

CITY OF BLUE RIDGE
CITY COUNCIL MINUTES
March 5, 2019

THE BLUE RIDGE CITY COUNCIL MET IN REGULAR SESSION AT 7:00 P.M. ON TUESDAY, MARCH 5, 2019 AT THE BLUE RIDGE COMMUNITY CENTER, LOCATED AT 200 W. TILTON, BLUE RIDGE, TEXAS 75424 AT 7:00 P.M. WITH THE FOLLOWING ITEMS ON THE AGENDA FOR CONSIDERATION AND/OR ACTION.

① Or immediately following the conclusion of the Council Special Session meeting.

1. Mayor Williams called the meeting to order at 7:02 p.m. and called roll with the following members present, Mayor Rhonda Williams, Amber Wood, Gerald Young, Kevin Bell and Keith Chitwood. Christina Porath was absent.
2. City Secretary Edie Sims offered the prayer and lead the Pledge of Allegiance to the American and Texas Flags.
3. Consent Agenda: a) Discuss, approve or disapprove the minutes from Special Session held on February 5, 2019 and Regular Session held February 5, 2019; b) Public Works Update; c) City Financial Report; d) Fire Department Report; e) Animal Control Report; and f) Collin County Calls for Service

Collin County did not supply the Collin County Calls for Service. All American Dogs did not supply the Calls for Service prior to this meeting. Amber Wood motioned to approve items the Consent Agenda. Mayor Williams noted 2 typo's needing correction: the word heart instead of hear in item #3 on the Special Session Minutes from 02/05/2019; and on item # 4 from the Regular Session Minutes on 02/05/2019, the acreage reflects 65 when it should be 5. Amber Wood motioned to approve the Consent Agenda with the changes. Kevin Bell seconded the motion. Motion carried unanimously.

4. Consider, discuss and act upon closing the square from 2pm - 10pm on 04/27/2019 with a rain date of 05/04/2019, requested by the Blue Ridge Chamber of Commerce for their event "Spring Fling and Moving Thing"

The Chamber will be sponsoring this event with a movie being shown on the old Funeral Home building with the movie being shown 10 minutes after dark. The request is to close the square at 2pm to allow vendors to set up on the square. Glenda Milton, Chamber Secretary, stated port-a-potties will be rented. Amber Wood requested the approval sheet where the businesses agree to this event since it will affect their businesses. The Chamber did not complete this portion but can have it ready for the next meeting. Amber Wood motioned to table this item until the Special Meeting on 3/19/19 with Gerald Young seconding the motion. Motion carried unanimously.

5. Consider, discuss and act upon approving an Order of Cancellation regarding the City of Blue Ridge's General Election for three council members for the May 4, 2019 General Election

Kevin Bell motioned to approve the Order with Keith Chitwood seconding the motion. Motion carried unanimously.

6. Second Public Hearing to receive public comments and to discuss and act upon a replat of a Final Plat known as Vanessa's Place, an addition located at 211 North Morrow, Blue Ridge, TX, also known as Blue Ridge Original Donation, Lot 45, containing 36,590 square feet, replatting into 2 lots and also which is located within the City of Blue Ridge

Mayor Williams opened the Public Hearing at 7:29pm and asked for those FOR the plat to come forward. Shannon Fagg, residing at 301 N Main, stated she is for the plat. With no one else coming forward, Mayor Williams asked those OPPOSING the plat to come forward. With no one coming forward, Mayor Williams closed the Public Hearing at 7:30pm.

Kevin Bell stated he is concerned of the smaller lot being created. Staff stated the lot does meet all the lot size requirements. Amber Wood motioned to approve the plat as presented with Gerald Young seconding the motion. Motion carried with a vote of 3 to 1 with Kevin Bell opposing.

