3. Public Works –**
 - 4. Administration –**
 - 5. Parks and Recreation – Michelle Pittman asked to discuss this.**

Jo Ann Wilson had a question on his report. She said he was talking about as a police chief he could not investigate an officer unless there was a formal complaint filed and notarized by law. She asked if she understood that statement right.

Chief Rose said on a general complaint about an officer it needs to be in writing and notarized. He said he takes care of general supervision himself.

Jo Ann Wilson said where she is confused is where does supervisor stop and investigations start? Where do we ask for an investigation of anything instead of supervision? She said she knows she gave him information one time

Chief Rose said if she makes him aware of something he can look into it if it's disciplinary action. If he sees it or he thinks it's inappropriate he can take action on it.

Walt Leonard, City Attorney said if someone wants to file a formal complaint under State law that complaint must be in writing and notarized. If it's something where someone says an officer is driving too fast generically the Chief can on his own make rules if it's not focused on one particular officer.

Jo Ann Wilson asked Chief Rose if he got a letter from the Mayor to work on some things or are you just talking.

Mayor Moore said he hasn't given the Chief any kind of written reprimand

Jo Ann Wilson said she didn't mean a reprimand she means just guidance.

Mayor Moore said the Chief and he have been talking and they are going to continue to talk and they will make things right.

Fire Department – Jo Ann Wilson said she likes his colored reports. She asked how many medical calls are you averaging a day?

Chief Pratt said an average of two (2) to five (5) a day.

Jo Ann Wilson asked if he was okay with them on EMT and fire.

Chief Pratt said he has variety of equipment he can choose from for the necessary apparatus he can take to a certain call – depending on what type of call it is. He said it's kind of degrading when he gets questioned on why he's driving certain truck. He said that's disheartening a little bit when he is not allowed to use his judgment on the type calls he needs to take an apparatus on.

Jo Ann Wilson said she thinks what he working on with the Mayor that should take care of that.

Ronnie Moore asked what truck do you have set up for medical emergencies – he there a certain designated truck you really want to use?

Chief Pratt said the only trucks that are not set up for medical emergencies are the brush trucks. All of the other trucks are set up for medical. Depending on what kind of wreck determines what truck goes. One truck has a heavier set of jaw of life on it. If it's a accident on the highway they take the engine – the sure size of the engine is used for a road block. There have been a lot of firemen paramedics have been injured.

Charles Pennington asked about a number on his report that doesn't match up on the calls run.

Chief Pratt said the number beside each call is the number WCSO gives the call for service. The number is used on each fireman that goes on that call for service. It determines the number of fireman that reported to the call.

Michelle Pittman said they haven't voted on the replacements for Parks. She asked about Pioneer Days.

Ronnie Moore said he is still working on it until they get people on the Park Board. He said Charles Pennington will still be volunteering to help. The Bar-B-Q cookers are etched in stone with the date.

Michelle Pittman asked they are going to drop the ball.

Charles Pennington said they have vendor's that are coming back. They need to get to work on it and they need some volunteers. Things are in motion.

Discussion and necessary action concerning the following agenda items:

2. New Business

A. Proposed Resolution 2013-04R, approving and adopting rate schedule “RRM – Rate Review Mechanism: for Atmos Energy Corporation.

Motion was made by Jo Ann Wilson, seconded by Louis Godfrey to approve Resolution 2013-04R, authorizing approving and adopting rate schedule “RRM – Rate Review Mechanism” for Atmos Energy Corporation.

Motion carried unanimously.

B. Proposed Ordinance 2013-05, adopting a drought contingency plan for the City of Rhome.

Motion was made by Jo Ann Wilson, seconded by Mayor Pro Tem Wilson and seconded by Charles Pennington to Ordinance 2013-05, adopting a drought contingency plan for the City of Rhome.

Motion carried unanimously.

C. City of Aurora water.

Preston Gilliam, Public Works Director said the contract the city has with the City of Aurora that's not good enough for TCEQ especially with Tater Junction. TCEQ wants to see a contract that guarantee's two (2) gallons per minute. As far as he knows MD Resort can tie on but Tater Junction can't because they have a contract with TCEQ.

Mayor Moore said the problem we have is giving Aurora an actual limit that we are not 100% sure we are ready to do at this point. Before it was agreed that the City of Aurora they came in and put in that system and they didn't have any water. They wanted water from Rhome. We told them we got it you can have it. If we start giving you a certain amount we may not have water for our residents.

