

CITY COUNCIL MEETING
MARCH 9, 1999
MINUTES

Mayor Lee Kitchens called this meeting of the Ransom Canyon City Council to order at 7:00 P.M. Council members Steven Oldham, David Peterson, Inez Speed, Ken Williams and Robert Englund were all present. After a brief moment of silent meditation, the council considered minutes of two previous meetings, January and February.

David Peterson noted Page 3, paragraph 2, line 6, "Speed and Peterson voted to abstain" should be changed to "Speed and Peterson voted yea." This correction made, Ken Williams moved to approve the minutes, Inez seconded the motion all approved.

FINANCIAL REPORTS FOR FEBRUARY AND MARCH. No major expense or revenue swings that were not quarterly or otherwise periodic records were noted. Inez Speed asked for clarification of the police pager bill from Stenocall. It was determined this is now a quarterly bill, and the pagers are being billed as expected. No changes noted, David Peterson moved to approve the reports and pay the claims and demands, Inez Speed seconded the motion, all approved.

The council voted to amend the building code ordinance # 56 regarding the specifications for a topographical survey. The council adopted the change, which will now require a topo map showing two-foot elevation changes, otherwise for a flat lot, only four lot corners will be required. After some discussion about the wording of the prepared ordinance, the council voted to pass this measure. Inez Speed made the motion to adopt this amendment to Ordinance 56, Section I and 2, amending Section 2. David Peterson seconded the motion, all approved.

The council also voted to amend the building code ordinances dealing with the garden home lots. Ordinance 156 was approved at the January meeting, and the council decided at that time to have a second reading. This ordinance limits the ten-foot zero lot line roof overhang to gutter only. Inez Speed moved to adopt the ordinance, David Peterson seconded the motion, all approved.

RESOLUTION 64. This resolution formally demands that Lubbock County improves and maintains the road from Ransom Canyon to Roosevelt Schools, County Road 33. The council resolves that the road is too traveled, too narrow, and too unsafe. Inez Speed moved to adopt the Resolution, Robert Englund seconded to motion. David Peterson asked the wording be changed from "insist" to "demand". Inez Speed agreed to the change, Robert Englund seconded the change, all approved and the Resolution passed. Copies will be sent to the County and to Roosevelt School.

The Building Control Committee meets regularly and has approved six sets of plans in the past month.

The police department has been quiet. Chief Rawls new Ford Explorer is in operation. The new radio is working.

The fire department has new members; there will be a pancake breakfast in April. Inez Speed asked if we had the receipt for work performed on the brickwork on the sub station. Mayor Kitchens will follow up.

Kim Copeland reported there will be an Easter Egg hunt April 1, and she thanked the council for their continued funding, even though the grant from the County had been cut \$1200 per year.

Harold Needham reported for the city that they are busy trying to sweep and repair streets, install new meters, repair equipment, etc. Road repairs need attention. The new addition to the RV lot is nearly finished. The council asked Harold if he would be spraying the streets, front hill, etc with roundup. Harold said roads and grounds' budgeting was a factor in this determination.

The Mayor asked the council if March 23 was suitable for a work session to study trade off for city projects. Wayne Gentry had asked for guidance on a go ahead for some projects, or some attention to some new ones, such as serious consideration of street resurfacing. Ken Williams stated he would be on vacation that week.

Steven Oldham asked about the deadline for city council agenda topics. He called city hall Thursday and left a message for items for the agenda that were not included. Melissa explained that she got the message Friday. The regular agenda had been published, so Melissa asked the Mayor if he wanted to add these items to the council meeting as emergency agenda topics. The Mayor instructed Melissa to not put these items on an emergency agenda, with the eye toward putting the items, Police Grant Funding, and off duty use of police cars, up to discussion at the work session in two weeks. The Mayor confirmed this and asked Steve if this was satisfactory.

Ken Williams took this opportunity to announce that he will not be a candidate for office. He has served either on the Property Owners Board or the city council for nearly 13 years, and he is going to take a brief respite. Ken thanked the city staff, the citizens of the City, his friends, and his fellow council members. Many thanks to Ken for his work.

Lee Kitchens has filed for reelection. David Peterson has filed for reelection.

The regular meeting concluded, Mayor Kitchens announced that the council would adjourn to executive session, per the posted agenda, in order to discuss the caboose located at I South Lake Shore Drive with the city attorney.

The meeting reconvened to open session, and Rand McPherson, the owner of the caboose, addressed the council. Rand and his family wanted the caboose as part of their history. The caboose was registered (25 years ago) as a trailer, and Rand believed this met the legal requirements of the city. The council expressed their concerns to Rand.

Mrs. Speed specifically asked to see the documentation that the caboose was a trailer. Rand stated the tags were up for renewal, the title was in his father-in-law's name and Mr. Watson had the paperwork. He agreed to provide the paperwork to the city. He stated that Chief Rawls had seen the paperwork.

Rand was also concerned that he did not get a copy of the agenda this month, and as fire chief, he usually gets a copy of the agenda. The council stated that the meeting was legally posted, and the City Secretary stated that the agendas were mailed Wednesday March third. She was sorry that Rand did not get an agenda, but it was not an intentional oversight.

David Peterson stated that he had a parking pad next to his house that would be perfect for a boxcar. Boxcar storage is common and has its place in West Texas, but David stated that the ordinances in place in the City of Ransom Canyon prohibit. He cited the ordinance that requires "new materials" There was much discussion about all of the ordinances that speak to this problem.

Attorney Sims expressed to Rand that the council has a problem. The caboose is not a trailer. The council is concerned that if they don't address the problem of this building, that the next person to put up a boxcar or unsuitable structure would use this as an example of the council giving unfair treatment to Rand, and John stated the council would face this problem at the courthouse with the next person who wanted a variance.

This was especially true because in May and July of 1997 the council turned down a request from Rand for a building permit for this caboose. The council has a problem.

There was considerable discussion, with suggestions from the council about other suitable places for the caboose, such as the Park, (Property Owner Assoc. owned), Ken Williams stated that this council sometimes had to make tough calls in order to uphold the laws of the city. The ordinances were laws, and they are there for a purpose. If they don't uphold the ordinances and laws, they are open to accusations of malfeasance.

Robert Englund commented that the council had to set aside their personal friendships sometimes in order to uphold their sworn duty to uphold the laws and building codes of the city. Beauty and value are in the eye of the beholder. He made a motion to the council to give Rand 30 days option to move the caboose to another location, if that doesn't succeed, then the city should issue a red tag. The red tag would be for no building permit for the structure, sub standard structure, and no permit for the dirt work that was done on the property. Inez Speed seconded the motion.

David Peterson discussed the fact that thirty days for a land transaction might not give time enough for completion, and that 60 days might be better, if after thirty days, Rand could produce documentation that a deal had been struck and was in progress. Robert Englund amended his motion to include the council's intent as a body to review Rand McPherson's documented progress to move the caboose to a site other than a Ransom Canyon homesite. Inez Speed approved this change to the motion.

All council members voted in favor of the motion.

No further business at hand, the council adjourned the council meeting.

Melissa Verett
City Secretary