



**City Council Minutes
Regular Session
April 10, 2014 – 7:00 p.m.**

Rhome City Hall
105 First Street
Rhome, TX 76078

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

Staff Present: Walt Leonard, City Attorney; Preston Gilliam, Public Works Director; James Rose, Police 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:

None

Announcements from Mayor and Council Members

Jo Ann Wilson said the Easter Egg Hunt will be April 10, 2014. If anyone could use help hiding eggs you can be at the Family Park between 9:30 am and 10:00 am.

Michelle Pittman said six (6) people helping collect money during boot drive both days. They collected \$7,748.63.

1. New Business

- A. Public Hearing opened at 7:02 pm to amend the Budget for 2013 – 2014 to add Maintenance Reimbursement and Water Tower Lease to the Water/Sewer budget from the General Fund budget.**

Michelle Pittman said \$12,000 budgeted in General Fund for Water Tower lease will move to Water Sewer and a new line item for Maintenance Reimbursement will put on the Water Sewer budget and transfer \$30,000 from the General Fund.

Public Hearing closed at 7:03 pm.

- B. Action on amending the Budget for 2013 – 2014 to add Maintenance Reimbursement and Water Tower Lease to the Water/Sewer budget from the General Fund budget.**

Motion was made by Jo Ann Wilson, seconded by Michelle Pittman to approve amending the Budget for 2013- 2014 to move \$12,000 budgeted in General Fund for Water Tower lease will move to Water Sewer and a new line item for

Maintenance Reimbursement will put on the Water Sewer budget and transfer \$30,000 from the General Fund.

Motion carried unanimously.

- C. Public Hearing opened at 7:04 pm to amend the Zoning Ordinance on proposed Ordinance 2014-02, by adding Section 3.03.056 relating to building standards for carports in the city limits.

Diane Fletcher said she has lived in neighborhoods that allowed carports. The neighborhood starts looking like a trailer park. She said she doesn't know who wants this but everything starts looking trashy. She said if one person can do it then everyone will be able to do it. She it is not going to make Rhome look very good. She said she doesn't want Rhome looking like a trailer park.

Sue Isbell said she has talked with a lot of her neighbors and they do not want carports. She said they have lived there for eight (8) years and they have zoning restrictions and they knew that when they moved there. She said this has gone on for years about putting carports up. She said it would depreciate their property value and take away the beauty of their neighborhood. She said they take pride in their homes. She said this wouldn't be an appropriate zoning change. It would truly bring the neighborhood values down. They take pride and want it looking like a newer neighborhood.

Nathan Robertson said he is all for carports. Carports are going to protect his cars. He said they would have to come to the council to see what you're going to build it out of and they have an inspector before you build it.

Tony Isbell said he looked on Google at his old neighborhoods when he was a kid and it doesn't look the same – it looks trashy and the property values look bad. He said he is not against a carport on the side of the house – not in front of the face of the house. If they are from the driveway to side walk it talks away from everybody else.

Jimmy Johnson said he is for carports. He said he is the guilty one. He said he pushed and pushed and pushed he will continue to push until he gets it. The carport is nothing but an increase to the property value. He said if you don't have one and I have one – identical houses side by side I can get more from mine than you will for yours. He said he didn't want it for a couch or swing set. I want to protect my vehicles. He said he has a \$60,000 truck, a \$20,000 boat and a \$20,000 sports car – all he wants to do is protect them. He said a carport will not fit beside his house.

Sue Isbell said she would like to know if someone has that many toys they need a big lot. Why would somebody move into a neighborhood like theirs and accumulate all that stuff and expect the rest of the neighborhood to attest to what they want.

Dee Romine asked doesn't the city have an ordinance to keep people from putting couches under their carport that could fine people. The last meeting they were talking brick – nice carports.

Mayor Moore said the Planning & Zoning Commission came up with recommendations and there were some modifications to that. The last meeting brick was talked about then it was discussed you could use a square metal post and not have to have brick.

Don Clem said he has lived here for nine (9) years. He said he is retired and on a fixed income. He said he is against carports. He said they aren't for the whole neighborhood.

