

City of Bronte, Texas
Regular City Council Meeting Minutes
Thursday, November 15, 2018 6:30 P.M.

The City Council of the City of Bronte, Texas met in regular session in City Council Chambers, City Hall, 114 S. Washington Street, Bronte, Texas at 6:30 p.m.

6:30 P.M. City Council Convened - City Council Chambers, 114 S Washington Street, Bronte, Texas

Present: Paul Gohman, Mayor
Stormy Vaughn, Councilman
Lee Wommack, Councilman
Santiago Rodriguez, Councilman

Ricky Royall, Utilities Director
Teresa Ballard, City Secretary

Absent:

Eileen M. Hayman, City Attorney
David Bedford, Mayor Pro Tem
Steve Hines, Councilman
Sherry Bailey, Deputy City Secretary

A. Proclamations and Presentations

- A.1. Pledges of Allegiance
- A.2. Prayer, Mayor Paul Gohman

B. Citizen Comments - Any citizen wishing to appear before a regular meeting of the City Council may do so by signing up to speak at the City Council meeting itself, with regard to any item posted on the City Council agenda. Council may take comments from citizens on this matter. Citizens are allowed three minutes for comments.

No citizen comments

- 1. **Discuss/Act – Community:** - Consider and approving Christmas in Olde Bronte to hold the festivities on the grounds at the depot and surrounding area.
Discussed and vote taken for item #1 on #2.
- 2. **Discuss/Act Community:** - Consider and take action authorizing the Mayor to execute an agreement with the Texas Department of Transportation for temporary closure of State right-of-ways for the Christmas in Olde Bronte Parade.
Council discussed changing parade route to stay off the main highways for Safety purposes only. Parade route could go down Washington Street to avoid highways for safety. Sheriff's staff agreed. This should be a safer, easier route to control the parade. Last year some got lost in the route and was not clear. Lee Wommack made a motion to approve Christmas in Olde Bronte Festivities and change parade route, seconded by Santiago Rodriguez.

Vote: 3-0 motion passed

Consent Agenda - Items considered to be routine and enacted by one motion without separate discussion. If the City Council desires to discuss an item, the item is removed from the Consent Agenda and considered separately.

Consent Agenda – Minutes

- 3. October 18, 2018
Lee Wommack asked on item 2a. Any update on Howard Baker and the cemetery land. Mayor Gohman replied not at this time.
Stormy Vaughn made a motion to approve October 18 minutes, seconded by Santiago Rodriguez.
Vote: 3-0 motion passed

Consent Agenda - Discuss/Act – Finance:

- 4. Balance Sheet – September Y-T-D FY18
- 5. Revenues and Expenditures – September Y-T-D FY18
- 6. Bills Paid – October – Council Approval Report and Check Register
- 7. Balance Sheet – October

8. **Revenue and Expenditures – October – All accounts reconciled**
 Stormy Vaughn questioned the Balance Sheet – Water from Sept. 30 and Oct 30 in Revenue Section. It states \$508k labeled “Due from Trash” and it should say “Water Debt Fund”. Need to rename item 02.02.110 on the Balance Sheet. Also, on said Sept and Oct Balance Sheets per this line item, it is the same exact amount shown from one month to the other. How is that? Your report was run on Nov 9th for this Council Meeting. So, our funds have not increased in this line item for Sept, Oct and through Nov 9th? Has Robert Lee paid their water bill? Discussion was had between Teresa, Ricky and Stormy. Teresa Ballard reported when we changed from changing 02.02.443 to 02.02.554, it didn’t carry over to the new code. Teresa will research further and sent council update report. Budget report for water year end Sept 30 and Oct 1 should be straight since end year was already sent to the Auditors. Discussion was had regarding item labeled “Water Revenue” on the Revenue report and “Water Debt” on the Revenue report and how 50/50 spit to cover expenses. Stormy Vaughn states consistency in reporting is necessary. The new fiscal year starting Oct 1, should be set in stone on how the rest of the reporting for the year should be done. Lee Wommack asks why the “insurance” column doesn’t match? Teresa Ballard explains that measures have been taken to correct the problem in the future.

