



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
Jo Ann Wilson

City Council

Mayor Pro-Tem,
Place 1
Josh McCabe

Place 2
Michelle Tye

Place 3
Elaine Priest

Place 4
Sam Eason

Place 5
Ashley Majors

City
Administrator
Cynthia Northrop

City Attorney
Carvan Adkins

City Secretary

Fire Chief
Darrell Fitch

Police Chief
Eric Debus

Public Works
Director
Sean Densmore

NOTICE OF REGULAR MEETING OF THE RHOME CITY COUNCIL

Meeting Date: Monday, November 15, 2021

Executive Session: 6pm

NEW START TIME - Regular Session: 7pm

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

LIVE Streaming: In an effort to be as accessible as possible, we will be
Live Streaming the meeting using GoToMeeting.

Please call 1-(872) 240-3212 / Access Code 990-473-373

Call to Order and Establish a Quorum – 6pm

Convene into Executive Session – 6pm

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
- 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 a public hearing
 - City Secretary Transition and Temporary/Interim City Secretary
 - City Administrator - Annual Review
- 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

Reconvene into Regular Session – 7pm or immediately following the Executive Session

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

Invocation

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 Presentations and Input

The Council is not permitted to take action on or discuss any presentations made to the Council at this time concerning an item not listed on the agenda. The Council will hear comments during this designated time.

*If you are attending the meeting via **Live Streaming**, and you would like to make a Public Presentation, you must email the City Secretary at citysecretary@cityofrhome.com prior to **4:00pm on the day of meeting** to be recognized.*

*If you are attending the meeting **in person**, sign up forms will be available at the meeting to fill out and submit to the City Secretary prior to meeting start time.*

Announcements from Mayor and Council Members

City of Rhome Events:

- Thursday/Friday, November 24-25: City Hall Offices Closed in observance of Thanksgiving
- Sunday, December 5: A Christmas Celebration/Rhome United Methodist Church/Rhome Family Park
- Saturday, December 6 & 13, Rhome Fire Rescue Santa Sightings
- Tuesday, December 7: Monthly Bulk Trash Pick Up
- Thursday, December 9: City Council Meeting at 7 pm

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. Discussion and any necessary action on End-of-Year Budget Amendments (**City Administrator**)
- G. Accept resignation of Debbie Kuhleman from Parks & Recreation Board
- H. Discussion and any necessary action on approving the FY 2022 Library Contract with the Rhome Community Library

Monthly Staff Reports and Board Minutes

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

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

Canvassing

- J. Discussion and any necessary action regarding the Canvassing of the November 2, 2021 Bond Election

Public Hearing

- K. Discussion and any necessary action regarding a change in the current zoning of Residential to Retail of properties being legally described as:
 - Acres: 0.340, Lot: 1 & PT 2, Blk: A, Subd: GRANDVIEW ADDITION otherwise known as 300 South Main Street, Rhome, Texas
 - Legal: Acres: 0.323, Lot: 2 & PT3, Blk: A, Subd: GRANDVIEW ADDITION otherwise known as 330 Main Street, Rhome, Texas

- Acres: 0.327, Lot: PT5, Blk: A, Subd: GRANDVIEW ADDITION, otherwise known as 125 Logan, Rhome, Texas.

Regular Agenda – New Business

- L. Discussion and any necessary action regarding a change in the current zoning of Residential to Retail of properties being legally described as:
 - Acres: 0.340, Lot: 1 & PT 2, Blk: A, Subd: GRANDVIEW ADDITION otherwise known as 300 South Main Street, Rhome, Texas
 - Legal: Acres: 0.323, Lot: 2 & PT3, Blk: A, Subd: GRANDVIEW ADDITION otherwise known as 330 Main Street, Rhome, Texas
 - Acres: 0.327, Lot: PT5, Blk: A, Subd: GRANDVIEW ADDITION, otherwise known as 125 Logan, Rhome, Texas.
- M. Discussion and any necessary action regarding an Ordinance pertaining to the maintenance of Right-of-Ways, Easements and Alleyways (**Public Works Director**)
- N. Discussion and potential action regarding a temporary construction and permanent grading easement – Quick Trip (**City Administrator**)
- O. Discussion and any necessary action regarding city property, facilities and next steps/scheduling citizen forum post Bond Election (**Mayor, Council Member Priest, Council Member Eason, Council Member Majors**)
- P. Discussion and potential action concerning election reform (**Council Member Eason**)

Future Agenda Items

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.

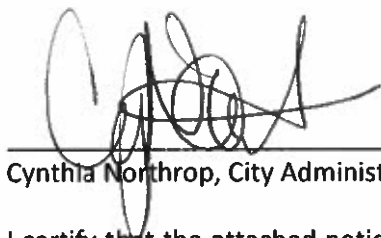
A quorum of Parks & Recreation Board Members may be present at this meeting and its members may participate in the discussions of the items on the agenda over which they have responsibilities or authority.

**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 6pm on the 12th day of November 2021.



Cynthia Northrop, City Administrator, MPA, CPM

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 _____, 2021.

_____, Title: _____



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AGENDA ITEM F



Agenda Commentary

Meeting Date: Thursday, November 15, 2021

Department: Administration/Finance

Contact: Cynthia Northrop

Agenda Item: F. Discussion and any necessary action regarding FY2020-2021 Budget Amendments

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

Summary-Background:

This Budget Amendment reallocates designated funds within various departments to various funds within those departments; line item transfers within departmental budgets.

There is no net effect on the Fiscal Year 2020-2021 Department or General Fund budgets as a result of the proposed budget amendment.

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:** ☐

Supporting Documents Attached:

Proposed Ordinance

Recommendation:

Staff recommends approval of proposed Ordinance.

**CITY OF RHOME
ORDINANCE NO. 2021-21**

AN ORDINANCE OF THE CITY OF RHOME, TEXAS, AMENDING THE CITY'S DULY ADOPTED FISCAL YEAR 2020-2021 BUDGET, AS AMENDED; REALLOCATING DESIGNATED FUNDS WITHIN VARIOUS DEPARTMENTS TO VARIOUS FUNDS WITHIN THOSE DEPARTMENTS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Rhome, Texas Fiscal Year 2020-2021 Budget was adopted within the time frame and in the manner required by State Law; and

WHEREAS, the City Council of the City of Rhome, Texas finds that a Budget Amendment, as set forth in Exhibit "A", will serve the public interest and is necessary to support City operations; and

WHEREAS, this Budget Amendment will result in a no net effect to the General Fund; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Rhome, Texas that the City's 2020-202 Fiscal Year Budget is hereby amended as set forth in Exhibit "A".

PASSED AND APPROVED by the City Council of the City of Rhome, Texas, this the 15th day of November 2021.

Jo Ann Wilson,
Mayor

[SEAL]

ATTEST:

APPROVED TO AS FORM:

Cynthia Northrop, MPA, CPM
City Administrator

Carvan E. Adkins,
City Attorney

Exhibit A
Fiscal Year 2020-2021 Budget Amendments

There is no net effect on the Fiscal Year 2020-2021 Department or General Fund budgets as a result of the proposed budget amendment.

Exhibit A - Proposed Budget Amendments - October 28, 2021					
Account	Description	Dept	Approved	Proposed	Net (Reduction) / Increase
10-60020-10	Lease Payment	Admin	1,310.00	0.00	(1,310.00)
10-60000-10	Accounting Fees	Admin	12,000.00	1,000.00	1,000.00
10-60080-10	Bank Service Fees	Admin	5,000.00	6,761.42	1,761.42
10-60300-10	Contract Labor	Admin	10,000.00	8,548.58	(1,451.42)
10-60950-10	Property Tax Service	Admin	22,807.00	17,804.00	(5,003.00)
10-64000-10	Utilities/Gas/Elec/Street Lights	Admin	24,000.00	27,549.60	3,549.60
10-61600-10	Dues & Subscriptions	Admin	31,000.00	31,978.43	978.43
10-62750-10	Legal Notices	Admin	4,000.00	5,204.10	1,204.10
10-60600-10	Office Supplies	Admin	2,700.00	1,500.57	(1,199.43)
10-63400-10	Telephone & Internet	Admin	7,500.00	5,876.55	(1,623.45)
10-63430-10	City Elections	Admin	6,500.00	4,126.89	(2,373.11)
10-60350-10	Education & Training	Admin	4,000.00	3,370.69	(629.31)
10-66020-10	Technology	Admin	6,500.00	6,009.14	(490.86)
10-62800-10	Legal Fees	Admin	90,000.00	95,587.03	5,587.03
10-60400-20	Engineering	Bldg Dev	65,000.00	61,969.00	(3,031.00)
10-60090-20	Code Expenses	Bldg Dev	0.00	3,031.00	3,031.00
10-60600-20	Office Supplies	Bldg Dev	500.00	459.38	(40.62)

10-60800-20	Postage	Bldg Dev	200.00	240.62	40.62
10-60600-40	Office Supplies	Court	2,000.00	1,830.00	(170.00)
10-60300-40	Contract Labor	Court	10,800.00	10,970.00	170.00
10-60870-40	State Fees	Court	122,700.00	111,841.69	(10,858.31)
10-61200-40	Credit Card Convenience Fees	Court	7,000.00	10,731.70	3,731.70
10-62800-40	Legal Fees	Court	10,000.00	17,126.61	7,126.61
10-60600-50	Office Supplies	Police	2,600.00	3,029.00	429.00
10-60080-50	Bank Service Fees	Police	0.00	184.04	184.04
10-63400-50	Telephone & Internet	Police	4,650.00	7,883.04	3,233.04
10-64000-50	Utilities - Gas & Electric	Police	3,000.00	3,546.70	546.70
10-60430-50	Equipment	Police	14,000.00	9,607.19	(4,392.81)
10-61150-50	Gas & Oil	Police	25,000.00	26,893.33	1,893.33
10-61110-50	Vehicle Rep. & Maint.	Police	19,000.00	17,416.29	(1,583.71)
10-63100-50	Building Maintenance	Police	7,880.00	7,570.38	(309.62)
10-61600-50	Dues & Subscriptions	Police	10,420.00	10,735.27	315.27
10-61800-50	Insurance - Prop/Liability	Police	21,474.47	21,601.50	127.03
10-65600-50	Hiring/Testing Expenses	Police	1,000.00	1,225.24	225.24
10-60410-50	Equipment Repairs	Police	1,500.00	832.46	(667.54)
10-60560-60	Support Crew/Supplies	Fire	850.00	875.00	25.00
10-60600-60	Office Supplies	Fire	974.34	1,030.00	55.66
10-60610-60	Incentives	Fire	1,000.00	1,100.00	100.00
1-060890-60	Education/Training	Fire	1,500.00	1,554.47	54.47
10-61600-60	Subscriptions	Fire	7,635.00	7,950.00	315.00

