

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, SEPTEMBER 28, 2021 AT 5:30 P.M
GATESVILLE COUNCIL CHAMBERS, 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. Discussion and possible action regarding the 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 2021-67: Minutes from the Regular City Council meeting September 14, 2021

Resolution 2021-68: Appointment of a Commissioner of the Housing Authority of the City of Gatesville, Texas

- 4. Recess Regular meeting and call a-----**

Public Hearing

Hear comments regarding the request of the City of Gatesville to amend the zoning for property located at 319A Valley View Drive legally known as 0698 E. Marshall, 37.01 Acres from Planned Development to Residential Single Family

- 5. End Public Hearing and reconvene Regular Meeting**
- 6. Discussion and possible action regarding the request of the City of Gatesville to amend the zoning for property located at 319A Valley View Drive legally known as 0698 E. Marshall, 37.01 Acres from P/D Planned Development to R/SF Residential Single Family (1st reading of Ordinance 2021-09)**
- 7. Discussion and possible action regarding amending Chapter 18 (Fees) of the City of Gatesville Code of Ordinances (3rd and final reading of Ordinance 2021-07)**
- 8. Discussion and possible action regarding an ordinance creating a new Section 28-1, Reserve Police Force, to the Code of Ordinances, authorizing a reserve police force, establishing qualifications, setting the maximum number of reserve police force positions, granting authority for the Chief of Police and providing for the operation of a reserve police force (2nd reading of Ordinance 2021-08)**
- 9. Discussion and possible action regarding the five-year Capital Improvement Plan (CIP) and use of Coronavirus Local Fiscal Recovery Funds (CLFRF) for infrastructure projects**
- 10. City Manager's Report: Capital Projects, Future Agenda Topics, Coronavirus Update
Department Head Reports: Finance, Fire, Code Enforcement/Building Permits, Utility, Police, Court, Recreation, Convention and Visitor's Bureau, Preliminary 2020 Census Results**
- 11. Adjourn Meeting**

I hereby attest that the above agenda was posted on this the 24th day of September, 2021 by 5:00 p.m. on the official City of Gatesville website, www.gatesvilletx.com 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 wcole@gatesvilletx.com for further information.

REGULAR CITY COUNCIL MEETING
SEPTEMBER 28, 2021 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 28TH DAY OF SEPTEMBER, 2021

PRESENT: Mayor Gary Chumley, Council Members Meredith Rainer, Jack Doyle, Barbara Burrow, Claude Williams, and Billy Sinyard

REGRETS: Councilmember Greg Casey

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, City Rene Ochoa, Mike Halsema, Nathan Gohlke and Melanie Bailey

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) DISCUSSION AND POSSIBLE ACTION REGARDING THE 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 2021-67: Minutes from the Regular City Council Meeting September 14, 2021

RESOLUTION 2021-68: Appointment of a Commissioner of the Housing Authority of the City of Gatesville, Texas

Motion by Jack Doyle, seconded by Meredith Rainer, to approve the Consent Agenda:

RESOLUTION 2021-67: Minutes from the Regular City Council Meeting September 14, 2021;

RESOLUTION 2021-68: Appointment of Tommy Pope to the Board of the Gatesville Housing Authority to replace Robert S. Edwards and serve the remainder of Mr. Edward's term – October 1, 2021 – May 3, 2023 and authorize the Mayor to sign the Certificate of Appointment; all five voting "Aye", motion passed.

4) RECESS REGULAR MEETING AT 5:34 P.M. AND CALL A-----

PUBLIC HEARING

HEAR COMMENTS REGARDING THE REQUEST OF THE CITY OF GATESVILLE TO AMEND THE ZONING FOR PROPERTY LOCATED AT 319A VALLEY VIEW DRIVE LEGALLY KNOWN AS 0698 E. MARSHALL, 37.01 ACRES FROM PLANNED DEVELOPMENT TO RESIDENTIAL SINGLE FAMILY

City Manager Parry said that this property has been zoned Planned Development since the 1995 Zoning Ordinance was approved - and which is still the current ordinance. This property is located on the back part of the Valley View subdivision and is all undeveloped property.

