City of Bronte, Texas
Regular City Council Meeting Minutes
Thursday September 20, 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
David Bedford, Mayor Pro Tem,
Lee Wommack, Councilman
Santiago Rodriguez, Councilman
Steve Hines, Councilman
Stormy Vaughn, Councilman

Ricky Royall, Utilities Director
Teresa Ballard, City Secretary
Sherry Bailey, Deputy City Secretary

Absent:

Eileen M. Hayman, City Attorney

1. **Proclamations and Presentations**
   1.1. Pledges of Allegiance were given by those in Council Chambers
   1.2. Prayer by, David Bedford
2. **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 the matter. Citizens are allowed three minutes for comments. The reminder of the meeting is a business meeting, keep comments to yourself.
   A. Brenda Hines has concern to the roads in the Bronte Cemetery. The prisoners are doing the mowing, but no one is doing any road work. There are several large holes that need to be addressed.
   B. Marty Pearcy since moving to Franklin Street we get called by the City 2-3 times a week for petty stuff. I don't have a giant family, but we all have vehicles and two work trucks. We have permission from the people next door to lease their property and keep it clean. There is an 18-wheeler on city street and I know you can't do that. If we're going to force ordinance or whatever, need to force every ordinance there is, not just pick and choose. My deal is I am tired of being harassed by somebody (citizen turning me in.)
3. **Discuss – Community** – West Texas Counseling & Guidance Service (WTCG) – Jennifer Jensen& Military Veteran Peer Network (MVPN) Program – Paul Keeton
   - Paul Keeton explained how the MVPN program helps veterans that have fallen through the cracks needing services. Besides help with mental health is turns into needing help claims, needing a ride to help with a vehicle. Most of the time the community has the answers. We are coming next Friday to help him with his vehicle.
   - Jennifer Jensen with WTCG updated us that they are expanding services through a grant not only too active or in active veteran's but also to their families for free. They only need to show proof. They have a counselor that comes to the Methodist Church once a week. Some do not want to see a licensed counselor but would rather talk to a peer and that is where the MVPN programs comes in.
4. **Discuss – Public Safety:** Fire Department Report
   Santiago Rodriguez reported in Martin DeLaGarza's absent that Bronte VFD is hosting fire training this weekend. Firemen from Bronte, Robert Lee, Blackwell, Mary Neal, Wingate and Winters have been invited to participate in the training.
   Discussion only, no action taken
5. **Discuss – Public Safety:** Sheriff Office Report
   No one from the Sherriff's office was present to report.
6. **Discuss – Animal Services:** Animal Report
   3 Dogs – after 72 hrs. were taken to Corinne T. Smith Animal Center, Brownwood
   8 Cats; 1 Raccoon; 1 Skunk
   Teresa Ballard presented the Animal Services Report.
   Discussion only, no action taken
7. **Discuss/Act – Animal Services:** Livestock Permits
   No Permits this month/ No action taken

8. **Discuss/Act – Code Enforcement:** Building Permits

Ricky Royall reported staff sending fourteen certified letters to citizens for code enforcement Ordinance Public Nuisances 18-01. There will be more being sent out. Ricky has spoken to one vendor that has routine lawns and he reports being behind due to all the rain we have had.

- Bob & Sherry Bailey – 413 S Franklin , Fence on property
- Bob & Sherry Bailey – 413 S Franklin, Shop/Barn & porch
- Donna Hall – 121 W Main; 6' chained link fence

  Ricky Royall has approved all the mentioned permits with reporting Donna Hall would be adding fire retardant slats in the chained link fence.

Motion by Steve Hines to approve all three building permits, seconded by Santiago Rodriguez.

Vote: 5-0 motion passed

Discuss/Act – Code Enforcement - Code ordinances in packets would be discussed.

Stormy Vaughn opened the discussion with local govt code title 7 – Subtitle C –Chapter 245 – Issuance of Local Permits. We need to research and implement residential and commercial zoning. TML has a template from similar small cities in Texas that we can use as a starting point. We currently do not have any in place and permits are mainly used off city zoning. We need to look at that in the future.