10-63510-60	Uniforms/Clothing Allowance	Fire	1,250.00	2,045.00	795.00
10-63400-60	Telephone & Internet	Fire	2,350.00	4,190.00	1,840.00
10-64000-60	Utilities - Gas & Electric	Fire	3,000.00	4,200.00	1,200.00
10-66000-60	EMS Supplies	Fire	6,100.00	8,515.00	2,415.00
10-61800-60	Insurance - Prop/Liability	Fire	11,634.50	14,737.00	3,102.50
10-66030-60	Banquet/Service Awards	Fire	500.00	-	(500.00)
10-60470-60	Fire Safety Program	Fire	400.00	-	(400.00)
10-60430-60	Equipment	Fire	16,000.00	13,000.00	(3,000.00)
10-60580-60	Apparatus Repair & Maintenance	Fire	20,000.00	15,500.00	(4,500.00)
10-60510-60	Note Payments	Fire	75,383.62	73,880.99	(1,502.63)
10-60300-80	Contract Labor	Parks	10,000.00	6,186.93	(3,813.07)
10-60640-80	Family Park	Parks	4,000.00	6,210.31	2,210.31
10-64000-80	Utilities	Parks	1,000.00	1,894.78	894.78
10-60650-80	Veterans Park	Parks	1,000.00	1,707.98	707.98
20-60220-10	AMR Cell Fee	Water	6,500.00	11,342.16	4,842.16
20-60080-10	Bank Fees	Water	0.00	31.00	31.00
20-60100-10	Bond Interest	Water	98,126.00	98,625.00	499.00
20-60150-10	Bond Principal	Water	70,000.00	70,375.00	375.00
20-63100-10	Building Maintenance	Water	1,000.00	700.61	(299.39)
20-61200-10	Credit Card Convenience Fees	Water	12,000.00	3,937.26	(8,062.74)
20-60300-10	Contract Labor	Water	0.00	182.50	182.50
20-61600-10	Dues & Subscriptions	Water	4,000.00	2,020.66	(1,979.34)
20-60890-10	Education/Training	Water	2,500.00	1,692.00	(808.00)

20-60400-10	Engineering Services	Water	66,000.00	64,975.29	(1,024.71)
20-61700-10	Equipment Rentals	Water	2,000.00	2,033.46	33.46
20-61130-10	Equipment Repairs & Maintenance	Water	3,500.00	2,323.93	(1,176.07)
20-61150-10	Gas & Oil	Water	8,000.00	8,157.60	157.60
20-65600-10	Hiring Expense	Water	300.00	234.94	(65.06)
20-61800-10	insurance-prop	Water	27,376.37	26,068.50	(1,307.87)
20-66050-10	License & permits	Water	6,000.00	4,206.65	(1,793.35)
20-60600-10	Office Supply	Water	2,000.00	1,016.60	(983.40)
20-60800-10	Postage	Water	4,000.00	4,697.40	697.40
20-66090-20	Sewer Line Maint	Sewer	2,000.00	48.68	(1,951.32)
20-66020-10	Technology	Water	500.00	449.72	(50.28)
20-63400-10	Telephone & Internet	Water	6,400.00	4,340.31	(2,059.69)
20-63510-10	Uniforms	Water	3,772.00	3,026.73	(745.27)
20-64000-10	Utilities - Gas & Electric	Water	33,226.68	40,089.07	6,862.39
20-61110-10	Vehicles Repairs & Maintenance	Water	1,500.00	4,100.27	2,600.27
20-66110-10	Walnut Creek SUD Purchases	Water	275,000.00	277,932.18	2,932.18
20-60200-10	Water Chemicals	Water	3,000.00	4,187.25	1,187.25
20-60230-10	Water Meter/Transmitter	Water	6,600.00	4,778.00	(1,822.00)
20-66100-10	Water Testing	Water	9,500.00	8,433.93	(1,066.07)
20-66070-10	Water/Sewer Shop Supplies	Water	2,500.00	1,300.13	(1,199.87)
20-66090-10	Water Line Maintenance	Water	4,000.00	890.09	(3,109.91)
20-66400-20	WWTP/Lift Station Maintenance	Sewer	8,000.00	17,104.13	9,104.13



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AGENDA ITEM G

From: Debbie Kuhleman
To: City Administrator
Subject: Park board resignation
Date: Friday, November 12, 2021 12:49:54 PM

Please accept my resignation from the Park Board, effective immediately! At this time, I need to focus in other directions. I consider it a privilege to have served in this capacity!
Debbie's iPhone



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AGENDA ITEM H

**CONTRACT OF SERVICE BETWEEN CITY OF RHOME, TEXAS AND
THE RHOME COMMUNITY LIBRARY FOR SERVICES AS A LIBRARY**

This agreement is made between the City of Rhome, Texas, (hereinafter called "City" and the Rhome Community Library (hereinafter called "Library") an established Library located in the City of Rhome, Texas.

Witnesseth:

WHEREAS as the Library and the City of Rhome have expressed the desire to enter into a contract to provide a free library system to provide enhanced services to both the Library and the City and

WHEREAS the Library has and maintains an established free Library which is capable of and is serving the City of Rhome, Texas, and is also capable of serving a segment of the county population that lies outside the limits of any municipality.

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth, the Library and City agree:

1. The Library shall provide library service as and assume the functions of a free library for the City and surrounding county area that lies outside the boundaries of incorporated municipalities.
2. The City shall pay annually to the Library the sum of six hundred dollars (\$600.00) for the purchase of technology whether equipment or software and provide the City with a proof of purchase and/or for purchases related to books, programs, or general operating expenses.
3. The Library, except as otherwise provided herein, shall have the sole control, administration and direction of policies over the Library.
4. All citizens of Wise County residing outside the limits of incorporated municipalities shall have equal privileges with respect to Library services provided by the Library.
5. The Rhome Community Library agrees that the Library Annual Report to the Texas State Library shall be open to inspection by the City or its designated representatives during normal business hours.
6. This contract shall be for one-year period commencing October 1, 2021 and ending September 30, 2022.

APPROVED by the governing body of the Rhome Community Library, Inc. in a meeting held on the ____ day of _____, 2021 and executed by the President of that governing body and the Library Director of the Rhome Community Library.

RHOME COMMUNITY LIBRARY

BY _____

BY _____

Name: _____

Name: _____

APPROVED by the Rhome City Council, Texas, in a meeting held on the 15th day of November 2021.

CITY OF RHOME, TEXAS

Jo Ann, Wilson, Mayor



ATTEST:

Cynthia Northrop, MPA, CPM
City Administrator



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AGENDA ITEM I



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Administration by the Numbers – September 2021

Bank Statement Balances

Account Name	Balances as of September 30, 2020	Balances as of September 30, 2021
2019 Bond Checking	\$642.79	\$4,071.56
Fire Dept Checking	\$182,351.74	\$38,518.53
Fire Dept Savings - Quarterly Statement	\$40,443.41	\$40,949.03
General Fund Checking	\$205,991.36	\$328,113.69
General Fund Savings	\$170,829.84	\$270,855.47
Hotel Motel Tax	\$70,492.43	\$87,489.48
Interest & Sinking	\$149,209.30	\$130,653.31
LOGIC	\$1,148,648.64	\$912,828.06
MC Building Security	\$30,987.61	\$35,355.11
MC Technology Fund	\$20,545.32	\$2,458.66
Meter Deposits	\$91,193.70	\$100,896.56
Parks & Recreation Checking	\$21,660.73	\$31,098.50
Payroll ZBA Account	\$0.00	\$0.00
Police Grant Account	\$2,835.79	\$2,836.10
Police Seizure Funds	\$100.38	\$12,077.92
Rhome Beautification Fund	\$116.00	\$451.00
Rolling V	\$22,904.86	\$27,578.54
TEXSTAR	\$1,144,365.32	CLOSED
Water & Sewer Checking	\$231,449.32	\$137,177.89
TOTAL	\$3,585,652.63	\$ 2,163,409.41

Per Council's previous direction to reduce costs and to streamline processes, Staff is moving towards cutting the number of bank accounts, thus reducing bank fees and staff time.

During the month of September 2021, the following account was closed:

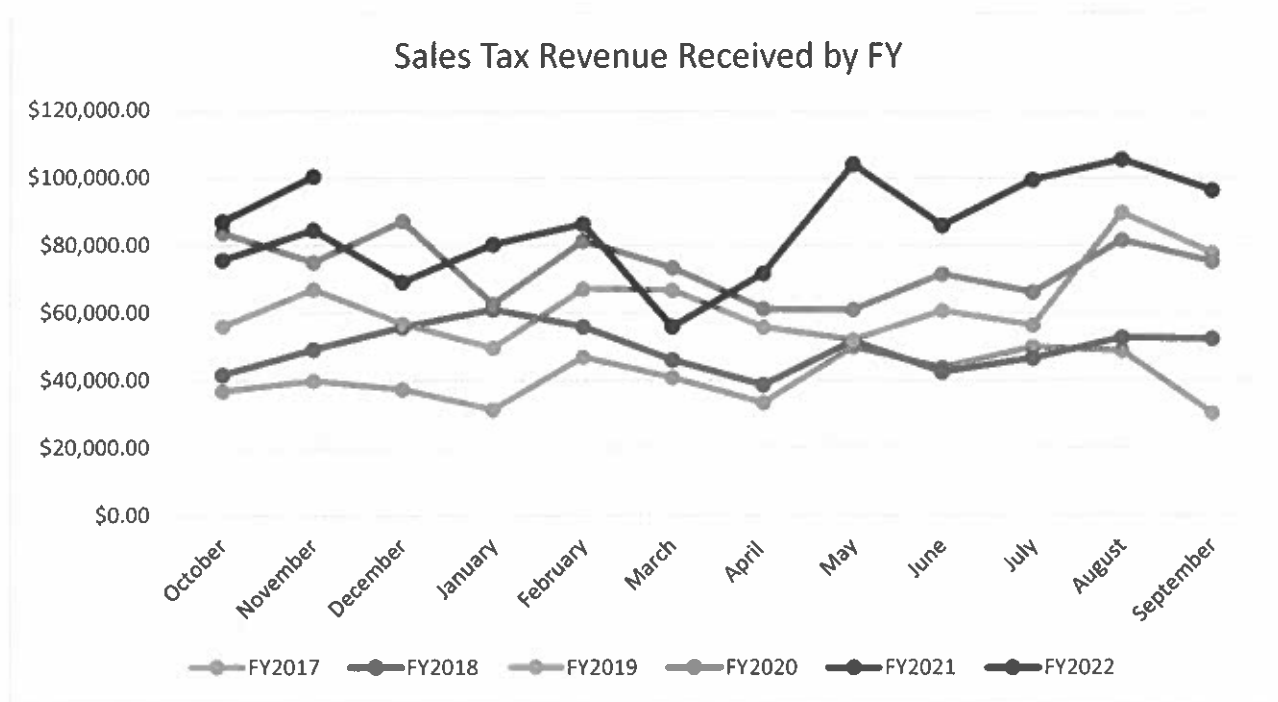
- **TexSTAR Investment** – One of the two investment accounts opened to hold proceeds from the 2019 Bond Election for the EWWTP Expansion Project. Funds have been drained from this account for payment of construction costs. LOGIC Investment Account is still active and will be used to continue paying construction costs through completion of project.

With the pending upgrade of our financial software, Staff will be able to continue to reduce the number of bank accounts over the next several months. Staff will continue to update Council as the project moves forward.

