

# CITY COUNCIL MINUTES DECEMBER 12, 2006

## MINUTES

### DECEMBER 12, 2006, RANSOM CANYON CITY COUNCIL

The City Council of the Town of Ransom Canyon met in open session at 700 PM, December 12, 2006. The meeting was held at the Ransom Canyon Fire Station, # 1 Ridge Road, Ransom Canyon. Mayor Robert Englund called the meeting to order with the following Aldermen present: Kevin Carlson, Ron Cox, Donna Clarke, and James Overby. Jack Randorff was absent.

2. **MINUTES** of December 5, 2006 and November 14, 2006 were approved on a motion from Kevin Carlson and second from Ron Cox. All voted aye.

3. **FINANCIAL REPORT:** This report was approved on a motion from Donna Clarke, second from James Overby. All voted aye.

4. A **PANDEMIC VACCINE ACTION PLAN:** Kevin Carlson asked the council to revisit the action that was taken last month concerning the purchase of flu vaccine. The council discussed and was of the opinion that this drug will probably be available through other sources in the event it is needed. Dr. Cox commented that the purchase was not in the budget, and might not meet the test of emergency budget exception. Ron Cox moved to withdraw this action. James Overby seconded the motion and all voted aye.

4. B. **WIRELESS UPDATE.** James Overby and Kevin Carlson met with the AT&T representative. James said there was no reason to be optimistic that AT&T will ever partner with South Plains Telephone in order to provide service to South Lake Shore Drive. South Lake Shore installation for ATT-acquired Cingular-The Edge is not economically viable. ATT's research into fiber optic cable for South Lake Shore is six months out. They can't combine both sides of the canyon. There are boundaries on the tariffs and there is not enough business to make it viable for a partnership. The date that South Lake Shore will lose wireless service through The Door is January 31.

James Overby said that the problem with the telephone service is running it. A DS3 line can be leased, a Cisco router purchased, but someone must do the maintenance. Blue Moon proposed an investment with a \$230,000 outlay with no guarantee. Blue Moon would run it and split the fees.

4. C. The following has been reported to the city from various Door customers. (The city Web Site is hosted by The Door and our webmaster is moving our web site service.) The Door sold to All Tel. All Tel sold part of their business to Windstream, and Windstream did not want to operate the internet service on South Lake shore. This service will end January 31. The Door provides speeds of 2mb. A DSL line is 54Kbps Downstream, which is four times smaller than the Door. It looks like internet service on South Lake Shore will end on January 31. The only alternative appears to be satellite.

This discussion ended when Kaia Hawley said that she had service through Zanadoo, and that she lives on South Lake Shore.

4. D. **ZONING COMMITTEE:** Mayor Englund reported that there are many Deed restrictions that are not mirrored in Ordinances, and these Deed Restrictions could be better enforced if they were stated in Zoning Restrictions. James Overby suggested contacting TML for model codes. Donna Clarke moved to go forward with zoning, Ron Cox seconded, all voted aye.

**New Business: DIANE WHITAKER** reported to the council about a serious problem with wild animals at her property. Thirty to forty skunks and raccoons are feeding and littering around her property. Terminix found a raccoon tunnel that has exposed a sewer line. Raccoons have fleas.

Diane did much research with the law about trapping and disposing of these animals. Federal law requires a licensed person. Gafford will set the traps. They will take raccoons, but they will not take skunks. Terminix will trap and remove both, for a fee.

These animals are doing much damage to the Whitaker home. They are shredding storm doors and tearing up the house doors at nights. Mostly they are leaving feces, which is a health hazard. Feces dry up and particles become airborne, and this is a health hazard.

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Diane contacted Park and Wildlife, and they sent 2 game wardens, who declared that there is an overpopulation of these animals. They told Diane that the city does not need a license to trap these animals. The State parks and Wildlife said the city should be responsible for the health and safety of the citizens. She called the CDC, who explained the threat to residents if the raccoons are infected.

Diane wanted the council to make this information available to residents of the canyon, so the residents would not feed these animals any more. There is one resident who feeds up to forty raccoons at night. Diane called the County Health Department, who told her of a danger of round worm parasites, and that last year there were 75 cases of rabies. Skunks mate in February, March and April.

The Whitakers want the city to address the issue and provide animal control. Diane said she had heard for years that it was too expensive, too difficult to trap just the skunks and raccoons. Traps cost \$50 each. Diane said Terminix will trap for \$50 per animal. Terminix found bee honeycombs in the mesquite in the hillside below their home. Bees can be dangerous, and the honey attracts the varmints.

Mayor Englund said maybe we could work out a contract with Terminix, but no action was taken by the council.