Walt Leonard said previously when done it here that would be a contract for a certain amount – it is a take and pay. That requires a buy in for a prorated portion of the value of the water system for whatever percentage that is. We are selling basically the water that's coming from Walnut Creek or a percentage of that. The city has sunk a lot of money into that over the years. That was the deal with everybody if you want to buy in the system – you can buy into the system but you'll have to pay your prorated share. That's what we did with Monarch. They paid in \$175,000 in 2001. We are perfectly happy to sit down and talk with Aurora. Right now with what TCEQ is requiring is probably going to require us to sit down and talk about a buy in.

George Belcheff, PE, F. ASCE Engineer for City of Aurora spoke. He said TCEQ requires the same terms as we provide for our customers.

Walt Leonard said yes but you're committing our capacity.

George Belcheff said he would be glad to talk about it. He said that commitment you give your customers. He said under TCEQ regulations there needs to be some type of direct service to Aurora. The best thing to do is sit down and talk about the details of what Aurora is facing with TCEQ otherwise Aurora is in the position water to their \$700,000 investment

Walt Leonard said the history of this, about 20 years ago, the City of Rhome tried to get other cities in the area to jointly bring water in from Walnut Creek. They all said we can bring the line in and all have surface water which everybody was desperate for. Everybody else declined. Rhome on the other hand decided someone had to get water here and we did. Everybody agreed that their CCN's would be attached to our CCN in order to justify bringing water in.

There was a provision that if any other cities – if they wanted water they would have to purchase into it based on what Rhome had put out. When Aurora came in and asked for water they were told that's how it works. If they don't buy into the system they are just a customer not a partner. Guarantee's and that what TCEQ wants they would have to buy in under the original scheme we talked about many years ago. We have been trying to get somebody to talk with us on several levels of this because of MD Resorts and other things and we haven't got a lot of feedback. The city is perfectly willing to talk but not a good history on this.

George Belcheff said Aurora would like to sit down and talk about if there is a buy in that could be affordable. He said they would like to investigate this.

Walt Leonard said the contract was to help them out. They simple became a customer like Farmer Brown and that's fine as long as we've got the water. But from what Preston is telling us TCEQ says that's not acceptable.

George Belcheff said TCEQ is not telling us Rhome has to guarantee the water to Aurora. TCEQ is just saying Rhome has to make a commitment for a flow rate for the City of Aurora. The same commitment you provide for your customer's. There is no guarantee that anyone will get water. A similar contract you have with Walnut Creek for they assured you 600 gallons per minute at a certain pressure. If there is a break in the line or a shortage of water they will be subject to the same issues as everyone else. Aurora can build their customer base and try to generate revenue or they could do a reasonable buy in. Right now Aurora doesn't have any revenue.

Walt Leonard said the Council would have to agree with this. If it's a Commitment - the policy have been buy in.

George Belcheff said we need to do this as quickly as possible because this particular customer needs water from Aurora. This would help generate revenue to pay for a future buy in.

Mayor Moore said he get with Ramah Burns and decide who will meet from Rhome and from their side. They will pick a date and try to meet one day next week.

George Belcheff said the City of Aurora is not a public water system without 20 customers and Tater Junction Restaurant is a Public Water System. This will cause Aurora to become a Public Water System.

Mayor Moore said he will get with Preston Gilliam and if we need to call TCEQ we will call them.

D. Emergency preparedness

Jo Ann Wilson said introduced Les McCune who lives in Crown Point. He is a faith based coordinator. He coaches, trains, coordinates and connects government agency with Faith Based Organizations. He has been a minister for 30 years. She introduced Chief Pratt who Rhome's Emergency Coordinator.

Les McCune said he and his wife lives in Crown Point. He has experience dealing with emergency preparedness. He has worked with Houston, Arlington, and Fort Worth. He offered his services if we every need him.

Jo Ann Wilson asked how he is compensated.

Les McCune said he is non – profit with all volunteers and he has sponsors.

E. Economic Development

This will be discussed in a Workshop

F. Proposal amending Fowl Ordinance

Shawn Holliman wasn't at the meeting but sent in several ordinances from various cities that allow fowl.