Fiscal Year Sales Tax Revenue Received

November 2021 – \$100,616.96

Month Received	FY2017	FY2018	FY2019	FY2020	FY2021	FY2022
October	\$36,761.46	\$41,715.19	\$55,994.48	\$83,748.34	\$75,745.64	\$87,240.35
November	\$39,909.64	\$49,257.27	\$67,076.39	\$75,077.06	\$84,636.19	\$100,616.96
December	\$37,325.73	\$55,857.75	\$56,827.29	\$87,313.44	\$69,183.69	
January	\$31,401.41	\$61,139.42	\$49,719.73	\$62,703.14	\$80,355.58	
February	\$47,000.93	\$56,030.60	\$67,180.35	\$81,459.72	\$86,432.78	
March	\$40,837.42	\$46,156.35	\$66,853.76	\$73,488.63	\$56,025.15	
April	\$33,361.07	\$38,766.96	\$55,814.51	\$61,205.25	\$71,816.35	
May	\$49,987.00	\$51,754.08	\$52,022.35	\$61,014.98	\$104,222.79	
June	\$43,940.94	\$42,538.20	\$60,712.41	\$71,595.88	\$86,028.11	
July	\$49,928.81	\$46,649.99	\$56,382.32	\$66,189.23	\$99,504.10	
August	\$48,878.03	\$52,698.74	\$89,739.58	\$81,658.50	\$105,530.55	
September	\$30,263.17	\$52,300.18	\$77,788.90	\$75,181.40	\$96,366.36	
Total	\$489,595.61	\$594,864.73	\$756,112.07	\$880,635.57	\$1,015,847.29	\$187,857.31



Ordinances Passed:

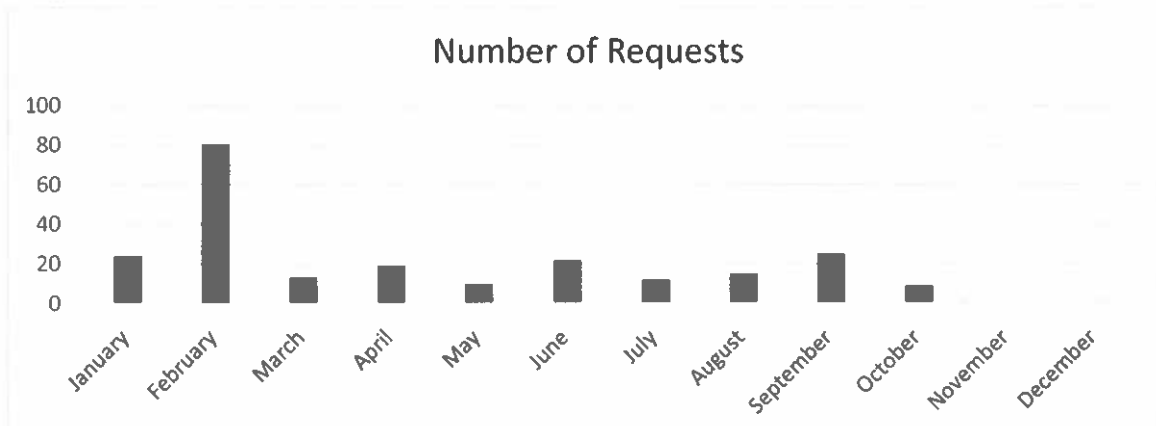
2021-20	AN ORDINANCE AMENDING THE Zoning Code of RHome, CHANGING THE ZONING OF A CERTAIN PROPERTY, SPECIFICALLY ACRES: 0.367, Lot: 4 & PT3, Blk: A, SUBD: GRANDVIEW ADDITION ALSO KNOW AS 360 SOUTH MAIN STREET, RHOME, TEXAS, CURRENTLY ZONED AS residential to retail; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.	10/14/2021	APPROVED
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Requests for Information:

Calendar YTD Requests for Information

Requests Received	229
Pending / Open	7
Sent for Attorney General Opinion (RFO)	4
Complete / Closed	221
Requestor Fees – <i>in an effort to streamline, responses less than 50 pages will be emailed to the requestor to reduce supply costs and staff time</i>	\$63.90
Approximate Staff Time	11,535 mins / 192 hours
Approximate Supply Cost	\$24.35
Approximate Staff Cost	\$5,875.20

Month	Number of Requests
January	24
February	80
March	13
April	19
May	10
June	22
July	12
August	15
September	25
October	9
November	
December	



2021-157	Ruby Sargento	10/1	10/18	I am requesting a list of all residential rental properties in the city of RHOME that were registered any time between September 1,2021 and September 30, 2021.
2021-158	Ruby Sargento	10/1	10/18	I am requesting a list of all residential properties in the city of RHOME that have had Fire Damage any time between September 1,2021 and September 30, 2021.
2021-159	Ruby Sargento	10/1	10/18	I am requesting a list of all residential properties in the city of RHOME that have had High or Tall Grass/Weed code violations any time between September 1,2021 and September 30, 2021.
2021-160	Chris Parrott	10/1	10/18	permits issued for residential new construction from September 1, 2021 - September 30, 2021.
2021-161	Patricia Mitchell	10/6	10/21	Copy of current auto insurance policy for Chevrolet Silverado
2021-162	Askia Bell	10/12	10/26	Residential properties with code violations over the last 30 days and list of properties with water shut off over the last 30 days
2021-163	Joe Hernandez	10/21	11/4	I am requesting detail invoices for attorney's specifically pertaining to council members.
2021-164	Janine Rugas	10/26	11/9	Can you please provide us with a report of all building permits processed by your department since Sep 21, 2021?
2021-165	Patricia Mitchell	10/26	11/9	1. Please provide copy of the Wells Fargo Bank Statement (account ending 4210 - tax note holding) for October 2018, November 2018, and December 2018) 2. Please provide copy of the Wells Fargo Bank Statement (account ending 4210 - tax note holding) for January 2019, February 2019, March 2019, April 2019 and June 2019.



RHOME FIRE RESCUE

Duty • Honor • Compassion • Service

261 N. School Road - P.O. Box 228 - Rhome, Texas 76078
817-636-2001 station17@rhomefirerescue.com

October 2021 – Council Fire Report

Calls for Service Monthly:

	Jan	Feb	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	TOTAL
2021	81	79	70	68	69	58	70	54	72	70			690
2020	57	43	44	47	34	55	59	54	53	69	61	75	658

Calls for Service by type:

	EMS	MVA	Structure Fires	Grass Fires	Vehicle Fires	Fire Invest.	Fire Alarms	Gas Leak	Road Hazard	Lift Assist	Other
October 2021	36	14	2	3	2	3	0	0	1	7	2
Year-To-Date	302	113	54	58	15	34	12	7	11	40	35

Call Locations

	City	County	Auto/Mutual Aid Given	Auto/Mutual Aid Received	Cancelled	Weather Watch
October 2021	34	36	7	3	4	1
Year-To-Date	293	378	98	29	41	4

Numbers above are approximate since the official numbers have not been finalized

Membership

Current Members – 17		
#	Area	+/-
7	City	-
3	In District	-
5	Out of District	-
4	Probationary	
EMS Certification - 12		
3	EMT Basic	-
6	Paramedics	-

2 new members going through 1-year probationary period. These 2 new members have finished: Courage to be safe, NIMS (100, 200, 700, 800), Traffic Incident Safety and CPR Certification. Currently finishing up Firefighter I.

Command Staff

- New Class B uniforms are in service.
- ISO official results have been received and will be presented to Council in an upcoming Council meeting with an effective date of 02/01/2022.
- New Radios and Pagers have been placed in service. Improved technology and the ability to talk with departments in Tarrant and Denton County on Mutual Aid calls.
- Finalizing FD information to be placed on City Website in the Fire Department section.

-
- Continue to update, Covid-19 Standard Operating Guidelines. Included in guidelines are:
 - Response to Medical calls when Covid-19 is suspected.
 - Precautions and questions on Medical calls when pre-screening questions to Covid-19 are negative.
 - Equipment and Apparatus Decontamination on all Emergency responses.
 - Handling Social Distancing with Department Personnel.
 - Guidelines established in conjunction with
 - CDC Guidelines
 - Medical Director
 - Wise County EMS

Events

- Nov. 5-6 – Boot Drive.

We would like to personally thank everyone who took the time to donate.

- Oct. 22 - Fire Crews had a great time at Prairie View Elementary talking with approximately 600 Kids about fire safety and showing them the equipment on the Fire Trucks.
- Oct. 31 – 7th Annual Trunk or Treat at the Fire Station 6-8pm. Great turn out with a sharp drop off after Cowboy game started.

Apparatus

- E217 (Unit 606) – System Air leak fixed by Siddons-Martin.



RHOME FIRE RESCUE

Duty • Honor • Compassion • Service

261 N. School Road - P.O. Box 228 - Rhome, Texas 76078
817-636-2001 station17@rhomefirerescue.com

Training

- Fire Training – Communications/ Radios.
- EMS – Dr. Senser EMS CE
- Online Training
- Probationary Member Skills.

Prevention/Community Risk Reduction

Community Risk Reduction

- Community Event (Not FD Event(s)) – 85 manhours
- FD Sponsored Community Event(s) – 31 manhours
- Fire Safety Education Event(s) – 75 manhours

Prevention

- Administrative – 27 manhours
- Fire Inspections – 1 manhour/3 Inspections
- Fire Pre-Plan Business – 1.5 manhours/3 Businesses

Future Projects

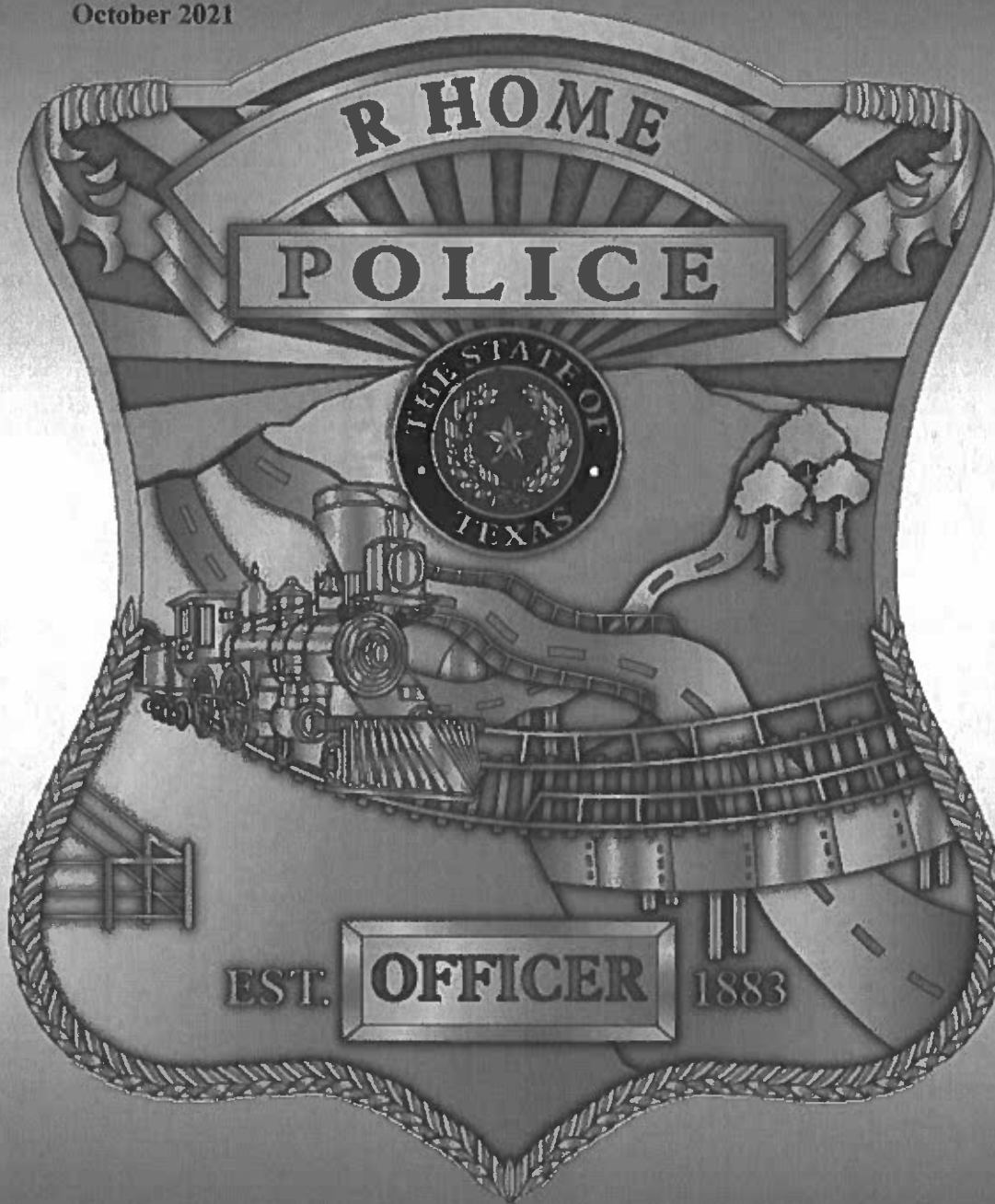
- Inside personal lockers for members.
- Wildland Brush Truck.
- Motion stop sensors for garage doors to improve safe vehicle operations in and out along with the main benefit of safety of members and visitors entering and exiting the building.