As far as approving the previous month’s reports that weren’t reconciled, the auditors gave the Mayor the choice to approve individual months or the final month (being the last report of Sept 30 of the fiscal year). Mayor chooses the final year end reports to be approved since it captures all twelve months of data.

Lee Wommack made a motion to approve items 4-8, seconded by Santiago Rodriguez.

Vote: 2-1, Stormy Vaughn voted No, motion passed

Regular Agenda

9. **Discuss – Public Safety: Fire Department Report**
 Ray Barnett reported slow month, went to citizens house bees coming in vent-a-hood, FD contact Brian Schwecker. BVFD had two fundraisers; fund run and washing pitching contest at the Bronteoberfest. Firefighters attended training in San Angelo by Teek. Ten sets of bunker gear have come in. Will be working on the electrical to the new station.

Discussion only, no action taken

10. **Discuss – Public Safety: Sheriff’s Enforcement Report**
 Activity Log as follows:
 Calls for ordinance enforcement – 5
 Officer ordinance notifications from city hall – 0
 Ordinance warnings issued: 0 verbal; 0 written
 Ordinance citations issued: 0

Discussion only, no action taken

11. **Discuss – Animal Services: Animal Report**
 Cats – 13
 Possum – 2
 Raccoons – 2
 Surrendered cats - 12

Discussion only, no action taken

Consent Agenda

12. **Discuss/Act – Animal Services: Livestock Permits**
 None to report

Consent Agenda

- Discuss/Act – Code Enforcement: Permits**
13. a. Follow-up Original 02/09/2018 permit – approved for 6 months - 202 S Franklin; Lynn Pate; storage building – Council tabled at October council meeting. Council discussed that Lynn Pate will be tearing down walls of the building. He will need extra time due to health issues.
- b. 323 N Randall, Herbert Hoover, Garage
 c. 410 Key, John Burdett, Storage Building
 d. 515 W Main, Conrad Plummer, Storage

