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MINUTES OF RHOME CITY COUNCIL MEETING

Meeting Date: Thursday, January 11, 2018

Meeting Time: 7:00 pm

Call to Order and Establish a Quorum

Mayor Pittman Di Credico called the meeting to order at 7:00 pm., announced a quorum and stated that Council Member Pennington is absent.

Council Members Present:

Mayor Michelle Pittman Di Credico
Mayor Pro Tem Sam Eason

Council Member Leeanne Mackowski
Council Member Kenny Crenshaw

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

Invocation

Council Member Crenshaw gave the invocation.

Pledge of Allegiance to the American Flag

Citizen Presentations and Public Input for Future Agenda Items

Ms. Patricia Mitchell, 389 South Old Mill Road, addressed the Council in regards to City gossip and Council meetings.

Announcements from Mayor and Council Members

Mayor Pittman Di Credico stated that the City Secretary asked her to announce upcoming Election related dates and asked that residents wanting to sign up to run, call City Hall and request an appointment.

Consent Agenda

A. Minutes of December 14, 2017

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

C. Board Minutes: Parks & Recreation and Planning & Zoning Commission

Motion made by Council Member Mackowski, seconded by Mayor Pro Tem Eason, to approve the Consent Agenda Items as presented.

Mayor Pittman Di Credico stated that repairs are needed at Well #5, West Wastewater Treatment Plan, and the Chlorine Booster Pump and the costs will be approximately \$20,000.

Motion carried unanimously to approve Consent Agenda Items.

Public Hearing

Mayor Pittman Di Credico opened the Public Hearing at 7:07 pm., read Public Hearing Items D, E, and F, and reminded Council that this was the Public Hearing portion to allow the residents to speak.

- D. City Council to conduct a public hearing to consider a request for a change in zoning for a portion of land in By Well Estates from Residential to Commercial, legal property description being Lot: 1R, Block: A, Subdivision: BY WELL ESTATES PH2, Abstract: A-743 SMITH CSL, Acres: 7.229; Property Address being 6145 E HWY 114, Rhome, Texas***
- E. City Council to conduct a public hearing to consider a request for a change in zoning for a portion of land in By Well Estates from Residential to Commercial, legal property description being Lot: 19, Block: A, Subdivision: ALLIANCE ESTATES PH2, Abstract: A-743 SMITH CSL, Acres: 1.374; Property Address being 6191 E HWY 114, Rhome, Texas***
- F. City Council to conduct a public hearing to consider a request for a change in zoning for a portion of land in By Well Estates from Residential to Commercial, legal property description being Lot: 1, Block: C, Subdivision: ALLIANCE ESTATES PH2, Abstract: A-743 SMITH CSL, Acres: 1.563; Property Address being 6199 E HWY 114, Rhome, Texas***

David Claborn, representative of Property Owner, gave a brief background and addressed questions from the audience.

Mayor Pittman Di Credico closed the public hearing at 7:16 pm.

- G. City Council to conduct a public hearing to consider a request for a change in zoning for a portion of land in the Prairie Point Development from Agricultural to Residential – Planned Development, legal property description being Abstract: A-507 B LEWALLEN, Acres: 48.752***

Mayor Pittman Di Credico opened the Public Hearing at 7:16 pm.

Jim Brisco and Marshall Baker gave a brief regarding the area; no one asked questions during the Public Hearing.

Mayor Pittman Di Credico closed the public hearing at 7:18 pm.

Regular Agenda – Old Business

- H. Discussion and any necessary action regarding the resignation of Council Member Colton Lorange and filling the vacancy left on Council including Oath of Office for newly appointed council member***

Ms. Fabiola Valdez asked Council how they were going to address this agenda item as it was postponed at the last meeting when Council Member Crenshaw was absent and Council Member Pennington was absent tonight and gave her reasons why Council should appoint Mr. Gilbert to the vacant position.