My door is as always open if you have any questions,

Darrell Fitch
Fire Chief
Rhyme Fire Rescue

Rhome PD Council Report

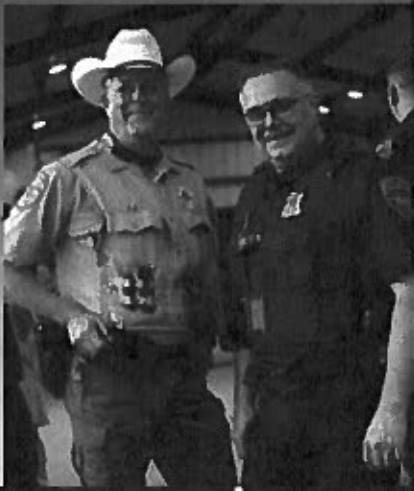
October 2021



Prepared by:

A. Soultair #310

Rhome PD Updates



Your Rhome Police Officers had quite a busy month!

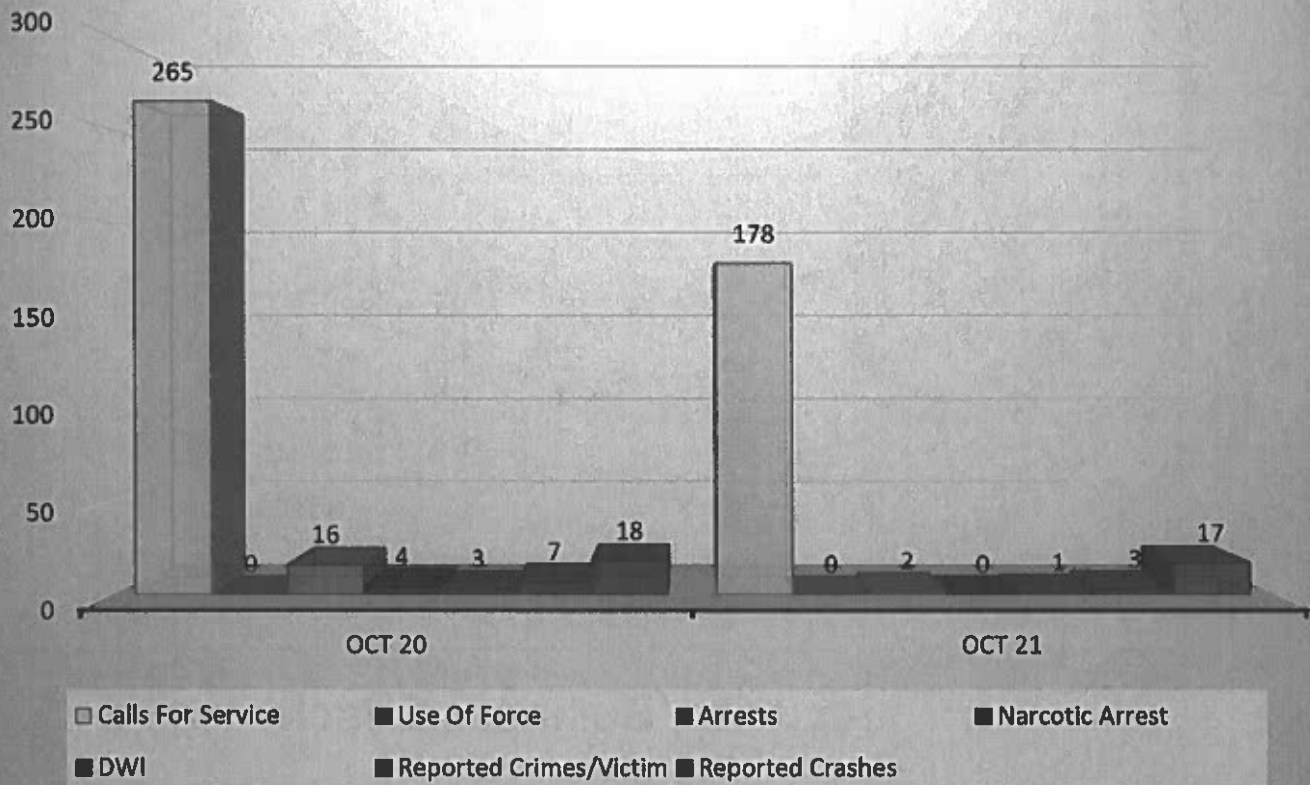
First we kicked off with the biggest and best National Night Out we've seen in this little town. The turn out was spectacular and from everything we've heard it was the best one yet.

We also participated in two Trunk or Treat events. We had a blast passing out candy to all the kids and being out in the community.

Community involvement is our passion and why we do what we do. It also helps that we have a wonderful city full of amazing citizens!

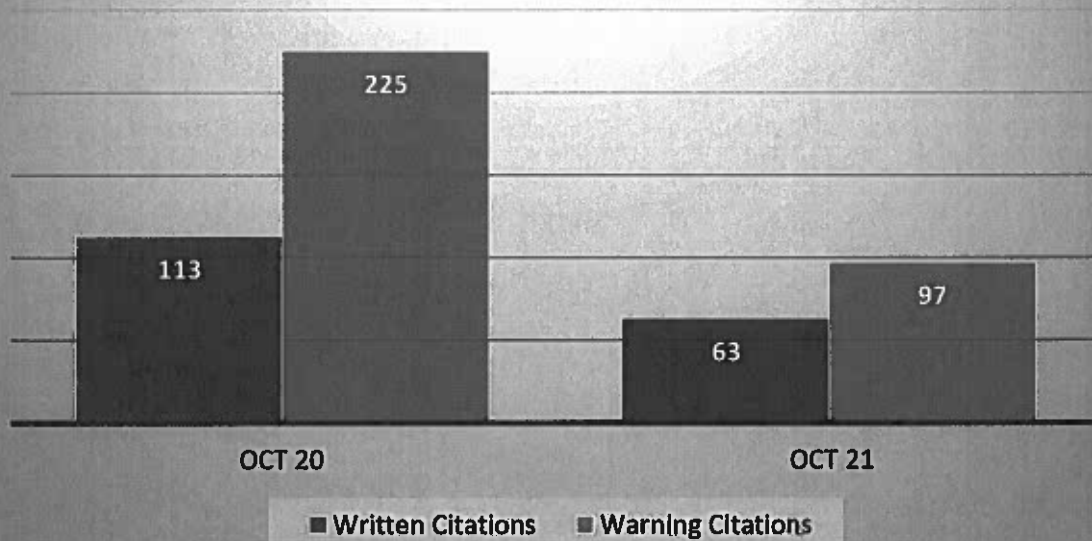
Monthly Statistics

Activity

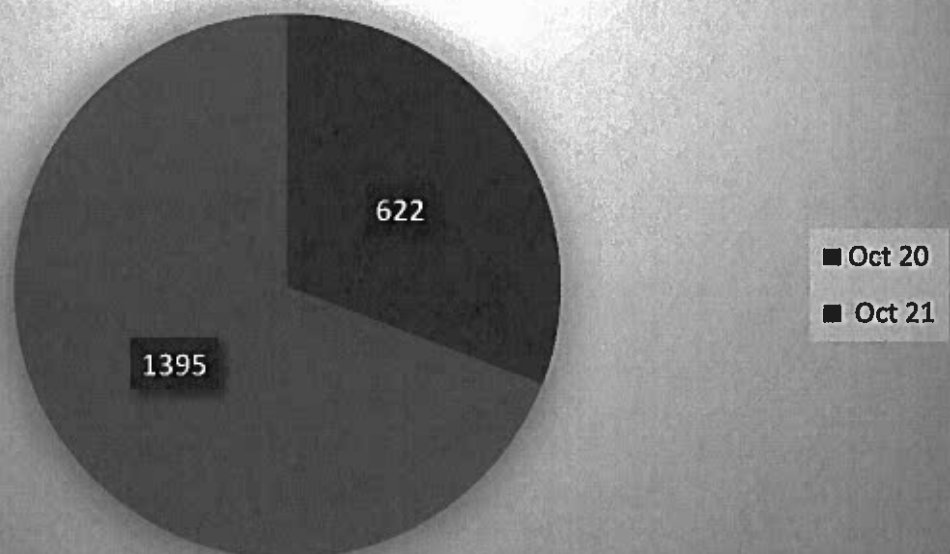


Monthly Statistics

Citations



Security/Business Checks



Future Plans / Projects

The Rhome Police Department is committed to constantly improving how we do business to provide the best level of service to the citizens of Rhome.

- We are planning another auction for the near future to get the remaining vehicles out of the impound yard as well as outdated equipment we can no longer use.
- We are looking at ways of improving our building and parking lot to improve the functionality and safety of the facility.
- We are continuing to identify areas of improvement within the department and are implementing new policies and procedures to those ends.
- We are also looking at new equipment to assist officers in performing their duties with greater efficiency and safety.
- We have also planned our next Coffee With a Cop for November 13th from 8:30 am to 10:30 am at the Rhome Donut Shop.

I am always available if you have any further questions.

Eric Debus

Chief of Police

Rhome Police Department



501 Main St. - P.O. Box 228. Rhome, Texas 76078

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

Fax: 817-636-2465 - www.cityofrhome.com

To: Cynthia Northrop-City Administrator

From: Sean Densmore- Director of Public Works

Date: November 11, 2021

Re: October Monthly Report

Reporting:

- 1) Monthly TCEQ Reporting: GW/PWMOR
- 2) Monthly TCEQ Reporting: Wastewater MOR
- 3) Monthly Coliform Test

Equipment Issues:

Maintenance:

- 1) Normal preventative maintenance was performed for the water system.
- 2) Normal preventative maintenance was performed for the wastewater system
- 3) Monthly preventative collection system maintenance to wastewater collection line

Water:

- 1) Line locates for boring contractor
- 2) Well site maintenance
- 3) Badger Meters- Badger had a software issue. Staff had to reset some meters for a technology upgrade

Wastewater

East Plant; Flow- .862 million Gallons Total, Average 41.048-GPD, Rain- 3.25 inches,
Temperature- 55 degrees F to 76 degrees F, average Cl2 residual- 2.69 mg/l

West Plant; Flow- .872 million Gallons Total, Average- 41,524 GPD, Rain-3.25 inches,
Temperature- 58 degrees F to 75 degrees F, average Cl2 residual- 1.43 Mg/L

1. WWTP site maintenance
2. Jetted sewer lines for maintenance
3. As previously notified in the November 2020, March 2021 and July's 2021 monthly reports. TCEQ preformed an investigation on November 5, 2020, at the City of Rhome Westside WWTP based on a complaint they received that the plant was overflowing. During the investigation. Rhome received three "alleged violations". On July 9th, 2021 the City of Rhome received official notification of penalties based on the violations from the November 5th investigation. The TCEQ order assed an administrative penalty in the amount of \$7,125. TCEQ is proposing a one-time offer to defer \$1,425. Staff has submitted the requested documentations requested by TCEQ to offset the administrative penalty by submitting a Supplemental Environmental Project("SEP") of repairs and upgrades staff has completed to the West WWTP since the investigation.

