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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: Tuesday, August 27, 2019

Location: Rhome Community Center, 261 North School Road

MEETING START TIME: 6:30 PM

Call to Order and Establish a Quorum

Mayor Pittman Di Credico called the meeting to order at 6:30 pm. and announced a quorum of Council Members present.

Council Members Present:

Mayor Michelle Pittman Di Credico

Council Member Sam Eason

Mayor Pro Tem Elaine Priest – arrived at 6:50 pm

Council Member Leeanne Mackowski

Council Member Josh McCabe

Council Members Absent:

Council Member Kenny Crenshaw

City Staff Present:

City Attorney Carvan Adkins

Fire Chief Darrell Fitch

City Secretary Shannon Montgomery

Police Chief Sam Love

Invocation

Mayor Pittman Di Credico gave the invocation.

Pledge of Allegiance to the American Flag

Mayor Pittman Di Credico led the Pledge of Allegiance to the American Flag.

Pledge of Allegiance to the Texas Flag

Council Member Eason led the Pledge of Allegiance to the Texas Flag.

Citizen Presentations and Public Input for Future Agenda Items.

Shirley Mize, 170 Russell Street, Rhome, Texas requested the Council approve a “No Engine Brake” Ordinance, address maintenance issues on South Dogwood Alleyway, requested paving and dust-controlled spraying with tar along South Dogwood and Russell Street.

Marguarett Lee, 1213 Alliance Boulevard, Rhome, Texas asked why the CoServ utility poles were not on the agenda.

Mayor Pittman Di Credico stated that they would be discussed during Agenda Item L.

Tim Robison, 1110 Sunrise Avenue, Rhome, Texas asked Council if the new ByWell Estates Developer submitted a plat, replat or final plat to Wise County and asked what Ordinance is the current developer working under.

Ashley Majors, 200 South Dogwood, Rhome, Texas stated that Council needed to address road maintenance issues.

Patricia Mitchell, 389 South Old Mill Road, Rhome, Texas addressed Council by stating the Wise County's Sheriff's Office website shows that a Council Member had been arrested and that it reflects badly on Rhome.

Gail Rother, 199 West Morris, Rhome, Texas stated that she was in agreement with Shirley Mize and Ashley Majors regarding the needed road improvements. Ms. Rother stated that she mowed the City Right of Way until a couple of years ago. She stated that the City should mow the right of ways on BC Rhome and Dogwood, it is dangerous, the trees need trimmed and you cannot safely turn out.

Mayor Pro Tem Priest arrived at 6:50 pm.

Severo Valdez, 145 West Morris, Rhome, Texas stated that he would like to see sidewalks along main street, Council maintaining roads, clean-up days, would like to see improvements /results in regards to Dogwood.

Mayor Pittman Di Credico stated she would speak to Staff in regards to the roads.

Announcements from Mayor and Council Members

Council Member Eason reminded the audience that this Meeting would be the last Tuesday meeting, beginning in September Council would be meeting on the 2nd and 4th Thursdays of the month.

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*
- D. Section 551.087 – Deliberations regarding Economic Development Negotiations – to discuss or deliberate regarding commercial or financial information that the City has received from a business prospect that the City seeks to locate, stay or expand in or near the City and with which the City is conducting economic development negotiations - Prairie Point Development, Rolling V Development*

Mayor Pittman Di Credico convened into Executive Session at 7:00pm.

Reconvene into Regular Session

Mayor Pittman Di Credico reconvened into Regular Session at 8:00pm.

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

Mayor Pittman Di Credico moved the following agenda items forward:

M. Discussion and any necessary action regarding Non-Binding Letter of Intent (LOI) with Rhome 58 Partners LP for the Prairie Point Development

Motion made by Council Member Mackowski, seconded by Mayor Pro Tem Priest, to authorize the Mayor and Staff to sign a Non-Binding Letter of Intent (LOI) with Rhome 58 Partners LP for the Prairie Point Development pending Legal and Engineering review. Motion carried unanimously.

N. Discussion and any necessary action regarding Development Agreement with PMB Capital Investments for the Rolling V Development as well as Interlocal Agreement for Emergency Services

Motion made by Council Member McCabe, seconded by Mayor Pro Tem Priest, to table this agenda item until the September 12, 2019 Council Meeting. Motion carried unanimously.

L. Discussion and any necessary action regarding franchise agreement with CoServ

Motion made by Council Member McCabe, seconded by Council Member Mackowski, to table this agenda item until the September 12, 2019 Council Meeting to allow Legal time to review. Motion carried unanimously.

