

City of Bronte, Texas
Regular City Council Meeting Minutes
Thursday, January 17, 2019 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
Steve Hines, Council Member
Santiago Rodriguez, Council Member
Stormy Vaughn, Council Member
Lee Wommack, Council Member

Teresa Ballard, City Secretary
Ricky Royall, Utilities Director
Eileen M. Hayman, City Attorney
Sherry Bailey, Deputy City Secretary

Absent: Eileen M. Hayman, City Attorney

A. Proclamations and Presentations

- A.1. Pledges of Allegiance
- A.2. Prayer – Given by David Bedford, Mayor Pro Tem

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, regarding 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:** - Update Status - Consider how to help citizens with disposing of materials on their property.

We have Restoring Bronte Foundation are willing to help us. We are thinking in the March timeframe of having a city-wide pickup. This will be addressed later in the meeting. Republic Services has offered to help us out. There are some opportunities to help us out in terms of city wide clean up.

Regular Agenda

2. a. Discuss – Public Safety: Fire Department Report

Fire Chief DeLaGarza all the electrical is complete to the building. We took bids for heating and cooling system. Butler HVAC and Percy. Percy won the bid. The plan is to have the building done by April. Also, plans to open the bay area for citizens to use for May city wide garage sale. The last training was very informative on how to approach the scene of an accident instead of just jumping in. Ten attended the training in San Angelo.

Information only,

b. Discuss – Public Safety: Sheriff’s Enforcement Report

Deputy Neal reported December was a slow month as follows:

- o Calls for ordinance enforcement: 3
- o Officer ordinance notifications from city hall: 1
- o Ordinance warnings issued: 0 verbal 0 written
- o Ordinance citation issued: 0

Information only

c. Discuss – Animal Services: Animal Report

City Secretary Ballard reported the following:

- o Skunks – 3
- o Possums – 2
- o Fox – 1
- o Raccoons - 2

Information only

d. Discuss – Economic Development: EDC Report from EDC Representative

EDC representative Marlene Vaughn reported EDC4B didn’t meet this month. Nothing to report at this time.

21. Discuss – Lawsuit - Ronny Loyd vs. City of Bronte

Mayor Gohman gave an over view of the case. TML was the indemnity insurer and they took control of the case and they called for mediation on January 8, 2019. In mediation we got to a number that TML could support

that would not cost the city anything. So TML chose to settle through mediation. The law suit is done. Mayor went on to say, we have been muzzled this whole time. Mayor then turned the floor to Councilman Vaughn.

Stormy Vaughn (Summarized minutes being stated) the whole deal with Loyd and this Lease was a mess and the current Council dealt with the case as best as they could.

1. Prior to the Lease being terminated in December 2016, City Hall had contacted the Texas Municipal League stated that they could not help with the claim.
2. Settlements from Loyd ranging from \$16k, \$30k, \$21,900, and the last demand for \$60k had been received.
3. Council's hands were tied and legally could not give anything of value to Loyd including the settlements he was looking for.
4. No proof was provided for any settlement offer that was acceptable. The only proof that we ever received was regarding the Sea Container. A Bill of Sale was produced from Loyd to Ken & Linda Scott in which Loyd sold the container to them. The Council knew that the City did not purchase the Sea Container and we could not legally keep it.
5. The Council decided to contact TML again. We had new evidence of the dealings with the Lease.
6. The TML Risk Pool stating that if a lawsuit was filed, to contact them again, and they would cover the claim up to a certain point.
7. Lawsuit was then filed by Loyd and sued for \$100k-\$200k.
8. TML covered the fees of the appointed TML Attorney in the case.
9. At this point, it was out of the City of Bronte's hands and TML decided if the case would be settled or not and it went through mediation.
10. The Mayor stated that he was at the mediation and an amount was agreed upon by TML and Loyd. TML Insurance paid a settlement amount (\$15,000) that was acceptable to both parties and he was there to make sure no funds for the settlement came from City of Bronte funds.
11. The City Secretary said that fees including the deductible for insurance coverage were a total of \$48,000.00. \$43,000 of the attorney's fees was prior to the TML Attorney being appointed and the City of Bronte's coverage under the insurance.