Streets/Parks:

- 1) Normal preventative maintenance –trash pickup, mow, applied ant killer
- 2) Family Park/ Veterans park- weed killer and pre-emergent fertilizer
- 3) Veterans Park- pulled weed in flower bed area
- 4) Pot hole patching
- 5) Mow By well entrance
- 6) Family Park- Replaced the blue tube on the large playground equipment

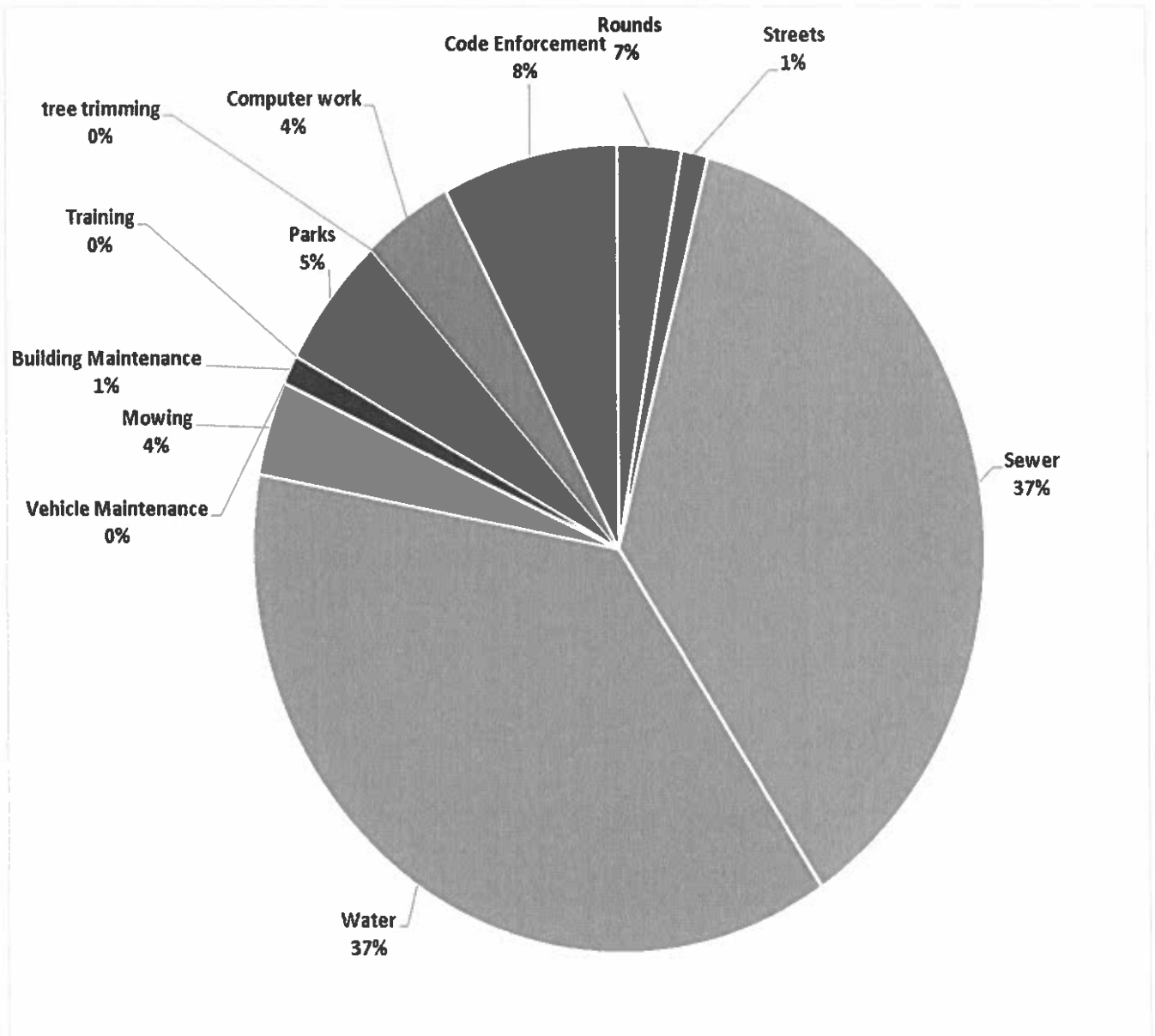
Building Maintenance:

- 1) Community center, FD and PW building- Contractor started repairs to the roof based on TML inspection for storm damage.

Construction:

- 1) East WWTP Equalization Basin project- Project is currently 90% complete. In November we will start test start the new equipment and training.
- 1) Daily water production reporting

- 2) Daily chlorine reporting
- 3) Daily wastewater production reporting
- 4) Daily wastewater chlorine reporting
- 5) Daily employee production reporting



If you would like to discuss any items noted above, please do not hesitate to contact me;

Sean Densmore

Public Works Director

OFFICE OF COURT ADMINISTRATION
TEXAS JUDICIAL COUNCIL



OFFICIAL MUNICIPAL COURT MONTHLY REPORT

Month 10 Year 2021

Municipal Court for the city of: **RHOME**

Judge JIM MINTER

If new, date assumed office _____

Court Mailing Address P.O. BOX 228 501 SOUTH MAIN STREET

City RHOME, TX ZIP 76078

Phone Number (817) 636 - 2333

Fax Number (817) 636 - 2465

Court's Public Email MUNICIPALCOURT@CITYOFRHOME.COM

Court's Website _____

THE ATTACHED IS A TRUE AND ACCURATE REFLECTION OF THE RECORDS OF THIS COURT

Prepared by KRISTI ADAMS

Date 2021-11-11

Phone Number (817) 636 - 2333

PLEASE RETURN THIS FORM NO LATER THAN 20 DAYS FOLLOWING THE END OF THE MONTH REPORTED TO:

OFFICE OF COURT ADMINISTRATION
PO BOX 12066
AUSTIN, TX
78711-2066

PHONE: (512) 463-1625
FAX: (512) 936-2423

CRIMINAL SECTION

Court RHOME 0101	Traffic Misdemeanors			Non-Traffic Misdemeanors		
Month 10 Year 2021	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
1. Total Cases Pending First of Month:	5208	23	4	407	1033	27
a. Active Cases	512	3	1	33	50	3
b. Inactive Cases	4696	20	3	374	983	24
2. New Cases Filed	53	1	1	3	2	0
3. Cases Reactivated	33	0	0	2	9	0
4. All Other Cases Added	0	0	0	0	0	0
5. Total Cases on Docket	598	4	2	38	61	3
6. Dispositions Prior to Court Appearance or Trial:						
a. Uncontested Dispositions	48	2	0	4	5	0
b. Dismissed by Prosecution	8	0	0	0	1	0
7. Dispositions at Trial:						
a. Convictions:						
1) Guilty Plea or Nolo Contendere	0	0	0	0	0	0
2) By the Court	0	0	0	0	0	0
3) By the Jury	0	0	0	0	0	0
b. Acquittals:						
1) By the Court	0	0	0	0	0	0
2) By the Jury	0	0	0	0	0	0
c. Dismissed by Prosecution	3	0	0	0	1	0
8. Compliance Dismissals:						
a. After Driver Safety Course	3					
b. After Deferred Disposition	2	0	1	0	0	0
c. After Teen Court	0	0	0	0	0	0
d. After Tobacco Awareness Course					0	
e. After Treatment for Chemical Dependency				0	0	
f. After Proof of Financial Responsibility	6					
g. All Other Transportation Code Dismissals	4	0	0	0	0	0
9. All Other Dispositions	0	0	0	0	0	0
10. Total Cases Disposed	74	2	1	4	7	0
11. Cases Placed on Inactive Status	10	0	0	2	1	0
12. Total Cases Pending End of Month:	5187	22	4	406	1028	27
a. Active Cases	514	2	1	32	53	3
b. Inactive Cases	4673	20	3	374	975	24
13. Show Cause Hearings Held	3	0	0	0	1	0
14. Cases Appealed:						
a. After Trial	0	0	0	0	0	0
b. Without Trial	0	0	0	0	0	0

CIVIL/ADMINISTRATIVE SECTION

Court RHOME 0101	
Month 10 Year 2021	TOTAL CASES
1. Total Cases Pending First of Month:	0
a. Active Cases	0
b. Inactive Cases	0
2. New Cases Filed	0
3. Cases Reactivated	0
4. All Other Cases Added	0
5. Total Cases on Docket	0
DISPOSITIONS	
6. Uncontested Civil Fines or Penalties	0
7. Default Judgments	0
8. Agreed Judgments	0
9. Trial/Hearing by Judge/Hearing Officer	0
10. Trial by Jury	0
11. Dismissed for Want of Prosecution	0
12. All Other Dispositions	0
13. Total Cases Disposed	0
14. Cases Placed on Inactive Status	0
15. Total Cases Pending End of Month:	0
a. Active Cases	0
b. Inactive Cases	0
16. Cases Appealed:	
a. After Trial	0
b. Without Trial	0

JUVENILE/MINOR ACTIVITY

Court RHOME 0101	
Month 10 Year 2021	TOTAL
1. Transportation Code Cases Filed	0
2. Non-Driving Alcoholic Beverage Code Cases Filed	2
3. Driving Under the Influence of Alcohol Cases Filed	0
4. Drug Paraphernalia Cases Filed	0
5. Tobacco Cases Filed	0
6. Truancy Cases Filed	0
7. Education Code (Except Truancy) Cases Filed	0
8. Violation of Local Daytime Curfew Ordinance Cases Filed	0
9. All Other Non-Traffic Fine-Only Cases Filed	0
10. Transfer to Juvenile Court:	
a. Mandatory Transfer	0
b. Discretionary Transfer	0
11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct)	0
12. Held in Contempt by Criminal Court (Fined and/or Denied Driving Privileges)	0
13. Juvenile Statment Magistrate Warning:	
a. Warnings Administered	0
b. Statements Certified	0
14. Detention Hearings Held	0
15. Orders for Non-Secure Custody Issued	0
16. Parent Contributing to Nonattendance Cases Filed	0

ADDITIONAL ACTIVITY

Court RHOME 0101		
Month 10	Year 2021	
	NUMBER GIVEN	REQUEST FOR COUNSEL
1. Magistrate Warnings:		
a. Class C Misdemeanors	0	
b. Class A and B Misdemeanors	0	0
c. Felonies	0	0
		TOTAL
2. Arrest Warrants Issued:		
a. Class C Misdemeanors		8
b. Class A and B Misdemeanors		0
c. Felonies		0
3. Capiases Pro Fine Issued		0
4. Search Warrants Issued		0
5. Warrants for Fire, Health and Code Inspections Issued		0
6. Examining Trials Conducted		0
7. Emergency Mental Health Hearings Held		0
8. Magistrate's Orders for Emergency Protection Issued		0
9. Magistrate's Orders for Ignition Interlock Device Issued		0
10. All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond		0
11. Driver's License Denial, Revocation or Suspension Hearings Held		0
12. Disposition of Stolen Property Hearings Held		0
13. Peace Bond Hearings Held		0
14. Cases in Which Fine and Court Costs Satisfied by Community Service:		
a. Partial Satisfaction		0
b. Full Satisfaction		0
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit		6
16. Cases in Which Fine and Court Costs Waived for Indigency		0
17. Amounts of Fines and Court Costs Waived for Indigency		\$ 0.00
18. Fines, Court Costs and Other Amounts Collected:		
a. Kept by City		
b. Remitted to State		
c. Total		

