



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhome, Texas 76078

Telephone: 817-636-2462

www.cityofrhome.com | citysecretary@cityofrhome.com

Mayor

Patricia Mitchell

City Council

**Mayor Pro-Tem,
Place 1**

Josh McCabe

Place 2

Michelle Tye

Place 3

Elaine Priest

Place 4

Place 5

Kasey Shumake

City

Administrator

Amanda DeGan

City Attorney

Carvan Adkins

City Secretary

Shaina Odom

Fire Chief

Scott Estes

Police Chief

Eric Debus

Public Works

Director

NOTICE OF MEETING OF THE RHOME CITY COUNCIL

Meeting Date: Thursday, April 20, 2023

Regular Session: 6 p.m.

Meeting Location: Rhome Community Center, 261 North School Road, Rhome, TX 76078

LIVE Streaming: In an effort to be as accessible as possible, we *may*
Live Stream the meeting using GoToMeeting from your computer or phone.

By Computer

By Phone

GoToMeeting: Select Join: Select Meeting

Call 1 (646) 749-3129

Session ID: 646-749-3129

Access Code: 544-959-013

Access Code: 544-959-013

Toll Free Option: 1 (877) 309-2073

The Rhome City Council *may* conduct this meeting by videoconference call in accordance with Section 551.127 of the Texas Open Meetings Act. A quorum of the City Council will be physically present at the address listed above and the public may attend the meeting at the same location.

Regular Session: 6 p.m.

Call to Order and Establish a Quorum

Invocation – Pastor Heath Van Zandt

Pledge of Allegiance to the American Flag

Pledge of Allegiance to the Texas Flag

Honor the Texas Flag; I pledge allegiance to thee, Texas, One state under God, One and indivisible

Public Comments

1. The Council is not permitted to take action on or discuss any comments made to the Council at this time concerning an item not listed on the agenda. However, a Council Member or Mayor may make a statement of fact regarding the item, make a statement concerning the policy regarding the item and/or may propose that the item be placed on a future agenda or direct the City Administrator to contact the individual to address. If you are attending the meeting via Live Streaming, and you would like to make a Public Comment, you must email the City Secretary at citysecretary@cityofrhome.com prior to 4 pm on the day of meeting and must identify each subject you plan to present to be recognized.
2. If the writer of a Public Comment is unable to read their own comment, it should be given to a friend, family member, or associate, that is able to attend in person and read the statement in their stead.
3. Public Comments made in person require the speaker to submit the sign-up form to the City Secretary prior to the meeting, and the form must identify each subject the speaker plans to present.
4. A statement of no more than 3 minutes may be made. There will be no yielding of time to another person. Comments should be directed to the entire Council, not individual members. Engaging in verbal attacks, or comments intended to insult, abuse, malign, or slander any individuals shall be cause for termination of time privileges and removal from Council Chambers.

Announcements from Mayor and Council Members

- City Council Meeting May 17, 2023 @ 6 p.m.

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.

1. Minutes of City Council Regular Session dated March 23, 2023 and April 13, 2023

Regular Agenda

Discussion and any necessary action for the following:

1. Appointment of Council Member to Place 4 (City Administrator)
2. Addresses printing on the agenda for public speakers (City Administrator)
3. Technology Infrastructure Update (City Administrator)
4. Code Enforcement Direction (City Administrator)
5. Ordinance Revisions Follow Up (City Administrator)
6. Personnel Handbook Update (City Administrator)
7. Wise County Sherriff Dispatch Fee Update (City Administrator)
8. Smoking Policy (Mayor Pro-Tem McCabe)
9. Municipal Clerks Week Proclamation (City Administrator)

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:

1. Section 551.071 Consultation with Attorney - pending or contemplated litigation, settlement offer or to seek advice from attorney.
2. 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.
3. 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 a public hearing.
 - City Secretary
 - Utility Billing – Permit Clerk
 - City Administrator Evaluation
4. 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.

Regular Agenda (Resume)

1. Action to be taken from Executive Session discussions

Future Agenda Items

(Agenda items are due by 5 p.m. on the Wednesday of the week prior to the Council meeting)

Adjourn

A quorum of Planning & Zoning Commissioners may be present at this meeting and its members may participate in the discussions of the items on the agenda over which they have responsibilities or authority.

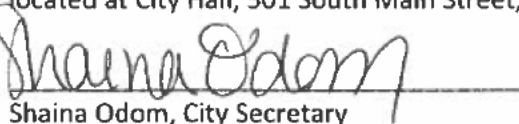
A quorum of Parks & Recreation Board Members may be present at this meeting and its members may participate in the discussions of the items on the agenda over which they have responsibilities or authority.

**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.*

The Council may vote and / or act upon each of the items listed in this Agenda. Except for Public Presentation and Input and items in the agenda designated as public hearing or otherwise designated for public input, there will be no public input during the course of this meeting without express authorization from the presiding officer.

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact City Hall at 817-636-2462 for further information.

CERTIFICATION: I do hereby certify that the above City Council Agenda was posted on the designated bulletin board located at City Hall, 501 South Main Street, Rhome, Texas by 6 pm on April 17, 2023.


Shaina Odom, City Secretary

I certify that the attached notice and agenda of items to be considered by the Rhome City Council was removed by me from the designated bulletin board located at City Hall, 501 South Main Street, Rhome, Texas, on the ____ day of _____, 2023.

_____, Title: _____



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www.cityofrhode.com cityadministrator@cityofrhode.com

AGENDA ITEM 1



Physical Address: 501 South Main Street

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Mayor
Patricia Mitchell

City Council

**Mayor Pro-Tem,
Place 1**
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Elaine Priest

Place 4
Kathy Konegni

Place 5
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Carvan Adkins

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Fire Chief
Scott Estes

Police Chief
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**Public Works
Director**

MINUTES OF MEETING OF THE RHOME CITY COUNCIL

Meeting Date: Thursday, March 23, 2023

Regular Session: 6 p.m.

Meeting Location: Rhyme Community Center, 261 North School Road, Rhyme, TX 76078

LIVE Streaming: In an effort to be as accessible as possible, we *may*

Live Stream the meeting using GoToMeeting from your computer or phone.

