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MINUTES OF RHOME CITY COUNCIL MEETING

Meeting Date: Thursday, October 12, 2017

Meeting Time: 7:00 pm

Call to Order

Mayor Pittman Di Credico called the meeting to order at 7:00 pm.

Call roll to establish a quorum

Mayor Pittman Di Credico announced a quorum of Council members.

Council Members Present:

Mayor Michelle Pittman Di Credico
Mayor Pro Tem Sam Eason
Council Member Kenny Crenshaw

Council Member Colton Lorange
Council Member Leeanne Mackowski

Council Members Absent:

Council Member Charles Pennington

City Staff Present:

City Attorney Carvan Adkins
Police Chief Sam Love
Public Works Director Lance Petty

City Secretary Shannon Montgomery
City Engineer Eddie Aguilar

Invocation

Council Member Crenshaw gave the invocation.

Pledge of Allegiance to the American Flag

Citizen Presentations and Public Input for Future Agenda Items

There were no Citizen Presentations.

Announcements from Mayor and Council Members

There were no Mayor or Council Announcements.

Consent Agenda

A. Minutes of September 26, 2017

B. Department Head Reports: Police, Fire, Public Works, Municipal Court, and Administration

C. Board Minutes/Reports: Parks & Recreation and Planning & Zoning

Motion made by Council Member Mackowski, seconded by Council Member Lorange, to accept the Consent Agenda Items A – C as presented. The vote to accept the Consent Agenda carried unanimously.

Regular Agenda – Old Business

D. Discussion and any necessary action regarding Resolution No. 2017-13 seeking designation as a management agency for wastewater collection and treatment

Motion made by Council Member Mackowski, seconded by Council Member Crenshaw, to approve Resolution No. 2017-13. Motion to approve Resolution No. 2017-13 carried unanimously.

Council Member Lorange left the meeting at 7:05 p.m., prior to discussion of Agenda Item E.

E. Discussion and any necessary action regarding Request for Proposal and Statement of Qualifications for the Engineering Services for the Eastside Wastewater Treatment Plant Improvements for the City of Rhome

Mayor Pittman Di Credico summarized the Request for Proposal and Statement of Qualifications for Engineering Services for the Eastside Wastewater Treatment Plant Improvements. The Mayor continued by stating that three proposals were received – Jacob Martin, Wasteline Engineering, Inc, and Kimley Horn. Each company gave a brief background, presented their proposal, and addressed questions from Council concerning their expertise and past projects.

Motion made by Council Member Crenshaw, seconded by Mayor Pro Tem Eason, to postpone the agenda item to the October 24, 2017 Council Meeting. Motion to postpone carried 3-0-0.

Council Member Lorange returned to the meeting at 7:50 p.m., after discussion of Agenda Item E.

F. Discussion and any necessary action regarding filling vacancies on Planning and Zoning Commission including alternate positions

Mayor Pittman Di Credico stated two applications were submitted for the vacancy on the Planning & Zoning Commission. Both applicants were given a few minutes to tell Council why they wanted to serve on the Commission and addressed questions from Council.

Motion made by Council Member Crenshaw to accept Mr. Eddie Naugle's application. Motion died for lack of a second.

Motion made by Council Member Lorange, seconded by Council Member Mackowski, to accept Mr. Thomas Cannon's application. Motion to accept Mr. Thomas Cannon's application carried by a simple majority of 2-1-1 with Council Members Lorange and Mackowski voting for, Council Member Crenshaw voting against, and Mayor Pro Tem Eason abstaining.

Executive Session

G. Pursuant to the following designated section of the Texas Government Code, Annotated, Chapter 551 (Texas Open Meetings Act), the Council will convene into executive session to discuss the following:

Section 551.072 Deliberation regarding Real Property to discuss or deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person:

Renovation of city facilities at 105 West First and relocation of city facilities at 261 North School Road to include possible purchase, sale or lease of property for city services

Mayor Pittman Di Credico convened the City Council into Executive Session at 8:01 pm.

Mayor Pittman Di Credico reconvened the City Council into Regular Session at 8:40 pm.

Regular Agenda – Old Business

H. Discussion and any necessary action regarding the Executive Session

There was no action taken regarding the Executive Session.

Public Hearing

I. Rhome City Council to conduct a Public Hearing to consider a request for a change in zoning from Retail to Multi-Family regarding a proposed zoning change for Property being a tract of land located in the SMITH COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 743, City of Rhome, Wise County, Texas and being a portion of that certain tract of land described in deed to Hollis W. Jones and wife, Sue Jones recorded in Volume 742, Page 280 of the Real property Records of Wise County, Texas

Mayor Pittman Di Credico convened into Public Hearing at 8:40 pm.

Representative of current Property Owner, Chad Harvey, PO Box 329, Decatur, Texas, and applicant, Mason Sahihi, 13700 Highway 287, Rhome, Texas, presented the Council with their proposed project and reasons why the property should be zoned Multi-Family.