RECEIVED
12/20/80
12/20/80

October 2021 Code Report

Case Detail Report

10/01/2021 - 10/31/2021

Case # ↕	Case Date ↕	Main Status	↕ Description ↕	End Date ↕	Parcel Address ↕
111	10/29/2021	Active	tall grass	11/8/2021	199 N OLD MILL ROAD
110	10/29/2021	Active	tall grass	11/8/2021	121 KINGS WAY DRIVE
109	10/29/2021	Active	tall grass	11/8/2021	121 N REDBUD COURT
108	10/29/2021	Active	tall grass	11/8/2021	141 N REDBUD COURT
107	10/29/2021		tall grass	11/8/2021	601 OLD MILL ROAD
106	10/29/2021	Active	tall grass	11/8/2021	120 B C RHOME
105	10/29/2021	Active	tall grass	11/8/2021	0 W B C RHOME
104	10/29/2021	Active	tall grass	11/8/2021	198 E LOGAN STREET
103	10/29/2021	Active	tall grass	11/8/2021	235 W FIRST
89	10/1/2021	Active	tall grass	10/11/2021	1309 SPEEDWAY DRIVE



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhome, Texas 76078

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

www.cityofrhome.com cityadministrator@cityofrhome.com

AGENDA ITEM J

**CITY OF RHOME
ORDINANCE NO. 2021 – 22**

An ORDINANCE canvassing the returns and declaring the results of the bond election held November 2, 2021

WHEREAS, an election was held in the City of Rhome, Texas on the 2nd day of November, 2021, for the purpose of submitting certain propositions for the issuance of bonds to the resident electors of the City; and

WHEREAS, it is hereby found and determined that notice of the election was duly given in the form, manner and time required by law, and said election was in all respects legally held and conducted in accordance with applicable laws of the State of Texas and the proceedings calling and governing the holding of such election; and

WHEREAS, the returns of said election have been duly and legally made and submitted to the City Council for canvassing, and a tabulation of the returns for the polling place and for early voting, as canvassed and tabulated by this governing body, reflect that the total sum of votes counted "FOR" and "AGAINST" the propositions submitted is as follows:

BOND PROPOSITION A

"THE ISSUANCE OF NOT TO EXCEED \$5,760,000 OF CITY OF RHOME, TEXAS GENERAL OBLIGATION BONDS FOR A CITY SERVICES CAMPUS, AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS"

"FOR" 100 votes

"AGAINST" 195 votes

BOND PROPOSITION B

"THE ISSUANCE OF NOT TO EXCEED \$4,000,000 OF CITY OF RHOME, TEXAS GENERAL OBLIGATION BONDS FOR STREET IMPROVEMENTS, AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS"

"FOR" 88 votes
"AGAINST" 209 votes

BOND PROPOSITION C

"THE ISSUANCE OF NOT TO EXCEED \$150,000 OF CITY OF RHOME, TEXAS GENERAL OBLIGATION BONDS FOR THE PARKS AND RECREATIONAL FACILITIES, AND THE IMPOSITION OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS"

"FOR" 98 votes
"AGAINST" 198 votes

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RHOME, TEXAS:

SECTION 1: All of the recitals contained in the preamble of this ordinance are found to be true and are adopted as findings of fact by this governing body and as part of its judgment.

SECTION 2: It is further found and determined that the results of the election are as canvassed and tabulated in the preamble hereof and a majority of the electors voting at said election voted against Propositions A, B and C.

SECTION 3: The City Administrator or other appropriate City official is hereby authorized and directed to make the appropriate entries of information appearing in the tabulation of precinct results in the election register maintained by the City in accordance with provisions of Section 67.006 of the Election Code.

PASSED AND APPROVED, this the 15th day of November, 2021.

CITY OF RHOME, TEXAS

Mayor, City of Rhome, Texas

ATTEST:

Cynthia Northrop, MPA, CPM,
City Administrator

APPROVED AS TO FORM:

Carvan E. Adkins
City Attorney



(City Seal)

Canvass Results Report

Official

Run Time

10:01 AM

Run Date

11/05/2021

Wise County, TX

CONSTITUTIONAL AMENDMENT AND JOINT ELECTION

11/2/2021

Page 17

Unofficial Results

Registered Voters

4032 of 47138 = 8.55%

Precincts Reporting

25 of 25 = 100.00%

City of Rhome, Texas Proposition A - Vote For or Against

Precinct	FOR	AGAINST	Cast Votes	Absentee Voting Ballots Cast	Early Voting Ballots Cast	Election Day Voting Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
24	100	195	295	4	162	131	297	1,122	26.47%
25	0	0	0	0	0	0	0	3	0.00%
Totals	100	195	295	4	162	131	297	1,125	26.40%

City of Rhome, Texas Proposition B - Vote For or Against

Precinct	FOR	AGAINST	Cast Votes	Absentee Voting Ballots Cast	Early Voting Ballots Cast	Election Day Voting Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
24	88	209	297	4	162	131	297	1,122	26.47%
25	0	0	0	0	0	0	0	3	0.00%
Totals	88	209	297	4	162	131	297	1,125	26.40%

Canvass Results Report

Official

Run Time

10:01 AM

Run Date

11/05/2021

Wise County, TX

CONSTITUTIONAL AMENDMENT AND JOINT ELECTION

11/2/2021

Page 19

Unofficial Results

Registered Voters

4032 of 47138 = 8.55%

Precincts Reporting

25 of 25 = 100.00%

City of Rhome, Texas Proposition C - Vote For or Against

Precinct	FOR	AGAINST	Cast Votes	Absentee Voting Ballots Cast	Early Voting Ballots Cast	Election Day Voting Ballots Cast	Total Ballots Cast	Registered Voters	Turnout Percentage
24	98	198	296	4	162	131	297	1,122	26.47%
25	0	0	0	0	0	0	0	3	0.00%
Totals	98	198	296	4	162	131	297	1,125	26.40%



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhome, Texas 76078

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

www.cityofrhome.com cityadministrator@cityofrhome.com

AGENDA ITEM K



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhode, Texas 76078

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

www.cityofrhode.com cityadministrator@cityofrhode.com

AGENDA ITEM L



Agenda Commentary

Meeting Date: November 15, 2021

Department: Planning & Zoning

Contact: Cynthia Northrop

- Agenda Item:**
- L. Discussion and any necessary action regarding a change in the current zoning of Residential to Retail of properties being legally described as:
 - Acres: 0.340, Lot: 1 & PT 2, Blk: A, Subd: GRANDVIEW ADDITION otherwise known as 300 South Main Street, Rhome, Texas
 - Legal: Acres: 0.323, Lot: 2 & PT3, Blk: A, Subd: GRANDVIEW ADDITION otherwise known as 330 Main Street, Rhome, Texas
 - Acres: 0.327, Lot: PT5, Blk: A, Subd: GRANDVIEW ADDITION, otherwise known as 125 Logan, Rhome, Texas.

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

Summary-Background:

Council recently took action on P&Z's recommendation to:

1. Re-zone property being legally described as Acres: 0.367, Lot: 4 & PT3, Blk: A, Subd: GRANDVIEW ADDITION, otherwise known as 360 South Main Street, Rhome, Texas.
2. Re-zone the remaining properties in the block abutting Main Street to be consistent with the Future Land Use Plan

This action will change the remaining abutting properties on Main Street from Residential to Retail.

Notices of the zoning change request and Public Hearing have been sent to properties within 200 ft as well as the actual three property owners directly impacted by this zoning request.

P&Z met Monday, November 1, 2021 and recommended approval of re-zoning the remaining three properties abutting Main Street from Residential to Retail.

As a reminder, according to our Zoning Ordinance, 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.

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:** ☐

Supporting Documents Attached:

P&Z PH Packet

Recommendation:

Recommend approval of the Zoning Request from Residential to Retail for the three properties described above that are abutting Main Street.

**CITY OF RHOME, TEXAS
ORDINANCE NO. 2021-21**

- **AN ORDINANCE AMENDING THE ZONING CODE OF RHOME, CHANGING THE ZONING OF A CERTAIN PROPERTY, SPECIFICALLY ACRES: ACRES: 0.340, LOT: 1 & PT 2, BLK: A, SUBD: GRANDVIEW ADDITIONAL OTHERWISE KNOWN AS 300 SOUTH MAIN STREET, RHOME, TX; AND LEGAL: ACRES: 0.323, OT: 2 & PT3, BLK: A, SUBD: GRANDVIEW ADDITION OTHERWISE KNOWN AS 330 MAIN STREET RHOME, TX; AND ACRES: 0.327, LOT: PT5, BLK: A, SUBD: GRANDVIEW ADDITION, OTHERWISE KNOWN AS 125 LOGAN, RHOME, TX, CURRENTLY ZONED AS RESIDENTIAL TO RETAIL; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE, PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Rhome is a Type A general law city acting under its powers granted to it pursuant to state law, including Chapters 6 and 211 of the Texas Local Government Code; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, and providing for a method to amend said ordinance and map for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, a change in the zoning of the properties listed below was requested by persons or entities having a proprietary interest in those properties; and

WHEREAS, a public hearing was held at a meeting of the Planning and Zoning Commission on November 1, 2021, and the City Council on November 15, 2021, with respect to the proposed use changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with the comprehensive zoning ordinance and chapter 211 of the Local Government Code; and

WHEREAS, the City Council does hereby deem it advisable and in the public interest to amend The Comprehensive Zoning Ordinance, as amended, as described herein; and

WHEREAS, the proposed change is consistent with the City's current comprehensive land use plan; current and future.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RHOME, TEXAS;

**SECTION 1
PROPERTY RE-ZONED**

THAT, The Zoning Code of Rhome, as amended, is hereby amended by rezoning the following property:

ACRES: 0.340, LOT: 1 & PT 2, BLK: A, SUBD: GRANDVIEW ADDITIONAL OTHERWISE KNOWN AS 300 SOUTH MAIN STREET, RHOME, TX; AND LEGAL: ACRES: 0.323, OT: 2 & PT3, BLK: A, SUBD: GRANDVIEW ADDITION OTHERWISE KNOWN AS 330 MAIN STREET RHOME, TX; AND ACRES: 0.327, LOT: PT5, BLK: A, SUBD: GRANDVIEW ADDITION, OTHERWISE KNOWN AS 125 LOGAN, RHOME, TX

to Retail.

**SECTION 2
ACCORDANCE WITH COMPREHENSIVE PLAN AND PURPOSES OF ZONING**

The City Council finds that the changes to the zoning districts, boundaries, regulations and uses as herein established have been made in accordance with the City's zoning code and comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community. They have been designed to efficiently plan, control and organize development, lessen congestion in the streets, secure safety from fire, panic, flood and other dangers, provide adequate light and air, prevent overcrowding of land, avoid undue concentration of population, and facilitate the adequate provision of transportation, water, sewerage, parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

**SECTION 3
DIRECTION TO AMEND THE OFFICIAL ZONING MAP**

The City Administrator is hereby directed to amend the official zoning map to reflect the changes in uses approved herein.