Regular Session: 6:00 p.m.

Call to Order and Establish a Quorum

Invocation – Pastor Heath Van Zandt

Pledge of Allegiance to the American Flag

Pledge of Allegiance to the Texas Flag

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Public Comments

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- *Lisa Ann Wilson – 240 W First Street*
- *Deborah BeCraft – 360 W Second Street*
- *Joe Hernandez – 105 School Road*
- *JoAnn Wilson – 240 W First Street*
- *Randall Loftis – 315 W Morris*
- *Tommie Eason – 1107 Mount Lane*
- *Shirley Mize – 170 Russell Street*

Announcements from Mayor and Council Members

- Fire Department Boot Drive March 31 & April 1, 2023
- City Council Meeting April 13, 2023 @ 6:00 p.m.

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.

1. Minutes of City Council Regular Session dated March 9, 2023
2. Resolution 2023-10 Naming Wise County Messenger as designated newspaper **(City Administrator)**
3. Resolution 2023-11 Tarrant County Emergency Services District No. 1 Partnership Agreement **(City Administrator)**
4. Adding Fire Command Vehicle to Auction **(City Administrator/Fire Chief)**

Council Member Tye made a motion to approve the consent agenda as presented, Council Member Shumake seconded the motion. Motion passed unanimously.

Regular Agenda

Discussion and any necessary action for the following:

1. Recognizing the SHINE Recipient for the Second Quarter of FY 22-23 **(City Administrator)**

Item tabled until April 13, 2023

2. Rescheduling May 11th meeting in order to attend Chamber “Dinner with the Mayors” **(City Administrator)**

Mayor Pro-Tem McCabe made a motion to reschedule the May 11, 2023 Council Meeting to May 18, 2023 at 6 pm. Council Member Shumake seconded the motion. Motion passed unanimously.

3. Sheriff Dispatch Fee **(City Administrator)**

Sherriff Akin came in from Wise County to discuss the new dispatch fee. He stated Rhome generates 52% of Emergency Communications for WCSO (Wise County Sherriff Office). He wants to charge Rhome \$65,000.00 per year for police dispatch. He stated he would use the money for pay raises for the dispatch officers. Currently they have 9 out of 16 positions filled. He would like to implement the fee starting FY 2024. Council asked what the ½ cent sales tax pays for, that has been provided to the County by all cities in Wise County since 1987. Sherriff said it is used to pay down dept for the county and does not help the WCSO. Council wanted to know how the dept has not been paid off since 1987, and Akin responded that they are still using the funds to pay for new dept that the county incurs. No action was taken, discussion only.

4. Personnel Manual Update **(City Administrator)**

City Administrator, DeGan, presented two options to council to update the PTO (Paid Time Off) schedule within the Personnel Manual. One being a single bank of PTO, and the other being split between PTO and Sick Leave. Mayor Pro-Tem McCabe made a motion to approve the second option, being a split bank of accrual. Council Member Tye seconded the motion. Motion passed unanimously.

5. Inspection Services **(City Administrator)**

Council Member Tye made a motion to approve the City Administrator to enter into negotiation with Bureau of Veritas, Council Member Tye seconded the motion. Motion passed unanimously.

Executive Session

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2. 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.
3. 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 a public hearing.
4. 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.
 - Water System Acquisition via TCEQ Proposal

Council convened into Executive Session at 7:41 pm under Section 551.087.

Regular Agenda (Resume)

Council reconvened into Regular Session at 7:54 pm.

1. Action to be taken from Executive Session discussions

No action was taken regarding executive session.

Future Agenda Items

(Agenda items are due by 5 p.m. on the Wednesday of the week prior to the Council meeting)

Adjourn

Mayor Pro-Tem McCabe made a motion to close the meeting, Council Member Shumake seconded the motion. Motion passed unanimously. Meeting was adjourned at 7:54 pm.

Patricia Mitchell,

Mayor

ATTEST:

Shaina Odom
City Secretary



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MINUTES OF MEETING OF THE RHOME CITY COUNCIL

Meeting Date: Thursday, April 13, 2023

Regular Session: 6 p.m.

Meeting Location: Rhyme Community Center, 261 North School Road, Rhyme, TX 76078

LIVE Streaming: In an effort to be as accessible as possible, we *may*
Live Stream the meeting using GoToMeeting from your computer or phone.

Regular Session: 6 pm

Mayor Mitchell called the meeting to order at 6 pm

Call to Order and Establish a Quorum

Invocation – Pastor Heath Van Zandt

Pastor Heath Van Zandt led the Invocation

Pledge of Allegiance to the American Flag

Pledge of Allegiance to the Texas Flag

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Public Comments

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- *Deborah BeCraft – spoke on social media and the audit*
- *Sam Eason – supported the statement of K. Konegni*
- *Lisa Wilson thru JoAnn Wilson – spoke on social media and the posts*
- *Ashley Majors – thanked Council Member Priest for her service, gave Council a handout, and spoke on the social media policy*
- *Donna DeGarmo – spoke on the professionalism in government, would like to see signs of new people running for office, possible a debate where the issues were explained and discussed*
- *JoAnn Wilson – spoke on social and negativity and the non-city Easter Egg event*

Announcements from Mayor and Council Members

- City Council Meeting April 20, 2023 @ 6 pm.

Mayor Mitchell stated she had a few items to discuss:

1. Easter Egg Hunt – she specifically thanked the families and individuals who had been involved in making the event happen.
2. Social Media Policy – discussed that the City had a social media policy and the negativity that is being posted online recently was an issue. She stated the three (3) policies had been approved and that one was amended to include elected officials in the policy.

Council Member McCabe had an announcement:

1. Debt for Rhome – he had handouts for Council that indicated the debt for the City had been reported incorrectly. Mr. McCabe stated that the last audit report from FY 2021 stated the official statement of debt for Rhome, according to the Management, Discussion and Analysis (MDA), was \$3.9 million.

Council Member Shumake announced:

1. Medal of Honor Motorcade – he will be leading the Medal of Honor Motorcade on April 19th from DFW Airport to Gainesville. He stated he has been a part of this event for many years and was welcoming any resident who would like to ride in the motorcade to contact him for details.

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.

