



**City Council Minutes
Special Session/Workshop
May 30, 2013 – 6:30 p.m.**

Rhame City Hall
105 First Street
Rhame, TX 76078

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:

Special Session

- 1. Motion was made by Charles Pennington, seconded by Ronnie Moore to appoint Jo Ann Wilson Mayor Pro Tem.**

Motion carried 4-1. Michelle Pittman voted against.

- 2. Motion was made by Louis Godfrey, seconded by Michelle Pittman to accept the resignation from Charles Pennington from the Parks & Recreation Board.**

Motion carried unanimously.

- 3. Motion was made by Louis Godfrey, seconded by Michelle Pittman to accept the resignation from the Parks & Recreation Board.**

Motion carried unanimously.

- 4. Budget update for 2012 – 2013.**

Michelle Pittman said for the whole city we are behind 28% behind on revenue and expenses 45% behind. The \$30,000 budgeted to the Fire Department and \$5,000 budgeted to the Parks & Recreation hasn't been transferred from the General Fund.

- 5. Roles of elected officials.**

Michelle Pittman said she put this on the agenda because she is concerned that some of the things that's been going on. She said going forward and if they are going to be effective as a council they all need to understand what they can and can't do or should and shouldn't do. They need to be held accountable.

She said she has put some things together that she knows that been a problem. She said they can go through them one by one if they want to. She said Walt Leonard drafted up one about the role of the Mayor and the role of the Council. She includes things from the city ordinances. They need to get who reports to whom – they need to get that straighten out because she thinks there is a lot of confusion.

Jo Ann Wilson asked her to be more specific when she says there is a lot of confusion.

Michelle Pittman said we need to know who all of the city employees report to, what their role is as council and what the Mayor's role is and make sure everybody understands what they city employees the Mayor oversees day to day operations, the Council is the legislative body and the Council doesn't need to oversee the day to day operations. If they see a problem they need to bring it to the Mayor and let him handle it going through the proper chain. That helps protect the city from law suits in case things aren't handle correctly.

Michelle Pittman said the elected official because the citizens cast a vote of confidence in that person. Each elected official roles to fulfill. Truthful communications with media based on facts. If you have an opinion that's fine – say it as an opinion, don't say it as fact. Not everybody is able to come to the council meetings. If they read something they need to know if it's a fact or not. They need to be truthful with the citizens. There is defamation of character when you say something that's not true, knowing saying it's not true and it's of a personal attack. If you say it, it's one thing if you write it it's another thing, but it's all defamation of character. It distracts everybody from the business at hand and wastes everybody's time. She said she's been a victim of this as an elected official and she realizes this is part of the nature of being on the city council. When it's personal and her kids came home and told her what was being said – that's when it's not politics it being mean and cruel. Basically bullying people – as a council decided not to bully people and they ask their kids not to bully people, we sign a bully free zone with Newark – we are subject to the same type of rules. If we don't follow the proper chain of command and make all the employees perceive a hostile work environment and consider possible discrimination or harassment claims that are allowed by Federal law. If the proper chain of command is followed then these issues will be addressed and documented appropriately and any action that should need to be taken can be taken and the council will be made aware of it because that's a requirement of the Mayor to make sure the council is aware of anything going on. There are issues with the Open Meetings Act. They have to be very careful when three (3) or more or together. If city business is being discussed and it's not on the agenda you can get into a lot of trouble.

We want to avoid that. She said for the record that haven't had any "Secret" meetings they have had "Special" sessions and "Executive" sessions in the last year she has been on the council. She knows that has been told around town – which is not true – she said Walt Leonard back them up on that. No personal benefit except as allowed by State law or City ordinance should be received. She said they are not immune from following the ordinance. Everyone should following the ordinances in place. If they violate the ordinances why should citizens follow them? They have some issues with trailer's park not according to ordinance. They need to address that. No council member should advertise their personal business on city property at city functions.

