

TOWN OF RANSOM CANYON  
MAY 10, 2005  
RANSOM CANYON CITY COUNCIL  
MINUTES

This regular city council meeting was called to order by Mayor Robert Englund at 7:00 P.M., April 12, 2005. Aldermen Earl Starks, David Peterson, Ron Cox, Richard Hulslander and Donna Clarke. Attorney John Sims was also present. Several guests were in the audience.

MINUTES

Robert Englund asked to change page 5 paragraph 4, last sentence to read, "...benchmark 94-year flood."

Donna Clarke asked for changes to p 4: Mosquito Spray Plan. She asked to change p 4, paragraph 5, first sentence, to read "They may ask Greg to fly...". She also asked to change sentence 2 to read, "...in the past, G&G may be employed to fly and spray more often."

Richard Hulslander made a motion to approve the minutes with these changes. Ron Cox seconded the motion, all approved.

FINANCIAL REPORT

The Financial Report was approved unanimously on a motion from Dick Hulslander and second from Ron Cox.

David Peterson reported that there was a check listed on page 36 of the Claims and Demands for \$803.69 that had not been signed, pending further information. This check was payable to Rand McPherson. The expense was for repairs to the fire truck, but the method of payment needed more documentation. The bill was paid with a debit card. The account is not a city account. The account is one that is kept by the Volunteer Fire Department Auxiliary. The invoice itself does not specify that the work was done to the LaFrance that is owned by the Town of Ransom Canyon. The invoice shows a cash sale that was paid for the repair with a credit card. David Peterson sent Rand a letter explaining the reason for the delay in the check, and request for more information. With this exception, David Peterson moved to approve the claims and demands, Richard Hulslander seconded the motion, all approved.

Budget Calendar: The council discussed the proposed budget calendar, and some noted conflicts. David Peterson will be out the last two weeks of July. Donna Clarke will be out the last week in July. Dick Hulslander will be out the last weekend in August. The council requested that the worksessions begin at 6:00 rather than 7:00 P.M.

OATHS OF OFFICE: David Peterson administered the Oath of Office to Mayor Robert Englund. Robert in turn administered the oath to David Peterson and Donna Clarke.

MAYOR PRO-TEM David Peterson was elected Mayor Pro-Tem by acclamation on a motion from Dick Hulslander and second from Donna Clarke.

WATER ISSUES: Mayor Englund gave a historical review of some broader water issues that have affected Ransom Canyon in the past. Ransom Canyon has experienced drought. Because the lake depends on watershed, during these times of drought the lake cannot be kept at a constant level, and does indeed get below a level that is safe for boating. The condition has been partially alleviated by the storm water drainage from South Lubbock. However, constant lake level capability would be an asset to the management of the lake. City of Lubbock officials have approached Ransom Canyon about receiving reclaimed water from their Bertram Lakes water reclamation plan that will pipe reclaimed water to the top of the project and will run all the way down to the north fork of the Brazos, which is the V-8 Ranch, Buffalo Lake and Ransom Canyon lake.

The other main water issue that involves the City of Lubbock is our contract for potable water. Ransom Canyon has been requesting an increased contract volume allocation for years, with no success.

It seems that any time Ransom Canyon gets something from the City of Lubbock, Ransom Canyon also has to make some concessions. Mayor Englund suggested that the allocation of potable water might be increased, if Ransom agrees to take the reclaimed water and become part of the drainage and recycling system. The Mayor asked the council to approve this quest, and authorize him and the City Attorney to approach the City of Lubbock and negotiate the new contract.

The council approved this plan of action on a motion from Donna Clarke to allow the Mayor and Attorney Sims to talk to the city and report back and negotiate the acceptance of reclaimed effluent water and increased potable water quantity. Ron Cox seconded the motion, and all approved.

#### DEBT SERVICE ANALYSIS:

The City Council discussed the pros and cons of borrowing in order to pay for the water tower. There was some discussion about the requirements that FEMA would place on the city to spend all resources before they would step in and reimburse.

Richard Hulslander had done the homework and the difference in the borrow/investment comparison was only \$38,000. He said the decision to borrow or not was a toss-up.

Ron Cox commented that if this council borrowed, there was no guarantee that the new council would not spend the money that was set aside for interest earning savings.

Hulslander commented that lenders look at the number of days operating cash on hand. After discussion there was no motion to borrow money.

#### OPERATIONS REPORT;

Harold Needham gathered prices to replace two meters that required removal in order to calibrate. This expense is not in this year's budget. Total cost to replace both meters is \$10,753.91. One meter measures potable water purchased from Lubbock. This meter is operating satisfactorily at this time. Harold wants to replace it to buy a better meter that would be more price, and would not have to be removed to calibrate. This is the meter that plays an integral part in the newly required water audit.

The other meter is a 30-year-old meter that measures sewer effluent from Buffalo lake. This meter is critical to the Buffalo Lake billing process. There have been big swings in these readings. There was no motion to purchase these meters at this time.

Harold reported the repair estimates for the ground storage tanks. Harold commented that he is not comfortable with doing any of the repair items in house, that he would rather contract it out. There were two proposals. One was \$67,000 to paint and repair. The other was \$90,000. This will be a budget item for the 05-06 budget year.

Seal coat bids will be opened at Hugo Reed next week.

Property Owners Association.

Andy Wilson could not attend this meeting, and the council did not take action on these items, but did agree to meet with the Property Owners in order to have specific discussions about possible Deed Restrictions for the island property. The city engineer had located the original 1976 Deed for this Property Owners Property. In this Deed all of the land was restricted to recreational use.