1. Minutes of City Council Regular Session dated March 23, 2023 – tabled until April 20, 2023 meeting
2. 2006 Fuel and Gas Code update **(City Administrator)**
3. Sale of Old Brush Truck **(City Administrator)**

Mayor Mitchell asked that the Fuel and Gas Code and the Old Brush Truck be pulled for questions. Staff and the City Attorney explained that the update to the Fuel and Gas Code were routine business and cities often adopt these updates in order to keep up with latest standards. Chief Estes spoke on the sale of the old brush truck and the grant that we have to obtain a new large chassis truck, which will require another skid unit for the back that fits this frame.

Council Member McCabe made a motion made to approve the consent agenda items. Council Member Tye seconded. Motion passed unanimously.

Monthly Staff Reports and Board Minutes

All items under this section are for informational purposes only; no action will be taken by Council.

1. Departments: Administration, Building & Development, Fire Rescue, Municipal Court, Police and Public Works (Department Heads).

Regular Agenda

Discussion and any necessary action for the following:

1. Recognition of SHINE Recipient for the Second Quarter of FY 22-23 **(City Administrator)**

Police Chief Debus read the nomination narrative and provided Council with an overview of SHINE Award. Office Hachtel was present to receive the award and be recognized for service that goes above and beyond.

2. Resignation of Place 4 Council Member – K. Konegni **(City Administrator)**

Discussion took place on the format and signature of K. Konegni and her resignation from the Place 4 Council Member seat. Mayor Mitchell conveyed that the Secretary of State's office had direction that the resignation needed to be in writing and signed by the person vacating the seat. City Administrator DeGan provided the Mayor and Council with the printed copy of the resignation notice with K. Konegni's signature. The City Attorney stated that her notice was sufficient for Council to accept her resignation. Mayor Mitchell stated the resignation should be in writing and signed and believe the document that was handed out was insufficient. City Administrator DeGan stated the Mrs. Konegni's resignation was in the same format as Mr. Meehan's, from earlier this year. Mayor Mitchell restated that she felt it should be hand written and signed. Council Member McCabe commented that this wasn't required of Mr. Meehan and it was accepted without opposition. Discussion then ensued with the City Attorney that Council may not refuse to accept a resignation and that Ms. Konegni's resignation could be accepted by Council at the Thursday meeting.

Motion made by Council Member Priest to accept Ms. Konegni's resignation. This was seconded by Council Member Tye. Approved unanimously.

3. Event for Public Safety sponsored by business owner and maintaining flag poles at Old City Hall **(City Administrator)**

Tabled until the meeting on April 20, 2023

4. Organizational Overview and Project Update **(City Administrator)**

City Administrator DeGan provided Council with an update on the following:

- a. **Preliminary budget work** – Staff have begun the process of compiling revenue and expenditure projections for next fiscal year; budget definitions and explanations on the tax rate and other details for the City's FY 23-24 document are being compiled to help provide residents with a greater understanding of public funds are used; GrantWorks has also been contacted to discuss possible future grants for the City.
- b. **Audit for FY 2022** – City Administrator DeGan discussed that we are working to secure a Certified Public Accountant who can come in and do the final preparation of the budget numbers and

documents for the auditing firm; Mr. Spore previously handled that for the City and has retired; the auditing firm in Wichita Falls who assisted with the previous audit is sending an engagement letter for FY 22 and potentially beyond as it would benefit the municipality to have a multi-year contract with an auditing firm; this audit for the previous year has been delayed due to a migration to a more comprehensive financial accounting system, and the vendors delays in the conversion. As well as, the move to a consolidated system of banking rather than several separate accounts and the City has experienced turnover in key positions. Staff understands that the audit is a priority and are working to get this process finished.

- c. **Records management** – Staff have scanned over 10,000 documents into the electronic system and had the paper records (that had been scanned) properly disposed of with a company that shreds documents.
- d. **Development** – the City Administrator conveyed that the developer who had reached out about the Prairie Point project had decided not to pursue their option at this time. A significant amount of infrastructure needs exists with this site.

5. Aurora Police Contract Activity (**Council Member Tye**)

Chief Debus provided Council with an overview of the success the partnership has been for both cities. Aurora is very happy with the service, police presence, and interactions with the Rhome officers. Chief also discussed how the additional funds that have been generated through the partnership have helped him offset costs with vehicle repair and other items that have benefited the department.

6. Special Event Fee Application and Use (**Council Member Priest**)

Council Member Priest stated that she had asked this item be placed on the agenda after a discussion with Mrs. Ashley Majors (Rhome resident) about the issue. She recommended that Council consider a refundable deposit for residents who wish to hold an event, use the pavilion or the veteran's park. Discussion ensued about what other cities do in the use of parks and the applicable fees that are charged. City Administrator DeGan stated that she could look into this issue and bring it back to Council for a later decision. The use of the park or other city areas and the responsibility of the city to help publicize such events was also discussed. Mrs. DeGan stated that Staff need Council direction on publicizing events. If the decision is made to publicize things like the Easter Egg Event the city would also need to publicize other events that may/may not be something the residents support – we have to treat each event/group equally.

The process in Newark was explained by Mrs. Pixler as she heads the Heart for Park group in that city. She discussed how the events are organized, the amount of volunteer hours that are handled behind the scenes by the group, the partnerships with those in the community and businesses, and the types of events that the host. She also discussed the relationship she has with the Mayor of Newark and that this is helpful in making decisions and in publicizing what the group does each year. Mrs. Pixler also conveyed that they put together an annual schedule and gives it to the city. Council directed the City Administrator to meet with Mrs. Pixler to discuss the topic further and bring this item back to Council at a later date.

7. Citizen Survey (City Administrator)

City Administrator DeGan discussed the draft citizen survey for the residents and business owners with Council. No changes were made to the draft document and Council direction was that the survey be mailed out to each home. The survey will stay active for thirty (30) days and Staff will compile the data and present it to Council for use during the budget process.

8. Ordinance revisions to clarify roles and responsibilities of staff positions (City Administrator)

Tabled until a later meeting

9. Fire Department pay (City Administrator)

Mrs. DeGan discussed with Council a change in IRS laws that requires us to issue W-2's rather than 1099's to part-time (volunteer) firefighter positions. The funding for this change is projected to comply with this fiscal year's expenditures and will be discussed further during the preparation for the next fiscal year. No vote was needed as this was an informational presentation.