7. Consider, discuss and act upon a request from Frognot Water Supply Corporation to include a portion of water line, currently serviced by the City of Blue Ridge, to be dually certified in the Certificate of Convenience and Necessity (CCN) in the proposed Frognot SUD boundaries

Eddy Daniel with DBI Consulting Engineering presented information on behalf of Frognot Water Supply regarding the service area north on Business Highway 78 which is dually certified. Frognot Water Supply is in the process of converting to a Special Utility District and must use the Certificate of Convenience and Necessity (CCN) boundaries. The area is currently has a dual CCN. Once the City has signed the Consent for Inclusion of Dual Certification and City Limit Area, Frognot can complete their submission for an election of officers at the November General Election.

The only change affecting the residents of this area will be an opportunity to vote on officers for the SUD. There will not be any changes to service being provided by the City to its current customers. For clarification, if a property owner wanted to go online with Frognot in this area, they certainly could; however, the cost would be extensive in comparison to staying with the City. So therefore, it would not be cost efficient for someone who already has water through the City to change to Frognot. The request is all about voting rights and would not affect the City's growth, ETJ or any other aspect of the City.

Kevin Bell motioned to approve signing the Consent for Inclusion of Dual Certification and City Limit Area with Gerald Young seconding the motion. Motion carried unanimously.

8. Consider, discuss and act upon a request to amend Ordinance O-2018-0206-001, the Food Establishment Rules Ordinance, regarding an establishment operating as a non-profit, and registered with the IRS as a 501C(3) organization

Shawn Bailey, representing Blue Ridge First Baptist Church, stated after being inspected by the City's inspector which was not announced/planned, he questioned why the Little Blessings Day Care would be considered a Food Establishment. Mr. Bailey reiterated the daycare is not a food establishment nor a business but a ministry of the church. For the past many years the daycare has been inspected by the County and they comply with all State regulations. 90% of their food is precooked and thereby he requested the Council change all non-profits be exempt from the Food Establishment inspections and regulations, and not just First Baptist Church. Mr. Bailey stated he feels this is another level of regulatory looking over his shoulder. Since the daycare does not make a profit, he does not feel the church should fall under the same guidelines as restaurants.

Lisa Pomroy, Inspector with Bureau Veritas, came forward stating per the Ordinance the City passed in 2017 and the Food Establishment Rules Ordinance passed in 2018 states 2 routine inspections will be performed during each year which includes daycares. The State considers children in daycares as high risk population and the rules require all food handlers to follow the Food Establishment Rules.

Ms. Pomroy stated Little Blessings is licensed for 70 children. Bureau Veritas was hired through the City to provide inspection services. These services included checking for compliance, not deficiencies. Also, the efforts are made to educate and bring the businesses into compliance.

Robert Todd, representing First Baptist Church, questioned the concession stands and if they are open to inspections with Ms. Pomroy stating yes. Mr. Bailey questioned if all volunteers must have Food Handlers Certifications even in a concession stand. Ms. Pomroy replied 1 person who has a Food Handler Certificate can oversee the other volunteers.

Kevin Bell asked if the ordinance was amended if the concession stands would need to be included. Mr. Bell also stated he will be abstaining from any vote on this issue.

Gerald Young asked prior to the City requiring Bureau Veritas to perform an inspection, how did the church handle in the past? Mr. Bailey stated the County inspected the facility and provided their inspection to Health and Human Services. Mr. Bailey stated the City is adding one more layer of bureaucracy and does not believe this is necessary. Mayor Williams informed Mr. Bailey the inspector used, Larry Howard, is not hired through Collin County.

Mayor Williams stated we all have the same goal, for the safety of the children. Mr. Bailey expressed concern of having to install things that has nothing to do with the daycare. Mayor Williams asked if the Church will provide copies of their annual health report for our records if the ordinance is changed. Mr. Bailey stated he would see the City has this information.

Amber Wood asked if the City would be liable for any situations at the Church? Ms. Pomroy stated according to the Code, the daycare is still required to meet the Food Establishment Rules and the rules do not exempt 501(c)3 designations.

Gerald Young motioned to approve amending the ordinance to exempt 501(c)3 designations from the Food Establishment Rules Ordinance. Motion died for lack of a second.

