

REGULAR CITY COUNCIL MEETING

JANUARY 24, 2017

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 AT 5:35 P.M. THIS 24th DAY OF JANUARY, 2017

PRESENT: Mayor Chumley, Council Members, Viss, Mitchell, Rainer, Suson, Hitt, and Doyle

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, City Attorney Sandy Gately, Cheri Shepherd, Bobby Buster, Lute Sullins, Billy Vaden, Bob Brown, Kathy Harte, Nathan Gohlke, Tracy Barnes, and Larry Kennedy

2) APPROVAL OF MINUTES FROM PREVIOUS MEETING

Motion by Viss, seconded by Rainer, all voting "Aye" to approve Resolution Number 2017-01

RESOLUTION NUMBER 2017-01 - approve Minutes of December 13, 2016 Regular City Council Meeting.

3) 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.

Tracy Barnes of 404 Riata asked the Council to consider installing a street/security light in the neighborhood around Riata which is the Stoneridge Subdivision. It is very dark here and he and the neighbors would appreciate a light. Mr. Barnes said that he had requested before.

Mayor Chumley thanked Mr. Barnes for bringing this to the Council's attention and it would be looked into.

4) CONSIDER POLICE DEPARTMENT PURCHASE OF LAW ENFORCEMENT EQUIPMENT USING FORFEITURE FUNDS

City Manager William H. Parry III informed the Council that in accordance with state law, Police Departments are allowed to purchase law enforcement equipment with forfeiture funds, which are funds that are generated by the sale of assets that are taken from people suspected of criminal activity. These funds are set aside in a restricted account and can only be used for law enforcement purposes since it was generated from seized property. Police Chief Nathan Gohlke asked for Council authorization to purchase a blue/ray dvd printer that is used in conjunction with the Police Department's mobile and body camera video server. The videos all download to a server at the police department and are backed up and archived for five years. These videos can be printed onto DVDs and used for prosecution of criminal cases if required. The current printer is six years old, is used every day and has had multiple repairs and now has finally failed.

The cost of the new printer and accessories is \$7,835.25. Following a brief discussion, Mayor Chumley asked for a motion.

Motion by Doyle, seconded by Suson, all voting "Aye" to approve Resolution Number 2017-02

RESOLUTION NUMBER 2017-02 - approve the Police Department request to purchase a blue/ray dvd printer for use with the mobile and body cam video server using forfeiture funds.

5) CONSIDER APPROVAL OF RESOLUTION NUMBER 2017-03 SUPPORTING A 2017-2018 COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION FOR WATER AND SEWER SYSTEM IMPROVEMENTS

City Manager Parry explained that this Community Development Block Grant (CDBG) application is for rehabilitation of water and sewer lines on Park Street to Bridge Street and needs to be submitted by the ninth of February.

One of the grant requirements is a Council approved resolution authorizing the application submission. This particular CDBG application addresses the replacement of approximately 1400 linear foot of water and sewer lines, rehabilitation of manholes, replace fire hydrants, and re-establish meter connections on Park Street up to Bridge Street and possibly beyond that to Leon Street. The application is for \$275,000 of grant funds and \$55,000 to be contributed from the City of Gatesville. City staff recommends Council approval of Resolution 2017-03 approving the submission of this CDBG application and authorize the Mayor to sign it.

Motion by Mitchell, seconded by Viss, all voting "Aye" to approve Resolution Number 2017-03

RESOLUTION NUMBER 2017-03 - approve Resolution Number 2017-03 supporting a 2017-2018 Community Development Block Grant Application for water and sewer improvements and authorize the Mayor to sign.

Resolution 2017-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City Council of the City of Gatesville desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low- to moderate-income; and

WHEREAS, certain conditions exist which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of the City of Gatesville to apply for funding under the Texas Community Development Block Grant Program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS:

1. That a Texas Community Development Block Grant Program application for the Community Development Fund is hereby authorized to be filed on behalf of the City of Gatesville with the Texas Department of Agriculture.
2. That the city's application be placed in competition for funding under the Community Development Fund.
3. That the application be for \$275,000.00 of grant funds to provide water and sewer system improvements.
4. That the City Council directs and designates the City Manager as the city's Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and the city's participation in the Texas Community Development Block Grant Program.
5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
6. That it further be stated that the City of Gatesville is committing \$55,000.00 from its Water/Sewer Fund as a cash contribution toward the construction activities of this water and sewer improvement project.

Passed and approved this 24th day of January, 2017.



Wendy Cole, City Secretary



Gary Chumley, Mayor

6) CONSIDER FIRST READING OF ORDINANCE NUMBER 2017-01 AMENDING ORDINANCE NUMBER 2014-11, OF THE CITY OF GATESVILLE, TEXAS CODE OF ORDINANCES, CHANGING CHAPTER 15, SECTION 15-5 CONCERNING CHARGES AT THE GATESVILLE CIVIC CENTER AND ADDING A NEW CLAUSE PROVIDING FOR RATES AND CHARGES

City Manager Parry explained that following the renovation of the Civic Center in 2014 the City Council updated and approved new rental fees and deposits. The City Charter directs that utility fees are to be approved by the Council and although this is not a utility fee, it was approved by Ordinance 2014-11 and so must be amended with a new ordinance. As result of the Civic Center being open and operating with these new fees for two years, city staff has determined that the Great Room fees need to be raised to \$750 per day to meet utilities and additional cleaning needs and the Small Meeting Room needs to be lowered to \$100 per day because it is underutilized. An additional recommended change is to be able to adjust charges for fees and rates by resolution instead of ordinance. Changing fees by resolution instead of ordinance will allow any future fee adjustments to be approved with one reading as opposed to the three readings now being done with ordinances.