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Regular Agenda (Resume)

1. Action to be taken from Executive Session discussions

No Action was taken regarding Executive Session

Adjourn

Mayor Pro-Tem McCabe made a motion to adjourn the meeting, Council Member Shumake seconded the motion. Motion passed unanimously. Meeting adjourned at 8:22 p.m.

Patricia Mitchell,

Mayor

ATTEST:

Shaina Odom

City Secretary



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AGENDA ITEM 1



Agenda Commentary
Meeting Date: April 20, 2023

Department: Administration

Contact: Amanda DeGan, City Administrator

Agenda Item: Appoint and swear in an applicant to Place 4 of the Rhyme City Council

Type of Item: ☐ Ordinance ☐ Resolution ☐ Contract/Agreement ☐ Public Hearing
☐ Plat ☐ Discussion & Direction ☒ Other

Summary:

- As of March 2023, Kathy Konegni (Place 4 Council Member) resigned her position on the City Council.
- The City Council formally accepted the resignation on April 13, 2023.
- Council directed the City Administrator to accept applications for the position and to post it on website.
- Council further stated they would review the applications and appoint a new member on the 20th of April, 2023.

Funding Expected: ☐ Revenue ☐ Expenditure ☒ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

GL Account: _____ Amount: _____

Legal Review Required: ☐ Yes ☐ No Date Completed: _____

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

Details / Recommendation:

Please see the above summary.



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AGENDA ITEM 2



Agenda Commentary
Meeting Date: April 20, 2023

Department: Administration

Contact: Amanda DeGan, City Administrator

Agenda Item: Printing address on the agenda under public comments

Type of Item: ☐ Ordinance ☐ Resolution ☐ Contract/Agreement ☐ Public Hearing
☐ Plat ☐ Discussion & Direction ☒ Other

Summary:

- The question was raised at a meeting about printing the addresses of residents who speak under public comments on each agenda.
- The City Administrator spoke with the city attorney's office and was informed that this wasn't a necessity; however, speakers would still need to state their name and address in open session.
- The address would remain on the recording.
- Staff were asked to bring this back to Council at a later date for direction.

Funding Expected: ☐ Revenue ☐ Expenditure ☒ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

GL Account: _____ Amount: _____

Legal Review Required: ☐ Yes ☐ No Date Completed: _____

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

Details / Recommendation:

Please see the above summary.



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AGENDA ITEM 3



Agenda Commentary
Meeting Date: April 20, 2023

Department: Administration
Contact: Amanda DeGan, City Administrator
Agenda Item: Technology Update

Type of Item: ☐ Ordinance ☐ Resolution ☐ Contract/Agreement ☐ Public Hearing
☐ Plat ☒ Discussion & Direction ☐ Other

Summary:

- Staff has been working with our technology company, Fulcrum Group to prepare an inventory and replacement schedule for the technology that the organization is currently using.
- The consultant will be presenting an overview to Council and will answer any questions that arise.

Funding Expected: ☐ Revenue ☐ Expenditure ☒ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

GL Account: _____ Amount: _____

Legal Review Required: ☐ Yes ☐ No Date Completed: _____

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

History / Details / Recommendation:



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhode, Texas 76078

Telephone: 817-636-2462 | Metro: 817-638-2758

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AGENDA ITEM 4



Agenda Commentary
Meeting Date: April 20, 2023

Department: Administration
Contact: Amanda DeGan, City Administrator
Agenda Item: Code Enforcement

Type of Item: ☐ Ordinance ☐ Resolution ☐ Contract/Agreement ☐ Public Hearing
☐ Plat ☒ Discussion & Direction ☐ Other

Summary:

- Staff have recently been fielding phone calls and questions regarding Code Enforcement.
- These have covered a variety of topics: dilapidated buildings, parking on the street, mowing and maintenance, and junk vehicles/debris.
- As we begin to move into the peak of mowing and high weed enforcement season along with addressing additional code enforcement topics, Staff will be looking for direction from Council.
- The Code Enforcement Officer will also be at the meeting to answer questions.

Funding Expected: ☐ Revenue ☐ Expenditure ☒ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

GL Account: _____ Amount: _____

Legal Review Required: ☐ Yes ☐ No Date Completed: _____

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

History / Details / Recommendation:

The City has several sections in the Code that would apply to enforcement of various nuisance or health and safety issues, such as:

Article 3.05.004 – Substandard buildings

Article 3.06.005 – Parking on street or other public property

Section 5.01.002 – Outdoor burning

Section 6.03.003 – Offensive Odors

Section 6.03.004 – Height limitations (Weeds, Grass, etc.)

Section 6.06.007 – Suspension of food permit (due to hazardous conditions to public health)

Article 8.03 – Nuisance – abandoned refrigerators/freezers, litter, etc.

Article 8.04.001 – Excessive noise

Article 8.08 – Junked or abandoned vehicles

Section 12.06.002 – Parking on roadway



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AGENDA ITEM 5



Agenda Commentary
Meeting Date: April 20, 2023

Department: Administration
Contact: Amanda DeGan, City Administrator
Agenda Item: Ordinance Update -

Type of Item:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Contract/Agreement	<input type="checkbox"/> Public Hearing
	<input type="checkbox"/> Plat	<input checked="" type="checkbox"/> Discussion & Direction		<input type="checkbox"/> Other

Summary:

- During the hiring process for the current City Administrator, Amanda DeGan, ordinances were identified that need to be updated relative to the hiring and appointment of staff and the reporting structure of the organization.
- The Code of Ordinances should be routinely reviewed to ensure the Council minute orders (from the bi-monthly agenda meetings) and other Council actions are correctly updated and reflected in the Code.
- The Staff are asking Council for direction on the need for any policy updates relative to this topic.