**SECTION 4
PROPERTY SUBJECT TO ZONING ORDINANCE**

The use of the properties hereinabove described shall be subject to all the applicable regulations contained in the Zoning Code of Rhome and all other applicable and pertinent ordinances of the City of Rhome, Texas, for the zoning district into which they have been assigned.

SECTION 5
ORDINANCE CUMULATIVE

This Ordinance shall be cumulative of all other ordinances of the City of Rhome affecting zoning and land use, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance in which case the provisions of this ordinance shall control.

SECTION 6
PENALTY

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense. In addition, any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance may be subjected to such civil penalties as authorized by law.

SECTION 7
RESERVATION OF RIGHTS AND REMEDIES FOR ACCRUED VIOLATIONS

All rights or remedies of the City are expressly saved as to any and all violations of the Zoning Code of Rhome, as amended, or any other ordinance affecting zoning and land use that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

SECTION 8
SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 9
PUBLICATION**

The City Secretary of the City of Rhome is hereby directed to publish in the official newspaper of the City the caption, penalty clause, and effective date clause of this ordinance as required by law.

**SECTION 10
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED by the City Council of the City of Rhome, Texas, this the 14th day of October 2021.

Jo Ann Wilson,
Mayor

[SEAL]

ATTEST:

APPROVED AS TO FORM:

Cynthia Northrop, MPA, CPM
City Administrator

Carvan E. Adkins,
City Attorney



October 22, 2021

Property Owner
Street Address
City State & Zip

Dear Property Owner,

As you are aware, we had a recent request from a nearby property owner to re-zone from Residential to Retail. The Planning & Zoning Commission recommended Council approval along with recommending Council consider being proactive to re-zone the remaining three residential properties that abut Main Street to Retail to be in alignment with the City of Rhome's Future Land Use Plan where all properties that abut Main Street are Retail.

Rhome City Council met Thursday, October 14 and confirmed P&Z's recommendation to re-zone the applicant's property from Residential to Retail as well as directing staff to begin the re-zoning of the remaining three properties as recommended by P&Z.

Please see included notifications on this process. The P & Z Commission will conduct a Public Hearing and then consider this item on Monday, November 1, 2021, followed by City Council Public Hearing on November 15th.

Please do not hesitate to contact me (817.636.2462) should you have any questions.

Sincerely,

Cynthia Northrop, City Administrator/Zoning Administrator
City of Rhome



501 South Main Street | PO Box 228

Rhome, Texas 76078

Telephone: 817-636-2462

www.cityofrhome.com | citysecretary@cityofrhome.com

October 22, 2021

<NAME>

<STREET ADDRESS>

<CITY, STATE AND ZIP>

RE: Public Hearings for Rezoning Request

Dear <NAME>;

The City of Rhome Planning and Zoning Commission will hold a Public Hearing on Monday, November 1, 2021 at 6:00pm for the purpose of hearing comments regarding a change to the zoning of properties being legally described as:

- Acres: 0.340, Lot: 1 & PT 2, Blk: A, Subd: GRANDVIEW ADDITION otherwise known as 300 South Main Street, Rhome, Texas
- Legal: Acres: 0.323, Lot: 2 & PT3, Blk: A, Subd: GRANDVIEW ADDITION otherwise known as 330 Main Street, Rhome, Texas
- Acres: 0.327, Lot: PT5, Blk: A, Subd: GRANDVIEW ADDITION, otherwise known as 125 Logan, Rhome, Texas.

The change is from the current zoning of Residential to Retail.

In addition, the City of Rhome City Council will hold a Public Hearing on Monday, November 15, 2021 at 7:00pm on the same matter.

Both meetings will be held at the Rhome Community Center, 261 North School Road, Rhome, Texas.

You are welcome to attend both Public Hearings to provide oral testimony. Both agendas will be posted no later than 72 hours prior to the meeting at <http://www.cityofrhome.com/calendar.html>.

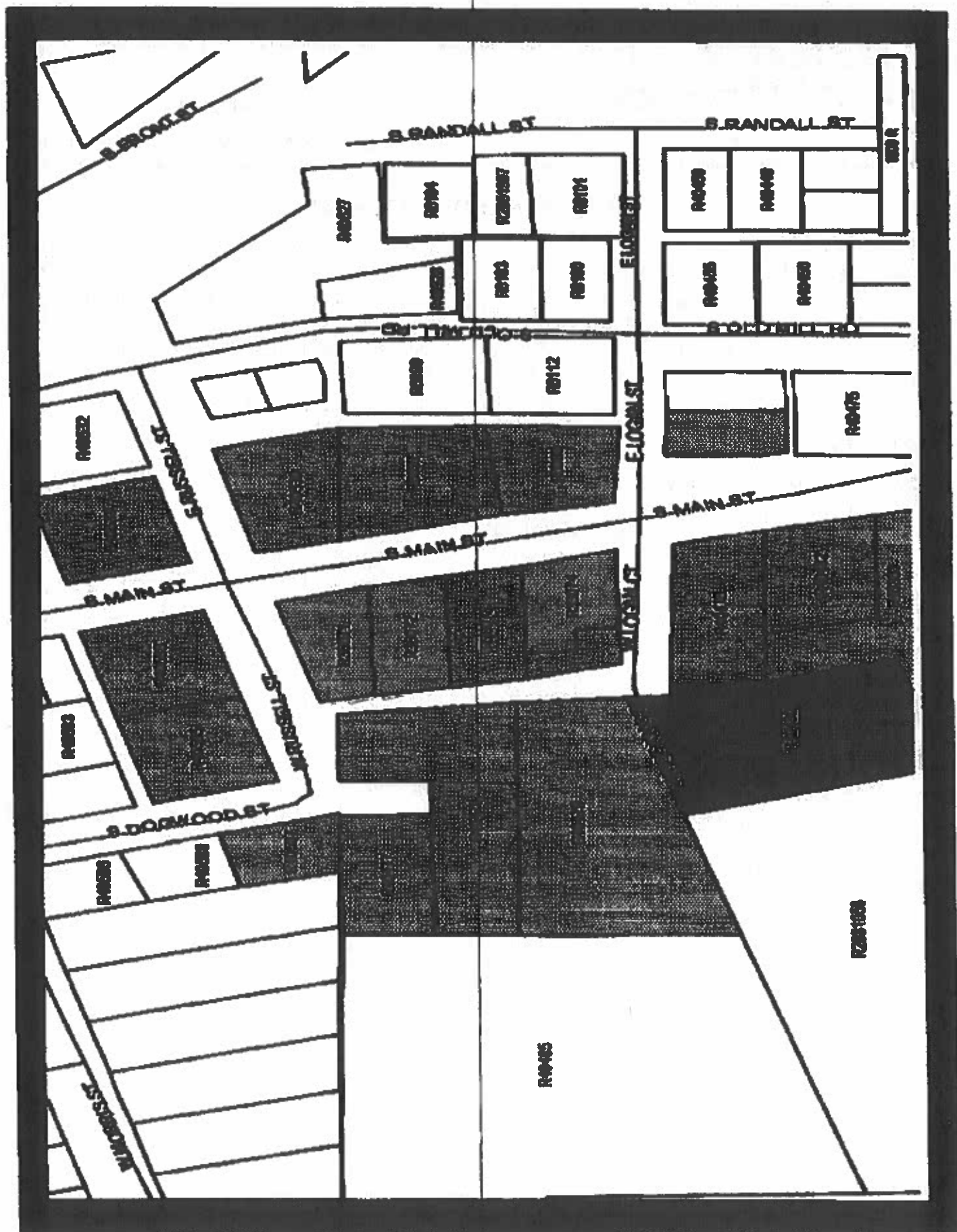
The agendas will have call in information for LIVE streaming. If you prefer, you may return the enclosed Notification Reply Form in person to City Hall, 501 South Main Street, Rhome, Texas, by mail to PO Box 228, Rhome, Texas 76078, or by email to City Secretary at citysecretary@cityofrhome.com. The City Secretary will read your comments at both meetings.

Please do not hesitate to contact City Administrator Cynthia Northrop at 817-636-2462 or by email at cityadministrator@cityofrhome.com if you have any questions or concerns regarding this request.

Sincerely,

Shannon Montgomery, TRME
City Secretary

Enclosures





501 South Main Street | PO Box 228

Rhome, Texas 76078

Telephone: 817-636-2462

www.cityofrhome.com | citysecretary@cityofrhome.com

PUBLIC HEARING NOTIFICATION REPLY

**Public Hearing
Notice for Property:**

- Acres: 0.340, Lot: 1 & PT 2, Blk: A, Subd: GRANDVIEW ADDITION otherwise known as 300 South Main Street, Rhome, Texas
- Legal: Acres: 0.323, Lot: 2 & PT3, Blk: A, Subd: GRANDVIEW ADDITION otherwise known as 330 Main Street, Rhome, Texas
- Acres: 0.327, Lot: PT5, Blk: A, Subd: GRANDVIEW ADDITION, otherwise known as 125 Logan, Rhome, Texas.

Type of Request: The request is to change the current zoning of Residential to Retail.

P&Z PH Date Monday, November 1, 2021 at 6pm

City Council PH Date: Monday, November 15, 2021 at 7pm

PLEASE PRINT LEGIBLY

Property Owner Name:

Property Owner Address:

Property Owner Telephone:

Property Owner Email:

PLEASE CHECK ONE

☐

I am **IN FAVOR** of the Proposed Request

☐

I am **OPPOSED** to the Proposed Request

COMMENTS

Property Owner Signature

Date



501 South Main Street | PO Box 228

RhOME, Texas 76078

Telephone: 817-636-2462

www.cityofrhome.com | citysecretary@cityofrhome.com

PUBLIC HEARING NOTIFICATION REPLY

- Public Hearing Notice for Property:**
- Acres: 0.340, Lot: 1 & PT 2, Blk: A, Subd: GRANDVIEW ADDITION otherwise known as 300 South Main Street, RhOME, Texas
 - Legal: Acres: 0.323, Lot: 2 & PT3, Blk: A, Subd: GRANDVIEW ADDITION otherwise known as 330 Main Street, RhOME, Texas
 - Acres: 0.327, Lot: PT5, Blk: A, Subd: GRANDVIEW ADDITION, otherwise known as 125 Logan, RhOME, Texas.

Type of Request: The request is to change the current zoning of Residential to Retail.

P&Z PH Date Monday, November 1, 2021 at 6pm

City Council PH Date: Monday, November 15, 2021 at 7pm

PLEASE PRINT LEGIBLY

Property Owner Name:

Haiping WARNER

Property Owner Address:

125 West Logan St, RhOME, Texas

Property Owner Telephone:

Property Owner Email:

PLEASE CHECK ONE



I am IN FAVOR of the Proposed Request



I am OPPOSED to the Proposed Request

COMMENTS

Haiping Warner

Property Owner Signature

10-25-2021

Date



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhode, Texas 76078

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

www.cityofrhode.com cityadministrator@cityofrhode.com

AGENDA ITEM M



Agenda Commentary

Meeting Date: Monday, November 15, 2021

Department: Public Works

Contact: Sean Densmore

Agenda Item: M . Discussion and any necessary action regarding an Ordinance(s) pertaining to the maintenance of Right-of-Ways, Easements and Alleyways

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

Summary-Background:

The proposed ordinance is to clarify the responsibilities of the property owner or occupant of the property to maintain the easements, alleys, drainage areas and rights-of-way of adjacent properties. This ordinance also address the responsibility of the adjacent property requirements to maintain and remove grass and debris along the curb line and sidewalks. The ordinance follows best practice procedures that other cities within the area and around Texas have adopted.