Jo Ann Wilson said the ordinances define what a fowl is and it will be lawful to keep hen foul, no roosters for the purpose of eggs, non to exceed four (4) each of any type of hen fowl. It goes on to tell how close the nest can be to a residence. The ordinance they are looking at has 100 ft. and that would not work in Crown Point.

Mayor Moore said he told Ramah Burns that we amend our ordinance to 50 ft. If a person wanted to put chickens next to his house – it could be so many feet from the next a next door neighbor.

Walt Leonard will put an ordinance together allowing four (4) fowl, no roosters, 25 ft from neighbors.

G. Response to Oncor regarding SH 114

Jo Ann Wilson said a letter was in their envelope. A company wants to know if this will affect the City of Rhome.

Mayor Moore will look into this and he will talk with the Engineer. If it needs to be back on the next agenda he will put it on there.

H. Workshop to review Ordinances.

This will be discussed in a Workshop

I. Towing Zone at Fire Department

Louis Godfrey said the Towing Zone should be everything in front of the Fire Department and extend through to the back and side of the building.

Mayor Moore will get with Chief Rose about towing signs.

Michelle Pittman said the big fire trucks come around from the side and the back of the station.

Jo Ann Wilson said as Michelle Pittman said the side needs to be marked as a fire lane.

Walt Leonard said as long as the signs are marked Tow Away Zone.

Mayor Moore said he would work on it.

J. Community Center Buildings/Rental Agreements

Michelle Pittman said the bounce house should be removed from the contract and the rates need to be looked at. She said Fire Inspector Jason Miller said the capacity is 60 people. It would be a lesser number with vary tables and chairs. The door between the Fire Department and Community Center needs to be replaced. Add don't block Fire Department and Tow Away Zones. She asked are they are going to have issues if we charge for one (1) building and not the other.

Jo Ann Wilson said the Senior Center has four (4) dates already booked in December. We need to leave that alone. After that the Senior Center will not be rented out.

Michelle Pittman said one other issue with the Community Center is the exhaust in kitchen doesn't work. Jason Miller, Fire Inspector said people would not be able to cook in the kitchen without that being fixed. As far as pricing the electric box is on the Fire Departments meter so the Fire Department will end up paying for it. If we are going to charge a fee we need to make sure we cover the electricity.

Mayor Moore said they need to bring prepared food.

Charles Pennington said we have served 200 people for Thanksgiving and not cooked anything. He said the City does give the Fire Department a budget every year. That could be adjusted or assume it is covered. He said he is sure we aren't going to rent it out every day.

Chief Pratt said he wanted to put something in the rental agreement that they can't use the ice machine.

Charles Pennington said Marie Moore will still need to get ice out of there. He asked Chief Pratt does he fill his trucks with ice in the morning.

Chief Pratt said yes and a lot of the time he uses it all and the Wise County EMS uses it, too.

Bill Childress said the senior's will have one in the next couple of months.

Louis Godfrey said then the ice machine can be moved to over to the Fire Department.

There should be police or fire department present when rented for parking issues.

Chief Pratt said the vent system in the kitchen needs to be brought up to code. No one should cook in the kitchen. It needs to be replaced.

Michelle Pittman said there are safety issues when the Fire Department goes out kids have played in the bays and they don't want anyone to get hurt. There is EMS medical equipment there. She will work on the rental agreement to include rate schedule and whoever rents it has to be present at the function for the July 11th meeting.

K. Survey of Front/Russell Streets

Motion was made by Ronnie Moore, seconded by Charles Pennington to have a Public Hearing on July 11, 2013 for the city to close the part of Front Street behind the Family Park and Russell Street that runs near the basketball court.

Motion carried unanimously.

3. Old Business

A. Fire Department Incentives

Louis Godfrey said it would be easier to have the Incentives in the Fire Department report but not as an agenda item each month. If someone wants to discuss them they can be removed.

Motion was made by Louis Godfrey, seconded by Mayor Pro Tem Wilson to the Fire Department Incentives and not to have them as an agenda item.

Motion carried unanimously.

B. Fire Department response to Chapter 5 of the Ordinance Book.

Chief Pratt listed several items that are covered by the International Fire Code.

Louis Godfrey asked is the best thing to do is get rid of them.

Chief Pratt said the best thing to do is to get rid of them.

Jo Ann Wilson said Chapter 503.008 financial accountability is not covered under the fire code.