Funding Expected:	<input type="checkbox"/> Revenue	<input type="checkbox"/> Expenditure	<input checked="" type="checkbox"/> N/A
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Budgeted Item:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A
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GL Account:	Amount:
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Legal Review Required:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Date Completed:
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Engineering Review:	<input type="checkbox"/> FD Review:	<input type="checkbox"/> PD Review:	<input type="checkbox"/> PW Review:
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History / Details / Recommendation:

The City has several ordinances that pertain to the administrative management and oversight of the organization. These duties were vested through the creation of a city administrator/manager position in 2018. Generally, when an Administrator/Manager for the municipality is hired, the business aspect of the organization is overseen by this position with regular and routine updates provided to the elected officials during the publicly posted Council meetings. The Administrator/Manager position is accountable to and works for the governing body, which in this case, is the Mayor and Council Members of Rhome. The Administrator/Manager position is evaluated by the governing body, policy direction is given to the person holding this position.

In the packet, are two (2) publications that explain the structure and benefits of having an Administrator/Manager position.

Below, you will find several sections of the Code that conflict with one another to some degree. Staff will be asking for clarification of roles and responsibilities and need direction.

Ordinances Approved in 2018 – when Administrator/Manager position was newly formed

Sec 1.06.032 Powers And Duties Generally. The city administrator, under the direct supervision of the mayor, shall exercise powers and duties as delegated by the mayor to manage and operate the government of the city. (Ordinance 2018-03 adopted 1/11/18)

Sec. 1.06.002 (c) - Disciplinary action by mayor. City officers as designated in section 1.06.001 may be disciplined by the mayor for any negligence, carelessness, or other violation of duty as set forth in V.T.C.A., Local Government Code, section 22.042. Such discipline may include at the mayor's discretion the placing of the subject official on unpaid administrative leave for up to thirty days or until the next regular meeting of the city council, whichever is longer. At the next regular meeting of the city council the subject official may request the city council to review the disciplinary action and upon the affirmative vote of four council members the city council may rescind the disciplinary action. (Ordinance 2018-15, sec. 1, adopted 3/8/18)

Sec 9.01.004 Department Heads - Terms; Removal

1. Appointment. Department heads as designated in section 9.01.003 shall be appointed to office by the mayor subject to confirmation by the city council as set forth in V.T.C.A., Local Government Code, section 22.010.
2. Removal by city council. Department heads as designated in section 9.01.003 shall be removed from office by the city council as set forth in V.T.C.A., Local Government Code, section 22.077.
3. Disciplinary action by mayor. Department heads as designated in section 9.01.003 may be disciplined by the mayor for any negligence, carelessness, or other violation of duty as set forth in V.T.C.A., Local Government Code, section 22.042. Such discipline may include at the mayor's discretion the placing of the subject official on unpaid administrative leave for up to thirty days or until the next regular meeting of the city council, whichever is longer. At the next regular meeting of the city council the subject official may request the city council to review the disciplinary action and upon the affirmative vote of four council members the city council may rescind the disciplinary action. (Ordinance 2018-15, sec. 2, adopted 3/8/18)

Sec 9.02.031 Chief Of Police

1. The position of police chief is created. The police chief shall be appointed or removed from office as set forth in V.T.C.A., Local Government Code, section 22.077. (Ordinance 2018-02 adopted 1/11/18)

Ordinance Approved in 2022 – as Administrator/Manager duties evolved

Sec 1.03.009 Prohibited Conduct By Officers Of The City. No Mayor, Council Member, Board of Commission Member:

1. May hold themselves out as representing the city in any capacity other than that for which they were elected or appointed.
2. May transact any city business in his/her capacity that has not been authorized by the Council.
3. May use their official position to secure confidential information for any purposes other than official responsibilities.

4. May interfere with the City Administrator's duties of appointment to and removal of persons from employment with the city. Except for the purpose of inquiry, the Mayor and Council Members shall deal with the city departments and city employees for which the city administrator is responsible solely through the city administrator, and neither shall give orders to any of the subordinates of the city administrator, either publicly or privately. (Ordinance 2202-05, February 24, 2022)

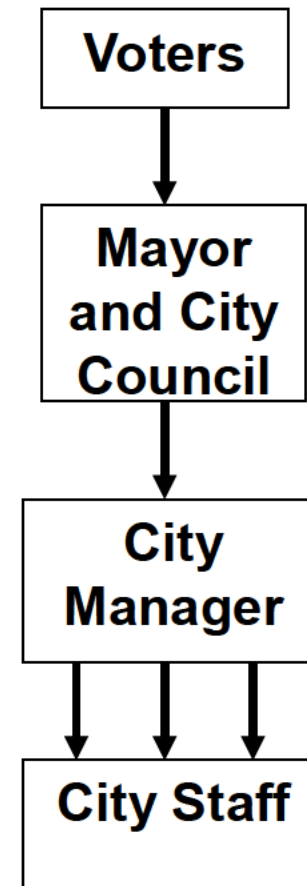
Sec 1.06.031 Position Created; Appointment And Removal

The position of City Administrator is hereby created. Such city administrator shall be appointed by the majority vote of the City Council. Such city administrator shall be removed as set forth in V.T.C.A., Local Government Code, section 22.077. (*Amended by Ord. [2022-20](#) on 11/10/2022*)

Council-Manager Form of Government

Basics of Council-Manager Form of Government

- Similar to a board of directors and CEO in private enterprise
- Policy
- Administration
- Reform Movement



History -- 99 Years

- It is not new.
- Part of the early 1900's Reform movement
- 1904 in Ukiah, California
- 1913 in Terrell and Amarillo, Texas
- 1930 in Dallas, Texas
- Most popular in cities 5,000 and larger
- 3,400 cities in USA
- 89 million Americans
- 141 cities out of 237 cities over 100,000 population

284 Cities In Texas

Dallas	Fort Worth
Corpus Christi	Austin
San Antonio	Beaumont
Garland	Arlington
Grand Prairie	Plano
Lubbock	Amarillo

Form of Government 1984-2000

ICMA Survey

Form of Government	1984	2000
Council-Manager	2,290 (38.3%)	3,302(52.4%)
Mayor – Council	3,686(61.7%)	2,988(47.6%)
Totals	5,976(100%)	6,290(100%)

Abandonment

- Voters decide
- In Texas only 34 abandonment elections have been held in 90 years
- Only 3 have been successful