Mayor Pittman Di Credico listed the applicants – David Gilbert, Elaine Priest, Josh McCabe and Patricia Mitchell.

Motion made by Mayor Pro Tem Eason, seconded by Council Member Mackowski, to postpone this agenda item to the January 23, 2018 Council Meeting. Motion carried unanimously to postpone until January 23, 2018.

I. Discussion and any necessary action regarding assigning one council member without bank signatory authority to regularly review and approve monthly bank reconciliations

Council Member Mackowski stated that she is available to review and approve the monthly bank reconciliations temporarily.

J. Discussion and any necessary action regarding filling the vacant alternate position on the Planning and Zoning Commission

Mayor Pittman Di Credico shared that Eddie Naugle declined the Council's previous motion to appoint him to the Planning & Zoning Commission and asked Council to postpone this agenda item until interest is shown in the position.

K. Discussion and any necessary action regarding Outdoor Warning Sirens and authorizing the mayor to expend funds for the project

Mayor Pittman Di Credico listed the proposals received:

1. American Communications - \$41,699.70 (not present)
2. Storm Sirens, Inc. - \$50,000
3. Goddard Enterprises – 2 options, \$49,800 and \$55,000

Council discussed whether radios were included in the proposals, system software options, and asked questions of Storm Sirens, Inc. and Goddard Enterprises.

Consensus of Council was that American Communications was not an option and continued the discussion.

Mayor Pro Tem Eason thought policy and procedure should be a focus as well. He shared his concern about not wanting to waste money and that Council needed to ensure a sound policy and procedure for sounding the sirens was in place.

Mayor Pittman Di Credico stated that the Emergency Management Committee would focus on establishing policy and procedure and bring back to Council for approval.

Council Member Mackowski stated that the necessary electrical should be around \$2,000, but could not give a precise cost until locations are agreed upon. To minimize the costs, the siren locations should be placed on City Property, close to existing electricity.

Motion made by Council Member Mackowski, seconded by Council Member Crenshaw, to approve Goddard Enterprises proposal of \$49,800 with adding software at a later time. Motion carried unanimously.

Mayor Pittman Di Credico called a short break at 7:58 pm and reconvened into Regular Session at 8:02 pm.

Regular Agenda – New Business

L. Discussion and any necessary action regarding a request for a change in zoning for a portion of land in By Well Estates from Residential to Commercial, legal property description being Lot: 1R, Block: A, Subdivision: BY WELL ESTATES PH2, Abstract: A-743 SMITH CSL, Acres: 7.229; Property Address being 6145 E HWY 114, Rhome, Texas

Mayor Pro Tem Eason stated he felt that this property should be zoned Residential; he does not feel confident that Commercial zoning is the right choice for this property and suggested that Council should deny the request.

Council Member Mackowski stated that Commercial zoning is a better opportunity for this property.

Council Member Crenshaw felt that Commercial zoning leaves the gates wide open.

City Attorney Adkins stated that a simple majority of the Council would prevail, as the City Secretary did not receive any written opposition in regards to these rezoning requests.

Motion made by Mayor Pro Tem Eason, seconded by Council Member Crenshaw, to deny the rezoning request. Motion carried 2-1-0, with Mayor Pro Tem Eason and Council Member Crenshaw voting to deny and Council Member Mackowski voting against the denial.

M. Discussion and any necessary action regarding a request for a change in zoning for a portion of land in By Well Estates from Residential to Commercial, legal property description being Lot: 19, Block: A, Subdivision: ALLIANCE ESTATES PH2, Abstract: A-743 SMITH CSL, Acres: 1.374; Property Address being 6191 E HWY 114, Rhome, Texas

Motion made by Mayor Pro Tem Eason, seconded by Council Member Crenshaw, to deny the rezoning request. Motion carried 2-1-0, with Mayor Pro Tem Eason and Council Member Crenshaw voting to deny and Council Member Mackowski voting against the denial.

