

# **City Council Meeting**

**January 9, 2024**

**At**

**Gatesville Council Chamber**

**110 N. 8<sup>th</sup> Street**

**5:30 P.M.**



**INDEX  
REGULAR CITY COUNCIL MEETING  
JANUARY 9, 2024**

**5:30 P.M.**

**PAGE 1-2 --- AGENDA – 1-9-2024**

**CALL TO ORDER  
QUORUM CHECK  
INVOCATION AND PLEDGE OF ALLEGIANCE**

**CITIZENS/PUBLIC COMMENTS FORUM: INDIVIDUALS WISHING TO ADDRESS THE GATESVILLE CITY COUNCIL MAY DO SO DURING THIS TIME. IF YOU INTEND TO COMMENT ON A SPECIFIC AGENDA ITEM, PLEASE INDICATE THE 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 RESPECTFUL MANNER. IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS ACT, GATESVILLE CITY COUNCIL CANNOT DELIBERATE OR ACT ON ITEMS NOT LISTED ON THE MEETING AGENDA.**

**PAGE 3-19 - 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 DECEMBER 12, 2023 (WENDY COLE)**

**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 MEMBER (WENDY)**

**OTHER BUSINESS:**

**PAGE 20-42 CITY COUNCIL MEMORANDUM- 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)**

**PAGE 43-49 CITY COUNCIL MEMORANDUM- 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)**

**PAGE 50-55 CITY COUNCIL MEMORANDUM - 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 READING OF ORDINANCE 2023-07) (MIKE H)**

**PAGE -NO MEMORANDUM OR INFORMATION- 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)**

**PAGE 56 CITY COUNCIL MEMORANDUM- 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)**

**NO MEMO - RECESS REGULAR MEETING AND CALL 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 551.76 (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 MATTERS WILL BE DISCUSSED:**

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

**END EXECUTIVE SESSION AND RECONVENE OPEN MEETING -----**

**NO MEMO - DISCUSSION AND POSSIBLE ACTION RESULTING FROM DELIBERATIONS IN EXECUTIVE SESSION**

**OTHER BUSINESS CONTINUED:**

**PAGE 131-137 - DISCUSSION REGARDING THE CITY MANAGER REPORT**

**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 8<sup>TH</sup> 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:

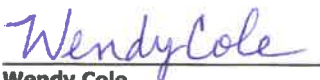
- A. Discussion regarding the Firefly RV Park development agreement. (Scott Albert)

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](http://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](mailto:wcole@gatesvilletx.com) for further information.

REGULAR CITY COUNCIL MEETING  
DECEMBER 12, 2023  
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 DECEMBER, 2023

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

REGRETS: Councilmember Meredith Rainer

CITY STAFF PRESENT: City Manager Scott L. Albert, City Secretary Wendy Cole, Finance/HR Director Mike Halsema, Police Department Operations Commander Lieutenant Cody Lee, and Patrol Lieutenant Georg Cleverley

OTHERS: Leo Corona, Alan Mathis, JoAnn Sugg, Lauren Morrell, 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 introduced himself to the Council and stated that he is one of the 123 Texas Silver -Haired Legislatures authorized by the Secretary of the State of Texas. Mr. Mathis said that this is an unpaid position and provides a nonpartisan forum for discussion and debate of senior issues with the mission to improve the lives of older and all Texans through education, knowledge and involvement in legislation and governmental affairs. Mr. Mathis said that his area of responsibility is from Milam County to San Saba. Mr. Mathis also said that the Silver-Haired Legislatures are looking for volunteers for any interested citizens over the age of 60 that are looking to make a difference in the State of Texas.

Mr. Mathis also noted that the Senior Center in Gatesville is asking for volunteers for Meals on Wheels as the needs of this program have grown.

Mayor Chumley said that Mr. Mathis and his wife have been mentioned at Central Texas Council of Governments monthly meetings and noted how much they do for our area of Texas. Mayor Chumley thanked Mr. Mathis and expressed appreciation for all that they have done for central Texas and the State of Texas.

Mayor Chumley announced that Agenda item #9 would be moved up ahead of the Executive Session.