Public Hearing closed at 7:12 p.m.

D. Action to amend Zoning Ordinance on Ordinance 2014-02, by adding Section 3.03.056 relating to building standards for carports in the city limits.

Jo Ann Wilson asked if there were any other options or special exceptions that the council can do on a one by one rather than a blanket all carports or no carports.

Walt Leonard said there are a couple of ways they can deal with this. One is called "Zoning by right" – in certain zones you can have a carport. There is also "Special Exceptions". This is where the council has said they think certain things are okay; we have to be sure it fits in with where ever it is. You have to make an applications that you want to put a carport in By Well. You would go to the Planning & Zoning and then to the Council. You would make a specific proposal and a plan to build a certain thing. So ever is approving it will see exactly what you have in mine. They can say yes or no. Then it will go to the city council if it gets past the P & Z. The council has to make a decision whether in this particular case this proposal in this location is compatible with the neighbors. Everybody in the neighborhood will be given a notice. If everybody says it's okay and doesn't hear from anybody they will figure nobody is upset. If a lot oppose it then maybe there's something wrong with it. He said with a Special Exception the council say okay you were talking about a metal pole is appropriate there or maybe it would be better if it had something that looked like the building next to it that would be up to the council. You can also put a time limit on a Special Exception like ten (10) years. So if the neighborhood changes or it turns out that it's an eye sore. It more work for the council because if anybody wants one they have to go to the P & Z then to the city council explains what they want. He said the council can pass this as a Zoning change or a Special Exception or you can say no.

Jo Ann Wilson said she likes the Special Exception because she owns a carport. She said hers is attached to her home with brick and the roof line goes with it. It serves a purpose. She said she would like it to be a Special Exception because it wouldn't apply just to Crown Point or any other additions they have. It would be a one by one exception.

Michelle Pittman asked if they would set precedence if they say this one can do it in this group and not this person in another. Will they run into problems do it and they seem more selective.

Walt Leonard said this would be one by one depending on the circumstances – neighborhoods, how they build, where they place it, put a time limit on it. It's so case specific it would be hard for somebody to say – oh that's a general rule.

Louis Godfrey said with a Special Exception it still has to have a Public Hearing and notify everyone within 200 feet of you. Then if the majority didn't want it then it's still not going to happen.

Walt Leonard said that's up to the council.

Michelle Pittman said then you're talking about a 3 month process for a minimum to go through P & Z then to council

Walt Leonard said this gives you a great bit of flexibility. You can be flexibly on set back and height requirements.

Michelle Pittman said she likes this better because the rules that apply like Ellis, By Well or Crown Point they would have to be different rules because they are different size lots and houses are set differently. It would be hard to say this fits in every neighborhood.

Louis Godfrey said even in a Special Exception doesn't mean you are going to get it.

Walt Leonard said a Special Exception is entirely up to the City Council. If everybody showed up and said please don't allow that would be a significant. To measure the 200 feet you would measure each corner of the lot to notify for the Public Hearing. He said they will notify more than what you are required to do to make sure no one is left out.

Michelle Pittman said she likes that idea because the people who really want to have the car ports that will do a good job will go through the effort. If they just a blanket they are likely to have people just throw up something.

Walt Leonard said you could end up with something that really doesn't fit. This way the Council has input and everybody else has input.

Diane Fletcher asked if the Council could see the impact in other cities carports and have made and what it does to a community. She said the meeting needs to be extended and then talk about it later after they have more information. It's not a simple matter you are affecting a lot of people one way or the other. She said more in-depth investigation of what this can do to your community.

Mayor Moore said they did look at other cities when this came about.

Louis Godfrey said let's do an impact study and see what it's going to do and get more information on it. Then they can make a better decision.

Charles Pennington asked if they can have this done by the June meeting. He said he would visit with Walt about it and have it ready for the next meeting.

Michelle Pittman asked if they would need another Public Hearing.

Walt Leonard said that would be a good idea for public interest.