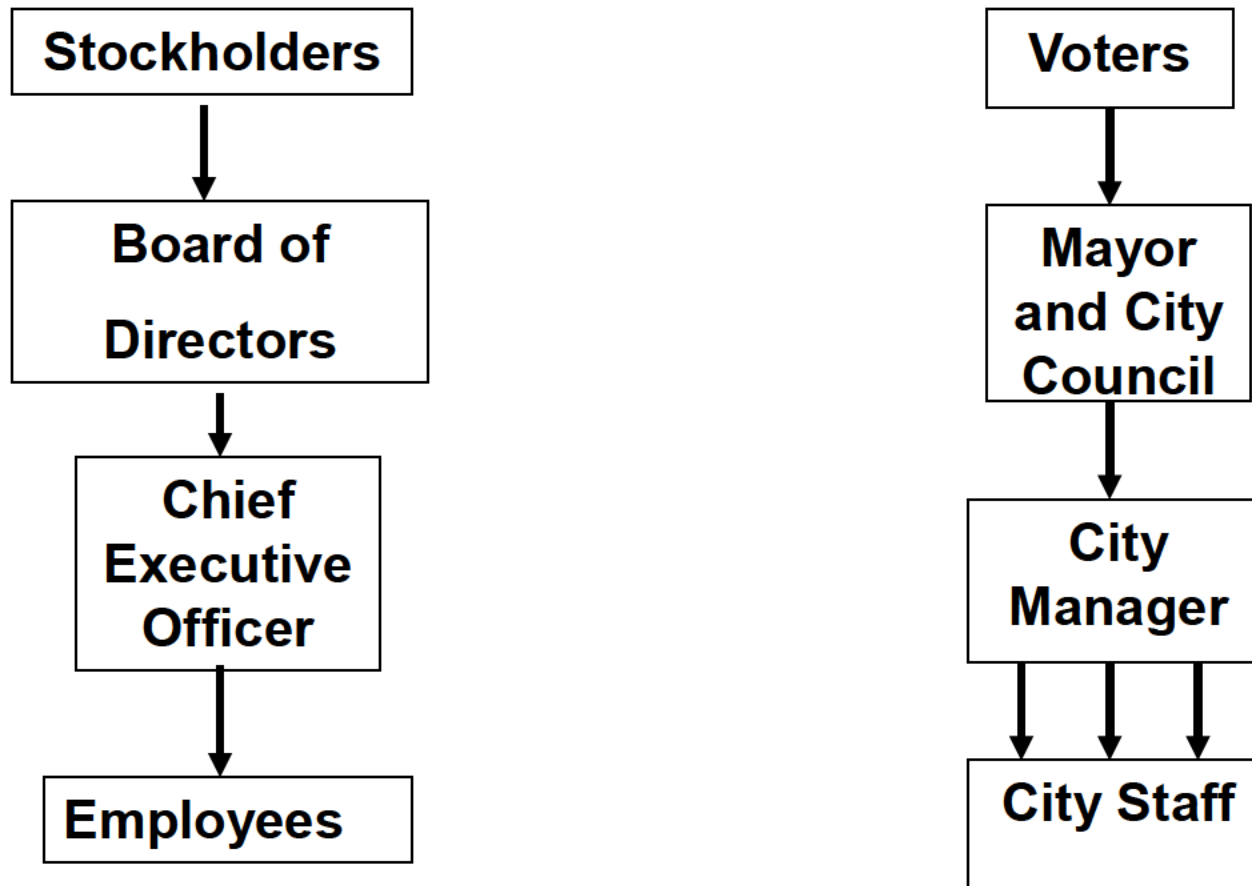
3 Cities that Abandoned

City	Adopted	Abandoned
Electra	1975	1989
Houston	1942	1947
Ranger	1919	1921

Abandoned but Returned

City	Adopted	Abandoned	Readopted
Denton	1914	1919	1959
Waco	1924	1946	1948
Gainesville	1927	1947	1949
Rosenberg	1956	1960	1985
Athens	1960	1963	1966

The Theory – Board of Directors



Different Types

- Contemporary local governments are more complex than the textbooks suggest.
- Council-Manager form is adaptable to local conditions and preferences.
- Decided by the voters.

Responsibilities in the Council Manager form of government

- City Council
- Mayor
- City Manager
- Other Council Appointed Officials

City Council

- Policymakers
- Elected representatives
- Leaders
- Hires/fires city manager
- Approves budget and tax rate
- Adopts ordinances
- Establishes goals
- Supervises, monitors, & evaluates city manager's performance

Mayor

Based upon the Model City Charter by
National Civic League

- 1) Member of the Council, presides at its meetings and votes
- 2) Key representative in intergovt. relations
- 3) Appoints, with Council advice and consent, members of boards & commissions

Mayor (Cont.)

Based upon the Model City Charter by
National Civic League

- 4) Presents annual state of the city address
- 5) Appoints members and officers of Council committees
- 6) Assigns, with Council advice and consent, agenda items to Council committees

Mayor (cont.)

Based upon the Model City Charter by
National Civic League

- 7) Recognized as head of city govt. for ceremonial purposes and by governor for purposes of military law.
- 8) Shall have no administrative duties

Mayor

Other Powers and Duties

- 9) Serves as spokesperson for the city
- 10) Facilitates communications between councilmembers
- 11) In a few cities, Mayor:
 - Has veto power
 - Has limited staff in his/her office
 - Receives city manager's budget in advance
 - Has longer term of office than councilmembers
 - Has lead role in selection of city manager

City Manager

- 1) Hired and fired by the City Council
- 2) Is bound by whatever action the City Council takes
- 3) Serves at the pleasure of the City Council.
- 4) Implements policy
- 5) Hires and fires the personnel
- 6) Prepares budget
- 7) Handles administrative duties

City Manager (cont.)

- 8) Serves as the Council's chief advisor
- 9) Provides an experienced, professional resource for the City Council
- 10) Informs the Council in an objective and complete manner
- 11) Provides the pros and cons on an issue or a project
- 12) Describes the long term consequence of a proposed action

Other Key Officials

- City Secretary and City Attorney
- In some cities appointed by Council, in others appointed by city manager
- Duties remain the same
- Regardless of method of appointment, they work closely with the city manager.