- e. 202 SW Railroad St., Mica Carper, Carport
Council discussed with Ricky Royall and only item e the poles that were placed were in the right-a- way. Resident will move poles back to be in compliance.
Santiago Rodriguez made a motion to approve all permits as discussed, seconded by Stormy Vaughn
Vote: 3 – 0 motion passed
14. **Discuss/Act – Economic Development:** EDC Report from EDC Representative
Marlene Vaughn reported a new sign has been ordered to help promote prison property; all business owners have sent information/application “Store Front” grants application. One application has been completed. Members are working on location placement of poles for the BIG banners.
Discussion only, no action taken
15. **Discuss/Act – Economic Development – Consider Gwen Dyess to EDC 4B as a board member**
Lee Wommack made a motion to approve Gwen Dyess as a board member to EDC 4B, seconded by Santiago Rodriguez.
Vote: 3-0, motion passed
16. **Discuss/Act – Community Development: Depot – Consider what to do with the Depot**
Council discussed options. Ricky Royall will compile a list of repairs. Helipad will need to be relocated. Lee Wommack will get requirements from Air-med. Update findings at next council meeting.
Discussion only, no action taken
17. **Discuss/Act – Economic Development: Update on land behind the Depot**
Mayor Gohman said we need to broaden our scope. It has been zones as a neighborhood zoned. Council discussed other options to use this land. Until the city gets cleaned up no one will want to build; a helicopter pad will work. We need a general plan.
Discussion only, no action taken
18. **Discuss/Act – City Secretary: Consider and take action approving City Holidays for 2019.**
Lee Wommack made a motion to approve 2019 city holidays, seconded by Santiago Rodriguez.
Vote: 3-0 motion passed
19. **Discuss/Act – City Secretary: Consider and take action approving of the City Secretary to submit delinquent accounts to collections.**
Stormy Vaughn asked why some accounts are more than others. Were they delinquent before services were shutoff or the customer moved? Teresa Ballard explained once we see the customer moved away from town, we had to wait 30 days per the policy before turning off services. Some of the collections ended up being almost 3 months old. Stormy Vaughn reported that the landlord/tenant law says when tenant is presented with letter of delinquency, tenant has three day to either pay or move out. We might need to review our policy. Is it our policy or is it law? Teresa explained that when a \$300 bill was probably 6 weeks delinquent, a bill goes out, and then there is no activity. We wait 30 days to disconnect services. Stormy Vaughn states that if there is no activity, then we are out the month’s trash container bill and our set base rate for water/sewer services but the water/sewer services we didn’t really lose money because they didn’t use water. We are just collecting our fees by sending to collection? Teresa explained that City staff notifies the customer when they are late and have to pay or be disconnected. Stormy Vaughn states so we may be actually saving the City money by sending to collection for the people that skipped out and not paid by not providing “free” services to customers that don’t pay. Teresa states that there are less bills being send to collection this year than previous years. The collection agency is collecting bat debt because we are receiving funds from the collection agency.
Lee Wommack made a motion to approve delinquent list to be sent to collections, seconded by Stormy Vaughn.
Vote: 3-0, motion passed
20. **Discuss/Act – Utilities: Update on Reviewing of Water Supply Contract with City of Robert Lee and City of Bronte and Wholesale Treated Water Supply Agreement with Upper Colorado River Authority - UCRA, City of Robert Lee and City of Bronte. Both contracts are from 2011.**
Council discussed more in depth of contract regarding Robert Lee’s 200k gallons a day limit on usage. Ricky Royall spoke with the UCRA regarding this since there is a Contract with the UCRA as well with Cities of Robert Lee and Bronte. The UCRA discussed with Ricky, that if we don’t limit our 200k gallons, we are limiting Bronte for growth. Mayor Gohman states that the 200k gallon provision is a safety net and there

for a reason. The discussion was that Robert Lee has been going over their allotted 200k gallons per day without being charged anything extra. Stormy Vaughn asks Do we amend the contract and allow the "valve to be open" at a small rate (\$.30/1000) or if we charge a "fine" with a steeper charge for any water usage over the 200k? A City of Bronte customer pays \$8.00 per 1000 gallons up to 3000 gallons as a "base rate" of \$24.00, but then we charge Robert Lee \$2.50/1000 gallons for lake water and their base rate consists of 200k gallons per day. If the limit is 200k gallons per day, then make it where Robert Lee doesn't want to go over that 200k gallons per day, and if they do, they have to pay said "fine" rate for going over. Mayor Gohman states that the City of Robert Lee isn't like a citizen who decides to water their lawn, they are a municipality and it's their citizens that are deciding on doing this. Stormy states Cities all over the United States regulate their citizen's water consumption. If we charge a small rate, overage of \$.30/1000 gallons, we aren't making any money and why wouldn't Robert Lee's usage be more than the 200k gallons per day. Stormy's conclusion being we need to charge for Robert Lee's overage usage of their limit of 200k gallons per day, which the City of Bronte has not. Do we charge a small fee or a fine? There is no "tier pricing" for going over 200k per day. Lee Wommack says why not send a letter to Robert Lee advising them of their overage, warning them that they have gone over their allotment by 105 days and we can either throttle their usage or increase the rate. Ricky Royall tells the Council that Bronte has a meter and Robert Lee has a meter and it is read daily Santiago Rodriguez states that Robert Lee sells water to Coke County Rural Water. Is that part of this Contract? No it is not. So Robert Lee is selling their water allotment to Rural Water and it comes out of their allotment. Yes. Stormy Vaughn states that Robert Lee then sells their water to Rural Water at Robert Lee's rate as a wholesale water company, just like Bronte sells to Robert Lee. Mayor Gohman states that what Robert Lee does with their water is Robert Lee's business. Stormy states that Robert Lee is selling water and making money, and we are selling water with a no cap rate... We are in the business to sell water correct? As far as a warning, the Mayor or Robert Lee should have already received the warning (since she attended the first meeting of this discussion when it was on the table a couple of months ago.) Ricky and Teresa state that Robert Lee has the same opportunity to read their meters daily as Bronte does. Lee Wommack states that he still thinks they need a written warning. Stormy states that this change would not go into effect for 90 days (per the Contract) when we do this rate change, if the Council decides to do this rate change. This discussion is completely different in this meeting as to last month's meeting, and we don't know how the discussion will be next meeting. The City attorney has been contacted regarding this and she suggested that an amendment be drawn up to make it legal. Stormy Vaughn pulled several examples of Amendments and can write up a draft amendment and letter and then send to the attorney in order to save attorney's fee, but she needs direction from the Council on what the Amendment will say. Stormy Vaughn warns that if we say that Robert Lee can go over their 200k gallons a day allotment and we set a small rate for overage and they can use as much water as they want, and then what happens when our conditions in Bronte changes, and we can't go back to the limit of 200k gallons a day. Council should put a lot of thought into this. Lee Wommack recommends looking at one year's worth of data and table this discussion until next council meeting.