- E. Rhome Fire Department financial review – Walt Leonard said Rhome has a unique system for fire protection. The city has a fire department. The city doesn't have any fire fighters. The city has the equipment, fire hall, trucks but no one to work it. The people that work are the volunteer fire department. That's led over the years to a ongoing discussion of who does what and who is in charge and how do we do this. A question has risen because of the auxiliary has been holding some fund raising and has raised some money. How do we deal with that funding because they want to raise money to get a new vehicle? If you're buying a vehicle - that's a vehicle for the fire department. The Fire Department belongs to the city. He said they need to figure out a system – they have never really hammered this out. If they are raising money for equipment everybody needs to talk about it. Historically that money belongs to the Fire Department i.e. the city. If it belongs to the auxiliary be careful there because if they start raising money for something that necessarily requires to city to say yes or no – you may have a problem. You need to coordinate with the city. You could have a mixed bag where they are doing something with the fire truck – but they need to talk with the city and say we need a fire truck. If they want to raise money for the July 4th party or buy a big screen TV or pizza's that would be a specific thing for the auxiliary.

Mayor Moore said in the past anytime they raised money they came to them and asked them if they are trying to buy something. Last year they raised money for the Life Pack. They raised money and they said they wanted to help offset that cost so they wrote a check to the Fire Department and they went into their account and that money was there to offset the expense. If they wanted to buy drinks or pizzas they bought that. They painted the squad they paid for that.

Jo Ann Wilson asked if they could ask the auxiliary what their thoughts are.

Judie Hines said they are not part of the fire department. She said they are all part of the community and they are trying to help. She said they are not trying to interfere. They just want to help. She said they ask them what do they need the most – what can we help you with. She said they set a goal to raise that amount of money then they donate the money. They don't purchase the equipment. They donate the money to help and she does not understand the problem. Their goal is to help not to interfere with anything.

Charles Pennington said the fire truck that was in a wreck – if that truck needs replaced then let's get that before the council so they can do that.

Mayor Moore said they are waiting on the insurance to see what they are going to do. They sent a certain amount of money to replace the chassis and a little bit of money to take the stuff off the truck but they didn't say anything about paying to put stuff back on it. The adjuster said it would have to go to a body shop when he came out to see if it could or couldn't be repaired. That's where it's at.

Charles Pennington said if they are raising money for a truck and in the future they want. He said if they need it he doesn't see a problem getting it replaced. He said one problem with fixing it – in the past it has had some engine problems. Is it worth putting \$10,000 on it? You are still going to have a bad motor. He said they want to take the \$6,400 and put it towards another truck. He said let's get the estimate and talk with the mechanic about the motor.

Judie Hines said it was a goal to help pay for the truck. She said it's for the community. She said the truck was the 1st Responder and they need it.

Mayor Moore said for the most part the Auxiliary comes to them and asks. He said unless it's something that's not budgeted he doesn't think there is an issue. If it's not budgeted then they need to – like the fire truck and new station. He said most of the things they have helped with in the past are budgeted and they have line items.

Louis Godfrey said if it's not a budgeted item then come to the council and talk about it because we don't know things that are not budgeted. Because the city is going to have to come up with the money that wasn't put in the budget for that particular item.

Judie Hines said they didn't want permission for every little thing they do because they are not a part of it.

Charles Pennington said what they are asking for is if it's a budgeted item absolutely go for it. If it's a truck for the future let's sit down and talk about it. The city has to insurance and house it. If they need a truck to replace the one in an accident let's get it before the council so they can go ahead and get that truck replaced now. You may raise the money in 10 days or in 10 years. This is something that doesn't need to wait.

Mayor Moore said for the brigade's next deal they are raising money for the Fire Department and if you leave it that way. Then when you get the money for whatever you can hand it over.

F. Memorial Day Program

Jo Ann Wilson said Memorial Day is May 26th. In the past they have backed it up to the previous Saturday which would be May 24th. She said the speaker will be J. D. Clark who is running for County Judge will be the Key Note Speaker.

G. Restroom facilities and Information Center in the Family Park.

Michelle Pittman said if they can use the Hotel/Motel Tax they need to move forward. Rest room facilities are something they need.

Jo Ann Wilson asked where we start with this.

Louis Godfrey said we need our engineer to look at it and design it.