Planning Director, Rene Ochoa, explained that a Planned Development District is designed as a flexible development standard that doesn't quite fit anything else. The process to develop anything in this district is subject to a number of extra regulations that would be burdensome to a property owner trying to just build a single family home. Additionally, staff is undergoing a zoning code revision, amending all Planned Development zoning districts as "Overlay Zones" which also aligns with the Comprehensive Plan. Therefore, staff initiated the zoning amendment, with the consent of the property owner; who was present at the meeting. The Planning and Zoning Commission reviewed the zoning request at their meeting on September 13, 2021 and unanimously voted to recommend approval.

There was a brief discussion regarding the road that would access this property, sewer issues for future development in this area and "Exhibit A" which highlighted the area to be zoned Residential Single Family and which also showed the small strip that would be left Planned Development for now.

5) END PUBLIC HEARING AND RECONVENE REGULAR MEETING AT 5:42 P.M.

6) DISCUSSION AND POSSIBLE ACTION REGARDING THE REQUEST OF THE CITY OF GATESVILLE TO CHANGE THE ZONING OF 319A VALLEY VIEW DRIVE, LEGALLY KNOWN AS 0698 E. MARSHALL, 37.01 ACRES FROM P/D PLANNED DEVELOPMENT TO R/SF RESIDENTIAL SINGLE FAMILY (1ST READING OF ORDINANCE 2021-09)

ORDINANCE 2021-09-01: Motion by Barbara Burrow, seconded by Claude Williams, to approve the first reading of Ordinance 2021-09 to change the zoning of 319A Valley View Drive, legally known as 0698 E. Marshall, 37.01 Acres from P/D Planned Development to R/SF Residential Single Family; all five voting "Aye", motion passed.

7) DISCUSSION AND POSSIBLE ACTION REGARDING AMENDING CHAPTER 18 (FEES) OF THE CITY OF GATESVILLE CODE OF ORDINANCES (3RD AND FINAL READING OF ORD. 2021-07)

City Manager Parry said that there have been no changes to this Ordinance that amends Chapter 18 (Fees) of the Code of Ordinances and recommended approval of the third and final reading. Parry reminded the Council that these fees become effective this Friday, October 1, 2021.

ORDINANCE 2021-07-03: Motion by Meredith Rainer, seconded by Billy Sinyard, to approve the third and final reading of Ordinance 2021-07 amending Chapter 18 (Fees) of the City of Gatesville, Texas Code of Ordinances; all five voting "Aye", motion passed.

8) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE CREATING A NEW SECTION 28-1, RESERVE POLICE FORCE, TO THE CODE OF ORDINANCES, AUTHORIZING A RESERVE POLICE FORCE, ESTABLISHING QUALIFICATIONS, SETTING THE MAXIMUM NUMBER OF RESERVE POLICE FORCE POSITIONS, GRANTING AUTHORITY FOR THE CHIEF OF POLICE AND PROVIDING FOR THE OPERATION OF A RESERVE POLICE FORCE (2ND READING OF ORDINANCE 2021-08)

City Manager Parry said that there have been no changes to this Ordinance that creates a new Section 28-1 Reserve Police Force to the Code of Ordinances and recommended approval of the second reading.

ORDINANCE 2021-08-02: Motion by Barbara Burrow, seconded by Jack Doyle, to approve the second reading of Ordinance 2021-08 creating a new Section 28-1, Reserve Police Force, to the Code of Ordinances, authorizing a Reserve Police Force, establishing qualifications, setting the maximum number of reserve police force positions, granting authority for the Chief of Police, providing for the operation of a Reserve Police Force and approving the appointment of Eric Fox to the Reserve Police Force; all five voting "Aye", motion passed.