Lee Wommack made a motion to table this discussion until next council, seconded by Santiago Rodriguez.

Vote: 3-0 motion passed

21. **Discuss/Act – Public Safety:** Update status on consider Interlocal Agreement between City of Bronte and Bronte Volunteer Fire Department.

Stormy Vaughn presented revised verbiage of the new contract with BVFD reviewed by council members. Item D hasn't been approved by city council, but it also states it needs prior approval before repairs to get done.

Stormy Vaughn made a motion for a resolution for the mayor to sign the interlocal agreement with the City of Bronte and the Bronte Volunteer Fire Department, seconded by Santiago Rodriguez.

Vote: 3-0, motion passed

22. **Discuss/Act – Ordinances On-going:** Consider revising the following ordinances currently in place

23. Curfew – Update status

Council discussed changes made by attorney and council approves of the changes.

Stormy Vaughn made a motion to approve curfew and place first public hearing on December 20' seconded by Santiago Rodriguez.

- Vote: 3-0, motion passed
24. **RV/RV Park – Update status**
 Lee Wommack headed the discussion reviewing the ordinance.
 “The Condition” – define condition
 Need to see what other cities have as an RV Park ordinance - Stormy Vaughn samples from other cities and will have Teresa Ballard sends to council members for review
 Council’s recommendation is to have an RV ordinance and RV Park ordinance.
 Mayor’s recommends keep working on ordinance.
 No action taken
25. **Junk Vehicle – Update status**
 Council discussed ordinance. Lee Wommack would like to see in section 6.0 replace he with the judge; section 9.0 replaces Texas Highway Department with Department of Motor Vehicle
 Lee Wommack made a motion to table junk vehicle ordinance and Chapter 396 until more information is collected, seconded by Stormy Vaughn.
 Vote: 3-0, motion carried
26. **Chapter 396 – Auto Wrecker/Salvage Yards – Update status**
 Lee Wommack asked if the property on N 277 pays taxes. Also, he is not within the 50’ of right of way of 277 and 35” of the residential property line. He is in violation and something needs to be done.
 His permit was for a repair shop. Stormy Vaughn spoke to TML and reports if they have a commercial business they should have a business license. If you have a business out of your home you should have a certificate of occupancy. The transportation code would be in effect. TML also said that he moves it back and makes a smaller yard then your nuisance ordinance would come in. It says no junk, etc.
 Lee Wommack said if he is a junk/salvage yard then the city is in violation allowing it and the highway department needs to come in and look at him. If stuff leaked into the stream next to his business EPA could be involved.
 Stormy Vaughn asked TML about the city yard with the “scrap metal” is defined junk in junk yard in the transportation code. She is looking into public road. That could be lots of places.
 Mayor Gohman recommends deciding if he is commercial or private, then more forward notify him accordingly.
27. **Dangerous Building – Update status**
 Lee Wommack asked who would want to be on the Board of Appeals
 Stormy Vaughn read who makes up the board from San Angelo.
 Ricky Royall explained to council “the board of appeals and board of adjustments” are one board and the secretary is the city secretary.
 Members must live in the city limits
 Ordinance #247 item B – Building Standards Committee consists of 1) Fire Marshall, 2) Member of the city Council and 3) Citizen at large from within the city limits of the City of Bronte.
 Santiago Rodriguez made a motion to have Ricky Royall, Fire Marshall, Santiago Rodriguez, city council, and Bob Bailey, citizen, to serve as the at large member to the board of appeals, seconded by Stormy Vaughn.
 Vote: 3-0, motion passed
28. **Discuss/Act – Community:** - Consider how to help citizens with disposing of materials on their property since Public Nuisance Ordinance 18-01 has been in place
 Mayor Gohman led discussion regarding disposing materials from property. City has a chipper.
 Council discussed getting help from the churches to get the word out. If you could get the citizens to bring materials to the road, then a truck and trailer with volunteers can load, more to the next house. Need to think about this some more and get more ideas. Mayor Gohman will talk to church pastors.
 Lee Wommack made a motion this on the December council meeting agenda and invite Restoring Bronte Foundation, seconded by Santiago Rodriguez.
 Vote: 3-0, motion passed
- Discuss – Mayors Report: Goals and projects**