Jo Ann Wilson said so basically Michelle you're repeating what State Law says. She said the new council members will have 90 days to watch the Open Meeting Act.

Charles Pennington said they received the link today.

Ramah Burns said the TML booklets have been mailed and they should have them tomorrow.

Mayor Moore said to remember when you send a email don't reply to all Council Members.

Michelle Pittman said she wants the council to work together and move forward. She wants to do what's best for the people and she thinks they all do. The only way they are going to do that is to be above reproach and follow the rules the best they can. They need to vote for the best interest of the town and treat the people with the respect they deserve. Follow the rules and get along.

Jo Ann Wilson asked if she thought they weren't following the rules. She said she didn't want to be negative but it sounds like everything they should already know.

Michelle Pittman said they should but a lot of these things she has seen this happen and she is calling it to the Mayor's attention right now.

Walt Leonard said some of the things Michelle Pittman high lightened concerning City Administrator are referenced in the Personnel Manual. He explained the difference between a City Administrator and City Manager form of government with out and election.

WORKSHOP

1. **Municipal Court – Jo Ann Wilson said part of this is to make everything work better and our council be more responsible to the Department Heads.**

She asked Sherry Taylor to give a quick rundown of what her job is.

Sherry Taylor said get everything ready for court, send out letters, process payments and make deposits. Jo Ann Wilson asked if she had certain cut off dates. Sherry Taylor said some people can only be put in the Omni System every 30 days because they have an extension or on probation for 180 days. Jo Ann Wilson asked if she was getting tickets on a good time. She said lately she has. Walt Leonard said the State collects more money on speeding tickets than Ordinance violations. Charles Pennington asked if the ticket writer's were being used. Chief Rose said they had been repaired. He said the ticket writer's are docked at night the tickets are transmitter to UDS first then the tickets are transmitted to us for the next day. Charles Pennington asked if they have to hands write a ticket then someone has to enter that into the system. Chief Rose said yes. Walt Leonard said it would be interesting for them to come when they had court and watch it work. We have a very efficient Judge and he is very fair.

2. **Fire Department – Mayor Moore asked Chief Pratt was there anything he needed from them. Chief Pratt said just support. He would appreciate the whole council's support. Jo Ann Wilson asked how having an EMS for eight (8) hours a day affecting the Fire Department? Chief Pratt said it was great. With EMS here the citizens of Rhome within 2 to 3 minutes. He said the ambulance hasn't been available and they are there. Eagle Mountain has been backing them up if Wise County is not available. Jo Ann Wilson said the ordinance says he is responsible for our Emergency Preparedness. She asked where we are with it. Chief Pratt said he has talked with the Wise County dispatch supervisor. They have been working on the system for about a year. They are establishing it right now for 911 to redial your cell phone along with your land phone. There is a link on the web site to opt into it. They still get toned out for weather watches. They have been activated four (4) times in the last month. They spent 2 ½ hours the other night during a storm cutting a tree up that was blocking Hickory Street.**

Michelle Pittman asked how many people are on the Fire Department.

Chief Pratt said they have six (6) and Lt. Germain is going to be moving down South. He said they have three (3) applicants that they are doing back ground checks on and they have one (1) probationary member. He is going through the EMT and Fire Academy

Jo Ann Wilson asked if they are out of the fire district and there are different requirements for how much time they serve at the station. Is that going to be a problem with this person?

Chief Pratt said no you can't be hard lined because if they can come up four (4) hours a day and making an effort. You don't have to spend the whole weekend up here.

Jo Ann Wilson asked Chief Pratt to look at Article 5.03 in the City Ordinances. She said if we aren't doing what it says and we don't want to do what it says then the council needs to change the ordinances. She said expenses over \$500 send in a list of vendors, forwarding all probationary members and recommended to the council. She doesn't ever remember seeing this. She said they told them Michelle Pittman was certified but she doesn't remember ever getting a recommendation coming in. She asked do they tape their meetings.