Chief Pratt said he would like to do away with the \$500 dollar limit because their budget is approved by the Council. He said he doesn't spend money that is not budgeted.

Louis Godfrey said so it would be best to eliminate the \$500 dollar limit. He said if he is already in his budget why make it more difficult?

Jo Ann Wilson asked about the fee schedule that never happens. She asked about Revenue Rescue money going into a special fund 503.047.

Chief Pratt said they have to have an ordinance in place to charge for Revenue Rescue. The fee schedule needs to stay but 503.046 for collections needs to be removed. He said Revenue Rescue money doesn't go into a special fund. Revenue Rescue money goes into savings if they need money to cover the truck payment. He said they can discuss this at the Workshop they are going to have.

Jo Ann Wilson said he could mark one up and he probably wouldn't need to be there.

C. Response to Chappell Supply of Texas – Sterile Doctor

Jo Ann Wilson said the contract that was sent states, "the City of Rhome will arrange for local media, including television, to be present for the initial treatment. A letter will be sent to him to take out media. We can only invite the media.

D. Water/Sewer rates

This will be discussed in a Workshop

E. Personnel Manual

This will be discussed in a Workshop.

F. Police Cars

Jo Ann Wilson said they never finalize this at the last meeting on whether or not the officer's can take police car's home. She said Chief Rose ran the mileage on five (5) individuals and he has used a rate of \$2.85 per gallon times the miles. She said she personally doesn't agree with the gas rate.

Chief Rose said the Fuel Man bill the price per gallon has ranged from \$2.75 to \$3.02 and he took an average.

Jo Ann Wilson said she thinks we need to kick up the rate and we have to look at wear and tear. This doesn't look at wear and tear.

Chief Rose said they can drive 40 miles per day and use less gas than at an incident or sitting on the highway.

Jo Ann Wilson said they have to look at some rate, she proposed they use the Government Rate that they use for mileage that includes gas and wear and tear.

Charles Pennington asked where she got the number for the wear and tear.

Jo Ann Wilson said she was using the Federal mileage reimbursement.

Michelle Pittman said it's like Chief Rose says, it's to reimbursement people for out of pocket expenses. We aren't reimbursing them for out of pocket expenses. She said they are just trying to put an estimated dollar amount on it.

She said the point they are trying to get to is if they should be allowed to take the cars home. But that affects all of the city workers because the Water Department takes truck home.

Louis Godfrey said the only issue he has with it is if they take them home Chief Rose will guarantee that they will not be used for private jobs. He said tax Payers shouldn't be paying for the gas while you working on a personal job. He said if they take it home and it sits in their driveway until they are on duty again.

Mayor Moore said Chief Rose and he had a discussion and the cars are not going to be using the cars for anything outside jobs unless it's something he approves which they have talked about before. Functions at the schools and big bike race. They are going to track the mileage.

Chief Rose said the cars are not going to be used for personal use.

Jo Ann Wilson asked if Officer Adair not taking a car because of where he lives.

Chief Rose said Officer Adair lives 1 ½ from here.

Charles Pennington asked if they were called in for an emergency often.

Chief Rose said not terrible often but they have been called in. He also said if he has five (5) cars in the parking lot and we get a tornado or large hail our whole fleet is gone.

Ronnie Moore asked if the County knows where the cars are.

Chief Rose said the program is called "Concept". Dispatch can watch where the cars are.

Mayor Moore said the County is going to build a building beside the water tower.

4. Recess to Executive Session at 8:45 pm convened 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 551.072 – Potential litigation – Survey on Helen Well's property.
5. No action was taken at 9:05 pm in Open Session on Item #4.
6. Future agenda items:
 1. Public Hearing to close Front/Russell Street at Family Park.
 2. Water/Sewer rates
 3. Appointment of Planning & Zoning Commission members.
 4. Appointment of Park Board Members.
 5. Workshop date.
 6. Community Rental Agreement

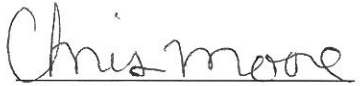
7. Motion was made by Louis Godfrey and seconded by Ronnie Moore to adjourn at 9:05 p.m.

Motion carried unanimously.

There being no further business the meeting adjourned at 9:05 p.m.

CERTIFICATION:

Passed and approved on this the 11th of July, 2013.



Chris Moore
Mayor



Ramah Burns
City Secretary