

**TOWN OF RANSOM CANYON
CITY COUNCIL MEETING
NOVEMBER 14,1995
MINUTES**

The regular meeting of the Town of Ransom Canyon City Council was brought to order at 7:00 P.M. at the Ransom Canyon Fire Station by Mayor Lee Kitchens. Council members present were Charles Burford, Lee Kitchens, Inez Speed, Ken Williams and Erika Hoeve. Bill Green was absent.

MINUTES: Approved as printed on a motion from Charles Burford, second from Ken Williams.

FINANCIAL REPORT: Erika Hoeve questioned the pay amount for the second police officer. Melissa said she would review it. Inez Speed questioned the high phone bill for the fire department, and it was explained that this month's entry represented two months worth of SP Telephone bills, plus the bag phone in the EMT truck. There was some discussion about the imprecision that exists with mail delivery of the fire department's bills. The report was approved on Charles Burford's motion and Inez Speed's second.

POLICY MANUAL: Lee Kitchens explained that the city policy manual had not been updated since it was first written over ten years ago. Many changes needed to be made, and the city council met in several work sessions to sort through all the changes. The final draft of the policy dated 11/9/95 was presented for formal council adoption. The new policy manual was accepted as revised on a motion by Inez Speed, second by Ken Williams.

TEXAS PARKS AND WILDLIFE GRANT FOR PARKS AND RECREATION: Mayor Kitchens announced that the city had received a \$500,000 matching funds State of Texas grant application package. Two deadlines, January and July, made application in July desirable. However, the goal for the grants application as it applied to Ransom Canyon was vague, since the Property Owners Association owned the Parks and Recreation property, not the city. Because the law prohibits spending tax dollars on privately owned property, the city could not use the funds in the POA's behalf. Lee announced that the detailed application package was at city hall.

Erika Hoeve stated that the city had property that would qualify as city-owned in the way of the city street easements, and perhaps this would be the time to reconsider ownership of the front road, using funds to install a tree watering system, etc. Lee instructed Melissa to provide copies of the grant for all of the council members.

GARBAGE FEE INCREASE: Fabit/Waste management requested an increase for garbage pick up fees. Our FY 94-95 reflected that revenue was keeping up with expense, but the gap was closing due to the increased expense for the dumpsters, and the roll away, open top dumpster. Fabit has received increases in October, 1991 and March,

1994. They requested an increase of 80 cents per household, plus an additional \$25 increase per month for the dumpster pick up, plus a pass through of the 33% landfill tonnage charge for the open top dumpster, (projected to be \$1300 per year).

Mayor Kitchens recommended to the council to approve \$11.00 for the new residential garbage fee, (an increase of \$1.07 per household per month,), and authorize the Mayor to negotiate the amount of the actual increase to Fabit. This increase is to become effective December 1, 1995. Erika Hoeve made the motion to approve this recommendation, Charles Burford seconded, and all approved. The new garbage rate ordinance will be presented for approval at the December council meeting.

COMMITTEE REPORTS: CITY SUPERVISOR: Wayne Gentry reported to the council about new rules from the TNRCC effective January 1, 1996. These regulations involved a new requirement involving inspections, adaptations, and penalties for failure to test, change or inspect for back flow prevention for water lines providing water to homes. As Wayne understood the letter of the new rules, every time water service was turned off at a residence,(for repairs or to replace a meter, etc.) in order for service to be restored, a back flow prevention had to be installed and tested and inspected. Wayne could not test or install. He is subject to losing his license if he does anything but inspect. This applies to all homeowners. The value of the device and the testing charge alone could be \$250, plus the down time to the homeowner. The penalty for falsified paperwork is \$15,000. Wayne must keep records on new construction, new meters, and on unpaid water bills. This is HB 29438, section 290.49.

The council stated that this requirement should certainly be made public, that it would place an undue burden on the property owner. It seemed ludicrous to the council that the TNRCC would attempt to force every city, small or otherwise, to comply with such a rule that carried such an enormous impact. Wayne will check with the local TNRCC to find out the extent of their mandate.

TAX COLLECTOR'S REPORT: The Lubbock Central Appraisal District committed a major snafu with the production of this year's tax bills. The bills arrived three weeks later than last year, and when they arrived it was discovered that the Appraisal District had arbitrarily changed our tax rate. The roll was sent immediately back to LCAD, and Mayor Kitchens spent an entire afternoon conducting emergency "negotiating" with the LCAD insisting on the immediate reprinting of our bills, and the recalculation of our tax role.

The LCAD changed software companies this year, and they failed to insure that the software would accommodate a five digit tax rate. Our tax rate had five digits. It was also our notice and hearing limit, and our rollback rate. The law is very specific that we cannot go above this rate unless we hold hearings. After many calls to the Attorney General's office and to the State Comptroller's office, the determination was made that this change constituted a minor "rounding " change due to computer software requirements, and was therefore permissible.