Walt Leonard said you can look at an informal bidding process.

Mayor Moore said they will need to set a time that they want them to locked and unlocked.

Ronnie Moore said Kevin Howard designed the other pad with ADA regulations.

Mayor Moore said everyone liked the design of the bath facilities at the Bridgeport Park. He thinks stainless steel will be better to use.

H. Pioneer Days

Deborah Be Craft said they have a Festival Committee this year. They would like to change the name from Pioneer Days to Rhome Fall Festival. This is to allow for more option theme wise. They are not stuck with pioneer and old west type theme and to help recover from past mistakes and reputation from past mistakes. They would like to have the Festival in the Family Park – but they may to change it back to Main Street. Just like Music in the Park they brought blankets and chairs and sat under the trees and had that carnival type atmosphere. With this Festival they would like to change things to more of a carnival atmosphere by having more games, contest and shows some of which might overlap with each other by having them in different areas at the same time. They will have more events than that have had in the past. They are asking for a tentative budget of \$5,000 to \$7,000 knowing they need to keep the costs as low as possible. Some of the games are going to cost nothing and that will be all profit. Some will be very little cost. The 5,000 to 7,000 also includes trophies, banners, advertising, dunking booth, etc. She said with the two (2) day event and advertising and people staying the night in Rhome they are hoping most of the cost will be covered by Hotel/Motel Tax. The two (2) day event will be parade, shows, contests, games, vendors and they are working to get the BBQ back. They will start running ads monthly for April, May and June, bi-monthly for July and August and weekly in September. That should bring enough people in the support the vendor and shows and actually make them money that they should have been making all these years. She said the final thing is they would like to have a real carnival. She has been talking with the people and they may have Halloween or Veterans Day weekend free. There is no cost to the city and we get 20% of the gate. They have their own vendors, concession stand and games. It's the same carnival that Newark has.

She said Newark doesn't have enough room for them to bring all of the rides. She said we can have a lot larger one. She said if we could have a Halloween Carnival that would be awesome. She said it will get more people coming to Rhome and spending gas money and eating and seeing what Rhome has to offer.

Jo Ann Wilson asked on the budget what if they said \$5,000.

Deborah Be Craft said whatever they have they will work with it. The biggest expense will be advertising.

Mayor Moore asked the date.

Deborah Be Craft said the 4th week in September which will be the 26th and 27th. The carnival is a three (3) day carnival – Friday through Sunday.

Ronnie Moore asked the Brigade if they would like to be a part of it. He said it was always the city and fire department that did this. He said every organization is important in the city. This city has to turn around and start working together.

Judie Hines said she would get back with the group and see.

Mayor Moore asked what they felt about changing the name.

Michelle Pittman said there is a lot of history behind Pioneer Days.

Deborah Be Craft said Pioneer Days could move to spring.

Jo Ann Wilson said let's not change the name – lets name the fall festival the Rhome Fall Festival.

Michelle Pittman asked if they could get a list/budget for the \$5,000 - \$7,000.

Mayor Moore said they will use Park money for advertising.

Deborah Be Craft said she would have the itemized budget for the May meeting.

I. Speeding on Randall Street

Jo Ann Wilson said when Heil Tank gets off they come out fast. When the police are there they slow down?

Walt Leonard said if the speed is reduced below 25 mph they have to do traffic study.

Louis Godfrey asked if there were stop signs on Troxell and Stirling for the side streets.

Charles Pennington said about 10 or 10:30 pm there is a silver dodge that goes speeds down Troxell. He lives on Hampton Court.

Mayor Moore said let's stay on this about Randall Street.

J. American Municipal Services – warrant collections

Walt Leonard said AMS is a collection agency they use in the City of Reno with considerable success. They have done a lot better than other services have. They are also able to help with water collections. It's a percentage deal where they get paid out a 30% increase on the citation which the state allows us to impose. He said they are willing to go back to 2003.

