

REGULAR CITY COUNCIL MEETING

OCTOBER 9, 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 5:33 P.M., THIS 9TH DAY OF OCTOBER, 2018

PRESENT: Mayor Pro-Tem Ronnie Viss, Council Members, David Mitchell, Dwight Suson, Jack Doyle, and Meredith Rainer

REGRETS: Mayor Gary M. Chumley and Councilmember Tim Woodlock

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, Brenda Kiphen, Liz Reinhardt, Kate Edwards, William Robinette, Faye Nichols, Sonya Barron, and Ryan Clark

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.

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- 73: Discussion and possible action to approve the Minutes from the Special City Council meeting September 18, 2018

Resolution 2018-74: Discussion and possible action to approve the Minutes from the Regular City Council meeting September 25, 2018

Ordinance 2018-08-02: Discussion and possible action to approve the second reading of Ordinance Number 2018-08 amending Chapter 10, Garbage and Trash Collection charges Section 10-6, Code of ordinances of the City of Gatesville, Texas by changing the garbage rates

Resolution 2018-75: Discussion and possible action to hold only one Council meeting in November and December

Mayor Pro-Tem Viss 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 Pro-Tem Viss asked for a motion to approve all the items on the consent agenda.

Motion by Meredith Rainer, seconded by Dwight Suson to approve the consent agenda; all four in favor, motion passed.

4) DISCUSSION AND POSSIBLE ACTION REGARDING A PROCLAMATION DECLARING OCTOBER 21-28, 2018 AS “NATIONAL FRIENDS OF LIBRARIES WEEK”

Mayor Pro-Tem Viss read the proclamation aloud and presented it to Friends of the Library President, Sonya Barron and Gatesville Library Director, Faye Nichols. A photo was taken with Mayor Pro-Tem Viss, Ms. Barron and Ms. Nichols.

Ms. Barron thanked the Council for funding the Gatesville Public Library as she was aware that a lot of communities do not fund their town’s libraries. She said that she appreciates everything the City does for this community and again thanked the Council for funding Gatesville’s wonderful library.

RESOLUTION 2018-76: Motion by Jack Doyle, seconded by Mitchell, all four in favor, motion passed to approve the Proclamation declaring October 21-28, 2018 as “National Friends of Libraries Week”.

5) DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL FOR THE CITY OF GATESVILLE’S PARTICIPATION IN THE FISCAL YEAR 2019 TEXAS DEPARTMENT OF TRANSPORTATION AVIATION ROUTINE AIRPORT MAINTENANCE PROGRAM (RAMP) GRANT

City Manager Parry explained that every year Texas Department of Transportation Aviation Division provides municipal airports with Routine Airport Maintenance Program (RAMP) Grants which pays for fifty percent (50%) of the routine maintenance of projects done at airports and are done on a reimbursable basis. Past projects completed at the Gatesville Airport using a RAMP grant include the runway/taxiway pavement rehabilitation in FY 2018; replacement of the game fence at the airport; and the annual maintenance contract on the Automated Weather Observing System (AWOS). The AWOS computer also had to be replaced last year which was an expense of approximately \$12,000 which TxDOT Aviation paid fifty percent (50%). There was a brief discussion regarding what could be funded under this grant and what could not be funded. Parry recommended that the Council approve the City’s participation in the 2019 Fiscal Year RAMP grant program.

RESOLUTION 2018-77 Motion by Meredith Rainer, seconded by Dwight Suson, all four in favor, motion passed to approve City of Gatesville’s participation in the Fiscal Year 2019 Texas Department of Transportation Aviation Routine Airport Maintenance Program (RAMP) Grant and approve the City Manager to execute all required paperwork.

6) RECESS REGULAR MEETING AND CALL PUBLIC HEARING AT 5:43 P.M. -----

Public Hearing

Hear comments concerning a request from Clayton & Yvonne Williams to re-zone the entire lot, located at 1412 West Main Street, legally known as lot 19, block 5 Westview Addition to Business/Commercial

City Manager Parry stated that Zoning Official, Liz Reinhardt was present at the meeting if anyone had specific questions.

Parry pointed out on the map included in the Council’s read ahead book that all the lots on West Main Street from approximately “Our Lady of Lourdes Catholic Church” going west- the front 500 feet of the lots are zoned Business Commercial and the back halves of the lots are zoned Single Family Residential. Traditionally, that is not the way to zone an entire piece of property for one purpose as opposed to splitting up as currently is.

The Williams are planning to add a dog kennel on the back half of their current dog grooming business.

The Planning and Zoning Commission met on September 18, 2018 at which time unanimously voted to approve the William’s request to re-zone their entire lot at 1412 W. Main Street, from Single Family Residential to Business /Commercial.

There was a lengthy discussion regarding how far back the re-zone would go and if the road depicted on the map was West Leon Street or an abandoned road. City Manager Parry stated that since this will just be the first reading of the ordinance, the Williams could be asked to come to the next meeting to clarify all issues.

There were no questions from the public.

7) END PUBLIC HEARING AND RECONVENE REGULAR MEETING AT 5:53 P.M.

8) DISCUSSION AND POSSIBLE ACTION REGARDING FIRST READING OF ORDINANCE 2018-09 TO RE-ZONE THE ENTIRE LOT, LOCATED AT 1412 WEST MAIN STREET, LEGALLY KNOWN AS LOT 19, BLOCK 5 WESTVIEW ADDITION TO BUSINESS/ COMMERCIAL

Mayor Pro-Tem Viss asked if there was any questions or discussion regarding this zoning request and there were none.

