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**Mayor**  
Michelle Pittman  
Di Credico

**City Council**

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

**Place 1**  
Josh McCabe

**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, March 14, 2019**

**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 Josh McCabe

Council Member Kenny Crenshaw

Council Member Sam Eason

Council Member Leeanne Mackowski

#### ***City Staff Present:***

City Administrator Joe Ashton

City Attorney Carvan Adkins

City Secretary Shannon Montgomery

Police Chief Sam Love

### **Invocation and Pledge of Allegiance to the American Flag**

Council Member Crenshaw gave the invocation and led the pledge.

### **Citizen Presentations and Public Input for Future Agenda Items**

The following individuals made citizen presentations:

- Jo Ann Wilson, 240 West First Street, Rhome – spoke to the Council in regards to renovating the Old School Building and asked that Council make a plan and stick to it.
- Ashley Majors, 200 South Dogwood, Rhome – stated she would like to see the Parks & Recreation Board volunteer their time to beautify the flowerbeds at City Hall.
- Deborah BeCraft, 360 West Second, Rhome – questioned Council about the Outdoor Warning Sirens.

### **Announcements from Mayor and Council Members**

Mayor Pittman Di Credico gave a brief statement regarding the Outdoor Warning Sirens and Tuesday's storms:

*On Tuesday morning, storms blew through our area, the National Weather Service issued an alert of potential winds of 50 mph to Wise County Dispatch. The alert did not meet the criteria for Wise County to dispatch area fire departments for weather watch. The alert also did not meet the criteria for the City to activate the outdoor storm sirens. The City is requesting to be added to the alert list directly from the National Weather Service going forward. This will enable the City to decide whether to activate the outdoor warning sirens specifically for our area.*

*The outdoor warning sirens were tested on March 6, 2019 as scheduled. Two of the three sirens sounded as expected; one of the sirens operated, but did not sound. A service technician has resolved the issue and all storm sirens are fully functioning.*

Mayor Pittman Di Credico reminded the audience that the storm sirens will be tested at 1:00 pm on the first Wednesday of every month unless there is inclement weather. If there is inclement weather, a test make up day will be announced and the sirens tested.

Mayor Pittman Di Credico brought the following agenda items forward:

### **Consent Agenda**

#### ***E. Minutes of February 26, 2019 City Council Regular Session***

#### ***F. Receive Annual Racial Profiling Report***

Motion made by Council Member Mackowski, seconded by Council Member Eason, to accept both Consent Agenda Items as presented. Motion carried unanimously.

### **Monthly Staff Reports**

#### ***G. Departments: Administration, Fire Rescue, Municipal Court, Police, and Public Works***

#### ***H. Boards: Parks & Recreation Board and Planning & Zoning Commission***

Council Member McCabe asked for the Parks & Recreation Board Minutes be updated to correctly reflect Board Member Dilts position on the Board.

### **Regular Agenda – Old Business**

#### ***I. Discussion and any necessary action regarding proposed Request for Proposal for Old School Building renovation including but not limited to securing the building***

Mayor Pittman Di Credico updated the Council, Staff has received the RFP and is in the process of making revisions and will have it posted in the paper a week from Saturday.

Update only, no action taken.

#### ***J. Discussion and any necessary action regarding staff recommendation on appointment of Comprehensive Plan Steering Committee to collaborate with UTA on updating the City's Comprehensive Plan***

Mayor Pittman stated that Council began their discussion at the last Council meeting and asked Council what they thought in terms of how many members should be on the Steering Committee.

Council Member Eason thought 8-12 and asked how would Council discuss making recommendations.

Mayor Pro Tem Priest asked City Administrator Joe Ashton for his recommendation on the number of members and what would happen if there was a change in the process.

City Administrator Ashton recommended sticking with the original composition throughout the process and recommended 10-13 members.

Council Member Crenshaw stated City Administrator Ashton's recommendation was a good representation of the City and recommended keeping the list as presented.

Mayor Pro Tem Priest stated the recommendation was a good cross section and agreed with Council Member Crenshaw.

Council Member Eason questioned the possible quorum of boards; City Administrator Ashton stated that the meeting agenda would be posted accordingly and legally.

Motion made by Council Member Crenshaw, seconded by Council Member McCabe to approve the appointments to the Steering Committee as recommended. Motion carried unanimously.

## **Public Hearing**

***K. Rhome City Council conduct a Public Hearing to consider a rezoning request by the owner of Three (3) Acres of Legal Property located in the 200-300 Block of Morris St and described as Lots 3 through 10, Block 19, Lots 1 through 5, Block 28, and part of the abandoned "E" Street, and internal alleys, Original Townsite of Rhome, Texas. This request is to change the current zoning of SF-10, Single Family Residential (Minimum Lot Size: 10,000 Sq. Ft.) to the proposed zoning of SF-5, Single Family Residential (Minimum Lot Size: 5,000 Sq. Ft.)***

Mayor Pittman Di Credico opened the Public Hearing at 7:20 pm.

