

NOTICE

THIS NOTICE IS POSTED IN COMPLIANCE WITH THE OPEN MEETING ACT
(TEX. GOV'T CODE CHAPTER 551, SEC. 551.041)

AGENDA

REGULAR CITY COUNCIL MEETING

DECEMBER 11, 2018
5:30 P.M.
GATESVILLE COUCIL CHAMBER
110 NORTH 8TH STREET
GATESVILLE, TEXAS 76528

An Open Meeting will be held concerning the following subjects:

1. Call to Order
2. Hear Visitors/Citizens Forum: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council for a maximum of three (3) minutes. No formal action can be taken on these items at this meeting.
3. Consent Agenda (all consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)

Resolution 2018-87 Discussion and possible action to approve of Minutes from Regular City Council Meeting November 13, 2018

Resolution 2018-88 Discussion and possible action to accept Roger Miller's letter of resignation from the Planning and Zoning Commission, and consider the appointment of Charles Ament to the Planning and Zoning Commission

4. Discussion and possible action regarding an Ordinance of the City of Gatesville, Texas, repealing and abolishing Chapter 22 of the Code of Ordinances of the City of Gatesville as the same exists immediately prior to the adoption of this Ordinance; and adopting a new Chapter 22 of the Code of ordinances relating to Subdivisions (second reading of Ordinance 2018-10)
5. Discussion and possible action regarding an Ordinance of the City of Gatesville, amending Chapter 21, Waters and Sewers Article II, Service Rates and Charges, Code of Ordinances of the City of Gatesville, Texas, by changing certain water and sewer base and volumetric rates and creating an Institutional Customer Class, Article I, for water and sewer charges; and providing an effective date (second reading of Ordinance 2018-11)
6. Briefing/Discussion on the Fiscal Year 2019 Brownfields Grant process
7. Discussion and possible action adopting the Standard Design Drawings for Subdivision Infrastructure
8. City Manager's Report: Comprehensive Plan, Capital Projects, Budget Report, Future Agenda Topics
9. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 7th day of December, 2018, by 5:00 p.m. on the official City of Gatesville website, www.ci.gatesville.tx.us and the official bulletin boards at the Gatesville City Hall, 110 N. 8th Street, Gatesville, Texas.

Wendy Cole
City Secretary

The City of Gatesville council chambers are wheelchair accessible and accessible parking spaces are available at the back entrance of City Hall. Requests for accommodations or interpretive services must be made 24 hours prior to this meeting. Please contact the city secretary's office at 254-865-8951 or FAX 254-865-8320, or email wendy.cole@ci.gatesville.tx.us for further information.

REGULAR CITY COUNCIL MEETING

DECEMBER 11, 2018 AT 5:30 P.M.

COUNCIL CHAMBER, 110 NORTH 8TH STREET

GATESVILLE, TEXAS 76528

AN OPEN MEETING WAS HELD CONCERNING THE FOLLOWING SUBJECTS:

1) CALL TO ORDER REGULAR CITY COUNCIL MEETING AT 5:30 P.M., THIS 11TH DAY OF DECEMBER, 2018

PRESENT: Mayor Gary Chumley, Council Members, Ronnie Viss, David Mitchell, Dwight Suson, Meredith Rainer, Bill Robinette, and Randy Hitt

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, Kate Edwards, Ryan Clark, Liz Reinhardt, Ryan Coggins, Heather Minonno

2) HEAR VISITORS/CITIZENS FORUM: AT THIS TIME, ANY PERSON WITH BUSINESS BEFORE THE COUNCIL NOT SCHEDULED ON THE AGENDA MAY SPEAK TO THE COUNCIL FOR A MAXIMUM OF THREE (3) MINUTES. NO FORMAL ACTION CAN BE TAKEN ON THESE ITEMS AT THIS MEETING.

Visitors present were only concerned with an agenda item but Mayor Chumley introduced new Executive Director of the Chamber of Commerce, Heather Minonno, to the City Council. Mayor Chumley welcomed Ms. Minonno to the Chamber and stated that the City of Gatesville staff and Council looked forward to working with her.

3) CONSENT AGENDA (ALL CONSENT AGENDA ITEMS ARE CONSIDERED ROUTINE BY CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS COUNCILMEMBER REQUESTS AN ITEM BE REMOVED AND CONSIDERED SEPARATELY.)