Ramah Burns said the court system we use is the same Reno uses. Reno also uses the Judge and Prosecutor as we do. Sherri Dast the Court Administrator in the City of Reno highly recommended AMS. They go in and add 30% to every violation through our court software. Their fee is 30%. Sherri Dast said they had several drawers of warrants that were reduced to one (1) drawer. AMS is going to go back to June 18, 2003. Sherri Dast said she goes through her files every Thursday and calls people on Friday to get payment before they are sent for collections. AMS can also go after outstanding water bills and invoices for fire collections. We will work with AMS on payment plans, vouchers and any form of payments. AMS will send us a weekly report and monthly. They will hold out their 30% and submit a check for the different collected.

Motion was made by Ronnie Moore, seconded by Jo Ann Wilson to move forward with the contract for American Municipal Services.

Motion carried unanimously.

2. **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. **March 13, 2014 - Regular Session**

B. Approval of Check Registers:

March 11, 2014 through April 7, 2014

A Department Reports: Staff Reports (No action needed.)

1. **Police Department -**
2. **Fire Department - Michelle Pittman asked to discuss.**
3. **Public Works – Jo Ann Wilson asked to discuss.**
4. **Administration – Jo Ann Wilson asked to discuss.**

Jo Ann Wilson asked Ramah Burns where we were on warrants.

Ramah Burns said she Sherri Dast about that. She does issue them out of her computer. Our court can produce Capias Warrants out of the Utility Data System. She said after court Sherry Taylor, Court Clerk can produce a FTA warrant from the court systems within 10 days after court. If it needs to go to Decatur it can. Once they get the letter a warrant can be issued – most of the time they will set up a payment plan or pay it.

Jo Ann Wilson asked if a warrant is issued does it go to Chief Rose.

Chief Rose said a letter can be sent from our court and at some point they can be turned over to AMS for collections. If they think they are safe because they live in El Paso – then they start getting calls and letters to pay this.

Jo Ann Wilson asked are we are there yet.

Chief Rose said they are waiting on Sherry Taylor. He said by law if people don't show up for court she has to send them a letter within 10 days a warning letter. If it's not paid off in 10 days we are going to issue a warrant. Sherry Taylor can give them a list of names and phone numbers and they can start calling. If it becomes successful then they can give the officer a cut of the \$25 warrant fee.

Walt Leonard said they can add a \$50 warrant fee. He said the letter tends to bring people in pretty large numbers.

Ramah Burns said they are going to move as quickly as they can to get the information entered in a format AMS can use. They said they would pay UDS to write a program to extract the information.

Public Works – Preston Gilliam said he would like to order a 18'x 41' for a cover on the new VAC to protect it from weather to put it on the East Side water plant.

Mayor Moore said they were going to enclose one side.

Michelle Pittman said on the Fire Department there has been some concerns about the FD being locked up. She said the reason it's locked up is they have medical equipment, tools that could walk off. Those doors lock on their on. If you have a concern please get with the Mayor or Chief because the fire fighters don't have say in what they do up there. It's the officers that decide on what goes on.

Jo Ann Wilson asked what the chance of putting a buzzer on the door. She is concerned if someone has a medical emergency and they can't get anyone attention.

Mayor Moore said he and Robert Pratt have talked about putting a buzzer on the door.

Michelle Pittman said a buzzer would be good.

Ramah Burns said they have a new agreement for a new copier. The cost for black & white and color is cheaper and the monthly rental is cheaper. Toner and staples are included. The old copier is 5 years old.

Motion was made by Louis Godfrey, seconded by Ronnie Moore to approve the Konica Minolta copier.

Motion carried unanimously.

Motion was made by Louis Godfrey, seconded by Ronnie Moore to approve the consent agenda.

Motion carried unanimously.

3. Future agenda items: Carports and Budget for Fall Festival
4. Motion was made by Charles Pennington and seconded by Louis Godfrey to adjourn at 8:26 p.m.

Motion carried unanimously.

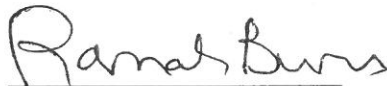
There being no further business the meeting adjourned at 8:26 p.m.

CERTIFICATION:

Passed and approved on this the 16th of June 2014.



Louis Godfrey
Mayor



Ramah Burns
City Secretary