Funding Expected: ☐ Revenue ☐ Expenditure ☒ N/A

Budgeted Item: ☐ Yes ☐ No ☒ N/A

Funding Account: _____ **Amount:** _____

Legal Review Required: ☐ N/A ☒ Required **Date Completed:** _____

Supporting Documents attached:

1. Ordinance is attached

Recommendation: Council approve the updated ordinance as it is presented

**CITY OF RHOME, TEXAS
CITY OF RHOME ORDINANCE NO. 2021- 23**

AN ORDINANCE AMENDING CHAPTER 6 HEALTH AND SANITATION, ARTICLE 6.01 GENERAL PROVISIONS; AND AMENDING DIVISION 6.03 HEALTH AND SANITATION NUISANCES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Rhome is a Type A general law city acting under its powers granted to it pursuant to state law, including Chapters 6 and 211 of the Texas Local Government Code; and

WHEREAS, pursuant to Chapter 217 of the Texas Government Code, the City may define and declare what constitutes a nuisance, and pursuant to Chapter 121 of the Texas Health and Safety Code, the City may enforce laws necessary to protect the public health, and pursuant to Chapter 51 of the Local Government Code, the City may adopt or amend an ordinance that is for the good government, peace, or order of the municipality, and is necessary or proper for carrying out a power granted by law to the municipality; and

WHEREAS, the City of Rhome Ordinances pertaining to grass, weeds, tree limbs, and other health and sanitation nuisances was passed in 1999, and need to be updated to function efficiently and properly, for the good government of the City; and

WHEREAS, the City Council of the City does hereby deem it advisable and in the public interest to amend Chapter Six of the Code of Ordinances, as amended, as described herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RHOME, TEXAS:

SECTION 1.

RENUMBERED ORDINANCES IN CHAPTER SIX HEALTH AND SANITATION

Chapter Six HEALTH AND SANITATION, Article 6.03 HEALTH AND SANITATION NUISANCES, of the City's Code of Ordinances is hereby amended by renumbering the following statutes, which language will remain entirely unchanged aside from the amended numeration:

The current Section 6.03.004 shall be renumbered to 6.03.005

The current Section 6.03.005 shall be renumbered to 6.03.006

SECTION 2.
AMENDED SECTION 6.01.002

Chapter Six HEALTH AND SANITATION, Article 6.01 GENERAL PROVISIONS Section 6.01.002
Impairing Drainage, is hereby amended to read as follows:

6.01.002 Drainage

- (a) It shall be unlawful for any person to throw or place in any street, alley, drainage ditch, or gutter, any trash, tin, shavings, refuse, or other matter whatsoever, so as to prevent the free passage of water or cause same to stagnate therein. It shall likewise be unlawful for any person installing or repairing water, gas, or service pipes to leave any street, alley, drainage ditch, or gutter in such condition as to impair the drainage of same.
- (b) Natural drainageways shall be the responsibility of the owner or adjacent property owner to routinely maintain all creeks, streams and natural drainageways on his property. This shall include periodic removal of fallen tree limbs and underbrush periodic rough mowing removal of trash and debris and general upkeep to maintain a positive flow of stormwater within the drainageway.
- (c) Bar ditches and culverts shall be the responsibility of the individual landowner or adjacent property owner. This shall include periodic removal of underbrush, periodic rough mowing removal of trash and debris, and general upkeep of the bar ditch or culvert, to maintain a positive flow of stormwater within the bar ditch or culvert. Maintenance shall also include periodic cleaning of culverts to remove all sediment or other hindrances to the flow of water. Culverts shall be replaced by the owner should any structural failure in the culvert potentially impede the flow of stormwater.
- (d) Property subject to a drainage easement shall be maintained by property owner or adjacent property owner.

SECTION 3.
AMENDED SECTION 6.03.002

Chapter Six HEALTH AND SANITATION, Article 6.03 HEALTH AND SANITATION NUISANCES,
Section 6.03.002 Prohibited Acts and Conditions, is hereby amended, and subsection (t) is hereby struck,
and subsection (u) is hereby amended to be renumbered as subsection (t).

SECTION 4.
NEW SECTION 6.03.004

Chapter Six HEALTH AND SANITATION, Article 6.03 HEALTH AND SANITATION NUISANCES, is hereby amended to create a new Section 6.03.004 to read as follows:

6.03.004 Height limitations as to weeds, grass, uncultivated vegetation, and tree limbs and branches.

- (a) A person commits an offense if he is an owner, occupant, or person in control of occupied or unoccupied, adjoining any property or contiguous to a public right-of-way, easements and drainageways within the premises in the city and permits
 - (1) Weeds, grass, or other vegetation located on the premises to grow to a height greater than twelve (12) inches; or
 - (2) Tree limbs or branches located on the premises to grow at height lower than:
 - (i) thirteen and one-half (13.5) vertical feet above a street;
 - (ii) seven (7) feet above a sidewalk;
 - (iii) or twelve (12) feet above an alley.
- (b) The following shall be exempt from the requirements of subsection (a)(1) herein:
 - (1) Agricultural crops;
 - (2) Hay that is grown for the specific purpose of cultivation, provided that the property is mowed and baled at least once every sixty (60) calendar days;
 - (3) Cultivated trees or shrubs; and
 - (4) Wildflowers, but only until such time as seeds have matured following the final blooming of the majority of the plants.
- (c) Under any of the exemptions in 6.03.004(b), it shall be an offense to permit weeds, grass, or other vegetation located within fifty (50) feet of public rights-of-way or adjacent developed properties to grow to a height greater than twelve (12) inches.
- (d) It shall be unlawful for any owner, occupant, person in control of a premises, adjoining any property or contiguous to a public right-of-way, easements and drainageways within the corporate limits of the city to allow debris, grass, weeds, or other vegetation over twelve (12) inches in height to grow on the area adjacent to the property line including public right-of-way, curb line, sidewalk, parkway, or alleyway as measured from the

property line to the curb or pavement edge; or if no paving exists to the center of the right-of-way or alley.

- (e) It shall be the duty of any owner, occupant, or person in control of any lot, tract, or parcel of land or any portion thereof, to cut or cause to be cut and removed as necessary to comply with this section, all such grass, weeds or vegetation on the property as often as may be necessary to comply with the provisions of this section
- (f) Creeks and natural areas approved by the city shall be exempt from these requirements.
- (g) It shall be unlawful for any owner, occupant, or person in control of a premises, adjoining any property or contiguous to a public right-of-way, easements and drainageways within the corporate limits of the city, to allow any vegetation growing or dirt to encroaching upon the surface of any portion of an improved right-of-way, sidewalk, curb line or edge of pavement between roadway and curb line.

SECTION 5. PROVISIONS CUMULATIVE

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 6. PROVISIONS SEVERABLE

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 7. RIGHTS AND REMEDIES SAVED

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the City Code amended or revised herein, or any other ordinances affecting the matters regulated herein which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 8.
PUBLICATION**

The City Secretary is directed to publish the caption, penalty clause, publication clause and effective date of this Ordinance to the extent required by law.

**SECTION 9.
PUBLICATION IN BOOK OR PAMPHLET FORM**

The City Secretary is hereby authorized to publish this ordinance and the exhibits to this ordinance in book or pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof.

**SECTION 10.
PENALTY FOR VIOLATION**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined no more than Two Thousand Dollars and no cents (\$2,000.00) for each violation of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 11.
EFFECTIVE DATE**

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED THIS ____ DAY OF _____ 2021.

CITY OF RHOME, TEXAS

Mayor, Jo Ann Wilson

ATTEST:

APPROVED AS TO FORM:

Shannon Montgomery, City Secretary

Carvan Adkins, City Attorney



Physical Address: 501 South Main Street

Mailing Address: PO Box 228

Rhode, Texas 76078

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

www.cityofrhode.com cityadministrator@cityofrhode.com

AGENDA ITEM N



Agenda Commentary

Meeting Date: November 15, 2021

Department: Administration

Contact: Cynthia Northrop

Agenda Item: N. Discussion and potential action regarding a temporary construction and permanent grading easement – Quick Trip

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

Summary-Background:

Quick Trip is requesting a temporary construction and permanent easement agreement.

The site plan development in the area will require substantial dirt work as the parcel is on a hill. QT will build a retaining wall at the back of their property which abuts the City of Rhome property and is requesting a temporary construction and permanent grading easement. There will be no impact to the use of the City of Rhome's property at the location (see drawing). Staff, Engineers and attorney and have reviewed and recommend approval.

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: ☒

Supporting Documents Attached:

Yes

Recommendation:

Staff, Engineers and attorney and have reviewed and recommend approval.

Recommend approval of the temporary construction and grading easement and authorize the City Administrator to execute the agreement.

STATE OF _____ §
COUNTY OF _____ §

Temporary Construction and Permanent Grading Easement
GLS 11/12/21

2. Permanent Grading Easement. A variable width perpetual, non-exclusive easement over, across, upon and under that portion of the Easement Property, as more particularly depicted in the cross-hatched area of the Easement Property labeled as the "Grading Easement" on the attached Exhibit "D" and described on the attached Exhibit "D-1" (the "QuikTrip Permanent Grading Easement") for the purpose of installing, maintaining, repairing, replacing and utilizing alterations to the grade of the Easement Property (including both making surface grading alterations and installing a permanent below-grade retaining wall anchoring system [geogrid and/or drilled anchors] beneath the surface of the Easement Property).

3. Insurance and Indemnity. QuikTrip shall cause Grantor to be included as an additional insured on its construction contractor's insurance as to all claims, damages or actions arising out of work on the Easement Property. Further, QuikTrip shall be responsible for, and shall indemnify Grantor against any claim or loss incurred, or physical damage to the Easement Property resulting from said construction, maintenance or repair of or otherwise in connection with, the Temporary Construction and Permanent Grading Easement granted herewith.

4. Title. Grantor does hereby covenant and represent that it is lawfully seized with a valid fee simple title in the Easement Property and has the right and authority to convey the easement herein granted.

5. Miscellaneous. This Temporary Construction and Permanent Grading Easement granted herein shall run with the land and shall inure to the benefit of and be binding upon the parties hereto and their successors-in-title. This Temporary Construction and Permanent Grading Easement is binding upon the parties hereto and their successors and assigns and may not be amended or modified except in writing signed by the parties hereto or their successors or assigns.

IN WITNESS WHEREOF, the parties hereto have executed this Temporary Construction and Permanent Grading Easement as of the date first above written.

"QuikTrip"

"Grantor"

QT SOUTH, LLC

CITY OF RHOME, TEXAS

By: _____

Joseph S. Faust
Vice President

By: _____

Jo Ann Wilson
Mayor

STATE OF _____)

) ss.

COUNTY OF _____)

This instrument was acknowledged before me on this _____ day of _____ 20__, by _____, Vice President of QT South, LLC, a Texas limited liability company, on behalf of said company.

Notary Public, State of _____

My commission expires:

STATE OF _____)

) ss.

COUNTY OF _____)

This instrument was acknowledged before me on this _____ day of _____ 20__, by _____, _____ of _____, a [_____ corporation], on behalf of said [corporation].

Notary Public, State of _____

My commission expires:

EXHIBIT A
QuikTrip Property