Resolution 2018- 87: Discussion and possible action to approve the Minutes from the Regular City Council meeting November 13, 2018

Resolution 2018-88: Discussion and possible action to accept Roger Miller's letter of resignation from the Planning and Zoning Commission, and consider the appointment of Charles Ament to the Planning and Zoning Commission

Mayor Gary Chumley read the items on the consent agenda and asked if anyone would like to remove any items from the agenda for discussion. No one objected and Mayor Chumley asked for a motion to approve all the items on the consent agenda.

Motion by Ronnie Viss, seconded by Dwight Suson to approve the consent agenda; all six Voting "Aye" motion passed.

4) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS, REPEALING AND ABOLISHING CHAPTER 22 OF THE CODE OF ORDINANCES OF THE CITY OF GATESVILLE AS THE SAME EXISTS IMMEDIATELY PRIOR TO THE ADOPTION OF THIS ORDINANCE; AND ADOPTING A NEW CHAPTER 22 OF THE CODE OF ORDINANCES RELATING TO SUBDIVISIONS (SECOND READING OF ORDINANCE 2018-10

City Manager Parry reminded the Council that the first reading of this Ordinance was passed at the last meeting on November 13, 2018. Parry stated that he and Planning and Zoning member Bob Brown, who was on the subdivision ordinance revision committee, met on December 5th and discussed items that Mr. Brown thought should be clarified. Parry said that following the discussion, a few minor changes were made to the Ordinance. Parry pointed out the additions to the ordinance which were printed in red and the deletions which were struck through in black. Following a lengthy discussion regarding the revision of minor and substantive issues, the following recommended changes were highlighted:

- A Minor Plat involving four (4) or fewer lots fronting an existing street would now be recommended for approval/disapproval by the Planning and Zoning Commission instead of a delegated City official (City Manager). Errors or omissions can still be approved by the City Manager.
- Water Mains shall be located within a dedicated easement behind the curb instead of the street.
- Numbers of dwellings per lot in the Extraterritorial Jurisdiction (ETJ) clause will be struck from the Ordinance as state law does not allow *cities* to regulate the number or type of structures on lots in the ETJ. This issue is addressed in the County's subdivision regulations and it states one dwelling per lot so this would accomplish the city of Gatesville's objective.
- Entrances to Subdivisions recommended to read: *new subdivisions with 51 or more lots must have two access streets; new subdivisions with 101 or more lots must have three access streets etc....*

City Manager Parry noted that the current subdivision ordinance requires sidewalks and has very few limitations and exceptions. City Planning intern Ryan Clark discussed comparable municipal subdivision ordinances of sidewalk policies of cities near Gatesville. The presentation provided options and guidance to the Council as they considered sidewalk options. After the discussion, the following recommended changes for sidewalks were highlighted:

- 6 foot sidewalks on all collectors (minor and major)
- Sidewalks are required only on the side of the street that construction is occurring
- Exceptions include that all existing local & residential streets are not required to put in sidewalks if there are currently no sidewalks or if the lots are greater than one (1) acre
- Residential/local streets require a five (5) foot sidewalk if adjacent to curb if no green space; Where required: Two (2) foot of green space behind curb and four (4) foot wide which would comply with the Americans with Disability Act standards (ADA)
- The Certificate of Occupancy will not be issued to the lot owner until the sidewalks are installed

ORDINANCE 2018-10-02: Motion by Ronnie Viss, seconded by Bill Robinette to approve the second reading of amended Ordinance 2018-10 with modifications on the language in section 22-25 on the sidewalks and phases of the subdivision entrances as discussed, approve the recommended red-lined language and approve the strike through deletions throughout and delete section 22-10 that defines the number of dwellings per lot in the ETJ ; all six voting "Aye", motion passed.

Before moving on to the next agenda item, Mayor Chumley introduced Ryan Coggins, who was representing the Gatesville Messenger. Mayor Chumley said that he has known this young man since he was born. Chumley stated that Ryan was president of the Student Council last year, coordinated the Veteran's program and arranged a fly over, and ran in the school board election. Mayor said that it is great when young people take an interest in what is going on in their community.

5) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF GATESVILLE, AMENDING CHAPTER 21, WATERS AND SEWERS ARTICLE II, SERVICE RATES AND CHARGES, CODE OF ORDINANCES OF THE CITY OF GATESVILLE, TEXAS, BY CHANGING CERTAIN WATER AND SEWER BASE AND VOLUMETRIC RATES AND CREATING AN INSTITUTIONAL CUSTOMER CLASS, ARTICLE I, FOR WATER AND SEWER CHARGES; AND PROVIDING AN EFFECTIVE DATE (SECOND READING OF ORDINANCE 2018-11)

City Manager Parry explained that at the current time city staff is waiting for information from the city's rate consultant, NewGen Strategies. The Texas Department of Criminal Justice (TDCJ) General Counsel has requested an alternative rate option if the TDCJ paid a separate payment to satisfy their share of the debt service to expand the Stillhouse Branch Wastewater Treatment Plant. NewGen Strategies is assessing what the new sewer base and volumetric rate would be if debt service were removed from both. Should the TDCJ elect that option, Sec. 21-16(B)(2)(a) and (b) would need to be amended prior to final passage. Ordinance 2018-11 current retains the Institutional class sewer base and volumetric rate that includes TDCJ debt service in both.

Parry said that the ordinance has had no changes for this second reading but recommends going forward to the third reading on January 8th with the understanding that TDCJ may wish to separate the debt service as a separate payment.

Councilmember Ronnie Viss said that he still has an issue with his two (2) inch water meter charge going up as it is phased in. Viss is worried the seventeen (17) other residents with two (2) inch meters will not be able to afford it. Mr. Parry explained that the Standard American Waterworks Association standard is that a basic residential water meter is 3/4 inch. The 3/4 inch meter is then used to set the equivalency for meter base rates. The meter charges then increase by meter size which is how the charges were calculated. NewGen recommended these charges so the city can collect the revenue that is required to be able to cover all the costs associated with water and distribution and to also set aside funds each year for re-capitalization. Therefore residents that have larger meters than the standard 3/4 inch will have a five (5) times the current base rate increase by 2023. If the Council desires to apply a different meter equivalency the consultants will need to go back and refigure everything. The guidance to the consultants was to keep the current residential water rates the same and still be able to cover the increase in the price of the water rates in 2021. By keeping the current volumetric rates the same, the proposed additional revenue was obtained by correcting the TDCJ rates and also by correcting the meter size equivalency. The larger the meter means that a larger volume of water is being used. Viss was worried that other residents on fixed incomes would not be able to handle this increase. There was a lengthy discussion on the projected revenue these meter charges would earn and how revenue would be impacted if *all* residential customers meter size charges stayed the same and just commercial meter charges were increased.

Councilmember Meredith Rainer left the meeting at 6:40 p.m. and quorum was maintained.

City Manager Parry said that if the Council wishes, he is willing to go back and amend the ordinance so there is a residential and commercial class for water, with the monthly base charge being the same for residential regardless of the meter size. Commercial class would be charged by meter size. Parry reminded the Council that they need to consider how much water does the city's water system generate and are the city's rates sufficient to cover the cost of the service which is personnel, vehicles, chemicals, electricity, re-capitalization and water rights.

Parry said that if the Council requires further discussion, the third reading of the ordinance can be done at the second meeting January instead of the first meeting. Mayor Chumley asked for a motion.

ORDINANCE 2018-11-02: Motion by Bill Robinette, seconded by Randy Hitt; to approve the second reading of Ordinance 2018-11 with further analysis of projected revision of water rates; four voting "Aye", Ronnie Viss abstained, motion passed.

6) BRIEFING/DISCUSSION ON THE FISCAL YEAR 2019 BROWNFIELDS GRANT PROCESS

City Manager Parry briefed the Council on the intention to apply for an Environmental Protection Agency (EPA) Brownfields Grant which would be used to abate and then dispose of the asbestos in the Rotunda building. The City has owned the Rotunda since 2008 and has applied for Brownfields grants in 2011, 2012, and 2013 but was not approved for funding. The guidelines for the 2019 grant were issued at the end of November with applications being due by the end of January. There are a lot of rules to follow and the application will involve a significant amount of detailed work but with direction and guidance from environmental consultants out of Kansas State from Region 6, Mr. Parry said that he can complete the application. Parry discussed how the proposals would be evaluated, how points are scored and the timeline to get everything accomplished. How the site would be used is a requirement in the application and city staff's recommended use would be to build a new Police Department since they have outgrown the building. Another option could be a combination police department/city hall. There was a discussion regarding reuse plans of the site and Parry said that the probability of receiving grant funding goes up exponentially if you clearly articulate what it will be used for. Cleanup grants are available for a maximum of \$500,000 with a 20% local match requirement. The cost to clean up the remainder of the Rotunda is not known yet but the thought is that it wouldn't cost \$500,000.