City Manager's Qualifications

- Education – 73% have a masters in public administration, urban affairs, or public affairs or professional degrees
- Experience – Average of 17 years in local government management positions
- Knowledge – city operations, state law, governmental processes
- Council can hire whomever they wish

Cost of City Manager

- Salaries in cities about your size can range from \$_____ to \$_____
- Think of organizations in your area with similar budgets and staffs as the city's. What are these CEO's paid?
- Depends on experience, education, complexities of the government, local job market, and economic conditions

Cost of City Manager (cont.)

- Savings can be derived from reduced operating costs, increased efficiency, improved revenue production, and/or effective use of technology

Code of Ethics

- Both the International City/County Management Association and the Texas City Management Association have strong Codes of Ethics
- 12 ethical principles of personal and professional conduct
- Prohibits all political involvement
- Standards of integrity more vigorous than those required by law

Possible Cons to Council Mgr. form

Con	Response
1) Mgr. isn't answerable to the citizens	1) Mgr. is absolutely answerable to the Council who are answerable to citizens
2) Council can no longer give directions to the city staff	2) This prevents mixing of politics and administration and too many bosses giving orders.

Cons

Con	Response
3) Mgr. is an “outsider” who does not know the community	3) Mgr. is a professional who knows local govt. The Council knows the community.
4) Mgr. controls the information and may not keep Council informed.	4) Mgr. works for the Council & it is his/her job to keep Council informed

Cons

Cons	Responses
5) Mgr. increases bureaucracy	5) Mgr. is a professional who strives for efficiency, effectiveness, and productivity w/i parameters set by the Council.
6) Mgr. is too expensive	6) City budgets are larger than most businesses in the city. Mgr. is paid commensurate with his/her training and experience.

Summary

- ✓ Council-Manager form has a long history in Texas.
- ✓ It is growing across the nation.
- ✓ It is similar to a business approach.
- ✓ Mayor & Council are in control.
- ✓ Mayor & Council have more time for the big picture items and looking to the future.

Most Common Reasons for Changing to Council-Mgr. Form

- Continuity of ongoing plans and operations.
- Professionalism of department heads and key officials.
- Favorable experiences in other cities of similar size.
- Minimizing politically-motivated decisions in daily operations such as personnel.

Is it right for your city?

- It does work well in other cities
- It does make sense
- It is logical and reasonable
- Only you, the citizens, can determine what you need
- You know your community

Bottom Line

- Structure of city government means little to most taxpayers as long as trash is collected, stray dogs are picked up, crime is low, potholes fixed, and their city government is fiscally responsible.
- They do want a well run city.
- What best meets the needs of your citizens?

Key Roles in Council-Manager Government

ICMA



THE ROLE OF THE MAYOR OR CHIEF ELECTED OFFICIAL

Typically the mayor or board chairperson in a council-manager community is a voting member of the governing body who may be either directly elected as in 69 percent of council-manager communities or who is selected by and from among the colleagues on the governing body. The mayor or chairperson is the public face of the community who presides at meetings, assigns agenda items to committees, facilitates communication and understanding between elected and appointed officials, and assists the governing body in setting goals and advocating policy decisions.

THE ROLE OF ELECTED OFFICIALS

Under the council-manager form, the elected officials (e.g., the council or board) are the legislative body and the community's policy makers. Powers are centralized in this body, which approves the budget and adopts local laws and regulations, for example. The elected officials also focus on the community's long-range goals, such as community growth and sustainability.

The elected officials hire a professional city/town or county manager based on that person's education, experience, skills, and abilities and NOT on the political allegiances. The elected officials supervise the manager's performance, and if that person is not responsive and effective in the role, the elected officials have the authority to remove her or him at any time.



THE MANAGER'S ROLE

The manager is an at-will employee who can be fired by a majority of the elected officials consistent with local laws or any employment agreements. This person:

- Prepares a budget for the governing body's consideration
- Recruits, hires, supervises, and terminates government staff
- Serves as the governing body's chief advisor by providing complete and objective information about local operations, discussing options, offering an assessment of the long-term consequences of decisions, and making policy recommendations
- Carries out the policies established by the governing body

WHAT ROLE DO RESIDENTS PLAY?

Under council-manager government, local governments often actively engage and involve the residents in community decisions on making. Residents can guide their community by serving on boards and commissions, participating in visioning and strategic planning sessions, and designing community-oriented local government services.

Council-Manager Form of Government

For more information, contact

icma.org/contactus

[@ICMA](https://twitter.com/ICMA) [f ICMAorg](https://www.facebook.com/ICMAorg)

To learn more about professional local government management, visit icma.org/professional-local-government-management



ICMA

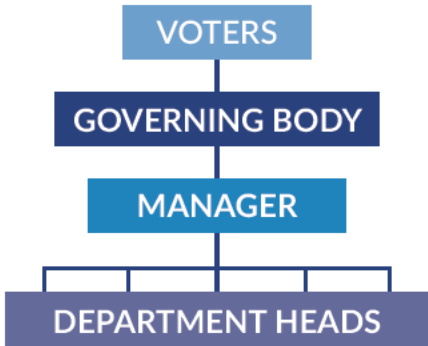
INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION
777 N. Capitol St NE, Ste. 500, Washington, DC 20002
202.962.3680 202.962.3500 (f) icma.org

What it is, how it works, and
the benefits to your community

What is the council-manager form of government?

The council-manager form is the most popular structure of government in the United States among municipalities with populations of 500 or more. It is one of several ways in which U.S. municipalities and counties can organize. Under this form, residents elect a governing body—naming a chief elected official such as a mayor or board chairperson—to adopt legislation and set policy. The governing body then hires a manager or administrator with broad executive authority to carry out those policies and oversee the local government's day-to-day operations.

The Council-Manager Form



What's so special about the council-manager form of government?

Born out of the U.S. progressive reform movement at the turn of the 20th century, the council-manager form was created to combat corruption and unethical activity within local government by promoting nonpolitical management that is effective, transparent, responsive, and accountable. The council-manager form of government recognizes the critical role of elected officials as policymakers who focus on mapping out a collective vision for the community and establishing the policies that govern it. The form also recognizes the need for a highly-qualified individual who is devoted exclusively to the delivery of services to residents. Think about the structure used by many corporations in which the board of directors hires an experienced CEO who is granted broad executive authority to run the organization. While these boards establish the company's overall policy direction, the CEO oversees implementation of that policy.

