

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
5:30 P.M
GATESVILLE CITY COUNCIL CHAMBERS
110 NORTH 8TH STREET, GATESVILLE, TEXAS 76528
JANUARY 9, 2024

An Open Meeting will be held concerning the following subjects:

1. Call to Order
2. Quorum check
3. Invocation and Pledge of Allegiance
4. Citizens/Public Comments Forum: Individuals wishing to address the Gatesville City Council may do so during this segment. If you intend to comment on a specific agenda item, please indicate the item(s) on the sign-in sheet before the meeting. Each speaker is allotted a maximum of 3 minutes for their remarks, and speakers are expected to conduct themselves in a respectful manner. In accordance with the Texas Open Meetings Act, the City of Gatesville City Council cannot deliberate or act on items not listed on the meeting agenda.

CONSENT:

5. All consent agenda items are considered routine by the City Council and will be enacted by a single motion. There will be no separate discussion of these items unless a Councilmember requests an item to be removed and considered separately.

Resolution 2024-01: Discussion and possible action regarding approval of Minutes from Regular City Council Meeting held on December 12, 2023. (Wendy)

Resolution 2024-02: Discussion and possible action regarding a resolution declaring various Fitness Center exercise equipment as surplus property and authorizing the City Manager to dispose of said property by listing it for sale on the GovDeals website. (Seth)

Resolution 2024-03: Discussion and possible action regarding approval of monthly financial reports for October and November 2023. (Mike)

Resolution 2024-04: Discussion and possible action regarding approval of Keep Gatesville Beautiful Board Members (Wendy)

OTHER BUSINESS:

6. Discussion regarding the proposed Gatesville Crossing project which will be comprised of approximately 36-units, designed for families (not age restricted), to be located east of Hwy 36, directly south of the Walmart Supercenter and the proposed Gatesville Terrace project which will be comprised of approximately 52-units for seniors, 55 and older, to be situated west of HWY 36, directly south of Hillside Medical Lodge, and north of Walgreens. (Michael Fogel & Alice Woods)
7. Discussion and possible action regarding an Ordinance of the City of Gatesville, Texas repealing Article III, Alarm Systems, Sections 14-47 through 14-51, and adding Sections 14-52 through 14-55, of the Code of Ordinances of the City of Gatesville; and providing an effective date. (1st reading of Ordinance 2024-01) (Brad Hunt)
8. Discussion and possible action regarding an Ordinance of The City of Gatesville, Texas amending the Code of Ordinances at Chapter 18, "Fees", by amending Section 18-1, "Fee Schedule" with regard to sewer rate fees for Texas Department of Criminal Justice, and Solid Waste Fees; repealing all conflicting ordinances; providing a severability clause; and providing an Effective Date. (3rd & final reading of Ordinance 2023-07) (Mike Halsema)

9. Discussion and possible action regarding a professional service agreement with Freese, Nichols, Inc. (FNI) to assess the City's vulnerability to a cyber-attack on the city's water system and formulate a Supervisory Control and Data Acquisition (SCADA) business plan, vulnerability assessment, and a project list aimed at bolstering the city's defenses against potential cyberattacks on the city's water infrastructure. (Scott Albert & Nick Claudio)
10. Discussion and possible action on a resolution to establish a regular monthly council meeting on the second Tuesday of each month, along with the option for special called meetings as necessary, for the next twelve months. (Scott Albert)

EXECUTIVE SESSION:

11. Recess Regular Meeting and Call for an Executive Session - Closed Meeting

The City Council of the City of Gatesville is hereby recessing the regular meeting and calling for an Executive Session in accordance with the Texas Open Meetings Act, Texas Government Code:

- * Section 551.071 (Consultation with Attorney)
- * Section 551.072 (Deliberations about Real Property)
- * Section 551.074 (Personnel Matters)
- * Section 551.076 (Deliberations about Security Devices)
- * Section 551.087 (Deliberations Regarding Economic Development Negotiations)
- * Section 551.086 (Concerning municipally owned utility-competitive matters)

During Executive Session, the following matter will be discussed:

- A. Discussion regarding the Firefly RV Park development agreement. (Scott Albert)

12. End Executive Session and Reconvene Open Meeting-----

13. Discussion and possible action resulting from deliberations in Executive Session

OTHER BUSINESS CONTINUED:

14. Discussion regarding the City Managers Report.
15. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 5th day of January, 2024 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, 803 E. Main Street and Gatesville Council Chambers, 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
JANUARY 9, 2024
5:30 P.M.
COUNCIL CHAMBERS, 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 5:32 P.M. THIS 9TH DAY OF JANUARY 9, 2024

