

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, OCTOBER 12, 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 2021-70: Minutes from the Regular City Council meeting September 28, 2021

Resolution 2021-71: Holding only one City Council Meeting in November and December- November 9, 2021 and December 14, 2021

Resolution 2021-72: Resolution designating the Gatesville Messenger as the Official Newspaper of the City of Gatesville for Fiscal Year 2022
4. 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 (2nd reading of Ordinance 2021-09)
5. 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 (3rd reading of Ordinance 2021-08)
6. Discussion and possible action regarding a Resolution of the City Council of the City of Gatesville, Texas, authorizing the submission of a non-construction 2021 American Rescue Plan Act Economic Adjustment Assistance (ARPA EAA) grant application to the Economic Development Administration, 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 Economic Development Administration ARPA EAA grant program
7. Discussion and possible action regarding a Resolution of the City Council of the City of Gatesville, Texas, adopting the National Opioid Settlement Texas Term Sheet allowing the City to participate in the settlement agreement with pharmaceutical distributors and opioid manufacturers
8. Discussion and possible action to either approve, conditionally approve, or disapprove an application submitted by Joby Mooney, to subdivide a 3.0709-acre lot located at 1509 Golf Course Rd, Gatesville formally known as VFW Subdivision, Block 1, Lot 1, 3.073 acres
9. City Manager's Report: Capital Projects, Future Agenda Topics, Coronavirus Update
10. Recess Regular Meeting and call an Executive Session -----

Closed Meeting:

This closed meeting is in accordance with Government Code Section 551.074- Personnel Matters- Department Head Positions

11. End closed session and reconvene regular Meeting-----
12. Discussion and possible action regarding the Executive Session- Personnel Matters
13. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 8th day of October, 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
OCTOBER 12, 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 5:34 P.M. THIS 12TH DAY OF OCTOBER, 2021

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

ABSENT: Councilmember Claude Williams

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

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.
Mayor Chumley welcomed the new Gatesville Messenger Reporter, Jeff Osborne.

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 2021-70: Minutes from the Regular City Council Meeting September 28, 2021

RESOLUTION 2021-71: Holding only one City Council Meeting in November and December- November 9, 2021 and December 14, 2021

RESOLUTION 2021-72: Resolution designating the Gatesville Messenger as the Official Newspaper of the City of Gatesville for Fiscal Year 2022

Motion by Barbara Burrow, seconded by Meredith Rainer, to approve the Consent Agenda:

RESOLUTION 2021-70: Minutes from the Regular City Council Meeting September 28, 2021;

RESOLUTION 2021-71: Holding only one City Council Meeting in November and December- November 9, 2021 and December 14, 2021

RESOLUTION 2021-72: Resolution designating the Gatesville Messenger as the Official Newspaper of the City of Gatesville for Fiscal Year 2022; all five voting "Aye", motion passed.

4) 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 (2ND READING OF ORDINANCE 2021-09)

City Manager Parry said that there have been no changes to this ordinance since the first reading.

ORDINANCE 2021-09-02: Motion by Meredith Rainer, seconded by Barbara Burrow, to approve the second 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.

5) 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 (3RD AND FINAL 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 third reading. This also approves the appointment of Eric Fox to the Reserve Police Force who will be invaluable in the mental health aspect of the force because of his many years of experience in this field.

ORDINANCE 2021-08-03: Motion by Greg Casey, seconded by Billy Sinyard, to approve the third and final 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.

6) DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, AUTHORIZING THE SUBMISSION OF A NON-CONSTRUCTION 2021 AMERICAN RESCUE PLAN ACT ECONOMIC ADJUSTMENT ASSISTANCE (ARPA EAA) GRANT APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION, 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 ECONOMIC DEVELOPMENT ADMINISTRATION ARPA EAA GRANT PROGRAM

City Manager Parry reminded the Council that in August of this year \$40,000 (as the 20% match) was approved for an Economic Development Administration (EDA) grant to develop an Economic Development Plan for the City of Gatesville. Staff participated in several conference calls with EDA to make sure that the application the City wanted to apply for was the correct programs staff & Council were interested in. Parry briefly highlighted the application information and instructions and requirements. Parry said that he will submit the application next Monday to EDA and asked the Council to provide feedback if something on the application needed to be changed. The application needs to be submitted by March of 2022 so staff will definitely meet the timelines. If the grant is awarded, the City will ask for Requests for Qualifications for a qualified Economic Developer to assist the city with an Economic Development Plan Strategy. This person would make an assessment with stakeholders and conduct a few community meetings to discuss a plan. A unique set of requirements would need to be strategized that would take care of small businesses and generate job creation. The consultant process would probably take six (6) months. There was a brief discussion on the development impacts of the projects, the proposed location of the projects and processing Small Business Administration loans.

RESOLUTION 2021-73: Motion by Barbara Burrow, seconded by Jack Doyle, to approve Resolution 2021-73 of the City Council of the City of Gatesville, Texas, authorizing the submission of a non-construction 2021 American Rescue Plan Act Economic Adjustment Assistance (ARPA EAA) grant application to the Economic Development Administration, 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 Economic Development Administration ARPA EAA grant program; all five voting “Aye”, motion passed.

7) DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, ADOPTING THE NATIONAL OPIOID SETTLEMENT TEXAS TERM SHEET ALLOWING THE CITY TO PARTICIPATE IN THE SETTLEMENT AGREEMENT WITH PHARMACEUTICAL DISTRIBUTORS AND OPIOID MANUFACTURERS

City Manager Parry explained that the most common prescription opioids are Oxycodone, Hydrocodone, Codeine, and Morphine – which are prescribed for pain relief. They can be highly addictive – which has resulted in several lawsuits against the major manufacturers and distributors of opioids. Most people think that this problem mostly occurs in larger communities but there is also an opioid problem in Gatesville.

The State of Texas and thirty-eight (38) other States have agreed to settle with pharmaceutical distributors and manufacturers of opioids regarding lawsuits that have been brought against the companies. Since the State has agreed to settle they have offered to political subdivisions the option to settle; which would be a 15% direct allocation. Gatesville would receive \$26,994.00. If the City of Gatesville chooses to not participate in this settlement and pursue legal action against these companies it could take many years of litigation with a huge cost associated with that process. There could potentially be more funds as more settlements with other opioid manufacturers and distributors occur but that is unknown at this time. A plan can be developed for the use of these funds once the City hires the narcotics detective. The City Attorney recommends entering into a settlement agreement. The proposed resolution shows that the City adopts the National Opioid Settlement Texas Term Sheet allowing the City to participate in the Settlement Agreement with the pharmaceutical distributors and opioid manufacturers.

RESOLUTION 2021-74: Motion by Billy Sinyard, seconded by Meredith Rainer, to approve Resolution 2021-74 of the City Council of the City of Gatesville, Texas adopting the National Opioid Settlement Texas Term Sheet allowing the City to participate in the settlement agreement with pharmaceutical distributors and opioid manufacturers; all five voting “Aye”, motion passed.

8) DISCUSSION AND POSSIBLE ACTION TO EITHER APPROVE, CONDITIONALLY APPROVE, OR DISAPPROVE AN APPLICATION SUBMITTED BY JOBY MOONEY, TO SUBDIVIDE A 3.0709-ACRE LOT LOCATED AT 1509 GOLF COURSE RD, GATESVILLE TX, FORMALLY KNOWN AS VFW SUBDIVISION, BLOCK 1, LOT 1, 3.073 ACRES

City Manager Parry reminded the Council that at the August 24th meeting that this subdivision application was conditionally approved based on the following two (2) conditions:

- That a fire flow study be conducted that demonstrates a minimum flow of 250 gallons per minute and can be obtained by the proposed fire hydrant
- That the lot configuration be altered so that Tracts A and B be aggregated to Lots 1 & 12

City Planner, Rene Ochoa and Gatesville Fire Chief, Billy Vaden were present when the fire flow study was conducted. The onsite fire hydrant tested at 530 gallons per minute with consistent flow for thirty (30) minutes, exceeding the required 250 gallons per minute required by Council. The developer has submitted updated plans that alter the lot configuration dissolving Tracts A & B and aggregating those portions of land to Lots 1 & 12. Based on the findings of the study staff recommends approval of the application. Fire Chief Vaden can refine the requirements for future development in this area. Copies of the revised documents and a letter summarizing the findings of the fire flow study were available for review at the Council meeting.

RESOLUTION 2021-75: Motion by Meredith Rainer, seconded by Greg Casey, to approve the revised application submitted by Joby Mooney, to subdivide a 3.0709-acre lot located at 1509 Golf Course Rd, Gatesville formally known as VFW Subdivision, Block 1, Lot 1, 3.073 acre; all five voting “Aye”, motion passed.

9) CITY MANAGER’S REPORT - Capital Projects in progress:

- Drainage Study & Master Plan- still waiting on the funding agreement from the Texas Water Development Board. The Board approved all the applications that the City submitted in April.

FUTURE COUNCIL MEETING AGENDA TOPICS:

October 26th:

- Two (2) substandard structures were going to be presented to the Council (Building Standards Commission) at 115 Cottonwood and 308 Fennimore but it was reported that 115 Cottonwood may be under contract to sell. If that is in fact the case, 115 Cottonwood will not be under substandard structure consideration by the Building Standards Commission.
- Wastewater Master Plan briefing may get shifted to another meeting due to Walker Partners Engineers needing to review the costs of the project since they were assessed in 2018.
- Heart of Texas Defense Alliance briefing may get moved to the meeting on the 26th.

City Manager Parry pointed out the latest draft redistricting maps for Congressional Districts, Texas House and Senate Districts that were included in the council books.

SOLID WASTE SURVEY UPDATE: City staff is waiting on Waste Management representative, Paul Daugereau, to provide tentative prices for solid waste options so those prices can be included in the survey.

Councilmember Jack Doyle said that he will be moving outside the city limits at the end of October so October 26th will be his last meeting. Parry provided charter requirements for the Council to review regarding the process for councilmember vacancies.

10) RECESS REGULAR MEETING AND CALL AN EXECUTIVE SESSION AT 6:16 P.M. -----

Closed Meeting:

This closed meeting is in accordance with Government Code Section 551.074- Personnel Matters- Department Head Positions

11) END CLOSED SESSION AND RECONVENE REGULAR MEETING AT 6:28 P.M. -----

12) DISCUSSION AND POSSIBLE ACTION REGARDING THE EXECUTIVE SESSION- PERSONNEL MATTERS- DEPARTMENT HEAD POSITIONS

Mayor Chumley asked for a motion. No Councilmember made a motion.

13) ADJOURN MEETING AT 6:29 P.M., THIS 10TH DAY OF OCTOBER, 2021

ATTEST:

APPROVED:

Wendy Cole
City Secretary

Gary M. Chumley
Mayor