City Secretary Montgomery stated she had received the following replies to the Public Hearing Notice and read the comments received:

- FOR: Cheyne-West-Cheyne, LLC, 124 West Renfro, Burleson, TX – *“Any housing growth will benefit the City of Rhome for the long-term. More housing, will equate to more businesses, which means more tax monies to aid the growth of the area.”*
- FOR: Haiying Warner, 125 West Logan Street
- FOR: Edwin Naugle, 499 Naugle Court
- AGAINST: Patricia Mitchell, 389 South Old Mill Road
- AGAINST: Henri & Nell Fernandez, 320 Old Mill Road – *“The infrastructure in our city needs to be updated to provide services to multi-family units. We need more businesses to bring tax revenue to Rhome. If you re-zone that property you have loss land for retail to go into.”*
- AGAINST: Brandon Valdez, 299 East Logan – *“I am completely against rezoning the valuable retail space for multifamily housing. Rhome needs to attract businesses. Beyond Dairy Queen, the only businesses visible are the liquor store, which is in current need of an upgrade, and the Subway. That’s it! This is obviously not acceptable. I would love to see our community grow while maintaining the feel of Old Town Rhome. Why can’t that stretch of property that is currently retail space stay as is and have that be our “Downtown Area” that thrives with businesses and restaurants? We don’t have a downtown area. We have Main Street. I am ready to see the committee and our Rhome city council members embrace a vision that closely matches our present and surrounding Old Town charm.”*

Mr. Eddie Naugle addressed Council and stated he is for the change in zoning; he thinks the project is ideal.

Ms. Robin Holmes also stated that she would like to see the zoning change.

Mayor Pittman Di Credico closed the Public Hearing at 9:15 pm.

Regular Agenda – New Business

J. Discussion and any necessary action regarding a request for a change in zoning from Retail to Multi-Family regarding a proposed zoning change for Property being a tract of land located in the SMITH COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 743, City of Rhome, Wise County, Texas and being a portion of that certain tract of land described in deed to Hollis W. Jones and wife, Sue Jones recorded in Volume 742, Page 280 of the Real property Records of Wise County, Texas

Consensus of the Council was that they were not opposed to multi-family, but concerned about whether or not the current infrastructure could handle multi-family and whether or not the project was going to be built to certain standards. Council wanted a quality project that would not deteriorate and ways to ensure property is maintained.

City Attorney Adkins advised Council to review Section 10, Changes and Amendments to all Zoning Ordinances and Districts and Administrative Procedures, Criteria for Zoning Change; Mayor Pittman Di Credico read the six factors to the Council.

Motion made by Council Member Crenshaw to approve the request to change the zoning from retail to multi-family.

Motion made by Council Member Mackowski, seconded by Council Member Lorange, to enter into Executive Session to get advice from the City Attorney on this matter. Motion to enter into Executive Session carried unanimously.

Mayor Pittman Di Credico stated; *Pursuant to the Open Meetings Act, Chapter 551, Section 551.071 of the Texas Government Code, the Council may convene into executive session at any time during the meeting if a need rises for the City Council to seek advice from the City Attorney concerning any item on this agenda, to discuss pending and contemplated litigation, or a settlement offer, or to discuss a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Board of Texas clearly conflicts with Chapter 551.*

Mayor Pittman Di Credico convened the City Council into Executive Session at 9:35 pm.

Mayor Pittman Di Credico reconvened the City Council into Regular Session at 9:48 pm.

Mayor Pittman Di Credico stated the motion on the table was to approve the zoning request from retail to multi-family. Mayor Pro Tem Eason seconded the motion. Motion to approve the zoning request carried unanimously.

K. Discussion and any necessary action regarding proposed Ordinance No. 2017-23 amending Section 8.04.002, "Specific Noises Prohibited" of the City of Rhome Code of Ordinances

Council discussed the difficulty in enforcing nuisances and how to enforce the noise nuisance by using decimal levels or distance, as it is currently enforced in the current Ordinance.

Motion made by Council Member Crenshaw, seconded by Council Member Mackowski, to postpone this agenda item, send back to Staff for further revision, and bring back at a later date. Motion carried 3-1-0 with Council Members Crenshaw, Lorange, and Mackowski voting for and Mayor Pro Tem Eason voting against.

L. Discussion and any necessary action regarding proposed Ordinance No. 2017-24 amending Section 13.04.004, "Installation and Maintenance of Service Line" of the City of Rhome Code of Ordinances

Motion made by Council Member Crenshaw, seconded by Mayor Pro Tem Eason, to approve Ordinance No. 2017-24 as presented. Motion to approve carried unanimously.

Future Agenda Items

Mayor Pro Tem Eason requested the following future agenda items:

- Discussion of Noise Ordinance
- Discussion of 5-year plan
- Discussion of Comprehensive Zoning Plan

Adjourn

Motion made by Council Member Mackowski, seconded by Council Member Lorance, to adjourn. The motion to adjourn carried unanimously. Mayor Pittman Di Credico adjourned the meeting at 10:08 pm.

Minutes approved the 24th day of October 2017.

Michelle Pittman Di Credico

Michelle Pittman Di Credico,
Mayor

Shannon Montgomery

Shannon Montgomery, TRMC
City Secretary