3. Discuss/Act – Animal Services: Livestock Permits

- Howard Baker; east side of block 300 of Briarwood St. & property east of cemetery; Emu, poultry, goats
- Travis Black; north main; mules & goats
- D R Braswell; 802 Mesquite; cows
- Larry Dyess; auto repair shop; miniature horse and goat
- Andy Eubanks; 6 acres located at 118 W Kickapoo; cattle
- Callie Eubanks; 114 S Randall; chickens
- Lynn Follis; old football field; goats
- David Green; corner of Barclay and pecan; sheep or goats
- Katherine Harness; dead end on North Jefferson St. 3+ acres; fenced
- Corby Kelso; 114 S Washington; Horses
- Carolyn Knight; 601 N Jefferson; poultry
- Terry Marrs; 702 Meadow Ln; Nigerian dwarf goats
- Kenneth Miller; 702 W Jackson; cows
- Cathy Oliver; 502 & 536 Brunson St; sheep, cows, horse
- Colin Pope; 404 Kickapoo; goats
- Colin Pope; Monigo Flores estate; goats
- Bethany Pritchard; 708 Meadow Ln; mini donkey
- Bob Ragsdale; nursing home old w railroad & city limit fence 277; sheep
- Rocky Rawls; 707 Meadow Ln; sheep, goats, chickens
- Jonathan Reeves; 705 Meadow Ln; south & west side of home; show goats
- Kathy Shaw; Corner of Kickapoo Rd & Westwood Ln; chickens, horses, mini donkey
- Ron Sims; 234 N Randall; cattle
- Dan Stone; 629 NW Railroad; 2 horses
- James Vaughn; 703 Westwood; sheep
- David McWright; 710 Westwood; pigs, chickens, rabbits
- Cowboy Church Roping Area; 205 Roping Area Rd; horse, cattle, goats, pig – Sheriff dept. using property to temporary house or board stray live stock
- Juan DeLaRosa; 310 Lombard; horses
- Tiffany Harendt; 515 S Franklin St; chickens & guineas

- o Tim Siler; 108 Driftwood; show cattle

Councilman Hines mention that from the signal light to each city limit sign, is approximately averages 6 tenths of a mile and we have 29 livestock permits. That's a lot in the city limits.

Ricky Royall has approved all the permit request and has concerns with the following three properties; Juan DeLaRosa; Tiffany Harendt and Tim Siler.

- o Mr. Siler's property is in the Southland Terrance. This addition has deed restrictions. Mr. Royall's recommendation is to give him 60 days to have the livestock removed. Stock show should be over by then.
- o Tiffany Harendt property; Mr. Royall's reports they are just in a bad spot. It's near the entrance to the cemetery. Council discussed maybe if they put up a privacy wood fence (like out front of the house) with all four sides and not use the perimeter fence of the cemetery. Recommendation to approve with stipulations. Need to give 60-days to 90 days correct the issue, but until then, they need to contain the chickens/quineas. They will need a permit for the fence. If she doesn't comply with recommendation, then chicken/quineas will need to be removed. If she wants the permit, she can come up with a plan with what she can do and if council accepts the plan. Council recommends Ricky Royall to talk to Ms. Harendt and redressed this permit at next council.
- o Juan DeLaRosa property; Ms. DeLaRosa reported that they have been trying to keep the area clean, but they have had family health matters going on. Council recommends giving them 60 days to clean up the property and review again at March council meeting.
- o Roping area needs to remove the pig from the property and from the permit request.

Mayor Gohman is looking for a motion with no commercial pigs at the roping area, 210 Lombard for 60 day temporary, tabling for 30 days at 515 So. Franklin and 60 days at 108 Driftwood with notice of restrictions.

Stormy Vaughn made a motion to approve all the livestock with the exceptions of the temporary permits, seconded by Santiago Rodriguez.

VOTE: 5-0, MOTION passed

Consent Agenda

4. Discuss/Act – Code Enforcement: Permits

- o Arnold Carper; 214 S Franklin; RV – Permanent;

Council discussed ordinance, all agree not to approve permit.

David Bedford made a motion to not approve permit, seconded by Stormy Vaughn.

Vote: 5-0 motion passed

- o Arnold Carper; 214 S Franklin; Enclosed Trailer;

Council approves permit for enclosed trailer

Lee Wommack made a motion to approve enclosed trailer, seconded by Stormy Vaughn.

Vote: 5-0 motion passed

- o Arnold Carper; 214 S Franklin; Fence three sides;

Council approves for fence

David Bedford made a motion to approve fence, seconded by Steve Hines.