What types of communities use the council-manager form of government?

Today more than 10 million people in the U.S. live in municipalities that operate under the council-manager form. Forty-four percent of the more than 4,300 U.S. municipalities with populations of 10,000 or more use the form, as do 59 percent of the 347 municipalities with populations greater than 100,000. More than 800 counties also employ a similar system.

How can council-manager government benefit my community?

- **Flexibility**—The council-manager form can adapt to local needs and demands. While governing bodies in some council-manager communities are elected at large, for example, others are elected by district or by a combination of an at-large-and-by-district system to respond to local needs.
- **Clearly Defined Roles**—Under the council-manager form, there is a clear distinction between the administrative role of the manager and the political and policy roles of the governing body, led by the mayor. The day-to-day operations of the local government organization reside with the appointed manager, allowing elected officials to devote their time and energy to policy development and the assessment of the effectiveness of those policies within the community.
- **A Roadmap for Success**—The council-manager form is the system of local government under which professional management is most likely to succeed. Under this system, professional managers can focus on service delivery, policy implementation, and performance management and can align the local government's services with the values, mission, and policy goals defined by the community and elected officials.

How do we know that council-manager government works?

- The Gupta to Innovate Initiative—a framework of seven essential elements that define high-performance government and empower innovation—found in 2007 that top-performing cities in a—but one element employed the council-manager form of government. In 2008, the study's overall top performer was also a council-manager.

- Two-thirds of Moody's Aaa-bond-rated communities are run by professional local government managers, and many operate under the council-manager form of government.
- An IBM Global Business Services report titled "Smarter, Faster, Cheaper" found that cities that operate under the council-manager form of government are nearly 10 percent more efficient than those that operate under the mayor-council form.
- The National Civic League, America's oldest advocate for community democracy, has endorsed council-manager government through its *Model City Charter* since 1915.
- The majority of communities recognized since 2003 with the National Civic League's coveted A+America City Award have been council-manager.

Does it cost more for a community to adopt the council-manager form and hire a professional manager?

Many local governments have *reduced* the overall costs after hiring a professional manager. Savings can come from decreased operating costs, increased efficiency and productivity, improved revenue collection, and effective use of technology. The economic health of the community may also benefit from the implementation of improved business development and retention strategies.

How can my community adopt the council-manager form of government?

Methods vary from state to state, but most communities can adopt council-manager government through a charter, local ordinance, state enabling law, or by voter referendum. For information on how your community can adopt council-manager government, contact your state municipal league, state and local government association, or association of counties. You can find contact information for these organizations at cma.org/state-localgovassns or nc.org/state-municipal-leagues.

Once my community adopts council-manager government, how do we hire a professional manager?

The vacancy is often announced in *Leadership Matters*, CMA's weekly e-newsletter; through the CMA Job Center at cma.org/job-center; and through state league publications.

and qualified candidates are invited to apply. Elected officials may also hire an executive recruitment firm to assist them with the selection process. Interested parties may apply directly to the governing body or to the recruitment firm, which reviews the applications and interviews qualified candidates. *ICMA makes no recommendations regarding candidates.* Additional information on hiring a professional local government manager is available in *CMA's Recruitment Guidelines Handbook*. Visit cma.org/documents/recruitment-guidelines to download a copy.

What kind of educational and on-the-job experience do professional local government managers generally have?

Sixty-five percent of managers surveyed by CMA indicated that they had earned a master's (usually in public administration, business, or public policy) or other advanced degree. Survey respondents also said that they had spent an average of more than 10 years working in the local government management profession.

What is ICMA and why is membership in that organization important?

CMAA, the International City/County Management Association, is the professional and educational home for more than 10,000 appointed managers and administrators serving cities, towns, counties, other local governments, and regional entities in 40 countries throughout the world. In addition to gaining access to valuable resources and lifelong professional development opportunities, appointed local government managers who are members of CMAA are bound by its Code of Ethics, which commits members to a set of ethical standards of honesty and integrity that go beyond those required by the law. This stringent, enforced code specifies ethical principles of personal and professional conduct, including dedication to good government, or more information, visit cmaa.org/ethics. Finally, through its Voluntary Credentialing Program, CMAA recognizes individual members who are qualified by a combination of education and experience, adherence to high standards of integrity, and an assessed commitment to lifelong learning and professional development. CMAA members who meet these requirements may earn designation as an CMAA Credentialed Manager. For more information on CMAA's Voluntary Credentialing Program, visit cmaa.org/voluntary-credentialing-program-overview.



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AGENDA ITEM 6



Agenda Commentary
Meeting Date: April 20, 2023

Department: Administration
Contact: Amanda DeGan, City Administrator
Agenda Item: Personnel Manual

Type of Item: ☐ Ordinance ☐ Resolution ☐ Contract/Agreement ☐ Public Hearing
☐ Plat ☐ Discussion & Direction ☒ Other

Summary:

- With the recent updates to the personnel manual, the document needs minor adjustments to properly reflect the ordinances approved by Council.

Funding Expected: ☐ Revenue ☐ Expenditure ☒ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

GL Account: _____ Amount: _____

Legal Review Required: ☐ Yes ☐ No Date Completed: _____

Engineering Review: ☐ FD Review: ☐ PD Review: ☐ PW Review: ☐

History / Details / Recommendation:



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AGENDA ITEM 7



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AGENDA ITEM 8



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AGENDA ITEM 9

Proclamation

54th ANNUAL PROFESSIONAL MUNICIPAL CLERKS WEEK

April 30 - May 6, 2023

Whereas, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Professional Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

Whereas, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Professional Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Professional Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Office of the Professional Municipal Clerk.

Now, Therefore, I, Patricia Mitchell, Mayor of Rhome, Texas, do
recognize the week of April 30 through May 6, 2023, as Professional Municipal Clerks Week, and further extend appreciation to our Professional Municipal Clerk, Shaina Odom and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Dated this 20th day of April, 2023

Mayor: _____

Attest: _____