9) DISCUSSION AND POSSIBLE ACTION REGARDING GATESVILLE EXCHANGE CLUB GAZEBO PROJECT (LAUREN MORRELL)

Gatesville Exchange Club Board of Directors member Lauren Morrell said that the Gatesville Exchange Club is in its 40th year and with that the Exchange Club would like to do something significant for the town. Ms. Morrell presented the idea of a gazebo that would be a long-lasting project that the citizens of Gatesville could enjoy for years to come. The Exchange Club would like to honor former member Ronnie Viss who lost his life in 2021. Mr. Viss was a very active member in the community as a member of the Exchange Club, served as Gatesville City Council member with 5 of those years as the Mayor Pro-Tem, as well as employment with the local funeral home.

Ms. Morrell discussed the initial cost to build the gazebo (Cedar at \$5000.00) but said this cost did not include the concrete pad since the location of the gazebo has not been confirmed. Funding for the gazebo will be provided by the Gatesville Exchange Club for the initial price to build but additional costs of upkeep and repair may be necessary for the city or if the gazebo ever needs to be moved to an alternate location. Currently the City is in the process of revitalization of the parks in Gatesville which is why the location of the gazebo may need to be determined at a later date.

The Gatesville Exchange Club is requesting approval to proceed with its plan so the Exchange Club can begin fund raising for the Ronnie Viss Gazebo Project which is planned to occur throughout the year until approximately June of 2024.

RESOLUTION 2023-146: Motion by Greg Casey, seconded by John Westbrook, to approve the donation of a gazebo in honor of Ronnie Viss from the Gatesville Exchange Club with location of the gazebo to be determined at a later date; all five voting "Aye", motion passed.

5) MAYOR CHUMLEY STATED THAT THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, WILL CONVENE IN A CLOSED MEETING ON THIS 12TH DAY OF DECEMBER, 2023 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. Obtain legal advice, discussion, and possible action regarding a professional services agreement with Freese and Nichols, Inc. to review a drainage study prepared by Walker Partners as relates to potential responsibility for claimed flooding.

B. Discussion regarding appointment of a City Attorney

6) MAYOR CHUMLEY RECONVENED THE OPEN MEETING AND STATED THAT THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, ENDED ITS CLOSED MEETING AT 6:24 P.M. ON THIS 12TH DAY OF DECEMBER, 2023

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

A. OBTAIN LEGAL ADVICE, DISCUSSION, AND POSSIBLE ACTION REGARDING A PROFESSIONAL SERVICES AGREEMENT WITH FREESE AND NICHOLS, INC. TO REVIEW A DRAINAGE STUDY PREPARED BY WALKER PARTNERS AS RELATES TO POTENTIAL RESPONSIBILITY FOR CLAIMED FLOODING

RESOLUTION 2023-138: Motion by Barbara Burrow, seconded by Greg Casey, to authorize the City Manager to enter into a professional services agreement with Freese and Nichols Inc., with a budget not

to exceed \$40,000, for the purpose of evaluating the Walker Partners Drainage study prepared on behalf of Kalyn Siebert; all five voting "Aye", motion passed.

B. DISCUSSION REGARDING APPOINTMENT OF A CITY ATTORNEY

RESOLUTION 2023-139: Motion by John Westbrook, seconded by Barbara Burrow, to appoint Victoria Thomas of Nichols/Jackson DHS law firm as the City Attorney for the City of Gatesville; all five voting "Aye", motion passed.

8) DISCUSSION AND POSSIBLE ACTION REGARDING THE CONSENT AGENDA: (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)

Councilmember Patterson requested to pull Resolution 2023-145 off the consent agenda to discuss separately.

Mayor Chumley pulled Resolution 2023-145 from the Consent Agenda for discussion and asked for a motion regarding Resolutions 2023-140 through 2023-144:

RESOLUTION 2023-140: Approval of Minutes from the Regular City Council Meeting held on November 12, 2023

RESOLUTION 2023-141: Approval of Minutes from Special City Council Meeting held on November 27, 2023

RESOLUTION 2023-142: Approval of Minutes from Special City Council Meeting held on November 30, 2023

RESOLUTION 2023-143: Approval to cast the City of Gatesville's 221 votes for Andy James as the City of Gatesville's candidate for Coryell Central Appraisal District Board of Directors

RESOLUTION 2023-144: Approve Change Order No. 2 to the contract documents for the Mills Street Phase 2 Improvements Project No. 2-01657 reflecting an increase of the contract amount to \$707,130.00.