2) QUORUM CHECK/COUNCIL PRESENT: Mayor Gary Chumley, Councilmembers Barbara Burrow, Greg Casey, Joe Patterson, Meredith Rainer, and Aaron Smith

REGRETS: Councilmember John Westbrook

CITY STAFF PRESENT: City Manager Scott L. Albert, City Secretary Wendy Cole, Finance/HR Director Mike Halsema, Police Chief Brad Hunt, Parks & Recreation Director Seth Phillips,

OTHERS: Leo Corona, Alan Mathis, Alice Woods, Michael Fogel, Kim Hill, and Gatesville Messenger Staff Writer Kaylee Dusang

3) INVOCATION: Councilmember Casey/PLEDGE OF ALLEGIANCE: Led by Mayor Chumley

4) CITIZENS/PUBLIC COMMENTS FORUM: PERSONS WHO DESIRE TO ADDRESS THE CITY OF GATESVILLE CITY COUNCIL WILL BE RECEIVED AT THIS TIME. IF A PERSON WISHES TO COMMENT ON A PARTICULAR AGENDA ITEM, THEN THE SPEAKER SHOULD INDICATE SUCH ITEM(S) ON THE SIGN IN SHEET PRIOR TO THE MEETING. PUBLIC COMMENT IS LIMITED TO 3 MINUTES PER SPEAKER. SPEAKERS MUST CONDUCT THEMSELVES IN A CIVIL MANNER. IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT, THE CITY OF GATESVILLE CITY COUNCIL CANNOT DELIBERATE OR ACT ON ITEMS NOT LISTED ON THE MEETING AGENDA.

Alan Mathis, of 1101 Star Lane, Gatesville, spoke to Council regarding the Silver Haired Legislatures, which he is a representative of. Mr. Mathis said that he had just attended the Texas Health & Human Services Area Agencies on Aging (AAA) advisory group meeting and wanted to inform the Council of two (2) important programs that the AAA provide:

1. Dementia Adult Day Program in Belton. This is a new program and they are open five (5) days a week from 7:30 a.m. to 5:30 p.m. Meals and therapeutic activities are provided at \$90.00 per day.
2. Medical Foster Home program for Veterans. Is a long-term care placement option that is located in a home-like setting/environment where the caregiver lives and provides continuous care and supervision to the Veterans.

Mr. Mathis also said that the AAA has room heaters for anyone that does not have reliable heaters in their home. Just contact Mr. Mathis and he will assist in providing.

5) ALL CONSENT AGENDA ITEMS ARE CONSIDERED ROUTINE BY CITY COUNCIL AND WILL BE ENACTED BY A SINGLE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCILMEMBER REQUESTS AN ITEM BE REMOVED AND CONSIDERED SEPARATELY)

RESOLUTION 2024-01: Discussion and possible action regarding approval of Minutes from the Regular City Council Meeting held on December 12, 2023.

RESOLUTION 2024-02: Discussion and possible action regarding a resolution declaring various

Fitness Center exercise equipment as surplus property and authorizing the City Manager to dispose of said property by listing for sale on the GovDeals website. (Seth)

RESOLUTION 2024-03: Discussion and possible action regarding approval of monthly financial reports for October and November 2023. (Mike)

RESOLUTION 2024-04: Discussion and possible action regarding approval of Keep Gatesville Beautiful Board Members (Wendy)

Motion by Barbara Burrow , seconded by Greg Casey, to approve the Consent Agenda including Resolution 2024-04 regarding approval of Shelley Herring (Chairman), Marie Dominquez, Celeste Drake, Elena Spatzier, Kim Chumley, and Dustin Morgan as Board Members to the Keep Gatesville Beautiful Committee and approve Liz Reinhardt and Barbara Burrow as Ex-Officio Members; all five voting “Aye”, motion passed.

OTHER BUSINESS:

6) DISCUSSION REGARDING THE PROPOSED GATESVILLE CROSSING PROJECT WHICH WILL BE COMPRISED OF APPROXIMATELY 36-UNITS, DESIGNED FOR FAMILIES (NOT AGE RESTRICTED), TO BE LOCATED EAST OF HWY 36, DIRECTLY SOUTH OF THE WALMART SUPERCENTER AND THE PROPOSED GATESVILLE TERRACE PROJECT WHICH WILL BE COMPRISED OF APPROXIMATELY 52-UNITS FOR SENIORS, 55 AND OLDER, TO BE SITUATED WEST OF HWY 36, DIRECTLY SOUTH OF HILLSIDE MEDICAL LODGE, AND NORTH OF WALGREENS (MICHAEL FOGEL & ALICE WOODS)

City Manager Albert said that Trinity Housing Developments recently contacted him seeking the City’s support for the development of two new communities, one of which involves a 36-unit community to be located east of Hwy 36, directly south of Walmart and the other a 52-unit aged restricted community to be situated west of Hwy 36, directly south of Hillside Medical Lodge, and north of Walgreens; both to be financed using 9% Housing Tax Credits. Trinity Housing Developments were the developers who built Gatesville Trails out on Hwy 36.