Chief Pratt said no.

Jo Ann Wilson said it is required. She said one thing in there is fees needs to be assessed for out of the area.

Michelle Pittman said the Rescue Revenue part.
Mayor Pro Tem Wilson said as a council they need to have ordinances that work for us and for you.

Walt Leonard said they can't just serve other areas. But if they have some sort of Mutual Assistance Agreement with other areas then that considered to be a Mutual Support Unit.

Chief Pratt said they have some issues with the 2006 International Fire Code but they will address that later.

Jo Ann Wilson said in the future is it possible all money collected be deposited the next working day after it's collected.

Charles Pennington said the thought Pete Chaney, CPA recommend that any money collected is deposited within 24 hours.

Walt Leonard said someway accounting for it in some secure spot not necessarily a bank.

Jo Ann Wilson said secured and counted. She said she had one more thing. How many Television's do they have up there.

Chief Pratt said three (3) that he can think of.

Jo Ann Wilson said they are paying DirecTV for four (4) boxes.

Chief Pratt said they need it for weather radar.

Mayor Moore said they may have returned a broken one. They might could cut it down to two (2) they will see what they can do.

3. EMS – Jo Ann Wilson asked First Responder Pratt how it was working out.

First Responder Pratt he is catching up on back log of paper work. He is going back and filing claims on Revenue Rescue and he has entered a lot of reports. He is keeping track of everything better.

Jo Ann Wilson asked if he doesn't have a call out – what does he do.

First Responder Pratt said he's doing a lot of paper work right now to get caught up.

Jo Ann Wilson asked when the paper work gets caught up what will he do. Will be stuff for him to do.

First Responder Pratt said they will always be paper work and reports and maintenance on trucks.

Jo Ann Wilson asked if he felt internal conflicts with not being able to go out on a fire call. Did they do him bad?

First Responder Pratt said that was up to the council. If you're sitting there with a Rhome Fire Truck and the guys house is on fire – do you want another 15 minutes for another fire department?

Ronnie Moore asked what the law was on that.

First Responder Pratt said he can clock out as EMS and go on the fire call.

Charles Pennington said you can clock out and go on the fire call.

Jo Ann Wilson said but if you're on salary can you clock out?

Mayor Moore said he is doing a time sheet right now. He can put in that time sheet he left. That's something he has to watch. If it comes to that he will need to let him know that has happened so they can make sure his time is accurate and we pay him according or he needs to come in and work on Saturday which he has said he would do.

Walt Leonard said or the city could allow him to operate as a volunteer fire department in case and EMS might be needed.

Mayor Moore said that's the original thing they talked about is to let him go to those. If he pulls up on a fire scene he is going to help them.

First Responder Pratt said after 5:00 o'clock is he still an EMS First Responder. He said if he goes on a call then he could make up for the difference. He said if he is sitting there in a fire truck and a residence house is on fire and we have to get a response from Newark which could be 15 minutes and a response Boyd would be 20 minutes.

Walt Leonard said what we might do is keep good records. He said this is in an experimental stage.

Louis Godfrey said as a salaried person at 5:00 pm it doesn't make a difference. You can't put 8 hours on him because he's salaried.

Mayor Moore said for him to mark his time. He said this is a learning process.

Jo Ann Wilson asked First Responder Pratt if he aspired to be a Paramedic.

First Responder Pratt said takes two (2) years. He said if they were going to pay the money for him to become a Paramedic yes he would. It's no longer going to a class. Paramedic is a license now and a two (2) degree. Continuing education for EMS you can do on line. Fire Departments require you to be ECA certified within six (6) months.

Ronnie Moore asked how long does it take to go out on a call.

First Responder Pratt said until you are ECA certified. Michelle Pittman was just certified.

Charles Pennington asked during the day when you're the EMS you can go anywhere. He said if he gets a call he can go to Newark, Decatur, or anywhere.

