

REGULAR CITY COUNCIL MEETING

MARCH 8, 2016

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 5:30 P.M., THIS 8th DAY OF MARCH, 2016

PRESENT: Mayor Gary M. Chumley, Council Members, Viss, Inmon, Doyle, Rainer and Shepherd-Cain

REGRETS: Council Member David Mitchell

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, City Attorney Sandy Gately, Kathy Harte, K. C. Johnson, and Larry Kennedy

2) APPROVAL OF MINUTES FROM PREVIOUS MEETING

Motion by Inmon, seconded by Rainer, all voting "Aye" to approve Resolution Number 2016-16

RESOLUTION NUMBER 2016-16 - approve Minutes of February 23, 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.

Visitors present were only concerned with an Agenda item.

4) CONSIDER FIRST READING OF ORDINANCE NUMBER 2016-02 AMENDING CHAPTER 14 ARTICLE II, JUNKED PERSONAL PROPERTY OF THE CODE OF ORDINANCES FOR THE CITY OF GATESVILLE AND REPEALING SECTIONS 11-19 THROUGH 11-25 OF CHAPTER 11, ARTICLE II, SANITATION OF PREMISES

City Manager William H. Parry III explained that the city staff is proposing to combine two existing sections of current ordinances concerning maintenance of exterior property that are regarded public nuisances. The current code of ordinances, Chapter 11 has a section concerning Sanitation of Premises which includes weeds, rubbish, trash, etc. and there is a section in Chapter 14 concerning junked personal property. Amending the ordinances removes the distinction between weeds/garbage and junked personal property by classifying both as "public nuisances" and makes the process the same for both to bring into compliance.

City Manager Parry said that the purpose of this ordinance revision is to compel owners or occupants to remove and/or abate the public nuisance caused by weeds, garbage, or junk.

City Manager Parry presented a power point program showing five properties that could be considered for enforcement if the Council approves Ordinance Number 2016-02.

City Manager Parry explained that the city would only be able to enforce properties in public view and discussed the steps that would be followed:

1. Code Enforcement Officer orders the owner to abate or remove nuisance and to provide compliance in ten days.
2. City Manager will make a visit to the property if person does not comply after they are notified and have taken no action by the ten days.
3. Chief of Police may take possession of junk and remove if person fails to remove.
4. If City abates, lien will be placed on property
5. Owner may request (within the 10-day period) for a trial in municipal court.
6. If guilty, owner pays fine.

After a lengthy discussion of different aspects of the proposed ordinance, City Manager Parry recommended that the Council approve the first reading of Ordinance Number 2016-02 and Mayor Chumley asked for a motion.

City Manager Parry reminded the Council that there were still two more readings of this ordinance if changes needed to be made.

Motion by Viss, seconded by Shepherd-Cain, all voting "Aye" to approve Resolution Number 2016-17

RESOLUTION NUMBER 2016-17 - approve the first reading of Ordinance Number 2016-02 amending Chapter 14, Article II, Junked Personal Property of the Code of Ordinances for the City of Gatesville and repealing sections 11-19 through 11-25 of Chapter 11, Article II, Sanitation of Premises.

5) CONSIDER RE-APPOINTMENT AND APPOINTMENT OF MEMBERS TO THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

City Manager Parry said that in 2001, the City Council passed an ordinance that established a Construction Board of Adjustment and Appeals, which consists of seven individuals from the building industry and public at large. This board would be qualified to make an educated decision to allow a variance on a code that has been appealed by a property owner trying to build or remodel a structure and has disagreed with the City Inspector.

City Manager Parry recommended the approval of the following members to a one-year term of the Construction Board of Adjustment and Appeals: Place 1: Jim Baize, Place 2: Johnny Benson, Place 3: John Mach, Place 4: Jackie Dixon, Place 5: Hershal Mooney, Place 6: Tim Martin, and Place 7: Jerry Wright.

Alternates: Stacy Summers and Terry Williams.

