

REGULAR CITY COUNCIL MEETING AND WORKSHOP

FEBRUARY 23, 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 23rd DAY OF FEBRUARY, 2016

PRESENT: Mayor Gary M. Chumley, Council Members, Viss, Inmon, Mitchell, Doyle and Rainer

REGRETS: Sandra Shepherd-Cain

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, City Attorney Sandy Gately, Jim Shepard, Nathan Gohlke, Rodney Murry, Liz Reinhardt, Clayton Williams, Yvonne Williams, Dolores Lobo, Billy Vaden, Brenda Kiphen, Kim DeWald, Amber Wilson, Alisha Carothers, Paul Hoefing, Sharon Heofing, Terri Carpenter, Stephen Adams, Kelsey Snyder, Leslie Ortega, Whitney Sowders, Katie Lauler, Christopher Spencer, Armando Paniagua, and Estephany Escobar

2) APPROVAL OF MINUTES FROM PREVIOUS MEETING

Motion by Inmon, seconded by Mitchell, all voting "Aye" to approve Resolution Number 2016-13

RESOLUTION NUMBER 2016-13 - approve Minutes of February 9, 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.

Four citizens spoke individually to the Council concerning sex offenders:

Delores Lobo – 500 S. 5th Street
Kim Dewald – 106 North 30th Street
Amber Wilson – 209 Watts Lane
Alisha Carothers – 442 River Oaks Drive

All voiced concern of the murder this past January that put Gatesville in the spotlight. City Attorney Sandy Gately Gatesville stated that the individual arrested was not a registered sex offender and so the situation would not have changed.

Mayor Gary Chumley asked them to tell the Council specifically what they wanted the Council to do. They requested that to help protect children, a one thousand foot child safety zone be put in Gatesville which would apply to all sex offenders (not just the few State mandated offenders) and to send post cards notifying citizens of all sex offenders.

Mayor Chumley mentioned other cities that are being sued right now because they went beyond the State mandate of five hundred foot child safety zones. Majority of Council is concerned of setting city up for lawsuit and thinks State laws are sufficient and a more restrictive ordinance wouldn't make a difference.

Ms. Wilson thought it would make a difference.

Mayor Chumley reminded everyone that no action would be taken at this time.

4) CONSIDER THIRD AND FINAL READING OF ORDINANCE NUMBER 2016-01
AMENDING CHAPTER 5, ARTICLE VI, DANGEROUS STRUCTURES OF THE CODE OF
ORDINANCES FOR THE CITY OF GATESVILLE

City Manager William H. Parry III stated that this ordinance addressing substandard structures in the City of Gatesville has had no changes since the previous two readings and recommends this third and final reading.

Motion by Doyle, seconded by Rainer, all voting "Aye" to approve Resolution Number 2016-14

RESOLUTION NUMBER 2016-14 - approve the third and final reading and pass as an Ordinance Number 2016-01 amending Chapter 5, Article VI, Dangerous Structures of the Code of Ordinances for the City of Gatesville.

5) CONSIDER APPROVAL OF RESOLUTION 2016-15 AUTHORIZING A PERMIT FEE
FOR STREET CUTTING AND RELATED EXCAVATION AS SPECIFIED BY ORDINANCE
80-06

City Manager Parry explained that there has been an ordinance in place since 1980 to require a person to obtain a permit to cut any pavement, sidewalk, driveway, or ditch but has not always been enforced. The Street Department and Permit Department would like to enforce this permit requirement and start implementing a fee as specified and allowed in Ordinance 80-06. The ordinance states that a fee can be approved by resolution by the City Council.

Street Superintendent Jim Shepard was present at the meeting if anyone had any questions.

City Manager Parry said that the proposed fifty dollar permit fee would cover the pre-construction inspection and the final inspection. The work would need to be completed within ten days of obtaining a permit. Mr. Parry recommended approval of Resolution 2016-15 authorizing a permit fee for street cutting.

RESOLUTION 2016-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, AUTHORIZING A CHARGE FOR STREET CUTTING AND RELATED EXCAVATION AS SPECIFIED BY CITY ORDINANCE, AND PROVIDING FOR THE EFFECTIVE DATE OF FEE.

WHEREAS, the City of Gatesville deems it advisable to adopt a fee for street cutting and related excavation set by Ordinance 80-06; and

WHEREAS, Ordinance 80-06 Section 4., Rate and Charges, states that The City Council may set rates by resolution; and

WHEREAS, The City Council has determined that a fee of \$50.00 is appropriate and reasonably related to the purpose for which the fee is charged.

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

1. That the fee of \$50.00 will be in force and effect in all manners relating to the fee after February 23, 2016.

2. That this Resolution is in accordance with rules set forth in Ordinance 80-06 regulating city streets and providing for the repair of such cutting of any pavement, sidewalks, driveways, or making ditches within any city owned right-of-way.

3. That any Resolution or provision thereof which is inconsistent with this Resolution is hereby repealed.

Passed and approved this 23rd day of February, 2016.

Motion by Inmon, seconded by Mitchell, all voting "Aye" to approve Resolution Number 2016-15

RESOLUTION NUMBER 2016-15 - approve Resolution 2016-15 authorizing a permit fee of fifty dollars for street cutting and related excavation as specified by Ordinance 80-06.