Mayor Moore said they discussed that and it would look bad if they don't when we have a Mutual Aid Agreement. He said it takes a couple months to get a new fire fighter's reviewed.

4. Police Department - Chief Rose said the Wise County Sheriff's dispatcher for the city at no cost. All they ask us in return is to assist them on calls if we are reasonably close if their deputies need a back up like family violence calls, etc. They ask us to go help them. He said they don't randomly patrol Newark, Boyd, or Shale Creek. He said they don't leave the city unless they call us and ask us to go or if we hear them dispatch a deputy with a man with a gun or knife, someone high on drugs or fighting somebody. Those are the sort of things where we go. They get mutual aid with the Sheriff's department and Boyd Police.

Louis Godfrey asked when they get assisted calls the officers' are cautious about how they respond. He said there was an officer going down Main Street going at least 90 MPH. All he had on was his lights. There was another time one officer he heard was going at least 140 MPH down FM 718 on an assisted call. There was another person in the car riding around with him.

Chief Rose said that officer has already been talked to.

Charles Pennington asked if that officer was talked to were they written up – how was that handled. Is it in their file?

Chief Rose said he was under investigation.

Ronnie Moore said he and his mother came into Rhome, came to a stop sign on School Road. He saw the officer, he had to have known who I was, but he stopped at the stop sign. He rode on by tail end until I turned into the Community Center and almost popped by mother's car in the rear end.

Mayor Moore said he has already address the speed with Chief Rose and communications and he is going to be working on that with his officers.

Jo Ann Wilson asked how do you handle and schedule to approve the officer's working off duty.

Chief Rose said most of the stuff they work on is churches. He sees when their days are and he asked them if their off do they want to work. Some of the jobs are too far away and they don't want to drive that far for it.

Jo Ann Wilson said she thought they had a meeting something to the effect that you were not to continue doing employment. You would post it on the bulletin board and it would up to the officer to work out the details. We weren't paying for off duty employment services.

Jo Ann Wilson said the personnel manual states you need to document on your time sheet if you had off duty jobs.

Chief Rose said he takes care of that to make sure an officer doesn't work too many hours before he comes to work.

Jo Ann Wilson said Mayor Moore needs to monitor his schedule for the same reason. She asked Chief Rose if the officer's take a Rhome police cars to their off duty jobs. She said Officer Pennington has his own police car. She said they had approved for the officer to use a Rhome police car if they worked the NISD.

Chief Rose said no they don't use the police cars for their off duty.

Louis Godfrey asked how many reserve officers' do we have.

Chief Rose said right now we have eight (8) but two (2) have been gone so long he is going to let them go for now showing up.

Charles Pennington asked how many Reserve Officer do you have.

Chief Rose said they have 15. He said you can train reserves and when you have an opening they can drop right into the slot.

Jo Ann Wilson asked has Chief Rose ever had a injured reserve officer.

Chief Rose said he has a couple. One reserve officer was injured while he was off and another that has had knee surgery. One enters tickets and the other answers the phone on Saturday. He said he uses the as much as he can. He said he has a couple new reserve officers that are green, both real sharp.

5. Public Works – Louis Godfrey asked Preston Gilliam, Public Works if he has had a chance to do all of the tanks. He also asked if all of the tanks in pretty good shape.

Preston Gilliam said yes they are all completed. He has the city video and the books along with the city estimate of the cost for repairs. He said they went through and corrected a couple thousand dollars of items. He said it wasn't budgeted for. He said maybe this coming budget year we can look at what else needs to be done. He said the tank on Pecan Street is in bad shape. He wouldn't want to spend any money on it. With the extra land there he thinks we could expand and put a larger tank. He would rather spend \$40,000 on a large tank than spend \$20,000 on the old tank. He said Well #5 is in pretty bad shape; Well #4 on Randall is in pretty bad shape and the well yard is very small; FM 3433 is in great shape; BoBo is in great shape; Elevated is in great shape; Well #3 on Morris is in great shape; and Well #6 behind City Hall is in great shape.

