

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
MARCH 12, 2024
5:30 P.M.
GATESVILLE CITY COUNCIL CHAMBERS
110 NORTH 8TH STREET, GATESVILLE, TEXAS 76528

1. **Call Special Meeting 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 2024-19 Discussion and possible action regarding approval of minutes from Special City Council meeting held on February 27, 2024.
(Wendy Cole)

Resolution 2024-20: Discussion and possible action regarding January 2024 Financials (Mike Halsema)

Resolution 2024-21: Discussion and possible action regarding the re-adoption of the City of Gatesville Tax Abatement Guidelines (effective for 2 years)

Resolution 2024-22: Discussion and possible action regarding the re-appointment/appointments of Jack Herring, Chance Taylor, and Tim Martin, to the Construction Board of Adjustments and Appeals, Places 2, 4, 6 respectively, and Terry Williams as Alternate 2 to the Construction Board of Adjustments and Appeals

Resolution 2024-23: Discussion and possible action regarding a two-year Fireworks Production Contract with Western Enterprises, Inc. (Wendy Cole)

OTHER BUSINESS:

6. **Discussion and possible action regarding a request from the Cruzin Cruzers Car Club to hold their annual car show around the Coryell County Courthouse and regarding temporary closure of streets. (Lavinia Shelton)**

7. Discussion and possible action regarding request on behalf of the Disabled American Veterans of Gatesville to hold a car show around the Coryell County Courthouse and regarding temporary closure of streets. (Robert Kazmierczak)
8. Discussion and possible action regarding the Cen-Tex Sustainable Community Partnership Memorandum of Understanding renewal (Liz Reinhardt)
9. Discussion and possible action regarding a compromise settlement agreement and release with Glimmer N Gloss Car Wash. (Scott Albert)
10. Briefing/presentation of the annual Gatesville Police Department Report, including State Mandated Racial Profiling Report and Eclipse 2024 Updates (Brad Hunt)
11. 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. (3rd & final reading of Ord. 2024-01) (Brad Hunt)
12. Discussion and possible action to provide utility service to property outside the city limits of Gatesville, Texas (Scott Albert)
13. City Manager's Report
14. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 8th day of March, 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

REGULAR CITY COUNCIL MEETING
MARCH 12, 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 12TH DAY OF MARCH, 2024

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

ABSENT: Councilmembers John Westbrook and Joe Patterson

CITY STAFF PRESENT: City Manager Scott L. Albert, City Secretary Wendy Cole, Finance/HR Director Mike Halsema, Development Coordinator Liz Reinhardt, and Police Chief Brad Hunt

OTHERS: Sam Garrison (assistant to U.S. Texas Representative John Carter), Leo Corona, Lavinia Shelton, Richard Shelton, Diana Barnett, and Gatesville Messenger Staff Writer Alex Meelbusch.

3) INVOCATION: Councilmember Casey/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.

Visitors present were only concerned with an agenda item.

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)

Councilmember Rainer requested to pull Resolution 2024-23 off the consent agenda to discuss separately.

RESOLUTION 2024-19: Discussion and possible action regarding approval of Minutes from Special City Council Meeting held on February 27, 2024. (Cole)

RESOLUTION 2024-20: Discussion and possible action regarding January 2024 Financials (Halsema)

RESOLUTION 2024-21: Discussion and possible action regarding the re-adoption of the City of Gatesville Tax Abatement Guidelines (effective for 2 years).

RESOLUTION 2024-22: Discussion and possible action regarding the re-appointments/appointments of Jack Herring, Chance Taylor, and Tim Martin, to the Construction Board of Adjustments & Appeals, Places 2, 4, 6, respectively, and Terry Williams as Alternate 2 to the Construction Board of Adjustments & Appeals.

Motion by Greg Casey, seconded by Aaron Smith, to approve the Consent Agenda: Resolutions 2024-19, 2024-20, 2024-21, and 2024-22; all four voting "Aye", motion passed.

RESOLUTION 2024-23: Discussion and possible action regarding a two-year Fireworks Production Contract with Western Enterprises, Inc.

Councilmember Rainer questioned whether the city's budgeted amount for the fireworks needed to be raised eventually because of price increases in order to maintain the same level of service. City Manager Albert said that during the budget process for the upcoming year it can be evaluated to possibly raise the base cost percentage.