Motion by Barbara Burrow, seconded by Aaron Smith, to approve Resolutions 2023-140 through 2023-144, on the Consent Agenda; all five voting "Aye", motion passed.

RESOLUTION 2023-145: Discussion and possible action regarding an amendment to the Interlocal Government Agreement between multiple governmental entities in Bell & Coryell Counties to facilitate the development of a Regional Habitat Conservation Plan for karst invertebrate in the area

Mayor Chumley said that environmentalists have found Karst Invertebrates, which are endangered species, in certain limestone cave formations in Fort Hood and Bell County. Because these are endangered species a conservation plan was needed and Gatesville joined in the agreement and study when it was formed in 2021. There was a lengthy discussion regarding the feasibility of this agreement and Councilmember Patterson questioned if it was really needed. Mayor Chumley said the plan was a collaborative effort agreed to by several counties and cities for the development of a Habitat Conservation Plan which would mitigate the impacts of development on endangered species and the impact on any proposed developments in the area. Since the surrounding region, including Gatesville, is an area of interest to the Federal Wildlife Services, projects can be halted due to the identification of



endangered species.

City Manager Albert discussed the option of opting out after the third phase of the Habitat Conservation Plan if Council would choose to do that. Mr. Albert noted that being a part of the plan would be a good tool to have in place as the city moves forward with development.

Motion by Barbara Burrow, seconded by Aaron Smith, to approve Resolution 2023-145 amending the interlocal agreement for the development of a Habitat Conservation Plan in Bell and Coryell Counties, increasing the City's financial contribution to \$9,274.06; all five voting "Aye", motion passed.

10) DISCUSSION AND POSSIBLE ACTION TO APPOINT A MAYOR PRO-TEM

RESOLUTION 2023-147: Motion by Barbara Burrow, seconded by John Westbrook, to appoint Meredith Rainer as the Mayor Pro-Tem for the City of Gatesville; all five voting "Aye", motion passed.

11) 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 (2ND READING OF ORDINANCE NO. 2023-07) (MIKE HALSEMA)

Finance Director, Mike Halsema, said that this is the second reading of Ordinance 2023-07 and confirmed that the new solid waste rates would not take effect until the February 1, 2024 billing.

ORDINANCE 2023-07-02: Motion by Greg Casey, seconded by Joe Patterson, to approve the second 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.

12) DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION DECLARING ATHLETIC FIELD LIGHTS, INCLUDING THE POLES AND FIXTURES, AS WELL AS THE CIVIC CENTER SIGN LOCATED ON THE EASTERN SIDE OF THE GATESVILLE COMPLEX, AS SURPLUS PROPERTY AND FOR PROVIDING DIRECTION ON THE PROPER DISPOSITION OF THIS SURPLUS PROPERTY. (SCOTT ALBERT)

City Manager Albert reminded the Council that in August, the City Council granted approval for the replacement of the lighting systems on the following three athletic fields: Bob Arnold, James Box, and Chuck Hyles. These outdated lighting systems have since been replaced with state-of-the-art Musco lighting systems. Consequently, the city is now faced with the need to dispose of the 24 light poles and 107 light fixtures that were previously in use on these fields. Additionally, staff recommends that the large Civic Center marquee sign situated on the eastern side of the Gatesville complex be proposed for removal.

TTG Utilities of Gatesville has expressed interest in acquiring all the light poles and 32 fixtures in exchange for their services in removing and disposing of the large Civic Center marquee sign on the eastern side of the Gatesville Complex. In October staff requested a quote from Gribble Construction for removing and disposing of the Civic Center sign which was for \$3,000. Given the opportunity to dispose

of a few athletic field lights and poles in exchange for the removal and disposal of the Civic Center sign at no cost is a cost-saving opportunity for the city. City staff's proposal is to list the remaining light fixtures for sale on the GovDeals website.

Leo Corona of 409 State School Road thanked the Council for considering the bartering system with TTG Utilities regarding disposal of the Civic Center sign, poles & some of the light fixtures. Mr. Corona asked the Council to consider installing some of the surplus light fixtures in city parks to provide additional lighting when there are big events instead of selling the excess light fixtures on GovDeals.