N. Discussion and any necessary action regarding a request for a change in zoning for a portion of land in By Well Estates from Residential to Commercial, legal property description being Lot: 1, Block: C, Subdivision: ALLIANCE ESTATES PH2, Abstract: A-743 SMITH CSL, Acres: 1.563; Property Address being 6199 E HWY 114, Rhome, Texas

Motion made by Mayor Pro Tem Eason, seconded by Council Member Crenshaw, to deny the rezoning request. Motion carried 2-1-0, with Mayor Pro Tem Eason and Council Member Crenshaw voting to deny and Council Member Mackowski voting against the denial.

O. Discussion and any necessary action regarding a request for Annexation being a tract of land out of the W.W. Fain Survey, Abstract No. 316 and the Benjamin Lewallen Survey, Abstract No. 507 and situation in Wise County, Texas, said tract being the same tract of land described in the deed to Grady Morris Estate containing 48.752 acres of land

Motion made by Mayor Pro Tem Eason, seconded by Council Member Crenshaw, to accept the Annexation and approve Ordinance No. 2018-10, PROVIDING FOR THE ANNEXATION INTO THE CITY OF RHOME OF PROPERTY COMPRISED OF APPROXIMATELY 48.752 ACRES DESCRIBED BELOW AND DEPICTED ON EXHIBIT "A", LOCATED WITHIN THE CURRENT ETJ OF THE CITY OF RHOME, TEXAS, FOR ALL MUNICIPAL PURPOSES; APPROVING A SERVICE PLAN FOR SUCH TERRITORY. Motion carried unanimously.

Mayor Pittman Di Credico moved Agenda Item Q forward:

Q. Discussion and any necessary action regarding a request for a change in zoning for a portion of land in the Prairie Point Development from Agricultural to Residential – Planned Development, legal property description being Abstract: A-507 B LEWALLEN, Acres: 48.752

Motion made by Council Member Mackowski, seconded by Mayor Pro Tem Eason, to approve the rezoning request, Ordinance No. 2018-09, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF RHOME, TEXAS, AS HERETOFORE AMENDED, BY CHANGING THE ZONING DISTRICT CLASSIFICATION OF 48.752 ± ACRES OF LAND DESCRIBED IN EXHIBIT "A" - BOUNDARY DESCRIPTION OF THE PROPERTY" AND ILLUSTRATED ON EXHIBIT "B" - ZONING BOUNDARY MAP; ESTABLISHING THE USE AND DEVELOPMENT REGULATIONS DESCRIBED IN EXHIBIT "C" - PRAIRIE POINT II PLANNED DEVELOPMENT DISTRICT REGULATIONS. Motion carried unanimously.

P. Discussion and any necessary action regarding a rate adjustment request from Waste Connections of Texas

Mr. Norm Bulaich, Principal Manager of Waste Connections of Texas addressed the Council and requested a 1% landfill disposal adjustment due to an increase in their disposal fees. This 1% increase is equal to a \$.53 increase per home, per month, increasing the rate to \$14.53 a month.

Motion made by Mayor Pro Tem Eason, seconded by Council Member Crenshaw, to approve the increase. After some discussion, Mayor Pro Tem Eason withdrew his motion and Council Member Crenshaw withdrew his second.

Council, concerned whether or not the rate increase was within the contract, continued their discussion. The contract was auto-renewed in 2016 and the last increases were in 2014, when fees were increased to \$13.45 and in 2017 when fees were increased 4% to \$14. Council felt that this rate increase to \$14.53 would cap the rate increases for this term of the contract.

Motion made by Council Member Crenshaw, seconded by Mayor Pro Tem Eason, to approve the rate increase to \$14.53 per home per month, with an effective date of February 1, 2018. Motion carried unanimously.

R. Discussion and any necessary action regarding number of council meetings per month (Section 1.03.003)

After a brief discussion, consensus of the Council was to leave the policy as stated with the Mayor having the ability to cancel the second meeting of the month as needed.