RESOLUTION 2024-23: Motion by Meredith Rainer, seconded by Barbara Burrow, to approve the two-year contract with Western Enterprises Inc. in the amount of \$32,000 per event for the City of Gatesville's 4th of July Fireworks Productions to be held on July 4, 2024 and July 4, 2025 and authorize the City Manager to execute the contract; all four voting "Aye", motion passed.

OTHER BUSINESS:

6) DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FROM THE CRUZIN CRUZERS CAR CLUB TO HOLD THEIR ANNUAL CAR SHOW AROUND THE CORYELL COUNTY COURTHOUSE AND REGARDING TEMPORARY CLOSURE OF STREETS. (LAVINIA SHELTON)

Ms. Shelton said that she knew that their request was in their read ahead council books and noted that their request is the same as previous years and nothing had changed. The car shows have had great turnouts every year and they are thankful to have them around the courthouse.

RESOLUTION 2024-24: Motion by Barbara Burrow, seconded by Greg Casey, to approve the request from the Cruzin Cruzers Car Club to hold the annual car show around the Coryell County Courthouse on September 21, 2024 with event set up to begin September 20, 2024 after 6:00 p.m. and approve the proposed temporary closure of streets.; all four voting "Aye", motion passed.

7) DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST ON BEHALF OF THE DISABLED AMERICAN VETERANS OF GATESVILLE TO HOLD A CAR SHOW AROUND THE CORYELL COUNTY COURTHOUSE AND REGARDING TEMPORARY CLOSURE OF STREETS. (ROBERT KAZMIERCZAK & BRAD HUNT)

Police Chief Brad Hunt spoke about this agenda item as Mr. Kazmierczak was not present at the meeting. The Disabled American Veterans (DAV) of Gatesville had previously held their car show at an alternate location but now would like to essentially do the same kind of show that the Cruzin Cruzers do. The date of the DAV's proposed car show is May 25, 2024 and through the City's new "Event Approval" process- the application has already been reviewed by the Police Department and have found no issues with DAV's request to temporarily close streets.

RESOLUTION 2024-25: Motion by Greg Casey, seconded by Barbara Burrow, to approve the request from the Disabled American Veterans Chapter of Gatesville to hold a car show around the Coryell County Courthouse on May 25, 2024 from 8:30 a.m. to 2:00 p.m. and approve the proposed temporary closure of streets; all four voting "Aye", motion passed.

8) DISCUSSION AND POSSIBLE ACTION REGARDING THE CEN-TEX SUSTAINABLE COMMUNITY PARTNERSHIP MEMORANDUM OF UNDERSTANDING RENEWAL

City of Gatesville's Development Coordinator, Liz Reinhardt, presented a Power Point program highlighting the Cen-Tex Sustainable Community Partnership Memorandum of Understanding (MOU) renewal and the mission of the partnership.

The Cen-Tex Sustainable Communities Partnership was formed in 2009 and now consists of nine members: City of Belton, Fort Cavazos, City of Copperas Cove, City of Gatesville, City of Harker Heights, City of Killeen, City of Lampasas, City of Nolanville, and City of Salado.

The mission of this partnership is to serve as a forum to combine regional sustainability efforts to improve the overall quality of life and economic vitality of the Central Texas region and its citizens.

Discussed were the Outreach Programs and accomplishments regarding Energy, Water Quality, and Conservation initiatives.

Ms. Reinhardt mentioned that April 19, 2024 would be Gatesville's Earth Day celebration and invited all councilmembers to the Earth Day event at the Civic Center.

The new MOU would be effective until 2034.

Mayor Chumley suggested that a Leon River waterway cleanup would be a great project for Gatesville to do.

RESOLUTION 2024-26: Motion by Barbara Burrow, seconded by Meredith Rainer, to approve Resolution 2024-26 and the Memorandum of Agreement between the United States Army Garrison Fort Cavazos and Central Texas surrounding cities for the Cen-Tex Sustainable Communities Partnership and authorize the Mayor to sign said documents; all four voting "Aye", motion passed.

9) DISCUSSION AND POSSIBLE ACTION REGARDING A COMPROMISE SETTLEMENT AGREEMENT AND RELEASE WITH GLIMMER N GLOSS CAR WASH. (SCOTT ALBERT)

City Manager Albert provided the Council two (2) photographs of the flooding that had been occurring with the previous driveway approach. The proposed agreement presented to the Council pertained to a settlement between the city and the owner of Glimmer N Gloss Car Wash, concerning the removal of their driveway approach along Lovers Lane and proposed improvements for its replacement.