Other entities in Lubbock County, Lubbock County Hospital District, Lubbock County, the City of Slaton, and the City of Wolfforth all had similar problems. The appraisal district had the courtesy to contact these other entities to ask instructions to solve their problem. The Hospital District had chosen to "round down", losing \$5,700 in revenue, and the County had chosen to "round down" losing \$2,000 in revenue, rather than to risk the ire of some taxpayer, and the possibility of the invalidation of the entire tax role.

An emergency decision was made to "round down" our role for the same reason. LCAD had arbitrarily "rounded up." Because we assess and collect, we had the authority to insist on the rerun of our bills, and Mayor Kitchens took delivery of the corrected role late that same Friday evening at his home.

Tax bills were mailed October 17, 1995. The tax role value is \$48,023,050 based on the rate of \$.6535 per hundred. The adopted rate was \$.65357. Ransom Canyon lost \$32.50 as a result of the change. October collections are \$11,692.53. October 1994 collections were \$65,000. Our cash flow is being effected, as is our earned interest. This is creating the need for slight adjustments in our cash management procedures. November collections through November 15=\$14,143.28.

ANNOUNCEMENT: Mayor Kitchens announced that Council Member Erika Hoeve had been appointed to Texas Municipal League's *Small Cities Advisory Council*. This is an honor for Erika and an advantage for the city. Congratulations are in order.

ARCHITECTURE CONTROL COMMITTEE: Ordinance # 133 was approved upon the motion from Erika Hoeve and the second from Ken Williams. This ordinance provides for the establishment and oversight by the city council of an architecture control committee. This committee has operated effectively based on legal establishment through the Deed of Restrictions. Because the city council is now the oversight and appeals body to the committee, based on majority vote of the Property Owners Association many years ago, it was deemed prudent to establish this relationship through city ordinance.

Ordinance # 133 asserts this relationship and establishes the need for an increased number of committee members, based on the increased burden that the committee has experienced due to the building boom we experienced last year. The ordinance calls for a total of six committee members, with a quorum of two. Hopefully this will relieve the burden of emergency meetings, yet still be responsive to the needs of builders and homeowners who want a storage shed or a remodel pen-nit. Three individuals now serve on the committee, Tom Airhart, Sanford Whitaker and Charlie Hobbs. Erika Hoeve moved to appoint Ken Koontz, Charles Burford seconded, all approved. The two remaining committee members will be considered at the December meeting.

One request was presented to the council by Henry King. He requested a front set back variance for a home to be located at 49 East Canyon View, Block 2 Lot 29. The council

denied this request at the last council meeting, so Mr. King had made some adjustments, moved the property back another two feet, the council had walked the property. There were letters from neighbors Cain Fannin and J. R. Landry expressing no objection to his plans. Charles Burford moved to grant the variance and approve the permit, Erika Hoeve seconded, all approved.

POLICE: Chief Ray Short reported the following activity. Zero accidents, one arrest on an outstanding warrant. Forty-two calls required police service: 11 alarms, 3 peddlers, 4 suspicious vehicles, 2 unwanted persons, 2 welfare checks, one open garage door and nine assists to other agencies, 2 to the RC water dept., 2 to LPD, 2 to LSO and 1 medical call. Two citations were issued, one for a stop sign and one for fireworks. Fifty-five warnings were issued, 17 traffic and 38 trespassing. Three offenses were investigated, 2 criminal mischief and 1 theft. There were 31 vacation watches, 5 animal dispositions, (3 dogs, 2 snakes.) 2303 miles were put on the police car.

Charles Burford asked if the alarms were repetitive, and Ray answered 4 were to one residence, 3 to another.

COURT CLERK: Melissa reported \$58 in court collections this month. Quarterly payment to the comptroller was \$106.80. The court currently has four active cases. One is making time payments on a guilty plea. Three are "serving time" for deferred adjudication. This month two cases were closed, both had plead guilty and paid fines, one on an October ticket, and one on a July ticket on which he had been making installment payments. There are two new cases this month, one citation for fireworks, and one for running a stop sign.

FIRE DEPT. Wayne Rawls reported three fire responses this month: a gas leak, a grass fire on Hwy 400 and a grass fire in the Buffalo nature area. We assisted Buffalo on their side of the fence. There was one medical call outside the canyon.

LIBRARY: Librarian Kim Copeland reported 146 patrons for October, with 82 books and 8 movies in circulation. Charley McQueen was the chauffeur, Karla Leslie and her family were the Fall Festival judges and a good time was had by all. The library will have Santa on the evening of the Parade of Homes.

POA: Chip Polk briefed the council on the current status of the POA's efforts to resolve many organizational questions. They had a good year, ending with funds earmarked for beautification and maintenance.

OPEN FORUM: Inez Speed asked "Where are the Balloons?" The Hot Air Balloons no longer take off from the meadow because someone told them it was private property and they could not drive on the meadow area. Chip Polk stated that this question would be discussed at the POA meeting.

ADJOURN: So moved by Charles Burford, seconded by Erika Hoeve, all approved.

Melissa Verett
City Secretary