S. Discussion and any necessary action regarding procedures for Citizen Presentations at City Council meetings (Section 1.03.005 and Form for Citizen Presentation)

Council discussed the procedures for Citizen Presentations and took no action to change its current procedures.

T. Discussion and any necessary action regarding amending ordinances for city personnel including but not limited to conflicting current ordinances

Mayor Pittman Di Credico addressed Council, stating that this item is the first step in removing conflicts in City Ordinances and updating the Personnel Manual and Employee Handbook, an agenda item later in this meeting's agenda, to amend Chapter 9, "Personnel" of the City's Code of Ordinances.

Motion made by Council Member Mackowski, seconded by Council Member Crenshaw, to approve Ordinance No. 2018-01, CREATING SECTION 9.06.001, "BUILDING OFFICIAL" OF ARTICLE 9.06, "GENERAL PROVISIONS" OF CHAPTER 9, "PERSONNEL" OF THE CITY OF RHOME CODE OF ORDINANCES TO INCLUDE THE CREATION OF THE CITY BUILDING OFFICIAL. Motion carried unanimously.

Motion made by Council Member Mackowski, seconded by Council Member Crenshaw, to approve Ordinance No. 2018-02, AMENDING SECTION 9.02.031, "CHIEF OF POLICE" OF ARTICLE 9.02, "POLICE DEPARTMENT" OF CHAPTER 9, "PERSONNEL" OF THE CITY OF RHOME CODE OF ORDINANCES TO AMEND LANGUAGE REGARDING APPOINTMENT AND REMOVAL. Motion carried 2-1-0 with Council Member Crenshaw and Council Member Mackowski voting for and Mayor Pro Tem Eason voting against.

Motion made by Council Member Mackowski, seconded by Council Member Crenshaw, to approve Ordinance No. 2018-03, AMENDING SECTIONS 1.06.031, 1.06.032, 1.06.033, 1.06.034, 1.06.035, 1.06.036, 1.06.037, 1.06.038, "CITY ADMINISTRATOR" OF ARTICLE 1.06, "CITY OFFICERS" OF CHAPTER 1, "GENERAL PROVISIONS" OF THE CITY OF RHOME CODE OF ORDINANCES TO AMEND AND DELETE REFERENCES TO CITY ADMINISTRATOR DUTIES AND REQUIREMENTS. Motion carried unanimously.

Motion made by Council Member Mackowski, seconded by Mayor Pro Tem Eason, to approve Ordinance No. 2018-04, AMENDING SECTION 1.06.061, "CITY SECRETARY" OF ARTICLE 1.06, "CITY OFFICERS" OF CHAPTER 1, "GENERAL PROVISIONS" OF THE CITY OF RHOME CODE OF ORDINANCES TO AMEND AND REMOVE DUPLICATED LANGUAGE. Motion carried unanimously.

Motion made by Mayor Pro Tem Eason, seconded by Council Member Mackowski, to approve Ordinance No. 2018-05, CREATING SECTION 9.04.001, "FIRE CHIEF" OF ARTICLE 9.04, "FIRE DEPARTMENT" OF CHAPTER 9, "PERSONNEL" OF THE CITY OF RHOME CODE OF ORDINANCES TO INCLUDE THE CREATION OF THE POSITION OF FIRE CHIEF. Motion carried unanimously.

Motion made by Council Member Mackowski, seconded by Council Member Crenshaw, to approve Ordinance No. 2018-06, CREATING SECTION 9.05.001, "MUNICIPAL COURT CLERK" OF ARTICLE 9.05, "MUNICIPAL COURT" OF CHAPTER 9, "PERSONNEL" OF THE CITY OF RHOME CODE OF ORDINANCES TO INCLUDE THE CREATION OF THE MUNICIPAL COURT CLERK. Motion carried unanimously.