6) CITY MANAGERS REPORT

- The Gatesville School District Board unanimously voted to approve the acceptance of the former Hillside Nursing Home at no cost to transfer from Foursquare Health Care. Gatesville Independent School District plans at this time to make this building the hub of the career and technology; mostly science technology, engineering and math programs. Central Texas College may partner in this. This completes the action from the City of Gatesville and Mr. Parry was glad that this transaction occurred so the building won't sit vacant.

Councilmember Viss thanked Mr. Parry for his work and involvement in this transition.

- WaterCARE Community Program. Received e-mail yesterday from the environmental finance center and said that they are in the process of conducting an initial assessment of the ten selected communities. Should be ready in the next few months to go forward with this program.
- Zoning Ordinance Revision. Conducted the second meeting with the Planning and Zoning Commission last Friday and it was very productive. The P & Z should be ready in a few weeks to come and present changes to the Council. The next meeting is March 4th at 10:00 a.m.
- Budget. General Fund revenue sources are above straight line, due to infusion of property taxes which were due by January 31st and General Fund expenses are slightly above straight line due to one-time annual payments made in the first quarter. Overall, the Enterprise Fund (mostly water and sewer) revenues are above straight line due to the dry January and February. Enterprise Fund expenses are below straight line. All accounts are in "the black" at this time. We continue to watch for any impacts of the forecasted El Nino.
- FEMA funding. The City has been approved for two projects: Faunt Le Roy Park and Leon Bridge footings.
- Reminded all the Councilmembers of the Gatesville Military Affairs and City Military Appreciation Fish Fry at the Civic Center this Friday night.
- Facilities Master Plan. The two buildings being considered at this time are the Police Department and City Hall. Mr. Parry said that he has been engaging in conversation with RBDR Architects from Waco about these buildings and so far there has been no cost to the City. At some point in the near future, we will enter into a Professional Services Agreement with RBDR to assist us in assessing the current City Hall and Police Department.

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- Mr. Parry pointed out that the department head reports are behind the City Manager's report if anyone had any questions. Mr. Parry noted that there are 411 youth signed up for Soccer which = 46 teams. Games are set to start February 29th.
- Police Chief Nathan Gohlke presented the Council with the Annual Police Department report and said that as required by Texas State Legislature, the Police Department must report racial profiling to the City Council by March 1st so the Gatesville Police Department always incorporates it into the annual report.

Chief Gohlke discussed:

- Calls for service
- Uniform crime report which includes criminal homicide, forcible rape, robbery, assaults, burglary, and larceny-theft, vehicle theft, and offenses against family.

Chief Gohlke reported that in 2015, Gatesville was voted as one of the safest cities in Texas with a population of less than 20,000 people.

Also discussed:

- Juvenile Curfew (which will be reviewed by Council in June of this year.)
- Traffic
- Animal Control
- Alarm Calls
- Community Services the PD stays involved in

Racial Profiling:

In 2015 there were no formal or informal complaints concerning racial profiling.

Census Information breakdown by race was presented and also traffic stops by race were shown for 2014 and 2015 which could then be compared to the Census Information for the City of Gatesville.

Traffic Citations by race were discussed and the information presented showed that the officers were not biased.

- Gender traffic stops were discussed and a breakdown of search types were pointed out.

Chief Gohlke reported that there are:

17 sworn officers including himself

3 detectives

2 animal control officers

- Officers on patrol varies

City Attorney Sandy Gately left the meeting at 6:00 p.m.

7) ADJOURN CITY COUNCIL MEETING AT 6:13 P.M. THIS 23RD DAY OF FEBRUARY, 2016 AND CALL THE WORKSHOP TO ORDER

WORKSHOP:

1) BRIEFING/DISCUSSION OF POSSIBLE REVISIONS TO CITY OF GATESVILLE ORDINANCES, CHAPTER 11, HEALTH AND SANITATION, ARTICLE II AND CHAPTER 14, OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE II

City Manager Parry presented a power point program on the maintenance of exterior property and a proposed ordinance revision. Mr. Parry discussed the processes of the Code Book Chapter 11, Article II, Health and Sanitation and the steps to compel a citizen to remove or abate unwholesome matter, weeds rubbish and other objection able material and compared to Chapter 14, Article II Offenses and Miscellaneous Provisions concerning junk and junk motor vehicles.

Mr. Parry explained that he proposes combining these two processes into Chapter 14 and make the process the same:

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.

Also discussed was implementing a graduated fee schedule for different violations.

Mayor Chumley suggested ways to communicate to the public after the adoption of this ordinance:

City Website
Water bills
Facebook
Newspaper

It is the hope that the City's Household Hazardous Waste Day/Operation clean sweep on April 9th will inspire and compel property owners to clean up their properties.

There was a lengthy discussion on implementing all the steps needed for a successful cleanup day on April 9th.

2) ADJOURN WORKSHOP AT 6:45 P.M., THIS 23rd DAY OF FEBRUARY, 2016

ATTEST:

APPROVED:

Wendy Cole
City Secretary

Gary M. Chumley
Mayor

