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Mayor
Michelle Pittman
Di Credico

City Council

**Mayor Pro-Tem,
Place 3**
Elaine Priest

Place 1
Charles
Pennington

Place 2
Kenny Crenshaw

Place 4
Sam Eason

Place 5
Leeanne
Mackowski

**City
Administrator**
Joe Ashton

City Attorney
Carvan Adkins

City Secretary
Shannon
Montgomery

Fire Chief
Darrell Fitch

Police Chief
Sam Love

**Public Works
Director**
Lance Petty

MINUTES OF PUBLIC MEETING OF THE RHOME CITY COUNCIL

Meeting Date: Thursday, August 9, 2018

Location: Rhome Community Center, 261 North School Road

MEETING START TIME: 7:00 PM

Call to Order and Establish a Quorum

Mayor Pittman Di Credico called the meeting to order at 7:00 pm. and announced a quorum of Council Members present.

Council Members Present:

Mayor Michelle Pittman Di Credico
Mayor Pro Tem Elaine Priest
Council Member Kenny Crenshaw

Council Member Sam Eason
Council Member Leanne Mackowski

Council Members Present:

Council Member Charles Pennington

City Staff Present:

City Attorney Carvan Adkins
City Secretary Shannon Montgomery

Municipal Court Clerk Kristi Adams
Police Chief Sam Love

Invocation and Pledge of Allegiance to the American Flag

Council Member Crenshaw gave the invocation and led the Pledge of Allegiance to the American Flag.

Citizen Presentations and Public Input for Future Agenda Items

Fabiola Valdez, 280 South Dogwood, Rhome asked Council to do something about 150 Front Street, as it seems vacant and in its current state, is a fire hazard.

Deborah BeCraft, 360 Second Street, Rhome submitted a Petition calling for an Election regards to the authorization of issuance of combination tax and revenue certificates of obligation to City Secretary Montgomery.

Announcements from Mayor and Council Members

There were no announcements.

Consent Agenda

A. Minutes of July 24, 2018 City Council Regular Session

Motion made by Council Member Eason, seconded by Mayor Pro Tem Priest to approve the minutes as presented. Motion carried unanimously.

Monthly Staff Reports

B. Mayor's Report of Operations

Council Member Eason asked how many residents had signed up for CodeRED. Mayor Pittman Di Credico stated she would get the number and report back.

C. Departments: Administration, Fire Rescue, Municipal Court, Police and Public Works

Council Member Eason requested a copy of what Open Records Requests were being requested. Eason also congratulated the Fire Department on obtaining approval for a Rural Volunteer Fire Department Assistance Program grant. Council Member Eason also requested more information regarding the Street and Park projects listed in the Public Works Report.

D. Boards: Parks & Recreation Board and Planning & Zoning Commission

No discussion.

Executive Session

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:

- E. Section 551.074 Deliberation regarding Personnel to discuss or deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, or hear a complaint or charge against an officer or employee in executive session unless the officer or employee requests a public hearing:***

City Administrator

Mayor Pittman Di Credico did not convene into Executive Session.

Reconvene into Regular Session

F. Discussion and any necessary action as a result of Executive Session

No discussion as there was no Executive Session.

Mayor Pittman Di Credico turned the meeting over to Mayor Pro Tem Priest.

Public Hearing

- G. Rhome City Council to conduct a Public Hearing to consider a request for a Carport at Legal Property being Acres: 0.209, Lot: 4, Block: 1, Subdivision: ROLLING HILLS ADDITION also known as 301 North Redbud Court, Rhome, Texas 76078***

City Administrator Ashton stated pursuant to the Zoning Regulations, a request for a Carport must be heard by both the Planning & Zoning Commission and the City Council. The Carport Application appears to meet all zoning requirements.

City Secretary Montgomery stated that she had only received one response to the Public Hearing Notification and that was in favor of the Carport.

Mayor Pro Tem Priest opened the Public Hearing at 7:17 pm.

Deborah BeCraft, 360 Second Street, Rhome, stated that it looked like the applicant did a lot of research and that the carport will match the house.

Mayor Pro Tem Priest closed the Public Hearing at 7:18 pm.

Regular Agenda

H. Discussion and any necessary action regarding a request for a Carport at Legal Property being Acres: 0.209, Lot: 4, Block: 1, Subdivision: ROLLING HILLS ADDITION also known as 301 North Redbud Court, Rhome, Texas 76078

Council Member Crenshaw stated that the applicant will meet all codes and made a motion to accept the application.

City Attorney Adkins stated that he had an ordinance to approve the application.

Council Member Crenshaw amended his motion to approve an Ordinance granting a SUP for the Carport at 301 North Redbud Court; seconded by Council Member Eason. Motion carried unanimously.

CITY OF RHOME, TEXAS ORDINANCE NO. 2018-27

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF RHOME BY GRANTING A SPECIAL USE PERMIT FOR A CARPORT FOR CERTAIN PROPERTY LOCATED AT 301 NORTH REDBUD COURT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Priest turned the meeting back over to Mayor Pittman Di Credico.