Alice Woods and Michael Fogel of Trinity Housing Developments provided a Power-Point presentation regarding the proposed projects: Gatesville Crossing & Gatesville Terrace. Discussed were the community and unit amenities and the housing tax credits process. It was noted that that the 36-unit Gatesville Trails mixed- income senior community already in Gatesville that Trinity Housing Developments built is fully leased.

Mr. Fogel said that even though two (2) projects are being discussed- only one would be built by Trinity Housing Development. Both projects would include units subject to tax credit income rent and income restrictions, primarily aimed at annual incomes ranging from \$26,500 to \$45,000. The majority of units will be available for rent within the range of \$700 to \$1,100 per month.

Two residents who were present at the meeting spoke:

Leo Corona asked a few questions regarding Veteran rentals and tax exemptions.

Kim Hill, voiced her support of these projects and the favorable affordability of the rent.

Following a lengthy discussion regarding the project specifics, rental restrictions, and what would be required from the City of Gatesville, Mayor Chumley said that no formal decision or action in support of or opposition to the projects would be made at tonight’s meeting.

Mr. Fogel said that if anyone had further questions or feedback to please contact him.

7) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS REPEALING ARTICLE III, ALARM SYSTEMS, SECTIONS 14-47 THROUGH 14-51, AND ADDING SECTIONS 14-52 THROUGH 14-55, OF THE CODE OF ORDINANCES OF THE CITY OF GATESVILLE; AND PROVIDING AN EFFECTIVE DATE (1ST READING OF ORDINANCE 2024-01) (BRAD HUNT)

Police Chief Brad Hunt said that as part of the Fiscal Year 22-23 approved budget, the Gatesville Police Department entered into a contract agreement with PM AM Corporation, to provide automated, online management of alarm permits. Changes and additions to City Ordinance Article III, Alarm Systems, are necessary to meet the requirements of PM AM Corporation and align the practices associated with alarm permitting with the local law. These changes are anticipated to save work hours and develop efficiency in management of alarm permits, and better organize police response and fine issuance for non-compliance. Proposed changes/additions discussed were:

- Definition of *Non-Valid Alarm* changed to *False Alarm*.
- Added: The Department shall notify the permit holder in writing after each false alarm
- Added: The Department shall not consider a false alarm to have occurred unless the police department responds within thirty minutes of the alarm notification and the department determines from an inspection of the interior or exterior of the premises that the alarm was false.
- Added Section 14-52: Revocation and Reinstatement of Permit.
- Added Section 14-53: Reinstatement of Permit.
- Added Section 14-54: Violations; Penalties; Corporations, Partnerships and other Legal Entities.
- Added Section 14-55: Government Immunity and Disclaimer.

Permit applications will be able to be done online also, if an applicant desires to submit an application that way.

ORDINANCE 2024-01-01: Motion by Meredith Rainer, seconded by Greg Casey, to approve the first reading of Ordinance 2024-01 repealing Article III, Alarm Systems, Sections 14-47 through 14-51, and adding Sections 14-52 through 14-55, of the Code of Ordinances of the City of Gatesville; and providing an effective date; all five voting “Aye”, motion passed.

8) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS AMENDING THE CODE OF ORDINANCES AT CHAPTER 18, “FEES”, BY AMENDING SECTION 18-1, “FEE SCHEDULE” WITH REGARD TO SEWER RATE FEES FOR TEXAS DEPARTMENT OF CRIMINAL JUSTICE, AND SOLID WASTE FEES; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE (3RD & FINAL READING OF ORDINANCE NO. 2023-07) (MIKE HALSEMA)

Finance Director, Mike Halsema, said that this is the third and final reading of Ordinance 2023-07 and confirmed that the new solid waste rates would not take effect on the customers bills until the March 1, 2024 billing.

ORDINANCE 2023-07-03: Motion by Barbara Burrow, seconded by Meredith Rainer, to approve the third and final reading of Ordinance 2023-07 amending the Code of Ordinances at Chapter 18, “Fees”, by amending Section 18-1, “Fee Schedule” with regard to sewer rate fees for Texas Department of Criminal Justice, and Solid Waste Fees; repealing all conflicting ordinances; providing a severability clause; and providing an Effective Date; all five voting “Aye”, motion passed.