Consent Agenda

All items under this section are recommended for approval for the Consent Agenda. These items are of a routine nature and require only brief deliberation by Council. Council reserves the right to remove any item on the Consent Agenda for further deliberation.

F. Minutes of August 8, 2019 City Council Regular Session

Motion made by Council Member Mackowski, seconded by Council Member McCabe to approve the August 8, 2019 City Council Regular Session Minutes as amended. Motion carried unanimously.

Public Hearing

G. Rhome City Council to conduct First Public Hearing to hear citizen input regarding the proposed Budget for Fiscal Year October 1, 2019 to September 30, 2020

H. Rhome City Council to conduct First Public Hearing to hear citizen input regarding the proposed tax rate for Fiscal Year October 1, 2019 to September 30, 2020, and Mayor to announce the date, time and place of the vote on the proposed tax rate

Mayor Pittman Di Credico convened into Public Hearing at 8:04pm.

The following individuals addressed the Council in regards to the proposed Budget and Tax Rate for Fiscal Year October 1, 2019 to September 30, 2020:

- Deborah BeCraft, 360 West Second, Rhome, Texas asked questions regarding the budget, Maintenance & Operating, Interest & Sinking, 2017 Tax Note, 2019 Bond, and the increasing City contribution to the Volunteer Fire Department.
- Tommie Eason, 1107 Mount Lane, Rhome, Texas asked Council to consider the City's parks and increase the budget for the Family Park.
- Shirley Mize, 170 Russell Street, Rhome, Texas requested Council to lower the proposed tax rate of 0.444139/\$100 to 0.426325/\$100 and asked Council to include what items are included in "Other Expenses" on the Budget.

Mayor Pittman Di Credico announced that the second Public Hearing on the proposed Budget and Tax Rate for Fiscal Year October 1, 2019 to September 30, 2020 will be held on Thursday, September 5, 2019 at 6:00pm and Council would consider the Budget and Tax Rate at their Thursday, September 12, 2019 Meeting at 6:30pm.

Mayor Pittman Di Credico closed the Public Hearing at 8:42pm.

Regular Agenda – Old Business

I. Discussion and any necessary action regarding the creation of two steering committees for Transportation to develop thoroughfare plan and for Parks to develop parks master plan

Motion made by Council Member Eason, seconded by Council Member Mackowski, to table this agenda item to the September 12, 2019 meeting. Motion carried unanimously.

J. Discussion and any necessary action regarding an ordinance updating building codes from 2009 to 2015 including any amendments including but not limited to residential, commercial, electrical, plumbing, mechanical, and property

Mayor Pittman Di Credico read City Administrator Ashton's memo:

In most instances, our current codes are from the International Code Council (ICC), and are the 2009 versions. In some instances, we have a few 2006 codes adopted; Staff is requesting to update all ICC codes to the 2015 editions, as well as adopting the 2014 National Electrical Code (NEC) – electrical is separate from the ICC, and the 2014 NEC is the companion to the 2015 ICC Codes.

This is primarily a housekeeping item as the new codes are published every three years and it's generally a good idea to be within six years of an update. All codes are recommended to be passed with NCTCOB local amendments, and Chief Fitch has recommended Option B as the fire code has two different local options to choose from. Our newly contracted building inspector, Jimmy Ross, will be present to introduce himself and answer questions.

Jimmy Ross, Ross Inspection Services, introduced himself, co-owner Kent Keith, and Officer Manager Diana Carter. Both Mr. Ross and Mr. Keith recommend that Council update to the 2015 Building Codes and the 2014 NEC companion.

Motion made by Council Member McCabe, seconded by Council Member Mackowski, approving Ordinance 2019-08 to update the Building and Electrical Codes as recommended. Motion carried unanimously.

**CITY OF RHOME, TEXAS
ORDINANCE NO. 2019-08**

AN ORDINANCE OF THE CITY OF RHOME, TEXAS AMENDING VARIOUS PROVISIONS OF CHAPTER 3, "BUILDING REGULATIONS", TO ADOPT THE 2015 EDITION OF THE INTERNATIONAL BUILDING CODE, THE 2015 INTERNATIONAL RESIDENTIAL CODE, THE 2015 INTERNATIONAL EXISTING BUILDING CODE, THE 2015 INTERNATIONAL PLUMBING CODE, THE 2015 INTERNATIONAL MECHANICAL CODE, THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE, AND THE 2014 NATIONAL ELECTRICAL CODE; AMENDING THE VARIOUS PROVISIONS OF ARTICLE 5.01, "GENERAL PROVISIONS," CHAPTER 5, "FIRE PREVENTION AND PROTECTION", TO ADOPT THE 2015 INTERNATIONAL FIRE CODE; PROVIDING FOR RECORDING OF THE CODES AS PUBLIC RECORDS; 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.