Charles Pennington said there is a smell from the East side sewer plant from time to time.

Preston Gilliam said it could possibly be the drying box. Also, we have had rain periodically and lagoon hasn't dried up all the way and the rain water is filling it back up. They do have two (2) trash cans that will be dumped. There are some deodorant socks you can hang on the fence. He said he just finished hauling about 48,000 gallons of sludge from the East to the West side plant and put it through the belt press.

Michelle Pittman asked if he saw any issues in the next few years that they might need to be thinking about.

Preston Gilliam said he couldn't tell.

Jo Ann Wilson asked if water rates should go up.

Preston Gilliam said we raise rates each time Walnut Creek and Tarrant Regional increases their rates. It would hurt to look at all of them. He said we need to see what Aurora is doing. Their contract right now with Aurora says if we have water they get it. TCEQ doesn't like that. They want us to guarantee 2 gallons a minute. If they have two (2) connects they need four (4) gallons a minute.

Charles Pennington asked how much water are we contracted with Walnut Nut Creek a day.

Preston Gilliam said 750 gallons of water a minute x 14.40 totals 1,080,000 a day. He has 1.75 million gallons of storage.

Mayor Moore said we need to look for a good used single cab pickup or a Ford Ranger. Next budget year we could look at a Tiger Mower.

6. Administration- Jo Ann Wilson asked what they can do to help. Do you see your work load increasing?

Ramah Burns said it's pretty steady. We got a new paper folder for the water bills and changed credit card machines to World Pay. We mail water bills in regular envelopes and include the Rhome Review and advertisements. She said a lot of people are paying on line. That has helped a lot. Everything is going smooth. All of the departments work so well together. Chief Rose stops by to see if we need anything and takes mail to the Post Office for us.

SPECIAL SESSION

1. Fire Department – Incentives

Motion was made by Louis Godfrey, seconded by Ronnie Moore to discontinue the \$65 a day incentive program but to continue with the incentive per call.

Motion carried 4-1. Michelle Pittman voted against.

2. Community Center –

Louis Godfrey said the Community Center has always been available for the city to use for functions. He said it needs to come back to the city as soon as possible, cleaned and ready to go. This way everyone can use it.

Mayor Moore said Chief Pratt has cleaned it. The only issue they have had is the roof. It seems to have sealed itself. They have just put in new ceiling tiles. They are going to need another refrigerator.

Chief Pratt said they have issues with people parking. They park everywhere. They have had kids in the bays when they come back from a call. They are using it right now for a training and day room.

Mayor Moore said if they come up with a good plan. There is enough parking in the front. He said to put Tow Zone on the June 13th agenda.

Chief Rose said people that are parking illegally will be towed. He said a off duty officer or fire man could control the traffic and be paid for it.

Motion was made by Louis Godfrey, seconded by Charles Pennington to use the Community Center for city functions.

Motion carried unanimously.

3. Police Cars

Chief Rose said five (5) cars are being driven home. He said none of the officers are using the cars for personal use or for any off duty jobs.

Police cars being taken home will be on the June 13th agenda.

4. Future Agenda Items

1. Police Cars
2. City of Aurora
3. Community Center – Tow Zone.
4. Emergency Preparedness
5. Economic Development
6. Sterile Doctor
7. SH 114 – Oncor
8. Review Ordinance on Fowl in the city.
9. Personnel Manual

3. Motion was made by Louis Godfrey seconded by Charles Pennington to adjourn at 9:30 pm

Motion carried unanimously

There being no further business the meeting adjourned at 9:30 pm

CERTIFICATION:

Passed and approved on this 13th day of June, 2013.



Chris Moore

Mayor



Ramah Burns

City Secretary