Glimmer N Gloss Car Wash, located at 2530 East Main Street, has a driveway approach along Main Street (SH 84) and another along Lovers Lane. During recent improvements to Lovers Lane, the city's contractor removed the driveway approach along Lovers Lane without the property owner's knowledge or permission. It was assumed that the approach was within the city's right-of-way, which was incorrect; the approach is situated on private property.

The driveway approach that was removed was purportedly installed by the city. However, the configuration of the approach resulted in water damming and subsequent flooding of the street and the property south of the carwash. Consequently, the decision was made to remove the driveway approach.

Attached to the settlement agreement was an exhibit depicting the proposed improvements, prepared by Walker Partners Engineering. These improvements aim to restore the site to its original swale and will be sufficiently wide to prevent cars with low ground clearance from making contact.

The agreement acknowledges the property owner's acceptance of the city's removal of the driveway approach and the proposed improvements for its replacement, and staff recommends approval.

Mayor Chumley said that he has had many calls about this flooding issue and noted that this change will definitely help alleviate future flooding in this area.

RESOLUTION 2024-27: Motion by Aaron Smith, seconded by Greg Casey, to approve the compromise settlement agreement and release with Glimmer N Gloss Car Wash and the City of Gatesville.; all four voting “Aye”, motion passed.

10) BRIEFING/PRESENTATION OF THE ANNUAL GATESVILLE POLICE DEPARTMENT REPORT, INCLUDING STATE MANDATED RACIAL PROFILING REPORT AND ECLIPSE 2024 UPDATES (BRAD HUNT)

Police Chief Brad Hunt provided the Council with the Gatesville Police Department 2023 Annual Report which included the mandated Racial Profiling Report and briefed the Council on its findings. Chief Hunt reminded the Council that this report is required under state law, requires no action from the Council, and is a complete Annual Report regarding information on all agency activities. This report will keep the Council and Community informed of the Department’s commitment to the well-being of all Gatesville residents. Highlighted was the Police Department Organizational Chart and City of Gatesville demographics derived from the 2020 Census, which included Texas Department of Criminal Justice inmates. Chief Hunt then presented an overview of the following:

- PD responded to 23,713 calls for service in 2023, which was up from 20,354 in 2022. Officers made 386 arrests for a variety of crimes and generated 814 written reports. All categories increased from 2022. A map depicting Department Activity regarding incident reports and arrests was also discussed.
- Calls for Service regarding call types, calls by time of day, officer- initiated calls, and calls response times by priority type.
- National Incident Based Reporting System (NIBRS) which collects data on each single crime occurrence. The report gave an overview and comparison of previous calendar years with regard to Gatesville’s major crime data including Burglary, Larceny, Auto Theft, Assault, Robbery, Homicide, and Sexual Assault.
- Officers investigated 166 vehicular accidents in 2023. Officers conducted 3,597 traffic contacts and made 15 DWI arrests during the same period. Noted that the new Narcotics Detective started employment in November 2023.
- Racial Profiling: The Gatesville Police Department has been compliant every year to document each traffic stop with absolutely no verbal warnings. Included in the report was the complaint process, a breakdown of census information data and a racial comparative traffic review regarding traffic stops. It was noted that that in 2023 the Gatesville Police Department received no formal or informal complaints of racial profiling.
- In 2023, Gatesville’s Animal Control responded to 1,659 calls for service. A total of 243 animals were impounded or surrendered at the shelter. 43 were returned to an owner, 105 were transferred to local rescues, and 106 were adopted. There were also 148 community cats trapped and released under the Trap, Neuter, Release Program during 2023. Gatesville’s Live Outcome rate has reached 97.95% for the year, which is very good. The Police and Animal Control Department continue to thank all the volunteers and partner rescue programs for their hard work in promoting animal adoptions and keeping euthanasia low.
- Code Enforcement: There were 1,132 Violation Notices issued with 724 of these cases brought into compliance. Code Enforcement mainly enforces issues outside a structure and the City Inspector & Bureau Veritas enforce issues inside a structure.
- Community Outreach initiatives and events were briefly discussed: National Night-Out, GISD Students 6-week course on police operations, Citizens Police Academy, Cone- With -A- Cop, and Cen-Tex Crime Stoppers.
- Accomplishments in 2023 were briefly discussed: Officer Safety, Professionalism, Department Operation, and Personnel. Also discussed were projects and initiatives going forward.