ORDINANCE 2018-09-01: Motion by Jack Doyle, seconded by David Mitchell all four in favor, motion passed; to approve first reading of Ordinance 2018-09 to re-zone the entire lot, located at 1412 West Main Street, legally known as Lot 19, Block 5 Westview Addition to Business/ Commercial.

City Manager Parry asked, with the Council's concurrence, to move agenda item #13 up and discuss now before Council exits into Executive Session. There were no objections from the Council.

13) DISCUSSION AND POSSIBLE ACTION DENYING TEXAS- NEW MEXICO POWER COMPANY'S PROPOSED RATE INCREASE

City Manager Parry reminded the Council that in July of this year the Council voted to defer the Texas-New Mexico (TNMP) rate increase request for ninety days to allow the attorneys on both sides to negotiate the terms of the request. Now, city staff is recommending that the Council approve Resolution 2018-79 to deny TNMP's proposed rate increase. Parry explained that while TNMP has not raised their rates since 2010, they are asking for a rate increase of about 10.5% return on equity on capital investments and the Public Utilities Commission, who regulates these cases, has stated that they believe a 9% increase in revenue is fair and equitable. There are legitimate expenses listed in the TNMP request but the consortium of cities believe that the rate increase should be in the approximate amount of \$8 million instead of the proposed \$33 million.

The Council must officially deny the rate increase request before it is presented to the Public Utilities Commission for final adjudication. Following a brief discussion, Mayor Pro-Tem Viss asked for a motion.

RESOLUTION 2018-79 Motion by Dwight Suson, seconded by Meredith Rainer, all four in favor, motion passed to approve Resolution 2018-79 denying Texas-New Mexico Power Company's proposed rate increase.

9) CITY MANAGER'S REPORT:

1. CITY MANAGER INITIATIVES:

-CAPITAL PROJECTS:

- CDBG Community Enhancement Fund Grant for Leon WWTP Solar Array: A correction needed to be made to the projected electricity savings amount that was reported at the last meeting concerning the solar array project at the WWTP. Due to a calculation error in the price per kWh, the actual annual savings should be \$15,246.33, which equates to a three year and four month Return on Investment; the projected useful life of the array is 25 years.

Other activities/dates of note:

- 10-12 October: TML Annual Conference (City Manager)
- 23 October: NewGen Strategies briefing to City Council on water/sewer rate study. Parry reminded the Council to please review the handout that was provided to the Council at the last meeting concerning this rate study and to let him know if anyone has a question before the meeting on the 23rd.

2. BUDGET/FINANCIAL REPORT: The Finance Department is in the process of finalizing the Fiscal Year closeout. Based upon projections so far, the City should have fund balance left over in both the General Fund and Enterprise Fund. Once all accounts payable are reconciled for the month of September (mid-October) a final FY closeout report will be provided to the Council. Since the Council has approved a Fund Balance Policy it is the ultimate goal to have two (2) months of operating expenses in both the General Fund and Enterprise Fund.

3. REVISED SUBDIVISION ORDINANCE: City staff-revised Ordinance with the inclusion of the Subdivision Ordinance Committee input was distributed to the P&Z at their 1 October meeting; the P&Z will meet to discuss the proposed Ordinance on 11 October, and meet with the City Manager on 16 October. The P & Z will approve or approve with comments at their November 5th meeting with the first reading of the revised Subdivision Ordinance (after legal review) to be considered by the Council at their meeting November 13th. The second ordinance reading will be considered at the one meeting in December with the final reading January 8, 2019.

10) RECESS REGULAR MEETING AND ENTER INTO EXECUTIVE SESSION AT 6:13 P.M.-----

This closed session is in accordance with Local Government Code Section 551.072- Real Property-Deliberation regarding potential sale of the properties located at 711, 713, and 715 Main St, 1808 E. Leon St, and N. 34th Street, legally known as 0782 E. Norton (east of the Gatesville Fitness Center)

11) END CLOSED SESSION AND RECONVENE REGULAR MEETING AT 6:48 P.M.

12) DISCUSSION AND POSSIBLE ACTION REGARDING THE POTENTIAL SALE OF THE PROPERTIES LOCATED AT 711, 713, AND 715 MAIN ST, 1808 E. LEON ST, AND N. 34<sup>TH</sup> STREET, LEGALLY KNOWN AS 0782 E. NORTON (EAST OF THE GATESVILLE FITNESS CENTER)

City Manager Parry explained that these three properties are owned by the City and staff has been approached by interested parties that want to know if the City is interested or willing to sell any of these properties:

- 1808 E. Leon -which has an abandoned house located on it.
- 711,713, & 715 Main Street- combination of vacant lots on Main Street by Graves Florist.
- 34th Street- vacant lot across from the Fitness Center.

Parry stated that if Council decided to sell any or all of these properties, City staff would go through the legal process of obtaining appraisals, displaying the properties on the Multiple Listing System (MLS), and allowing the Council to review and consider the bids on one or more of these properties.

RESOLUTION 2018-78: Motion by Jack Doyle, seconded by David Mitchell, all four in favor, motion passed to approve the potential sale of the property located at 1808 E. Leon St, and authorize the City Manager to execute the documentation of the possible sale of 1808 E. Leon.

No action was taken on 711,713, & 715 Main Street and N. 34<sup>th</sup> Street, legally known as 0782 E. Norton (east of the Gatesville Fitness Center)

14) ADJOURN MEETING AT 6:50 P.M., THIS 9TH DAY OF OCTOBER, 2018

ATTEST:  
  
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Wendy Cole, City Secretary

APPROVED:  
  
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Gary M. Chumley, Mayor