Following Mr. Corona's suggestion there was a discussion regarding the surplus light fixtures and possibly utilizing in the parks. City Manager Albert said that staff could hold off on selling the fixtures on GovDeals and research the light fixture suggestion and other alternative uses and see how much it would cost to supply power for additional lighting.

RESOLUTION 2023-148: Motion by John Westbrook, seconded by Joe Patterson, to declare 24 light poles and 107 light fixtures from the athletic fields of the Gatesville Sports Complex as surplus property and authorize the city manager to dispose of the property and additionally to explore alternate uses or options for the remaining light fixtures; all five voting "Aye", motion passed.

13) DISCUSSION AND POSSIBLE ACTION REGARDING THE USE OF FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) GRANT FUNDS FOR IMPROVEMENTS AT THE FAUNT LE ROY PARK OR CONSTRUCTION OF A NEW PARK. (SCOTT ALBERT)

City Manager Albert introduced Freese & Nichols Inc. Associate, Jay Scanlon, who was joining the meeting by- way- of computer. Mr. Scanlon was present to discuss Freese & Nichols Inc. (FNI) initial assessment of the proposed improvements to the Faunt Le Roy Park embankment and possible long term stability in regards to future flood events. FNI reviewed the damage assessment report prepared by LJA Engineering to assist in a conclusion to these questions.

Mr. Albert gave a brief summary of the history of this proposed project and the options to consider going forward: In October, staff sought direction from the City Council regarding the allocation of FEMA grant funds awarded to the city in 2019/2020 timeframe. The question to council was whether to use these funds to construct a new park or to undertake repairs on the Leon River embankment within Faunt Le Roy Park.

At that time, the City Council's directive to staff was to gather more information to evaluate the proposed embankment improvements and their resilience to future flooding events. In response to this directive, City Manager Albert reached out to FNI to request their assistance in assessing the proposed improvements and their ability to withstand future floods.

Unfortunately, the damage assessment provided by LJA, while addressing necessary repairs, lacked a conceptual design with details about materials and quantities. Consequently, without this information it was challenging for FNI to make an informed judgment about the durability of these repairs in the face of future flood events.

However, the LJA report did calculate velocities of the river being less than 7 feet per second which are low enough that bank stabilization repairs should be feasible to develop a resilient solution, but the extent of these repairs may need to extend beyond the limits of the proposed improvements.

Before the City Council decides on whether to proceed with riverbank repairs, it should be considered to conduct a feasibility study for additional embankment repairs and a comprehensive assessment. This study would assist the council in determining the viability of three options:

1. Proceeding with the embankment repairs as outlined in the LJA study.
2. Evaluating whether additional work is required for long-term stability.
3. Considering the option of abandoning the park altogether.

Staff is asking the City Council to consider authorizing the city manager to execute a service agreement with FNI for the performance of a feasibility study and assessment on the Leon River embankment project in Faunt Le Roy Park. The proposed budget for this endeavor is not to exceed \$49,000, which will be funded from the general capital improvement fund which unrestricted fund balance as of today is roughly over a half million dollars.

There was a lengthy discussion regarding funding sources/additional funding sources for the needed repairs and the prediction of future erosion damage which could be assessed with a geomorphic study. Mr. Scanlon said that LJA's assessment was good but was limited by Public Assistance Funding.

Mr. Albert noted that the results of a feasibility study with a conceptual design and geomorphic assessment could assist the Council in determining the viability of proceeding with embankment repairs proposed by LJA, if additional work would be needed for long-term stability, or abandon the park.

It is important to note that the standard performance period of utilizing FEMA funds is typically three years. These funds were awarded to the city on June 5, 2020. The City Manager has requested an extension which has been granted until December 20, 2023. FEMA is waiting on guidance from the city council regarding how they wish to proceed before considering any further extensions.

Mr. Scanlon said that the project possibly could be done in phases- as funds become available- and could be addressed in the feasibility study to determine vulnerability or risks to the repairs if done in steps.

Following the discussion Mr. Albert told the Council that the main questions to be considered are:  
Is this park an asset to Gatesville and is it a park that needs to be saved?