9) DISCUSSION AND POSSIBLE ACTION REGARDING THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN (CIP) AND USE OF CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS (CLFRF) FOR INFRASTRUCTURE PROJECTS

City Manager Parry provided a Power Point Presentation regarding the five-year Capital Improvement Plan (CIP) but largely highlighted the Fiscal Year (FY) 2022 projects as those are in the budget year of execution. A decision will need to be made on how to spend the first tranche of Coronavirus Local Fiscal Recovery Funds. Water and sewer infrastructure is one of the authorized uses of the funds and staff has determined infrastructure to be the greatest need in Gatesville. A majority of the City's water and sewer infrastructure is well beyond its useful life and/or capabilities at initial construction. There are still a lot of original cast iron water mains and clay tile sewer mains within the city. Also, the two (2) wastewater plants have had some upgrades in the past but are still in need of improvements and maintenance which is very costly. Funding and budgeting the CIP are done through local resources (water/sewer rates/ ad valorem taxes and Capital Fund/ unassigned fund balances), grants, and debt. Capital Projects should be projected over a five (5) year period so plans can be prepared and projects should be prioritized based on criteria:

- Correct Hazards
- Eliminate levels of service deficiencies
- Accommodate future growth
- Increase the existing level of service to a desired level of service
- Increase the useful life of the physical plant- preventative maintenance

Parry said that during the Comprehensive Plan (CP) process, the consultants quickly realized that Gatesville had an infrastructure problem but not a viable CIP. The implementation strategies referred to in the CP list references to the CIP which focuses on investment and growth. A key piece of the strategy will be based on the results of the Wastewater Master Plan.

Parry highlighted and discussed a chart showing Capital Projects for the next five (5) years and said that staff will continue to update, improve, and refine the CIP as guided by the Council. Funding sources were discussed as well as available funding. Since the Coronavirus (State and) Local Fiscal Recovery Funds (CFLRF) are an authorized use for most infrastructure projects and is a great need in Gatesville, Parry said that staff's assessment is to use the CFLRF funds for infrastructure projects. On August the 18th the City of Gatesville received the first tranche of funds (\$1,536,396.78) and will receive the second half in August of 2022. The funds must be obligated by the end of 2024.

Parry briefed the Council on the upcoming CIP projects: FY 2022 water/sewer/fire hydrant/street project which include Mills 12th, 13th, 14th Streets; proposed FY 2023 project which would continue the FY 2022 project and go down Mills, Barnes, and 18th Street; proposed FY 2025 CIP infrastructure project that would include Osage Road down Lovers, and 25th Street. There was a lengthy discussion on the creation of a 10"/12" looped water system/sewer replacement on Lovers Lane and was proposed as a candidate project for Fiscal Year 2022-2023 using the first tranche of Coronavirus funds. This proposed project would remove the water main line out of Main Street and accommodate Gatesville Independent School District's needs, be better for firefighting, eliminate dead end mains, and also accommodate future growth.

RESOLUTION 2021-69: Motion by Barbara Burrow, seconded by Meredith Rainer, to approve the five year Capital Improvement Plan for FY 2022-2026 and to include the Lovers Lane water/sewer infrastructure project which would be engineered in Fiscal Year 2022 and constructed in Fiscal Year 2023 and authorize the first use of Coronavirus Local Fiscal Recovery Funds for the Lovers Lane water/sewer infrastructure project; all five voting "Aye", motion passed.

10) CITY MANAGER'S REPORT - Capital Projects in progress:

- Mills Street water/sewer line replacement project – preparing bid documents
- Drainage Study & Master Plan- waiting on funding agreement from Texas Water Development Board

- Stillhouse Wastewater Treatment Plant Expansion - moving into the design phase- Walker Partners will re-evaluate the project to make sure the original cost estimate is still feasible
- Old Fort Gates and Intermediate Lift Station (ILS) upgrade/design new 8-inch force main ILS-interceptor, tech memo/preliminary design & install new pumps at 107 Lift Station, and replacement of the wastewater force main are waiting on the completion of the Wastewater Master Plan. These lift station pumping processes were briefly discussed and Parry pointed out that the whole system needs to be engineered and upgraded.