Gatesville's Convention and Visitors Bureau representative, Cheri Shepherd, introduced herself and explained to the Council that staff believes that these changes will drive usage of the Civic Center and also because she will be marketing. There was discussion on how these new rates might impact the usage of the Great Room, cleaning responsibilities/expectations, and possibly in the future implementing cleaning in a package deal with the rental fees. Ms. Shepherd said she is compiling a list of vendors that offer different services lessees may desire to hire to assist them with their event. It wouldn't be a charge from the City but an additional charge independent from the City to utilize these services.

Mr. Parry stated that the Civic Center will never be a money maker, but in the future may be able to provide a turnkey rental.

Councilmember Viss said that Ms. Shepherd has already done an outstanding job promoting Gatesville.

Motion by Hitt, seconded by Doyle, all voting "Aye" to approve Resolution Number 2017-04

RESOLUTION NUMBER 2017-04- approve first reading of Ordinance Number 2017-01 amending Ordinance Number 2014-11, of the City of Gatesville, Texas Code of Ordinances, changing Chapter 15, Section 15-5 Concerning charges at the Gatesville Civic Center and adding a new clause providing for rates and charges.

7) CONSIDER FIRST READING OF ORDINANCE NUMBER 2017-02 AMENDING CHAPTER 10, GARBAGE AND TRASH, OF THE CODE OF ORDINANCES OF THE CITY OF GATESVILLE, TEXAS

City Manager Parry said that Chapter 10 of the Code of Ordinances pertains to trash and garbage and was last updated in May of 2013 when the whole Code Book was re-codified. As City staff are encouraging citizens to clean up their properties it was determined that the code book needed to be amended again to clarify Gatesville's trash rules and regulations as well as insert the trash fees that were approved in November 2016 so they could be viewed as well. Also the stipulation that "garbage should be set out on day of collection only" needed to be reinserted in the code book. Mr. Parry said that many citizens place garbage out two or three days before their scheduled pickup day which then allows animals to scatter about and therefore is unsightly because no one picks it up. There is no fine associated with this ordinance but city staff want residents to be more aware and not to leave trash and cans out by the street continuously.

There was a lengthy discussion regarding:

- Plastic bags and trash cans
- "White goods" which is defined as appliances or furniture and that Waste Management will pick these items up.
- Brush for pickup needs to be cut in 4 ft. lengths.
- Pickup days for large items
- Possible trash can rental

City staff recommends reinserting the text presented to the Council, back in the code book so citizens can refer to the code book for clarification.

Motion by Suson, seconded by Viss, all voting "Aye" to approve Resolution Number 2017-05

RESOLUTION NUMBER 2017-05 - approve first reading of Ordinance Number 2017-02 amending Chapter 10, Garbage and Trash, of the Code of Ordinances of the City of Gatesville, Texas.

8) CITY MANAGERS REPORT

- Mr. Parry said if anyone is interested in attending the Chamber of Commerce Banquet this Friday night, see him for tickets.
- Household Hazardous Waste Day is March 4th. More to follow in the coming weeks.
- Texas Department of Criminal Justice Sewer Contract (TDCJ)
City staff has contacted TDCJ and they still have not indicated who is going to negotiate the sewer contract with the City. The contract expires the end of January but of course the City will continue to treat the sewer until the new rates are negotiated.
- Budget/Financial Report. Financially the City is in good shape. The reconciled December statements are included in the council book and at this point – 25% into the year – the City is within a 5% tolerance which is acceptable at this point. One time yearly fees are included in this period. Property collection is only at 45% as of last Friday.
- Live Oak Infrastructure Rehabilitation. Atmos does have the gas line project on Live Oak out for bid right now with bids due by January 27th. Replacement gas line construction should commence within three weeks which will set the city's water/sewer project start date back two weeks.
- Atmos Rate Mechanism is set by the Railroad Commission and whenever Atmos invests in infrastructure they like to recoup this money so always go back to ask the Railroad Commission for a rate increase. Atmos is requesting a 72 million increase for infrastructure they have installed which results in approximately an 18% increase to residential customers. The City of Gatesville, along with fifty other cities are members of the Atmos Texas Municipalities (ATM) which is a group of smaller cities that use Atmos and have legal representative, Boyle and Herrera out of Austin, Texas negotiate on these cities behalf. Boyle and Herrera have recommended to intervene on behalf of the ATM customers. This a distribution charge which has nothing to do with the rate review mechanism that the City reviews on an annual basis. Boyle and Herrera is planning to go to the Railroad Commission and petition them to justify the 18% increase in the distribution cost. There is no action required from the Council at this point.

9) ADJOURN REGULAR CITY COUNCIL MEETING AT 6:15 P.M. THIS 24th DAY OF JANUARY, 2017

ATTEST:

Wendy Cole
City Secretary

APPROVED:

Gary M. Chumley
Mayor