RESOLUTION 2023-149: Motion by Barbara Burrow, seconded by Aaron Smith, to authorize the City Manager to execute a service agreement with Freese & Nichols to perform a feasibility study and geomorphic assessment on the Leon River embankment improvements in Faunt Le Roy Park, not to exceed \$49,000; all five voting "Aye", motion passed.

14) CITY MANAGERS REPORT: Mr. Albert said that the City Manager's report will now be in a new format with the purpose of this report to keep the public, city council, and staff informed about ongoing projects and initiatives. The following report offers readers information on funding, rationale, and updates regarding various projects and initiatives underway in the city.

1. MUSCO Athletic Field Lighting for the Gatesville Sports Complex are anticipated to be up and operational by mid- January 2024.
2. Stillhouse Waste Water Treatment Plant (WWTP) Phase I Improvements are primarily upgrades and are anticipated to start in January 2024. The plant expansion in Phase II will begin much later- if necessary- because since January of 2020 the city's monthly average flow at the Stillhouse WWTP has been 65% and not once has the WWTP reached 75% which is the benchmark when design work should commence on expanding the WWTP. This summer smoke testing is planned for the collection system at the Stillhouse WWTP which will identify any sources of infiltration within the city's sewer system in that area. The Texas Commission on Environmental Quality and Texas Water Development Board (TWDB) have both agreed that if the city can keep their WWTP capacity at 2.2 Million Gallons per Day for the next five years until the city renews the permit then at that time staff and Council will consider if a WWTP expansion is necessary. It is anticipated that if everything stays on course that there will be a potential surplus of TWDB funds at project completion of \$414,871.51 (does not include interest). Available TWDB funds budgeted to complete the project is \$8,000,000. The Phase I project should take 18 to 24 months to complete.
3. Lovers Lane Water/Wastewater Replacement utilities part of the project should be complete by mid-March. Anticipate street repairs for Spring Break. Potential surplus of budget funds at project completion is \$544,729.92.

4. Mills Street Water/Sewer Line Replacement: Final inspections with the utility contractors will be done tomorrow. The Street Department will proceed working on the street part of the project after the first of the year with the timing for applying the hot mix to be determined primarily by the weather conditions. Potential surplus of budget funds at project completion is \$161,223.55.

15) ADJOURN MEETING AT 7:22 P.M. THIS 12TH DAY OF DECEMBER, 2023

ATTEST:

APPROVED:

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Wendy Cole  
City Secretary

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Gary Chumley  
Mayor



Consent Agenda: Resolution 2024-02

**CITY COUNCIL MEMORANDUM**

**Date:** January 9, 2024

**To:** Mayor & City Council

**From:** Seth Phillips, Parks & Recreation Director

**Agenda Item:** Discussion and possible action regarding a resolution declaring exercise weight equipment as surplus property and for providing direction on the proper disposition of this surplus property.

**Information:**

Tonight, the City Council will consider authorizing the City Manager to dispose of surplus property. The items for consideration are as follows:

- Seven (7) pieces of exercise weight equipment, previously used at the Gatesville Fitness Center.
  - Angled seated calf extension, vertical chest press, pec fly & rear delt combo, Smith machine, preacher curl bench, hyperextension bench, Olympic flat bench press.

**Exercise Weight Equipment:**

During the 2023 and 2024 budget process, and part of the City of Gatesville’s CIP, the City Council granted approval for the replacement of the 20+ year old weight equipment at the Gatesville Fitness Center. Consequently, we are now faced with the need to dispose of the 7 pieces of weight equipment that were previously in use at the Fitness Center.

- Disposal of 7 pieces of weight equipment:  
Staff recommends listing it for sale on the GovDeals website. If the property does not sell, the City Manager would be authorized to dispose of it through any lawful means, including sale, trade, exchange, donation, or disposal (i.e., throwing it in the trash).

**Financial Impact:**

N/A

**Staff Recommendation:**

The staff recommends that the City Council approve the attached resolution, which authorizes the disposal of the surplus property.

**Motion:**

I make a motion to approve Resolution No. 2024-02 declaring certain property surplus and authorizing the City Manager to direct its disposition.