- Texas State Laws affecting municipal ordinances – We need to review the list in our packets and revise as needed.
- We have a manufactured house ordinance which defines exactly where you can put manufactured home. Understand an RV is not a mobile home, a mobile home is a permanent home and an RV is a temporary residence. We have an ordinance for a mobile home and where it defines where you can put a mobile home. We have an RV & RV Park Ordinance which it has a little about the RV and a whole lot about the RV Park. It defines everything to "Accessory structure" and a permit needed for such, and "Building Inspector" means the legally designated inspection authority of the city or his/her authorized representative. What I don't know is if the RV at the cemetery even has a permit. You have permits for cabanas and storage buildings, I don't know if she is hooked up to water and sewer, if water and sewer is hooked up, why a permit hasn't been issued? That will be investigated. "Recreation Vehicle or RV is defined as any licensed camp trailer, travel trailer, motor home or fifth wheel designed to provide temporary living quarters for recreational camping travel use, constructed with integral wheels to make it mobile. RV parks are discussed in detail with specific requirements but not very specific about RVs located on a lot owned by an individual and not an RV park. There are specific exceptions listed and regarding permanent and temporary living and time frames for such. Ricky Royall said it's always been my assumption that one recreational vehicle and they own the lot and they own the travel trailer, it was ok to live there. Lengthy discussion from council members of what the actual ordinance says and its interpretation. It needs to be clear. If there're regulations on an RV park and how long you can stay there why is there not more on RV lot. The Mayor says we must enforce ordinances as they are, and it has to be fair, it has to be across the board. Stormy Vaughn says it needs to be transparent, and when you read it and everybody in town knows what you can and cannot do. David Bedford reads that you can live in a RV as long as it's the only residence. He explains he thinks it means you can't have two residences, like a house and an RV on the same lot with people living in it. Council members discussed further the two meanings. Stormy Vaughn states that when you read this ordinance, it is not clear and that is why half of the town is mad about one way, and the other is mad about the other way. It just needs to be clear and not up to an individual interpretation. Mayor Gohman recommendations is to see what the TML attorney's interpretation is.
- Stormy Vaughn's reported that the complaints she's had is a RV in the entrance of the cemetery in which they use cemetery perimeter fence as their fence. That they don't have their own fence, so no-one has to look at their stuff. They have wooden fence panels in the front, but while at a funeral you can see all their stuff. Additional complaint, the 18-wheeler parked at the entrance of the cemetery and leaving the truck running all weekend and all night, with the family living in it because apparently, they didn't have air conditioner in their RV. Also, about the lady that always comes down to City Hall and turns everybody in, maybe all complaints to be filed at city hall need to have signed affidavit done regarding said complaint where we will have a paper trail on file to see who has had complaints and who is actually complaining.
- City needs to address dilapidated buildings, dangerous buildings and liability for the City.
- Stormy Vaughn has one more ordinance to discuss. Junk Vehicle Ordinance. Did we send the junk yard down the street that caught on fire a letter? Ricky Royall reported yes, they were sent a letter. I noticed he is building a fence. Santiago Rodriguez asked did he get a permit for that fence? Ricky Royall reports a permit was issued a long time ago for a fence. Stormy Vaughn states that if you go to the back part of the property next to the alleyway in the subdivision with neighbors, this place is not just a repair shop it is a junk yard and a fire hazard. Discussion between

Council regarding the matter and that it has been bad for a long while. It was discussed about liability again, if a fire were to breakout and caused a whole block to catch fire, who would be responsible, the guy with the junk yard or the City who didn't take care of the problem. Ricky Royall states probably a little of both.

- David Bedford ask if we get updates regarding changes in the law. TML does send out newsletters.
- Mayor Gohman recapped the discussion to get answer from TML on item addressed above, then we will look at all the other ordinances, the ones discussed above, and get in compliance.

Motion made by Santiago Rodriguez to get clarification from TML and look at these this month and add more for next month and make this an ongoing project, seconded by Stormy Vaughn.

Vote: 5-0 motion passed

9. **Discuss/Act - Minutes –**

July 26, 2018 Special City Council Meeting Minutes – Budget Workshop

Motion made by David Bedford to approve July 26, 2018 minutes and Lee Wommack seconded the motion.

Vote: 5-0 motion passed

August 16, 2018 Regular City Council Meeting Minutes

Motion made by David Bedford to approve August 16, 2018 minutes and Stormy Vaughn seconded the motion.