City Administrator Ashton stated to the Council:

*The owner of the Morris St property has requested to rezone from SF-10 to SF-5. Both are single-family, residential districts; the main difference is that the SF-5 zoning allows for minimum lot sizes of 5,000 square feet, which is have of the current requirement of 10,000 square foot lots under the existing SF-10 zoning. In discussion with the applicant, they estimate that such a zoning change would be the difference between building nine homes under SF-10 restrictions vs. building 17 homes if allowed to change the zoning to SF-5. Those numbers have not been verified in a formal site plan or replat proposal, as both of those steps would come after the zoning change request.*

*As to the criteria the City Council is to take into account when considering a zoning request, the Zoning Ordinance lays that out in Sec. 10.1 as follows:*

*In making a determination regarding a requested zoning change, the Planning and Zoning Commission and City Council shall consider the following factors:*

- 1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.*
- 2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.*
- 3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances that may make a substantial part of such vacant land unavailable for development.*
- 4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.*
- 5. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved.*
- 6. Any other factors which will substantially affect the health, safety, morals, or general welfare.*

*Most recently, the City Council has handled more platting requests rather than zoning requests — platting requests largely come down to whether the minimum standards of the subdivision ordinance have been met, and there isn't a lot of room to evaluate anything beyond those minimum standards. Zoning changes are very different — it is the City Council's responsibility to recommend approval or denial of a request based on whether the Councilmembers believe the above criteria have been met.*

*On March 4, 2019 the Planning & Zoning Commission voted unanimously (4-0 with one Commissioner recusal) to recommend denial of the zoning change request to the City Council.*

Ashton concluded by reading Chapter 14, Zoning, Section 10.8(E) of the City of Rhome Code of Ordinances:

### **CITY COUNCIL CONSIDERATION:**

- E. Three-Fourths Vote:** A favorable vote of three-fourths (3/4) of all members of the City Council shall be required to approve any change in zoning when written objections are received from twenty percent (20%) of the area of the

adjacent landowners which comply with the provisions of the State laws commonly referred to as the “twenty percent (20%) rule.” If a protest against such proposed amendment, supplement or change has been filed with the City Secretary, duly signed and acknowledged by the owners of twenty percent (20%) or more, either of the area of the lots included in such a proposed change or those immediately adjacent to the area thereof extending two hundred feet (200') therefrom or of those directly opposite thereto extending two hundred feet (200') from the street frontage of such opposite lots, such amendments shall not become effective except by a four-fifths (4/5) vote of the City Council.

City Secretary Montgomery quickly listed the individuals that spoke or supplied a Public Input Form at the Planning & Zoning’s March 4, 2019 Public Hearing:

- Bud Starnes, 365 West First Street, Rhome, Texas – in favor
- Hilberto Urtiz, 250 West Morris Street, Rhome, Texas – opposed
- Scott & Shirley Mize, 170 Russell Street, Rhome, Texas – opposed
- Gail Rother, 199 West Morris, Rhome, Texas – opposed
- Ted Rother, 199 West Morris, Rhome, Texas – opposed
- John & Louise Nichols, 200 West Morris, Rhome, Texas – opposed
- Thomas Tidwell, 301 West First Street, Rhome, Texas – opposed
- Ashley & Josh Majors, 200 South Dogwood, Rhome, Texas – opposed
- Rhome Townhomes, LLC, property owner – in favor
- Jo Ann Wilson, 240 West First Street, Rhome, Texas – opposed
- Fabiola Valdez, 280 South Dogwood, Rhome, Texas – opposed
- Severo Valdez, 145 West Morris Street, Rhome, Texas – opposed
- Clifford Meadows, 301 South Dogwood, Rhome, Texas – opposed
- Don Jacobs, 390 West Morris, Rhome, Texas – opposed
- David Hayunga, 130 South School Road – opposed
- David Gilbert, 430 Old Mill Road, Rhome, Texas – opposed
- Deborah BeCraft, 360 West Second, Rhome, Texas – opposed
- Patricia Mitchell, 389 South Old Mill Road, Rhome, Texas – opposed

The following opposition was received, in writing, on March 11, 2019:

- Louis Godfrey and Ramah Burns, 300 South Main Street - opposed

The following requested to speak or supplied a Public Input Form at this Public Hearing:

- Jo Ann Wilson, 240 West First Street, Rhome, Texas – opposed
- Ashley Majors, 200 South Dogwood, Rhome, Texas – opposed
- Fabiola Valdez, 280 South Dogwood, Rhome, Texas – opposed
- Severo Valdez, 145 West Morris Street, Rhome, Texas – opposed
- Madisyn Rambo, 300 South Dogwood Street, Rhome, Texas – opposed (Public Input Sheet)
- Shirley Mize, 170 Russell Street, Rhome, Texas – opposed
- Gail Rother, 199 West Morris, Rhome, Texas – opposed
- Deborah BeCraft, 360 West Second, Rhome, Texas – opposed; Ms. BeCraft also provided the City Secretary with a petition of those opposed of the zoning change.