I. Presentation and discussion regarding Proposed Budget for Fiscal Year 2018-2019 and proposed tax rate for the same

Mayor Pittman Di Credico presented the proposed Budget to Council.

Council Member Eason asked if the proposed budget funded the Capital Improvement Program and Mayor Pittman Di Credico answered that it did fund the program through the fiscal year.

Mayor Pittman Di Credico also stated that the proposed budget was a balanced budget and that she was also proposing the current tax rate of 0.5234.

No action taken, discussion only.

J. Discussion regarding current city bonds as well as publication notice of intention to consider issuing certificates of obligation for potential sewer upgrades

Mayor Pittman Di Credico shared an excerpt from the Bond Update that was placed online, stating that the table was updated to reflect bond payments made through August 7, 2018:

2018 Proposed Bond

The newest proposed bond to be considered is for funding for the Eastside Wastewater Treatment Plant Expansion Project. The initial costs of TCEQ permit amendment and engineering design for this expansion project of \$95,000 were included in the above mentioned 2017 Tax Note.

Kimley-Horn was selected as the engineering firm to research and formulate a strategy and recommendation regarding the Expansion Project. Kimley-Horn has provided that recommendation and plan for addressing this.

The City has two Wastewater Treatment Plants (WWTP), one servicing the Westside of the City and one servicing the Eastside of the City. The Westside WWTP is permitted at 150,000 gallons per day while the Eastside WWTP is permitted

at 100,000 gallons per day. Permitting is issued through TCEQ and is monitored regularly by that agency. When a WWTP reaches 75% of its permitted capacity, TCEQ requires the WWTP to be in the design phase for expansion. The Westside WWTP is well under this 75% capacity. However, the Eastside WWTP is at the 75% capacity and is required to be in the design phase for expansion. The funds from the 2017 Tax Note have allowed the City to begin on this as required.

One of the components of the research that Kimley-Horn performed was to analyze the city's projected and current land use and consider the impact of future developments on the Eastside WWTP. The result was the issuance of a Master Plan for the Eastside WWTP. Kimley-Horn recommends expanding the existing facility from 100,000 gallons per day to 250,000 gallons per day. The total cost of this expansion is \$3.5 million.

After analyzing the flow and data regarding the City's usage and the proposed Prairie Point Development, Kimley-Horn attributes 74% of the cost of the expansion to the City's needs or \$2.6 million and 26% of the cost of the expansion to the Prairie Point Development or \$910,000. The City has asked the Prairie Point Development to fund their portion of \$910,000 with the City considering a bond to finance its portion of the \$2.6 million costs.

It should be noted that if Prairie Point Development decided not to pursue development that the City would still be required to expand the Eastside WWTP due to TCEQ's 75% capacity rule.

Asking the Prairie Point Development to pay its fair share of expansion without passing the burden of that development onto existing residents has been a top priority of the City's overall strategy to address development and growth in our area.

The proposed \$2.6 million bond to cover the City's portion will have an annual bond payment of approximately \$165,000. This payment will be covered by the Public Works budget independently from the rest of the City's overall budget.

How will this be accomplished? In the current fiscal year 2017-2018, approximately \$108,000 of expenses were included that will not be required to be repeated in the next fiscal year budget 2018-2019 which will offset a large portion of the proposed annual bond payment. The projected increase in revenue for fiscal year 2018-2019 is \$60,000 in additional revenue. When the \$108,000 cost savings is added to the additional increase of \$60,000 in revenue, the total is \$168,000 which is roughly the amount of the proposed bond payment. Therefore, the new bond will not impact the City's property tax rate or what residents pay for water and sewer service.

A proposed balanced budget overall and for Public Works was presented to Council on 7/12/18 which proposed keeping the tax rate the same as the current fiscal year or \$.05234.

In addition to the above steps, the City's next strategy to address development and growth is through implementing Impact Fees. The City is in negotiations with Kimley-Horn regarding an Impact Fee Study which will allow the City to pass the impact fees on to future building and development through a systematic cost structure.

The City's goal is and continues to be to minimize the effects of future developments on current residents and maintain a quality of life that residents expect.

Council Member Eason asked the question what happens if the petition received earlier in the meeting is validated and the Bond goes to the residents and if the residents vote not to pass the Bond. City Administrator Ashton stated that the City would have to finance and that there would be two options – cut City services until the project is paid in full or pay TCEQ fines.

Council addressed questions from the audience.

No action taken, discussion only.

Regular Agenda – Old Business

K. Discussion and any necessary action regarding an Animal Control Ordinance

City Administrator Ashton summarized the changes he made to the proposed Ordinance, noting that the main change was the inclusion of Section 2.02.003 – Restraint of a dog or cat.

Council Member Eason stated he would like City Administrator Ashton to review the City Killeen, Texas' ordinance on spaying and neutering pets.

Council Member Crenshaw questioned Section 2.04.006(c), "nor any more than four (4) each of any type of chicken." Council asked City Administrator Ashton to bring back a reasonable number of chickens to allow residents to have, not necessarily limiting it to the type of chicken.