Vote: 5-0 motion passed

- o Cowboy Church; 210 W Main; Used Building – Temporary

Council members discussed the building has been temporary for a while.

Ricky Royall has asked for a site plan for the whole area but they had not sent one. Ricky Royall recommends tabling until they get a site plan.

Stormy Vaughn made a motion not to approve seconded by David Bedford

VOTE: 5-0 denied permit

5. Discuss/Act – Economic Development: – Two vacant positions on the Economic Development Corporation 4A Consider Mikka Davidson to the Economic Development Corporation 4A as a Board Member

Stormy Vaughn made a motion to accept Mikka Davidson to the EDC 4A board member, seconded by Santiago Rodriguez.

Vote: 5-0 motion passed

Consider Ryan Webb to the Economic Development Corporation 4A as a Board Member

David Bedford made a motion to accept Ryan Webb to the EDC 4A board member, seconded by Stormy Vaughn.

Vote: 5-0 motion passed

6. Discuss/Act – Community Development: Depot – Update on Depot

Ricky Royall reached out to Ms. Prather but found out she travels a lot. Mr. Bobby Blaylock and others will come take a look at the depot and see what can be done.

Discussion only, no action taken

7. **Discuss/Act – Economic Development:** Update on land behind the Depot
Mayor Gohman wants to leave this on the agenda. He doesn't want to forget about it. There are some ideas out there but will address once we get some items off our plate.
9. **Discuss/Act – Utilities: Resolution:** Consider a resolution authorizing the Mayor to amend the City of Robert Lee, Texas water use rates.
Lee Wommack made the motion to authorize Mayor to amend the City of Robert Lee water use rates, seconded by Stormy Vaughn.
Vote: 5-0 motion passed

8. **Discuss/Act – Utilities: Update** Consider sending letter to Robert Lee for water usage exceeding 200,000 gallons per day and First Amendment on Water Supply Contract with Robert Lee.

Santiago Rodriguez made the motion to have mayor send letter and amend water supply contract with Robert Lee, seconded by Stormy Vaughn.
Vote: 5-0 motion passed

Public Hearing – Ordinance:

2nd public hearing on amending/archiving Curfew Ordinance #298 and adopting new Curfew Ordinance #18-08.

Mayor Gohman opened public hearing for Curfew Ordinance at 7:51pm

AN ORDINANCE OF THE CITY OF BRONTE, TEXAS REPEALING AND REPLACING ORDINANCE NO. 298; ADOPTING "CURFEW HOURS FOR MINORS"; DEFINING TERMS; CREATING HOURS FOR CURFEW FOR MINORS; CREATING OFFENSES FOR MINORS, PARENTS OF MINORS, AND BUSINESS ESTABLISHMENTS VIOLATING CURFEW REGULATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR A PENALTY OF UP TO \$500 FOR EACH OFFENSE; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; CONTAINING A SEVERABILITY CLAUSE; REPEALING ALL OTHER ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR PUBLICATION AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE FROM AND AFTER JANUARY 31, 2019.

Citizens asked what the curfew times were.

Mayor Gohman closed public hearing for Curfew Ordinance at 7:54pm.

10. **Discuss/Act – Ordinance: Curfew Ordinance 2nd Reading – Curfew Ordinance:**
Consider and take action an ordinance of the City of Bronte, Texas repealing and replacing ordinance # 298. Adopting new Curfew Ordinance #18-08 "curfew hours for minors"; defining terms; creating hours for curfew for minors; creating offenses for minors, parents of minors, and business establishments violating curfew regulations; providing for enforcement; providing for a penalty of up to \$500 for each offense, making various findings and provisions related to the subject; containing a severability clause; repealing all other ordinances in conflicting herewith; providing for publication and providing that this ordinance shall be effective from and after January 31, 2019.
Stormy Vaughn made a motion to accept and adopt new curfew ordinance #18-08, seconded by Santiago Rodriguez.

VOTE: 5-0 motion passed, next to post in newspaper, effectively January 31, 2019.

Public Hearing - Community Development:

Mayor Gohman opened public hearing for applying for a Texas Community Development Block Grant (TxCDBG) grant application at 7:55pm.

Councilman Bedford, read the following:

The City is considering applying for a Texas Community Development Block Grant (TxCDBG) grant application. Approximately nine million (\$9,000,000.00) dollars are available through the Texas Department of Agriculture. The main objective of this program is to improve public facilities/infrastructure in order to meet basic human needs, principally for low and moderate-income persons.