The council discussed establishing a fiduciary fund for the Party House Construction. Under this fund donations could be made to the city for the Party House Project. The money would be passed through to the POA. The donation to the city would be tax exempt, donations directly to the POA are not. Attorney John Sims said this issue had been decided by the legislature, and could be handled through the city's accounting department. Alderman Hulslander asked if there were any precedent opinion from the IRS. Attorney Sims said cities have a special set of accounting provisions separate from the IRS, because cities are tax exempt. Donna Clarke asked if there were any down side to doing this. John said the city would have to issue receipts, and the funds would have to be accounted for. The city just needs to set up the fund and this can be done with a vote. No action was taken on this matter at this meeting, but Robert said the matter could be revisited in June.

Attorney Sims did report on a new court case that found that a city could spend tax dollars on a homeowners association need, if every member of the city belonged to the homeowners association. If the POA included all of the people, the city could spend funds for a community matter. This case study was distributed to the council in an information packet.

The council did agree to waive the ordinance that prohibits swimming in the lake for one day, Labor Day, in order for the Property Owners Association to have the annual triathlon. This is the fourth year for the triathlon. Earl Starks made the motion to waive the ordinance for one day. Dick Hulslander seconded, all approved.

There was further discussion about the plat requirements. Attorney Sims said the city could waive plat requirements. The council was concerned about ownership if the POA were to dissolve for some reason. Attorney Sims commented that the land was already deeded and restricted. Technically, all the city had to do was waive plat requirements. The city took no action.

POLICE REPORT. Police Chief Wayne Rawls reported that his EMT certification was renewed until 2008. The tower webcam is in place and is operational. It can be accessed from the internet. It is now pointed at storms in Yoakum county. This is a cooperative effort between Channel 28 and the National Weather Service.

FIRE DEPARTMENT: The LaFrance is back in service. The automatic battery and air compressor had to be repaired, thus the \$800 bill to Stewart and Stevenson. The GMC pumper/tanker has a leak in the tank. Fire Chief McPherson is getting bids for an on-site repair from Doug Bradford with Ferrara for a replacement poly tank. The First Responder is recertified and the last three calls the 911 call system has worked as it is intended.

#### BUILDING CONTROL

There were two meetings this month. The committee reviewed a front set back variance request, and a fence height variance request.

#### ZONING AND CONSTRUCTION

Minuard and Judy Jordan requested a front set-back variance in order to do a repair to the garage on their house that would extend their garage and attend to a drainage problem that they have. They made their case to the Building Review Committee, and the Committee recommended the variance be granted by the council. Mr. Jordan had letters from his neighbors stating they had no objection. He also had pictures of the proposed project. He also had a list of homes that had front set-backs of less than the required 35 feet. Earl Starks made a motion to waive the front set-back requirement for this situation. David Peterson seconded the motion. All approved.

A discussion followed about the need for the city to require permits for concrete work for driveways or parking pads, otherwise known as "flat-work." The city ordinance says a permit is required for everything, including landscape work, but a driveway extension is not landscape work. The international building code says this work is exempt from needing a permit. After much discussion, the council clarified that flat work that included cut and fill would need to be permitted.

Mike Greer asked for some speed enforcement measures on East Lake Shore Drive. Police Chief Rawls suggested the city stripe this street and paint "SLOW." A new speed limit sign will also be installed. Attorney Sims also suggested an article in the Newsletter advising people that the council has instructed the council to enforce the speed limits, this area will be radar enforced and that the police are watching the area closely. Chief Rawls did state that the police run radar all the time. Radar only works when a car is coming straight on, however, so it does not work on the city streets as a tool to measure and/or issue a citation to a speeder. It does tell the police how fast their own cars are going, and it also tells them when to put air in their tires. These three things: 1. new signage, 2. stripe on the street and 3. information in the newsletter, will be done.

Billy Williams reminded the council that a request had been made to meet with Jack Chapman, who was requesting a variance for fence height for a home on Aztec.

A request had been made to remodel the RV park in order to allow larger RV's a place to park so that the drive area was not blocked. The current spaces are 14' wide and 30 feet deep. Some RV's that are currently parking in the lot are longer than the 30 feet, and they obstruct the common area. All of the RV spaces are rented. The council discussed this issue and agreed that any RV expansion would be problematic because there's really no place for it to go, without taking up city land that may be needed for city expansion. There was no motion to proceed with an RV expansion project at this time.

The council discussed some zoning issues. There is nothing in the city laws that regulates the construction of pole barns, metal carports or metal storage buildings. There have been requests from the public through the years to at least require these buildings to be bricked, have matching brick or 50% brick. It is legal to build a garage on a lot next to a lot where the owner lives. With the RV lot full, there may be more requests for quick shelter metal structures. No action was taken by the council at this time.

The council revisited the "RV parking in the driveway" issue. The council agreed that this would be a controversial ordinance, and generally they agreed to leave the regulation to a referendum election by the people. Chief Rawls reminded the council that if TXDot regulation is the deciding factor for vehicle weight, that 1 ton is the cut off point for registration with TX Dot. Some residents use 1 ton trucks as their work vehicles. These 1 ton trucks do not normally fit into garages. The council briefly discussed enforcement issues if this proposed regulation were to become law. There was some discussion about the junk vehicle ordinance.

The last issue was a memo from Bernie Gradel stating that he had spoken to attorney John Sims about the legality of changing the design of the water tower after the low bid had been accepted. This would be legal. No action was taken at this time.

Richard Hulslander moved to adjourn, Earl Starks seconded the motion, all approved and the meeting adjourned.

Melissa Verett.