9) DISCUSSION AND POSSIBLE ACTION REGARDING A PROFESSIONAL SERVICE AGREEMENT WITH FREESE, NICHOLS, INC. (FNI) TO ASSESS THE CITY’S VULNERABILITY TO A CYBER-ATTACK ON THE CITY’S WATER SYSTEM AND FORMULATE A SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) BUSINESS PLAN, VULNERABILITY ASSESSMENT, AND A PROJECT LIST AIMED AT BOLSTERING THE CITY’S DEFENSES AGAINST POTENTIAL CYBERATTACKS ON THE CITY’S WATER INFRASTRUCTURE (SCOTT ALBERT & NICK CLAUDIO)

Mayor Chumley stated that Agenda Item # 9 was pulled from the agenda and was tentatively scheduled to be included on the next council meeting agenda.

10) DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION TO ESTABLISH A REGULAR MONTHLY COUNCIL MEETING ON THE SECOND TUESDAY OF EACH MONTH, ALONG WITH THE OPTION FOR SPECIAL CALLED MEETINGS AS NECESSARY, FOR THE NEXT TWELVE MONTHS (SCOTT ALBERT)

City Manager Albert provided Resolution 2024-05 to the Council regarding the proposed revised monthly council meeting dates for the next twelve (12) months. Staff recommends conducting only one regularly scheduled council meeting per month for the next twelve months. Special Meetings can still be called if necessary to avoid any delays in significant decision-making matters.

The City Charter requires the City Council to hold at least one regular meeting each month and may hold as many additional meetings during the month as necessary.

The primary reason for this request is related to the current workload and the need for more time to focus our attention on various projects, initiatives, and operations. With more time between meetings, staff can concentrate on these projects, initiatives, and operations without the interruption of preparing for a meeting every two weeks. This allows for more extensive research, leading to better-informed decisions and improved execution of operations.

Additionally, holding fewer meetings can help prevent burnout among council members and city staff while balancing the current workload and managing meeting frequency.

If a Special Meeting was called it would still be held on the customary second Tuesday of the month.

Councilmember Rainer was concerned about transparency with the public and also make the meetings go too long. Also concerned that the required three (3) readings of Ordinances would take too long to pass city regulations.

The Council further discussed public transparency, time of the meetings, and that Ordinance approvals/discussions could be done at a Special called meeting with only urgent items listed on the agenda.

City Manager Albert said that there will be a meeting on January 23rd because of the proposed Trinity Housing Development Project. Mr. Albert also said that Council would be informed at the monthly meeting on the second Tuesday if there would be a special meeting in the month.

RESOLUTION 2024-05: Motion by Barbara Burrow, seconded by Joe Patterson, to approve setting the second Tuesday of each month at 5:30 p.m. as the date and time of regular City Council meetings, with the option of holding a Special Meeting on the fourth Tuesday of the month at the discretion of the City Manager; all five voting "Aye", motion passed.

11) MAYOR CHUMLEY STATED THAT THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, WILL CONVENE IN A CLOSED MEETING ON THIS 9TH DAY OF JANUARY 9, 2024 BEGINNING AT 5:46 P.M. AND ANNOUNCED THE SUBJECT TO BE DISCUSSED:

THIS CLOSED MEETING IS IN ACCORDANCE WITH GOVERNMENT CODE SECTION 551.071- CONSULTATION WITH ATTORNEY- REGARDING CONFIDENTIAL MATTERS IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CONFLICTS WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE

A. DISCUSSION REGARDING THE FIREFLY RV PARK DEVELOPMENT AGREEMENT (SCOTT ALBERT)

12) MAYOR CHUMLEY RECONVENED THE OPEN MEETING AND STATED THAT THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, ENDED ITS CLOSED MEETING AT 7:30 P.M. ON THIS 9TH DAY OF JANUARY 9, 2024

13) DISCUSSION AND POSSIBLE ACTION RESULTING FROM DISCUSSION DELIBERATED IN EXECUTIVE SESSION

There was no action as a result of the Executive Session.

14) DISCUSSION REGARDING THE CITY MANAGERS REPORT: There was not a report.

15) ADJOURN MEETING AT 7:32 P.M, THIS 9TH DAY OF JANUARY, 2024

ATTEST:

APPROVED:

Wendy Cole
City Secretary

Meredith Rainer
Mayor Pro-Tem