9. Consider, discuss and act upon Resolution R-2019-0305-001 designating a planning service provider for the 2019 Texas CDBG Planning and Capacity Building Fund application and project implementation

Cloy Richards with Grantworks discussed the procedure preparing for the Planning and Capacity Building Fund grant which included a call for proposals. Grantworks is the only provider who submitted a proposal to provide the services for this grant.

Amber Wood motioned to approve the Resolution as presented with Keith Chitwood seconding the motion. Motion carried unanimously.

10. Consider, discuss and act upon Resolution R-2019-0305-002 authorizing submission of the 2019-2020 Texas Community Development Program application for a sewer improvement project

Cloy Richards with Grantworks stated the resolution being presented is to make correction from the original resolution as the City will no longer be utilizing a Force Account and will make the full cash match for this grant. The resolution will be easier to process with the application as corrected since we have shifted the method of the City's portion of the project. Kevin Bell motioned to approve the Resolution as presented with Gerald Young seconding the motion. Motion carried unanimously.

11. Consider, discuss and act upon Ordinance O-2019-0305-001 amending the Fiscal Year 2018-2019 Budget, relieving the Elections Expense of \$6,925.00 and accommodating the expense for Code Enforcement Services in the General Tax Fund

Edie Sims presented the Council an ordinance to relieve the Elections expense line since we will not be holding an election this year and utilize those funds for Code Enforcement Services. Keith Chitwood motioned to approve the Ordinance as presented with Kevin Bell seconding the motion. Motion carried unanimously.

12. Consider, discuss and act upon terminating services with Texas Code Solutions (Travis Caperton) for Code Enforcement Services

Code Enforcement has been a difficult task and the City has found more and more the need for an officer to be present more and offer more services than which is allowed with the current provider. We do not have a contract with Mr. Caperton for his services. Amber Wood motioned to approve terminating services with Texas Code Solutions, i.e. Travis Caperton, with Gerald Young seconding the motion. Motion carried unanimously.

13. Consider, discuss and act upon contracting with All American Dogs for Code Enforcement Services

Bob Matthews with America's Code Enforcement came to present an opportunity for his firm to provide Code Enforcement. Currently America's Code Enforcement provides these services for 6 cities and other cities have approached him for his services.

Their approach is to have direct communication with people. Tickets will be written if needed but only after all efforts have been afforded to the individuals. The contract with the City will be for 5 hours per week with a cost of \$700 per month.

Shannon Fagg asked what are the Codes to be followed with Ms. Sims replying all codes are available at City Hall and we should have our codification online soon to have the codes available online as well.

Trent Boydstun, residing at 213 N Morrow, asked about vacant houses and how to have these houses removed. Mr. Matthews stated it is a process where the owner must be notified, a timeline given or a plan to work with the owner. Even though this is a process, each will be addressed.

With no further discussion, Kevin Bell motioned to approving hiring America's Code Enforcement with Keith Chitwood seconding the motion. Motion carried unanimously.

14. Consider, discuss and act upon Ordinance O-2019-0305-002 amending the Fence Permit Fee to install/build a fence within the incorporated limits of the City of Blue Ridge

Edie Sims stated the ordinance presented is to correct the fee for installing/building a fence and have the ordinance be clearer for such permits. Gerald Young motioned to approve the ordinance as presented with Amber Wood seconding the motion. Motion carried unanimously.

15. Consider, discuss and act upon the audit for Fiscal Year 2017-2018 presented by Robert Lake of Rutherford Taylor and Company

Robert Lake with Rutherford Taylor and Company presented the Fiscal Year 2017-2018 audit. After reviewing the financial status of the City, Amber Wood motioned to approve the audit as presented with Kevin Bell seconding the motion. Motion carried unanimously.

16. Citizen Participation. No one spoke during Citizen Participation.

17. Discussion of placing items on future agendas. No one requested an item(s) to be placed on a future agenda.

18. Adjournment. Amber Wood motioned to adjourn with Gerald Young seconding the motion.
Council adjourned at 8:38pm.

APPROVED:



Rhonda Williams, Mayor

ATTEST:



Edie Sims, City Secretary