Vote: 5-0 motion passed

August 30, 2018 Special City Council Meeting Minutes – Budget Workshop

Motion made by Stormy Vaughn to approve August 30, 2018 minutes and David Bedford seconded the motion.

Vote: 5-0 motion passed

Regular Agenda

10. **Discuss/Act – Finance:**

Balance Sheet

Interim – August

Motion made by Stormy Vaughn to approve August Balance Sheet and David Bedford seconded the motion.

Vote: 5-0 motion passed

11. Bills Paid

From August 23, 218 – September 12, 2018

Lee Wommack would like to have line item professional services and broken out in a report. Council also mentioned you could that with contact services. After discussion, Teresa Ballard will send out different reports to show and see what council likes.

12. Revenues and Expenditures

Interim - August

Interim – As of September 17, 2018

Discussion only, no action taken

13. **Discuss – Economic Development**: EDC Report

EDC met on September 11 with 4 board members present. Susan Williams reported on the top three items that took action:

1. Approved net banner that goes across the street for Bronteoberfest. The date will be changed each year. We do not have poles, but we are working on it. Later possibly get another saying welcome hunters.
2. Market - Prison property – We want to put a sign Industrial Park – One of the commissioners asked for a written plan.
3. Voted to hit the reset button on the city web site. Just need some redesign and made to pull up by telephone. Then a logo – more to come

- Moving forward to get a City Logo - Kickapoo Mountains / creek - more to come

Two EDC board members attended Texas Midwest Community Network (TMCN) Rural Economic Development Strategies (REDS) Session II EDC's next meeting is October 9th.

Discussion only, no action taken

14. **Discuss/Act – Economic Development:** Budget: Consider 4B Board FY2019

Motion made by Stormy Vaughn to approve EDC 4B FY2019 Budget, seconded by Santiago Rodriguez.

Vote: 5-0 motion passed

15. **Discuss/Act – Economic Development**: Budget: Consider 4A Board FY2019

Motion made by David Bedford to approve EDC 4A FY2019 Budget, seconded by Santiago Rodriquez.

Vote: 5-0 motion passed

16. **Discuss/Act – Economic Development:** Consider Lynn Follis for board member to 4B Board

Motion made by Steve Hines to approve Lynn Follis as board member to EDC 4B, seconded by Stormy Vaughn.

Vote: 5-0 motion passed

17. **Discuss/Act – TCEQ Permit by Rule:** Landfill for dilapidated houses/structures, meeting date with Diane Steele to determine the best location. Determine location, application to TCEQ for permit, plan and guidelines for use, equipment and costs.

Mayor Gohman and Ricky Royall met with TCEQ looked great but there is an issue by taking some acreage out of our waste water treatment facility and that's part of the permit. The issue, there's a question if we can dual use it as a landfill can we take it out then go back and use it later on as housing development. She will need to talk to Austin and get the landfill people and the waste treatment people together to answer that question. We are waiting on a ruling.

Cost – there is be cost for a bull dozier; engineers look at the structures and approve for demolition. We will want to get all the houses that will be demoed to cut down on the cost. Once we get started there will be maintenance cost.

Motion made by David Bedford to approve moving forward on pending the outcome from TCEQ, seconded by Stormy Vaughn.

Vote: 5-0 motion passed

18. **Discuss – Utilities**: Review 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.

Both contracts were reviewed by Council and discussion of same. City of Robert Lee has gone over the daily allotted amount of 200,000 gallons. City of Bronte keeps track of our daily usage of Robert Lee, Bronte and Raw water everyday according to the surface operations procedure and Robert Lee has been read every day since day one. Stormy Vaughn reported Robert Lee has gone over 105 days since January. Daily allotment of 200K it has gone over 105 days. Discussed that customer in Bronte get charged an overage rate, why are we not charging City of Robert Lee an overage rate? Mayor Gohman recommends looking at the contract and see what the remedy is for overage. Contracts needs to review annually.