Motion by Viss, seconded by Doyle, all voting "Aye" to approve Resolution Number 2016-18

RESOLUTION NUMBER 2016-18 - approve Place 1: Jim Baize, Place 2: Johnny Benson, Place 3: John Mach, Place 4: Jackie Dixon, Place 5: Hershal Mooney, Place 6: Tim Martin, and Place 7: Jerry Wright. Alternates: Stacy Summers and Terry Williams as appointments/re-appointments to the Construction Board of Adjustment and Appeals.

6) CONSIDER READOPTION OF THE CITY OF GATESVILLE TAX ABATEMENT GUIDELINES

City Manager Parry said that the City Council is required to amend or reaffirm the Gatesville Tax Abatement Guidelines every two years. The City staff has reviewed the current guidelines and propose no changes and recommends approval of the current Tax Abatement Guidelines.

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Motion by Shepherd-Cain, seconded by Rainer, all voting "Aye" to approve Resolution Number 2016-19

RESOLUTION NUMBER 2016-19 - approve the readoption of the current City of Gatesville Tax Abatement Guidelines.

7) CITY MANAGERS REPORT

City Manager Parry reported on the following:

- Hillside Nursing Home Facility. Will set up a meeting between the Gatesville Independent School District Superintendent and the Central Texas College Chancellor.
- Fort Hood Joint Land Use Study. The next Policy Committee and Technical Committee is scheduled for March 16th and Mr. Parry will attend both meetings.
- WaterCare Communities Program. This program is moving forward very slow but there has been progress. More information to follow.
- Zoning Ordinance Revision. Met again with the Planning and Zoning Commission this last Friday (March 4th). The Commission is not quite ready to come to the Council yet, but are very close.
- Household Hazardous Waste Day. Finalizing the advertisement, flyer, and volunteer signup sheet.
- FEMA: There is a meeting tomorrow at the Leon River Wastewater Treatment Plant to discuss removal of the log jam.
- Dates of Note. Fort Hood Garrison Commander Col. Todd Fox is coming to visit Gatesville this Thursday, March 10th and everyone is invited to the Feed Mill at noon for lunch. Following the lunch, he will tour Gatesville and will especially be shown the water and wastewater infrastructure that is provided to North Fort Hood. We want to show COL Fox that the City of Gatesville supports the soldiers and strives to keep a good relationship with Fort Hood.

Council Members Questions/Comments:

Viss: Update on Live Oak sewer project.

Parry: TTG is not ready to go forward yet and since this is an unbudgeted part of the project the City is comfortable with waiting at this time.

Rainer: Volunteers can sign up now for HHW Day?

Parry: Yes. Will send a copy of flyer with information about Operation Clean Sweep to the Council Members. Will also put on Web-site and those of you with Facebook can put on that.

Mayor Chumley said he has had a lot of positive feedback about Operation Clean Sweep and everyone seems excited to clean up the City!

Inmon: Garage Sale Ordinance – specifically asked about Hayes Resale across from Pizza Hut.

Parry: This is no longer a garage sale and has turned into a business and is in commercial zoned area. The City will try work this when our ordinance is approved. If he is a registered business and pays taxes the City may be limited in what it can do. More to follow.

Council Member Inmon asked about allowing the construction of Tiny Houses and City Manager Parry said that our current zoning ordinance would not be a fit for this because the City only allows structures to built on 8,000 square foot lots.

Kathy Harte from the Planning and Zoning Commission was present and came forward and spoke about residential zones and the proposed changes that the Planning and Zoning are working on.

Following Ms. Harte's discussion, Mayor Chumley thanked her and the other Planning and Zoning members for their contribution and valuable service to the City of Gatesville.

8) ADJOURN CITY COUNCIL MEETING AT 6:10 P.M., THIS 8th DAY OF MARCH, 2016

ATTEST:

APPROVED:

Wendy Cole
City Secretary

Gary M. Chumley
Mayor