Motion made by Council Member Eason, seconded by Council Member Crenshaw, to accept Ordinance No. 2018-25 as written, with the understanding that this would come back at a later date with a resolution to the above items. Motion carried unanimously.

CITY OF RHOME, TEXAS ORDINANCE NO. 2018-25

AN ORDINANCE AMENDING CHAPTER 2, "ANIMAL CONTROL", OF THE CITY OF RHOME CODE OF ORDINANCES; AMENDING THE REGULATIONS OF ANIMALS; ESTABLISHING REGULATIONS REGARDING THE TETHERING OR RESTRAINING OF DOGS OR CATS OUTDOORS AND UNATTENDED; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER AND PROVIDING AN EFFECTIVE DATE.

L. Discussion and any necessary action regarding locations for recycling containers

Council discussed the possible locations and who would be responsible for cleaning the containers. Mayor Pittman Di Credico stated that once everything was finalized and the containers were available, Staff would advertise details on the website and in the utility bills.

No action taken, discussion only.

M. Discussion and any necessary action regarding roof replacement on Old School Building including contract status

Mr. Yarbrough of Yarbrough Roofing Company updated the Council in regards to Workers' Compensation and asked the City to waive the requirement.

Mayor Pittman Di Credico stated the following and convened into Executive Session at 8:23 pm:

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 arises 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 reconvened into Regular Session at 8:36 pm.

Mayor Pittman Di Credico stated that the City cannot waive the requirements and that City Administrator Ashton would contact Mr. Yarbrough the following day.

Regular Agenda – New Business

N. Discussion and any necessary action regarding Parks & Recreation projects in current budget year and addition of Movie Night on October 27, 2018 to calendar

Parks & Recreation Board Chair Tommie Eason explained a few project changes that the Board would like to complete in the current fiscal year and asked to Council to approve a Movie Night at the Pavilion Event scheduled for October 27, 2018.

Chair Eason listed the following project changes:

1. Install donated lights along the walkways throughout the park
2. Extend sidewalk to bathrooms on both sides
3. Install sidewalk from butterfly garden to pavilion
4. Install a fence on side of railroad tracks
5. Extend existing irrigation and continue extending a little each year until the park is fully irrigated
6. Add Movie Night at the Pavilion to City Calendar

Mayor Pittman Di Credico clarified that the Parks & Recreation Board met and approved using existing funds not spent within the current budget on the projects listed above and that did not need a motion from Council. Council did need to approve the Movie Night Event to place on the City Calendar.

Motion made by Council Member Eason, seconded by Council Member Crenshaw to amend the City Calendar by adding the October 27, 2018 Movie Night at the Pavilion. Motion carried unanimously.

O. Discussion and any necessary action regarding rental of city facilities

City Administrator Ashton stated that the proposed rental agreement for what is currently called the Senior Building is similar to that of the Pavilion rental agreement. The agreement does give the Seniors group priority on scheduling.

Public Works will coordinate the building's rental schedule.

Motion made by Council Member Eason, seconded by Mayor Pro Tem Priest to accept the agreement as written. Motion carried unanimously.

Council Member Eason recused himself from the next agenda item:

P. Discussion and any necessary action regarding revising the Investment Policy

Motion made by Council Member Crenshaw, seconded by Mayor Pro Tem Priest, to adopt the proposed Investment Policy as presented. Motion carried unanimously.

**CITY OF RHOME, TEXAS
RESOLUTION NO. 2018-10**

A RESOLUTION OF THE CITY OF RHOME, TEXAS, ADOPTING THE CITY OF RHOME INVESTMENT POLICY; AND PROVIDING AN EFFECTIVE DATE.

Q. Discussion and any necessary action regarding amending Parking Regulations in Residential Districts

Mayor Pittman Di Credico explained the clerical error in the existing Ordinance and that the proposed Ordinance resolves the error by adding the word "not".

Motion made by Council Member Eason, seconded by Council Member Crenshaw to approve Ordinance No. 2018-26 as presented. Motion carried unanimously.

**CITY OF RHOME, TEXAS
ORDINANCE NO. 2018-26**

AN ORDINANCE OF THE CITY OF RHOME AMENDING SUBSECTION (A) OF 12.07.003, "PARKING COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS" OF DIVISION 1, "GENERALLY" OF ARTICLE 12.07, "COMMERCIAL AND OVERSIZED VEHICLES" OF CHAPTER 12, "TRAFFIC AND VEHICLES" OF THE CITY OF RHOME CODE OF ORDINANCES FOR CLARIFICATION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

Future Agenda Items

Council Member Eason requested that the Animal Control Ordinance be brought back to discuss the spay & neuter requirement and a reasonable number of chickens.

Council Member Crenshaw asked for an update from Planning & Zoning in regards to their comprehensive zoning review.

Adjourn

Motion made by Council Member Eason, seconded by Mayor Pro Tem Priest, to adjourn. Meeting adjourned at 8:56 pm.

Minutes approved the 28th day of August 2018.

Michelle Pittman Di Credico

Michelle Pittman Di Credico,
Mayor

Shannon Montgomery

Shannon Montgomery, TRMC
City Secretary