Discuss only, no action taken

19. **Discuss/Act – Utilities:** Discuss employment by our Utilities Director with City of Robert Lee and Coke County Water Supply Corporation. Determine liability to the City of Bronte regarding moonlighting and use of a City vehicle, TML insurance coverage, liability for City of Bronte with TCEQ for City of Robert Lee and Coke County Water Supply Corporation hiring a City of Bronte employee on an individual basis, being contract labor to a third party, and services rendered for treatment and testing; conflict of interest (if any) and interference with primary job with City of Bronte, and approval by Council for such. If liability is determined, consider Contract Services between City of Bronte and City of Robert Lee. Since there is no contract known with Coke County Water Supply Corporation, consider communication regarding the same.

Mayor Gohman led the discussion explaining why Ricky Royall is helping our neighboring city Robert Lee. It was to be temporary. To everyone's reconciliation it wasn't discussed in a council meeting, but everyone knew it was being done. Mayor Gohman continued stating there is a verbal contact to reduce the amount based on them re-hiring of City Superintendent that was in the water treatment position before. Robert Lee's Superintendent will be testing in October to be re-certified in both licenses. This is not a contract with went through Bronte. The issue was the usage of the city vehicle. That is not happening anymore. Here are the concerns. He is not indemnified with the city of Robert Lee , so he is taking on all the risk without any safety net and Bronte is taking a lot of the risk. If something was to happen with his license, then there we go. One option is to do an inter-local agreement between Bronte and Robert Lee and allow us to share Ricky with them during business hours. If we have the money verbally agreed on which is $750 a month (that Ricky is now getting paid by Robert Lee) and allow him to go over there and let that cover for truck usage at least he would be indemnified through the city. None of this is optimal but this will probably all go away within 30 days. This is why it is in front of you. It is an attempt to help our fellow neighbor and to help a customer we sale water to. More discussion amongst the council members. Santiago Rodriguez recommends two inter-local agreements, one with Robert Lee and one with Coke County Water Supply. Stormy Vaughan's recommended Robert Lee draws up the agreement.

Mayor Gohman will send what needs to be in agreement to Robert Lee Mayor within 2 business days. Also, draw up agreement to Coke County Water Supply.

Motion made by David Bedford to get inter-local agreements with Robert Lee, seconded by Santiago Rodriquez.

Vote: 5-0 motion passed.

Motion made by Stormy Vaughn for City of Robert Lee to draw up inter-local agreement and have Utilities Director to keep a log to include hours and mileage used with City of Robert Lee and Coke County Water Supply, seconded by David Bedford.

Vote: 5-0 motion passed.

20. **Discuss/Act – Coke County:** Consider Intergovernmental Contract between Coke County, Texas and the City of Bronte.

Council discussed omitting number 6 a. Firefighting services be taken out of the contact. Since this was in effect the fire department is now a 501C. They are no longer under the city's umbrella.

Motion made by Lee Wommack to take out number 6a be omitted from contract, seconded by Santiago Rodriguez.

Vote: 5-0 motion passed.

20. a Discuss/**Act - Coke County:** Consider Intergovernmental Contract between Coke County, Texas and the City of Bronte regarding voting machines, equipment and services.

Council Lee Wommack recommends the removal Mary Grims' name from contract. She will be retiring next year to county clerk.

Motion made by Lee Wommack to replace the name of Mary Grim in three places in section 7 to county clerk from contract, seconded by Santiago Rodriguez.

Vote: 5-0 motion passed.

21. **Discuss – Mayors Report:** Goals and projects

Major Gohman covered the TECQ landfill, fixing our budget was a task, and kudos city secretary for all hard work she has done. We have most of the patches done. We will use the rest of the coal mix. We will start working on drainage this new physical year. It is going to be a much better financially. We will continue to communicate with you as much as possible. Anytime you have issues, call me, come on down, lets work those issues out. We will get you any reports or information you need. When you start code enforcements citizens say they can't get to the issue just get this information back to city hall. This is a good time for the churches to step to help and be neighborly. We need to clean up the town. We want people to move here, with good streets to drive down.

- City Secretary Report - Attended Public Investments per requirements. We are supposed to have investment policy and strategy policies in place. More to come.
- Utility Director Report – Stormy Vaughn let Ricky Royall know that she appreciates all the work he does. All the council members want what is best for the city.
- Request for future agenda items – work on ordinances

22. **Adjourn:** With no further discussions, Mayor Gohman adjourned at 9:16pm

Paul Gohman, Mayor

ATTEST:

Teresa Ballard, City Secretary