- Mayor Gohman started the meeting with video presentation history of our water system. The UCRA gives Bronte an allotment of 672 acre feet of water which is 219 million gallons per year. Bronte can pump 149 thousand gallons per day out of the aquifer with no problem. Mayor Gohman presents how the water is mixed from raw water and well water and how it is treated. In 2011, a pipeline was installed when Robert Lee's water source went away, and Bronte agreed to provide and sell water to Robert Lee. If Bronte does not use the allotment of water provided by the UCRA, we will lose some of it. So, when Bronte helps Robert Lee with their water situation, that protects Bronte's allotment at the Lake with the UCRA. If our usage is low, we can lose some of our allotment allowed by the UCRA. The City of Bronte cannot survive only on property taxes coming in, and that is why it is good to be in the "water selling business". Bronte has some of the lowest water rates in the State. Our rates would be much higher if the water wasn't coming in and if we weren't selling water. It helps the City of Bronte to do things like patch streets (since our property taxes amounts are not the biggest income earner.) The City of Bronte has a good "well-field" for water source as well if the Lake water source should go away. It is always good to look for additional water sources.
- Mayor Gohman is putting drainage on the forth front. Some of the pot holes have come back. We have some coal mix left that we can fix some of the pot holes. We will blade in the winter.

City Secretary Report

- Christmas in Olde Bronte committee have asked if city council or city staff would like to judge floats? Stormy Vaughn and Teresa Ballard would be happy to judge the floats.
- All documents have been sent to Eckert & Company, LLP. They are scheduled to be onsite the first week of January 2019.
- Judge Walker has set up "Show Cause Hearing for December 4th @ 2pm in the Chambers.
- I have registered for Elections Seminar, January 23-25, 2019. This is required of the city secretary.
- We have had a good response to citizens to register your animals with the city per the city ordinance posting it on the marquee.
- Spook walk was October 31 and city hall received thank you notes from the students. We will post their thank you at front desk.
- City offices will be closed Thursday, November 22nd and Friday, November 23 for the Thanksgiving Holiday.
- Next Council Meeting is December 20th

Utility Director Report

- Since September 10, 2018 when we started enforcing city ordinance 18-01, twenty-eight certified letters have been sent out; twelve have been closed; twelve citizens are working on and deadline has been extended; two refused letters so letters have now been sent to the Mortgage Company; one returned deceased; one returned unclaimed.

Request for future agenda items

Adjourn: No further business meeting adjourn at 9:59pm.


 Paul Gohman, Mayor

ATTEST:


 Teresa Ballard, City Secretary