K. Discussion and any necessary action regarding Request for Proposal for Self-Contained Breathing Apparatus (SCBA) for Rhome Fire Rescue

Fire Chief Darrell Fitch stated that he has reviewed the bids and recommends MES proposal of \$119,000.

Mayor Pittman Di Credico stated for the record that she was not involved in the review, discussion or decision of this Request for Proposal.

Motion made by Council Member Eason, seconded by Council Member Mackowski, to award the Bid to MES and authorize the Mayor to sign any necessary agreements. Motion carried unanimously.

Regular Agenda – New Business

O. Discussion and any necessary action regarding Ordinance for the Atmos Energy 2019 Rate Review Mechanism filing

Motion made by Council Member Eason, seconded by Council Member Mackowski, to adopt an Ordinance 2019-09 for Atmos Energy 2019 Rate Review Mechanism filing as presented. Motion carried unanimously.

**CITY OF RHOME, TEXAS
ORDINANCE NO. 2019-09**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RHOME, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2019 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

P. Discussion and any necessary action regarding authorization to transfer \$100 from the Parks & Recreation checking account to open the Rhome Beautification restricted funds bank account

Motion made by Council Member Mackowski, seconded by Council Member McCabe, authorizing the transfer of \$100 from the Parks & Recreation checking account to open the Rhome Beautification restricted funds bank account. Motion carried unanimously.

Q. Discussion and any necessary action regarding bank fees for automatic bank draft services for utility customers

Motion made by Council Member Mackowski, seconded by Council Member McCabe, authorizing the bank fees for automatic bank draft services for utility customers. Motion carried unanimously.

R. Discussion and any necessary action regarding Ordinance for budget amendments

Motion made by Council Member Mackowski, seconded by Mayor Pro Tem Priest, approving Ordinance 2019-10 as presented. Motion carried unanimously.

**CITY OF RHOME
ORDINANCE NO. 2019-10**

AN ORDINANCE OF THE CITY OF RHOME, TEXAS, AMENDING THE CITY'S DULY ADOPTED FISCAL YEAR 2018-2019 BUDGET, AS AMENDED; REALLOCATING DESIGNATED FUNDS WITHIN VARIOUS DEPARTMENTS TO VARIOUS FUNDS WITHIN THOSE DEPARTMENTS; AND PROVIDING AN EFFECTIVE DATE

S. Discussion and any necessary action regarding funding request from the Rhome Library for fiscal year 2019-2020

Mayor Pittman Di Credico read the request from the Rhome Library for funding. Di Credico stated that \$600 is included in the proposed budget. The Library's request for additional funding in the waiving of the water/sewer bill has been brought to Council.

Mayor Pro Tem Priest questioned the community garden request and is not in favor of paying utilities, she would have rather had a request for an additional amount.

The Council discussed the yearly average of the Library's water and sewer was and if it was the right thing for Council to waive someone's utility bill.

Consensus was to ask the Library want they planned for the \$600 and additional requested funding.

Motion made by Council Member Mackowski, seconded by Council Member McCabe, to table this agenda item to the September 12, 2019 Council Meeting. Motion carried unanimously.

Regular Agenda – Continuing Business

T. Discussion regarding proposed fiscal year 2019-2020 budget and 2020 tax rate

Mayor Pittman Di Credico stated that there were two items not currently in the budget, but need to be:

1. The Fire Department was awarded a \$10,000 Grant, so the budget must reflect the increase in the Grant Income and expense in the Grant Expense line items
2. The lease payment for City Hall, which would either be a \$13,860 upfront/annual payment or \$14,520 if it was paid monthly. The Mayor recommended the annual payment.

The Mayor answered questions from the Council.

Future Agenda Items

There were no future agenda items requested.

Adjourn

Motion made by Council Member McCabe, seconded by Council Member Mackowski, to adjourn. Meeting adjourned at 9:39pm.

Minutes approved the 12th day of September 2019.

Michelle Pittman Di Credico
Michelle Pittman Di Credico,
Mayor



Shannon Montgomery
Shannon Montgomery, TRMC
City Secretary