Motion made by Mayor Pro Tem Eason, seconded by Council Member Crenshaw, to approve Ordinance No. 2018-07, AMENDING SECTIONS 1.06.121 and 1.06.122, "DIRECTOR OF PUBLIC WORKS" OF ARTICLE 1.06, "CITY OFFICERS" OF CHAPTER 1, "GENERAL PROVISIONS" OF THE CITY OF RHOME CODE OF ORDINANCES TO CHANGE THE REFERENCES TO PUBLIC WORKS DIRECTOR TO CHAPTER 9, "PERSONNEL". Motion carried unanimously.

U. Discussion and any necessary action regarding amending ordinances for designating officers of the city and department heads of the city

Mayor Pittman Di Credico stated that this item is taking the positions created/amended in the previous agenda item and giving those positions the designation of department head.

Motion made by Council Member Mackowski, seconded by Council Member Crenshaw, to approve Ordinance No. 2018-08, CREATING SECTION 9.01.003, "DEPARTMENT HEADS DESIGNATED" OF ARTICLE 9.01, "GENERAL PROVISIONS" OF CHAPTER 9, "PERSONNEL" OF THE CITY OF RHOME CODE OF ORDINANCES TO INCLUDE THE CREATION OF THE DESIGNATION OF DEPARTMENT HEADS. Motion carried unanimously.

V. Discussion and any necessary action regarding authorizing the mayor to move forward on city administrator search

Mayor Pittman Di Credico proposed taking funds set aside for the Building Official position and allocating those funds for the City Administrator position, with a start date of March 1st.

Motion made by Mayor Pro Tem Eason, seconded by Council Member Crenshaw, to authorize the Mayor to begin the search for a City Administrator. Motion carried unanimously.

W. Discussion and any necessary action regarding adopting 2018 proposed revisions to the City of Rhome Personnel Manual and Employee Handbook adopted July 11, 2013 revised September 12, 2013

Motion made by Council Member Crenshaw, seconded by Council Member Mackowski to table this agenda item to the January 23 Council Meeting. Motion carried unanimously.

X. Discussion and any necessary action regarding quarterly budget amendments for current fiscal year

Motion made by Council Member Mackowski, seconded by Council Member Crenshaw to approve Ordinance No. 2018-11, AMENDING THE CITY'S DULY ADOPTED FISCAL YEAR 2017-2018 BUDGET, AS AMENDED; REALLOCATING DESIGNATED FUNDS WITHIN VARIOUS DEPARTMENTS TO VARIOUS FUNDS WITHIN THOSE DEPARTMENTS. Motion carried unanimously.

Y. Discussion and any necessary action regarding creating part-time position for recreation center

Motion made by Council Member Crenshaw, seconded by Council Member Mackowski to postpone this agenda item to the January 23, 2018 Council Meeting. Motion carried unanimously.

Z. Discussion and any necessary action regarding property taxes for persons over the age of 65

Motion made by Council Member Crenshaw, seconded by Council Member Mackowski, to postpone this agenda item to the January 23, 2018 Council Meeting. Motion carried unanimously.

AA. Discussion and any necessary action regarding scheduling a Joint Workshop Session with the Planning & Zoning Commission regarding Zoning

Consensus of the Council was to schedule the Joint Workshop with the Planning & Zoning Commission on January 23, 2018 with a possible start time of 6:30 p.m.

Future Agenda Items

Mayor Pro Tem Eason stated he would like to have an Ordinance relating to the hiring and termination of Department Heads and City Officers.

Adjourn

Motion made by Council Member Mackowski, seconded by Council Member Crenshaw, to adjourn. The motion to adjourn carried unanimously. Mayor Pittman Di Credico adjourned the meeting at 9:22 pm.

Minutes approved the 23rd day of January 2018.

Michelle Pittman Di Credico

Michelle Pittman Di Credico,
Mayor



Shannon Montgomery

Shannon Montgomery, TRMC
City Secretary