Other activities/dates of note:

- 5 October 2021: National Night Out – Sports Complex- begins at 5:30
- 30 September: CTCOG Solid Waste Advisory Council decision on FY 2022 HHW events- the City may have to scale back some of the waste collection options due to the possibility of less funding.

BROWNFIELDS CLEANUP GRANT FOR THE ROTUNDA: Finalizing the Request for Proposals for a Qualified Environment Professional who will assist the City with planning the execution of the grant to demolish the Rotunda.

AIRPORT HANGARS: Working on design for the replacement of the airport hangars.

COVID-19 UPDATE: Parry presented a chart regarding vaccination rates as of last Friday. It is being reported that Coryell County lags Texas and the Nation in 12 and older individuals that are fully vaccinated. A total of 15 deaths have reported at Coryell Health.

FUTURE COUNCIL MEETING AGENDA TOPICS:

- October 12th: - Opioid Settlement lawsuit that governments can opt in or opt out of regarding manufacturers and distributors. Council would need to authorize use of settlement.
- October 26th - Two (2) substandard structures to present to the Council (Building Standards Comm.) at 115 Cottonwood and 308 Fennimore.
 - Master Plan briefing

The position description/application for the Parks and Recreation Director have been posted on the city website and the Texas Municipal League website.

POPULATION STUDY BRIEFING: This information is regarding the 2020 census data as it applies to Gatesville. Planning Director Ochoa reported that Texas has added more people than any other state in the United States over the last decade. Population grew from 25 million in 2010 to 29 million in 2020. Most of that growth (49%) has occurred around Texas major cities in its suburbs. Counties located around the Austin area had the largest population growth rates. Despite significant population growth as a whole, 143 counties out of 254 counties have lost population. Coryell County is growing at a rate of 10.22% over the last 10 years and is lower than the State rate but higher than the National rate. The *incarcerated* rate has declined slightly as of about 2019 and has stayed lower in comparison to the net gain of the *not incarcerated* population. Most growth has occurred on the east side of Gatesville. Possibly the migration of population from the Waco area? Potential threats to future growth in Gatesville include the flood hazard that Gatesville has because it sits in a valley created by the Leon River which will cause troublesome drainage. The terrain in many areas of town would be very costly to provide sewer and water to and would not be worth the return of investment. Gatesville is surrounded by other water supply corporations and Gatesville is not allowed to provide utilities within a service area of another district without consent - which is a challenge for growth opportunities in Gatesville. Imminent Domain is a possible way for Gatesville to assume needed land to meet growth expectations. As a result of the census, Congressional Districts are shifting and Coryell County will become part of Representative John Carter's district. More information will be provided as these demographic shifts are finalized.

Mr. Parry provided a handout to the Council regarding facts on the FY 2022 adopted tax rate which included the language that will be on the November 2, 2021 election ballot. The plan is to post these facts on the city website and Parry asked for feedback from the Council such as what points are most

important so could be condensed to a shorter fact sheet. These are just facts- not a way to advocate to a resident how to vote.

Councilmember Rainer commented that the Cruzin Cruzers car show this last weekend was a great event that attracted many out of town visitors and was a great family event. The fiddle contest was a huge success and every contestant was from out of town. The Museum had a great turnout as well. Councilmember Sinyard cooked the Bar-B-Q for the Cruzin Cruzers and pointed out that the funds collected from the food is given to local scholarships.

11) ADJOURN MEETING AT 7:25 P.M., THIS 28TH DAY OF SEPTEMBER, 2021

ATTEST:

APPROVED:

Wendy Cole
City Secretary

Gary M. Chumley
Mayor