Chief Hunt discussed the Eclipse 2024 event and said that all the patrol and dispatch planning is in place, coordination with Texas Department Emergency Management and their procedures are completed, and Gatesville’s Emergency Operations Center plan is in place for centralized emergency management. Details are still being finalized and weekly meetings are being held regarding last minute details. There are people coming from all over the world for the Eclipse (anticipating 20,000 to 30,000 people) and we really want to take this opportunity for people to have a great experience and see what Gatesville is all about.

11) 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. (3RD & FINAL READING OF ORD. 2024-01) (BRAD HUNT)

Police Chief Brad Hunt said that what staff has been working on between the second reading of this ordinance and now was the final implementation on the payment process with payment firms to make sure all the links are correct on their end to ensure a seamless process to go live by April 1, 2024. This new payment process will help the Police Department streamline, automate, and make it easier for staff and for citizens to make payments, accept payments, and document false alarms and take appropriate actions when needed. Staff recommends final reading of Ordinance 2024-01.

ORDINANCE 2024-01-03: Motion by Greg Casey, seconded by Barbara Burrow, to approve the third and final 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 of April 1, 2024; all four voting “Aye”, motion passed.

12) DISCUSSION AND POSSIBLE ACTION TO PROVIDE UTILITY SERVICE TO PROPERTY OUTSIDE THE CITY LIMITS OF GATESVILLE, TEXAS

City Manager Albert said that he wanted to open a discussion and possibly give direction to staff on a policy to craft for the City in regards to providing utility service outside the city limits. Mr. Albert said that since he has been here it is his understanding that the staff and Council don’t want to provide utility services outside the city limits unless the property owners annex their property into the city.

There have been numerous requests lately in regards to providing utilities outside the city limits and some requests have been established through verbal agreements with staff, which should not serve as an appropriate process for affirming whether utility service should be provided outside the city limits.

City Manager Albert said that he wanted to establish a policy for providing utility service outside the city limits with Council’s input and approval and suggested an interim policy until a final policy is determined. The following interim policy was presented and discussed:

1. If land is immediately adjacent to the city limits and the property owner is requesting utility service, the land/development must be annexed into the city limits before utility service will be provided.
2. If land is not immediately adjacent to the city limits, however, staff and the city attorney are able to identify a way for the land to be annexed, the land must be annexed before utility service is provided.
3. If land is in the ETJ and the city is unable to annex the land, the City Council will consider providing utility service on a case-by-case basis; if advantageous to the city.

There was a lengthy discussion regarding several options to consider:

1. There would be no deadline to provide all services with a voluntary annexation because the City would be entering into an agreement regarding what services the City will provide.
2. If a developer requests services it would be expected for the developers to pay for the services- the City would not be tied to pay for most expenses. Some expenses would be reimbursed to the City such as any attorney fees or engineering costs charged for a water assessment.
3. Any annexation request would need to come to the Council for approval no matter how big or small.

Finally, all utility service outside the city limits, including annexing land, must be approved by the city council before any service is provided. Arrangements made in the past with staff to provide utility service outside the city limits are not considered binding arrangements with the city. If Council approves this interim plan, it is planned to have a final policy approved within three (3) months.

RESOLUTION 2024-28: Motion by Barbara Burrow, seconded by Meredith Rainer, to approve the interim policy to provide utility services outside the city limits as presented and outlined in the memorandum; all four voting “Aye”, motion passed.

13) CITY MANAGER’S REPORT: City Manager Albert did not have a written report to provide but updated the Council on a few projects:

LOVERS LANE PROJECT: Utilities should be complete by the end of March and the road surfacing will take place when school is out for the summer and should take approximately 2 to 3 weeks to complete. However, milling the street will take place this week while school is out on Spring Break.

CLARIFIERS AT THE WATER TREATMENT PLANT: The repairs were completed on Clarifier #1 but then the centerpiece started leaking oil so had to order a replacement and is expected to take 4 weeks to arrive. After the part is replaced on Clarifier #1 then repairs will begin on Clarifier #2.

COUNCILMEMBER CASEY: Requested on behalf of the Chamber of Commerce permission to go look at the trolley cars that are located at the Leon Wastewater Treatment Plant. The Chamber has used them in the past and would like to use them again at the Shivaree this year.
City Manager Albert said that he would have Wastewater Supervisor, Bobby Buster, contact him.

14) ADJOURN MEETING AT 6:49 P.M, THIS 12TH DAY OF MARCH, 2024

ATTEST:

Wendy Cole
City Secretary

APPROVED:

Gary M. Chumley
Mayor