7) DISCUSSION AND POSSIBLE ACTION ADOPTING THE STANDARD DESIGN DRAWINGS FOR SUBDIVISION INFRASTRUCTURE

City Manager Parry said that the current subdivision ordinance has a very loose set of standards that requires a developer to turn in their sidewalk plans when they submit their construction plat. It is a common practice for a city to adopt design standards for public works/subdivision infrastructure and then place these standards on the city's website for public viewing.

The City's engineer, Walker Partners has developed a set of standard drawings tailored specifically for Central Texas that are used by many cities in the region. These inform the contractor and design engineer of the minimum standards for construction of public infrastructure in the City and ETJ, as applicable. There are 17 standard drawings for erosion/drainage; 12 for water infrastructure; 7 for wastewater infrastructure; and 7 for streets/paving/sidewalks.

City Manager Parry said that city staff has reviewed these drawings and concurs with them because they are referenced in the city's subdivision ordinance. Parry recommended that the City Council adopt the Walker Partners Engineers *Standard Details Drawings* for all future public infrastructure projects.

RESOLUTION 2018-89: Motion by Dwight Suson, seconded by David Mitchell to adopt the Standard Design Drawings for Subdivision Infrastructure in the City of Gatesville; all five voting "Aye", motion passed.

8) CITY MANAGER'S REPORT:

1. CITY MANAGER INITIATIVES:

-CAPITAL PROJECTS:

- Park Street Infrastructure Replacement (Update): B-Corp has been working on the sewer lines and have met a few challenges but are slowly getting the job done.

Other activities/dates of note:

- Tuesday, December 18th at noon: Employees and Family Christmas lunch- Civic Center- Council is welcome to attend.

- City Hall will be closed on the following days for the Christmas/New Year holidays: Monday and Tuesday, 24-25 December; Tuesday, 1 January 2019.

- Coryell County Judge elect Roger Miller invited the Council to the reception for the newly elected county officials on January 2, 2018 from 10:00 a.m. to noon at the Courthouse annex.

2. HOUSEHOLD HAZARDOUS WASTE EVENT (Update): CTCOG approved grant funds totaling \$12,500 for the City's Household Hazardous Waste event scheduled for Saturday, 16 March 2019. Coordinating with the incoming Coryell County Judge on the County partnering in this event.

3. REAL ESTATE BROKERAGE SERVICES RFP: The City posted a Request for Proposals (RFP) for real estate brokerage services specific to 1808 E. Leon and 906 Golf Course Road on the City website on 30 November. Interested real estate brokers must submit their proposals in writing not later than 4:00 p.m. 2 January 2019.

4. TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT (TDEM) PRELIMINARY DAMAGE ASSESSMENT OF FAUNT LE ROY PARK FLOODING: On 20 November the City Manager and City staff met with Michael Powell, Program Specialist from FEMA for the Preliminary Damage Assessment from the October flooding in Faunt Le Roy Park. Damages in Coryell County exceed the threshold of \$285,000; the State of Texas must meet a damage threshold of at least \$37 million in order to be eligible for federal funding assistance. If federal assistance is available, there is a 25% match requirement from the City. FEMA continues to assess damage in other impacted counties in Texas. Walker Partners came and also did an assessment of the damage and if approved, they recommended pilings be driven into the river beds about twenty (20) feet deep which would cost about \$200,000 plus the cost of back fill. If approved by FEMA the city's share would be approximately \$50,000. If the City is not approved then another decision would have to be made as there would be no grant funds.

5. Beginning at the first of 2019 the Police Department will be stepping up on code enforcement –code violations and substandard structures. The city has been divided into six (6) patrol sectors or zones and will work with owners to bring structures into code compliance or else citations will be written.

6. Donald Ford called today and has asked on behalf of several churches to meet with Mr. Parry in regards to Gatesville's homeless situation. A meeting has been set up for next Wednesday at 10:00 a. m. if any councilmembers would care to attend.

9) ADJOURN MEETING AT 7:30 P.M., THIS 11TH DAY OF DECEMBER, 2018

ATTEST:

Wendy Cole, City Secretary

APPROVED:

Gary M. Chumley, Mayor

