

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
FEBRUARY 13, 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 2024-11: Discussion and possible action regarding approval of Minutes from Special City Council Meeting held on January 23, 2024. (Wendy Cole)

Resolution 2024-12: Discussion and possible action regarding approval of First Quarter FY 23-24 Investment Report. (Mike Halsema)

Resolution 2024-13: Discussion and possible action regarding approval of the First Quarter FY 23-24 Budget Review Report. (Mike Halsema)

Resolution 2024-14: Discussion and possible action regarding authorizing the Finance Director as the closing officer for the proposed 6.8 acres from the closed landfill. (Mike Halsema)

OTHER BUSINESS:

6. 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)
7. Discussion and possible action regarding the financing of a used vacuum truck for utility operations. (Scott Albert & Robert Buster)
8. Discussion and possible action regarding a resolution supporting the submittal of an application to the Texas Department of Housing and Community Affairs for the 2024 Low Income Housing Tax Credit Program in relation to the Gateway Vista Apartments.
(Justin MacDonald and Hunter Patterson)

EXECUTIVE SESSION:

9. 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 Section 56-6 of the city code regarding no right to service outside the city. (Scott Albert)**

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

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

12. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 9th day of February, 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
FEBRUARY 13, 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 5:36 P.M. THIS 13TH DAY OF FEBRUARY, 2024

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

REGRETS: Councilmember Aaron Smith

CITY STAFF PRESENT: City Manager Scott L. Albert, City Secretary Wendy Cole, Finance/HR Director Mike Halsema, Police Chief Brad Hunt, Police Department Lieutenant Georg Cleverley, and Wastewater Treatment Plant Supervisor Robert Buster

OTHERS: Sam Garrison (assistant to U.S. Texas Representative John Carter), Leo Corona, David Bullard & daughter, Julie Jones-Horan, and Gatesville Messenger Staff Writer Kaylee Dusing. Bill & Beverly Shoaf were present to speak but departed meeting when told the Executive Session was going to be taken off the agenda.

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

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.

David Bullard, of 614 Golf Course Road, Gatesville, spoke to Council regarding sewer issues that he has had since Luis Lobo was employed with the City of Gatesville, but has since retired. Mr. Bullard stated that his sewer had previously been on septic tank and was hooked up to a grinder pump years ago but still has problems. The last city manager was going to run lines to the back of his property and hook up him & several other houses in the area around him but it never happened and now that city manager has retired. Mr. Bullard stated that he can't sell his house because of the sewer issues including the constant smell. His two neighbors that are on septic tanks are also having sewer issues. Mr. Bullard asked for the Council's assistance to fix this issue.

Next, Julie Jones- Horan, of 501 South 6th, Gatesville, spoke to the Council about Faunt LeRoy Park. Ms. Jones- Horan said that she has lived here her entire life and is upset that the park has become in such disrepair. Ms. Jones- Horan expressed her and her neighbors concerns of being affected by the neglect of the park. She has observed limbs that are hanging from trees which are dangerous to all park goers. Ms. Jones-Horan asked the Council to use the FEMA funds that were approved for Gatesville as intended and fix the park. Ms. Jones- Horan thanked the Councilmembers for listening to her and thanked them for their service to the community.

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 TO BE REMOVED AND CONSIDERED SEPARATELY)

- RESOLUTION 2024-11: Discussion and possible action regarding approval of Minutes from Special City Council Meeting held on January 23, 2024.
- RESOLUTION 2024-12: Discussion and possible action regarding approval of First Quarter FY 23-24 Investment Report.
- RESOLUTION 2024-13: Discussion and possible action regarding approval of the First Quarter FY 23-24-Budget Review Report.
- RESOLUTION 2024-14: Discussion and possible action regarding authorizing the Finance Director as the closing officer for the proposed 6.8 acres from the closed landfill.

Motion by Meredith Rainer, seconded by Greg Casey, to approve the Consent Agenda; all five voting “Aye”, motion passed.

OTHER BUSINESS:

6) 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)

City Manager Albert asked the Council that agenda item # 6 be pulled from the agenda and to schedule to be on the March 12th council meeting agenda. Mr. Albert said that he had been unable to get all the needed information to present to Council and had reached out to other vendors/firms as directed by council, but hadn’t heard back from anyone yet.

7) DISCUSSION AND POSSIBLE ACTION REGARDING THE FINANCING OF A USED VACUUM TRUCK FOR UTILITY OPERATIONS. (SCOTT ALBERT & ROBERT BUSTER)

City Manager Albert said that staff was requesting authorization to finance the purchase of a used vacuum sewer truck for utility operations as the city’s vacuum truck was left outside with water remaining in the tank during the recent freeze which resulted in significant damage to the vehicle. To repair the truck would cost a minimum of \$50,000.00 and there was no guarantee of repair because the parts for the 1999 truck are nearly impossible to find. To purchase the used vacuum truck the city would enter into a five (5) year finance agreement with Government Capital Corporation with an approximate annual payment of \$46,840.95 and a fixed interest rate of 5.706%. Mayor Chumley noted that this is a very good interest rate since it would be considered an unsecure loan. The first payment would not be due until the next fiscal year in February of 2025.

Wastewater Treatment Plant Supervisor Robert Buster answered questions regarding sale of the old truck for parts and the proposed purchase of the used 2015 vacuum truck and that it has a warranty until 2025. Mr. Buster said that a vacuum truck is a very important piece of equipment and is used nearly everyday as it is very useful for a variety of purposes. If Council approved this purchase, the vacuum truck could be picked up right away. It was noted that this vacuum truck has a winterization kit included.

RESOLUTION 2024-15: Motion by Barbara Burrow, seconded by Joe Patterson, to approve and authorize the City Manager to enter into a finance agreement for the purchase of a used vacuum truck for utility operations at a cost of \$195,000.00; Burrow, Casey, Patterson, and Rainer voting “Aye”, Westbrook abstained, motion passed.

8) DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION SUPPORTING THE SUBMITTAL OF AN APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE 2024 LOW INCOME HOUSING TAX CREDIT PROGRAM IN RELATION TO THE GATEWAY VISTA APARTMENTS. (JUSTIN MACDONALD AND HUNTER PATTERSON)

City Manager Albert said that the McDonald Co. contacted staff yesterday by email and withdrew their request. They may come back next year with a request.

9-11) MAYOR CHUMLEY STATED THAT THE EXECUTIVE SESSION DISCUSSION REGARDING SECTION 56-6 OF THE CITY CODE REGARDING NO RIGHT TO SERVICE OUTSIDE THE CITY HAD BEEN PUT OFF UNTIL THE NEXT MEETING

City Manager Albert said that there will be a council meeting on February 27, 2024.

12) ADJOURN MEETING AT 5:54 P.M, THIS 13TH DAY OF FEBRUARY, 2024

ATTEST:

Wendy Cole
City Secretary

APPROVED:

Gary M. Chumley
Mayor