New Business: **AUDIT.** David Hettler delivered the audit. It included an unqualified opinion that all was well with the city. There are \$2.8 million in net assets. David walked the council through the audit briefly, hitting high points. There were no questions. The audit spells out the city operations in a general operating fund and in an enterprise fund. The enterprise fund is the water, sewer and garbage operation. Mayor Englund said the council will study the audit and will vote on it next month.

5. B **Polycart Policy.** There are many complaints about the garbage pick up. The wheels on the carts break and when Caprock Waste replaces the polycarts, they want the old carts so they can fix them. There are frequently no polycarts to turn back to Caprock Waste, because the carts are missing. Some homes have two carts. Caprock considers one cart, one fee. This may become a problem this year, and the polycart issue may become a problem that needs a policy that we need to try to enforce.

5. C. **Buy Board:** The council voted to continue membership on the Buy Board. This action was taken on a motion from James Overby, second from Donna Clarke. All voted aye

5. D. **The Building Committee** is looking for another member, and hopefully will have a recommendation next month. Four outstanding, highly qualified individuals have volunteered.

5. E. **TML Sewage Backup Insurance.** The Council considered a policy that is being offered by TML for coverage in the event of sewage backup. The council discussed cost, deductible, coverage, liability, and decided that the expense was not a wise purchase. This coverage will not be added to the city policy package.

5. F. **REQUEST FOR HAM ANTENNA.** The city has been advised that a private home sale contract has been drawn up that states that the sale is contingent on city approval of a ham antenna that is fifty -70 feet high with an array that is half again as wide. The home is in the bottom of the canyon in an area that is Deed Restricted to single story. The buyer and seller of this contract were present to request the council to take action to approve this antenna.

The council did not take action to this effect. Donna Clarke commented that much study and consideration was in order prior to any action.

There was a large crowd at this council meeting to protest the installation of the antenna. There was much interest in this issue, and there was much discussion from the audience. Residents were concerned with interference with TV's and telephones. Dr. Robert Boyd, who is the buyer, told the audience that if they experienced TV, computer or cell phone interference, then their appliances were substandard, and the repair that would be necessary would not be the responsibility of the ham operator. The seller, Mr. Pat Bixler, attended the meeting and commented that the antenna would be covered by the 50 foot tall trees that are on his extra lot. The laws are lengthy and complicated, but it was clear that the neighbors did not want this antenna. It was brought up that Dr. Robert Boyd had issues with neighbors in Lakeridge Housing Development in Lubbock, which is where he currently lives. These neighbors did not like the antenna, either.

Mayor Englund told Dr. Boyd that this canyon is populated with naturalists and conservationists who do not want to look at antennas on the skyline. He also asked Dr. Boyd why he would build a fifty foot antenna and put it in a canyon that is 200 feet deep. Dr. Boyd believed he did not need permission from the city because federal law said ham

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operators could build whatever they wanted to, since ham frequencies are licensed by the FCC and there is a new law prohibiting municipalities from interfering with ham antenna placement, camouflage requirements, etc.

A city must make reasonable accommodation

Fire Chief Rand McPherson commented that in an emergency event, ham operators are the only communication we have.

Several individuals suggested that Dr. Boyd just put a repeater on the fire department tower. Donna Clarke said that this is the starting point, the city wants to work with the Boyds, making sure that the city health and safety is secured, and that the city has assurances that there will be no obstruction. This will be a long process with hearings and meetings and interviews and information sessions. She commented that the council and the Boyds can meet again.

**EXECUTIVE SESSION** The council adjourned into executive session. They reconvened into open meeting and reported that no action was taken in the executive session. They took no action in the open meeting as a result of discussions in the closed meeting.

### 8. Department Reports

A. **Operations.** Bernie Gradel is working on the ground tanks and on the water contract with Roosevelt.

B. **Fire Chief Rand McPherson** reported one assist to a fire call for Roosevelt. Ransom operated as an assist to shuttle water ¼ mile to the Franklin Estates on the NE Loop. There was one medical call.

C. **Police Chief Wayne Rawls** reported one traffic accident on the snow day at Cherokee and Canyon View. There were 2 incidents of vandalism at a home and at a construction site. International Diving Service will examine the weir for \$1,000. If they can do the necessary repairs in one day, the cost of repairs may not cost more than that. The council moved to approve hiring them on a daily basis.

D. **Librarian Kim Copeland** reported that the annual fundraiser was very successful at \$2500 with more checks to come in.

9. The **POA** did not report.

10. There was nothing in Open Forum.

11. The meeting adjourned on a motion from James Overby and second from Ron Cox.

Melissa Verett