Mayor Pittman Di Credico closed the Public Hearing at 7:45 pm.



## **Regular Agenda – New Business**

- L. Discussion and any necessary action regarding a recommendation to City Council regarding a rezoning request by the owner of Three (3) Acres of Legal Property located in the 200-300 Block of Morris St and described as Lots 3 through 10, Block 19, Lots 1 through 5, Block 28, and part of the abandoned “E” Street, and internal alleys, Original Townsite of Rhome, Texas. This request is to change the current zoning of SF-10, Single Family Residential (Minimum Lot Size: 10,000 Sq. Ft.) to the proposed zoning of SF-5, Single Family Residential (Minimum Lot Size: 5,000 Sq. Ft.)***

Council Member McCabe stated that the zoning change does not make sense, given the setbacks and mandatory minimum square footage of homes; he is totally against the zoning change.

Council Member Crenshaw also stated he is not in favor of high density and agrees with Council Member McCabe.

Motion made by Council Member Eason, seconded by Council Member Crenshaw, to deny the rezoning request. Motion carried unanimously.

- M. Discussion and any necessary action regarding monthly household hazardous waste pickup (Estimated 10 min)***

Dick Demien, Household Hazardous Waste Solutions, provided a brief presentation of his company's services and answered questions from both the Council and audience.

Consensus of the Council was to have Staff obtain a sample contract from Mr. Demien and bring back for discussion at the March 26, 2019 Council Meeting.

- N. Discussion and any necessary action regarding Request for Qualifications for City Engineer***

Motion made by Council Member Eason, seconded by Council Member Mackowski, to authorize Staff to move forward with the Request for Qualifications for City Engineer process. Motion carried unanimously.

## **Executive Session**

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

- A. Section 551.071 Consultation with Attorney - pending or contemplated litigation, settlement offer or to seek advice from attorney - Prairie Point Development, Rolling V Development***
- B. Section 551.072 Deliberation regarding Real Property - purchase, exchange, lease or value of real property if deliberation in an open meeting would have detrimental effect on position of the governmental body in negotiations with a third person***
- C. Section 551.074 Personnel – discuss appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or hear complaint or charge against officer or employee in executive session unless officer or employee requests public hearing***

Mayor Pittman Di Credico convened into Executive Session at 8:06 pm.

## **Reconvene into Regular Session**

Mayor Pittman Di Credico reconvened into Regular Session at 8:54 pm.

- D. Discussion and any necessary action as a result of Executive Session***

Motion made by Council Member Crenshaw, seconded by Council Member McCabe to authorize the Mayor to negotiate with Rolling V for the professional services agreement as well as the letter in support of proposed legislation. Motion carried unanimously.

Motion made by Council Member Eason to authorize the Mayor to sign the agreement to accept the \$100,000 from the Prairie Point Developers and to instruct Kimley-Horn to design the Westside Wastewater Treatment Plant for the larger design contingent on the check cashing.

Council Member Eason amended his motion to state the *Eastside Wastewater Treatment Plant*; Council Member Mackowski seconded the amended motion. Motion carried unanimously.

***O. Discussion and any necessary action regarding Deposit and Reimbursement Agreement for Developer's portion of Eastside Wastewater Treatment Plant Expansion***

Agenda Item O was discussed under Agenda Item D above.

***P. Discussion and any necessary action regarding the Eastside Wastewater Treatment Plant Expansion***

Agenda Item P was discussed under Agenda Item D above.

***Q. Discussion and any necessary action regarding Impact Fee Study as well as Capital Improvement Advisory Committee***

Mayor Pittman Di Credico stated that to move forward with the Impact Fee Study, a Capital Improvement Advisory Committee needs to be established to review land use consumptions, time-frames, etc. to allow Kimley-Horn to come up with the correct amount for the impact fee. The Mayor proposed that the Planning & Zoning Commission would also serve as the Capital Improvement Advisory Committee.

Mayor Pittman Di Credico will ask Kimley-Horn to attend the next Council meeting to expand on the Capital Improvement Advisory Committee as they were not ready to present at this meeting.

***R. Discussion and any necessary action regarding contract with Wise County for Ad Valorem Tax Assessment and Collection***

Motion made by Council Member Mackowski, seconded by Council Member Crenshaw to approve the contract with Wise County for Ad Valorem Tax Assessment and Collection as presented. Motion carried unanimously.

***S. Discussion and any necessary action regarding changing meeting time for regular council meetings***

Council Member Eason asked if Council would consider starting the meetings earlier; discussion ensued.

Consensus of the Council was to have the March 26, 2019 meeting start at 6:30 pm.

**Future Agenda Items**

No future agenda items were requested.


**Adjourn**

Motion made by Council Member McCabe, seconded by Council Member Crenshaw, to adjourn. Meeting adjourned at 9:10 pm.

**Minutes approved the 11th day of April 2019.**

  
Michelle Pittman Di Credico,  
Mayor



  
Shannon Montgomery, TRMC  
City Secretary