Eligible activities include water system improvements, sewer system improvements, community service centers, affordable housing, road and street improvements, drainage improvements, fire protection, handicapped accessibility, and solid waste disposal. The City has been funded in the past through the TxCDBG program in order to make significant infrastructure improvements.

There were no citizen's comments

Mayor Gohman closed the public hearing for applying for a Texas Community Development Block Grant (TxCDBG) grant application at 7:56pm.

11. **Discuss/Act – Community Development:** - Consider applying for Texas Community Development Block Grant Program (TxCDBG).

Stormy Vaughn made a motion to submit a water application for the Texas Community Development Block Grant, seconded by Santiago Rodriguez.

VOTE: 5-0 motion passed

12. **Discuss/Act – Utilities:** - Consider purchasing Drone for City Staff to service waterlines more effectively
Lee Wommack added more information regarding the rules of Drone use. Drone user must be certified.

Stormy Vaughn also presented documents and read the reply from TML.

Ricky Royall will talk to Mr. McNeal to get more information needed for certification.

Lee Wommack would like this to be tabled until Ricky Royall has a chance to review information given to him.

Tabled

13. **Discuss/Act – Utilities:** - Consider amending container information on Sanitation Ordinance 18-05 to Section F -Collection Charges and Section I - Convenience Center
- Republic Services meeting report- notes from Stormy Vaughn
 - Gate Fee at Convenient Center
 - Charge current rate for deliver and pickup of 2y, 4y, 6y and 8y containers that customers request

Mayor Gohman ran down the issues:

- 1) Charging delivery and pick up charge on containers.
- 2) Adding gate fee.
- 3) Get price from Republic Service for curb side service.

Stormy Vaughn made the motion to approve adding the current rate for delivery and pickup for containers that customers request, I also make a motion to charge \$20 for gate fee or to be determined at the convenient center, moving the \$2 convenient center charge to the curb side service fee quarterly and taking away the \$2 off the outside residents that won't be getting curb side service, seconded by Santiago Rodriguez.

VOTE: 4-1, Lee Wommack abstained, motion passed

We will contact Republic Services to get pricing for curb side and how far out we need to get on schedule.

14. **Discuss/Act – Ordinance:** 2000 International Residential Building Code #345
Consider and act on amending/archiving Ordinance #345 and adopting 2018 International Residential Building Code Ordinance 19-01.

Ricky Royall just received 2018 residential building code book. He needs to review.

Tabled

15. **Discuss/Act – Ordinance:** Dangerous Building Ordinance #368
Consider and act on amending/archiving Dangerous Building Ordinance #368 and adopting new Dangerous Building Ordinance #19-02.

Tabled

16. **Discuss/Act – Ordinance:** Discuss Water Service Credit agreement for Volunteer FD/EMS staff
Teresa Ballard reported findings from water service credits. We could not find any document stating how volunteers get the credit. Would like council to consider writing procedures so city staff can follow. Also, add something that volunteers will also comply with city ordinances. If a volunteer is living with family, they do not need to change the water bill to their name.

17. **Discuss/Act – Cemetery:** Update Cemetery Maintenance
Mayor Gohman reports the pea patch and the .9 acres we do not have clear title.
There are about 100 plots available. We are looking at expanding for the future of Bronte. Another thing is to have a pavilion to hold ceremony. I would like to have a cemetery maintenance committee.

Discussion only

18. **Discuss/Act – Zoning:** Update Zoning
2018 code books just came in.
Discussion only

19. **Discuss/Act – Minutes:** December 20, 2018

Stormy Vaughn made motion to accept December 20, 2019 minutes, seconded by David Bedford.

Vote: 4-1 Santiago Rodriguez abstain not present at meeting

20. Discuss/Act – Finance:

Bills Paid – December 2018

Financials – were not available

Stormy Vaughn made motion to accept December bills paid, seconded by Lee Wommack.

Vote: 5-0 motion passed

22. Discuss – Mayors Report: Goals and projects

Finalizing bids for drainage

City Secretary Report

Monday, January 21st city offices are closed for MLK, Jr

I am attending Election Seminar 22-25 in Frisco

Taking applications for three positions on city council

Utility Director Report

Keeping pot holes filled

Request for future agenda items

Adjourn: No further business meeting adjourned at 9:45pm.



Paul Gohman, Mayor

ATTEST:



Teresa Ballard, City Secretary