**Attachments:**

- Photographs of the old weight equipment.
- Resolution No. 2024-02



**A RESOLUTION OF THE CITY OF GATESVILLE, TEXAS**

**RESOLUTION NO. 2024-02**

**A RESOLUTION OF THE CITY OF GATESVILLE, TEXAS, DECLARING CERTAIN CITY PROPERTY SURPLUS AND DIRECTING THE DISPOSITION THEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council recognizes that in the normal course of providing municipal services, the City will exhaust the useful life of its capital equipment and other property that does not meet the capital equipment threshold, to the point where it is no longer cost-effective to maintain and operate; and

**WHEREAS**, as part of the 2024 fiscal budget, the City is in year two of a five-year capital improvement plan to replace all of the 20+ year old exercise weight equipment at the Gatesville Fitness Center

**WHEREAS**, the seven pieces of weight equipment that have been replaced do not contribute to providing municipal services and need to be removed from City inventories or storage and disposed of as surplus; and

**WHEREAS**, the City Council has determined that declaring this property as surplus and directing its disposition is in the best interest of the City of Gatesville;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS:**

**SECTION 1.** The City Council declares the property described as 7 existing pieces of weight equipment at the Gatesville Fitness Center as surplus property and authorizes the City Manager to dispose of said property by listing it for sale on the GovDeals website and, in the event such property is not sold by that means, then the City Manager is authorized to dispose of said property by any lawful means, at his discretion.

**SECTION 2.** All resolutions of the City of Gatesville heretofore adopted which are in conflict with the provisions of this Resolution be, and the same are hereby repealed, and all resolutions of the City of Gatesville not in conflict with the provisions hereof shall remain in full force and effect.

**SECTION 3.** If any article, paragraph, subdivision, clause or provision of this Resolution, as hereby amended, be adjudged invalid or held unconstitutional for any reason, such judgment or

holding shall not affect the validity of this Resolution as a whole or any part or provision thereof, as amended hereby, other than the part so declared to be invalid or unconstitutional.

**SECTION 4.** This Resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

**DULY ORDERED** by the City Council of the City of Gatesville, Texas, this the \_\_ Day of January, 2024.

APPROVED:

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GARY CHUMLEY, MAYOR

ATTEST:

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WENDY COLE, CITY SECRETARY

APPROVED AS TO FORM:

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VICTORIA THOMAS, SPECIAL COUNSEL  
4889-8922-1268, v. 1





**Consent Agenda: Resolution 2024-03**

**CITY COUNCIL MEMORANDUM**

**Date:** January 9, 2024

**To:** Mayor & City Council

**From:** Mike Halsema, Finance & HR Director

**Agenda Item:** Consider Resolution approving Monthly Financial Reports

**Information:**

Attached are the unaudited monthly financial reports for October and November 2023 for Council consideration.

**Staff Recommendation:**

The staff recommends that the city council approve the monthly financials.

**Motion:** I make a motion to approve the October and November 2023 monthly financial reports

**Attachments:**

October Financials

November Financials

**Staff Contacts:**

Mike Halsema, Finance & HR Director [mhalsema@gatesvilletx.com](mailto:mhalsema@gatesvilletx.com)

## General Fund

	2023-24 YTD	OCTOBER	2023-24 Budget	2023-24 Projected	% over (under)
<b>Revenues</b>					
AV Taxes	110,559	110,559	2,799,236	2,838,489	1.4%
Sales Tax	237,616	237,616	2,909,568	2,916,838	0.2%
Franchise Fees	56,569	56,569	797,203	767,684	-3.7%
Fines & Fees	14,352	14,352	151,000	158,614	5.0%
Other taxes	1,155	1,155	15,000	14,953	-0.3%
Licenses & Permits	4,550	4,550	36,600	38,557	5.3%
Rental Income	8,378	8,378	33,500	38,729	15.6%
Parks & Rec	25,038	25,038	380,000	388,473	2.2%
Misc. Revenues	7,980	7,980	151,500	154,274	1.8%
Intergovernmental	-	-	-	-	0.0%
Inter fund Transfers	53,861	53,861	777,785	777,785	0.0%
<b>TOTAL REVENUES</b>	<b>520,058</b>	<b>520,058</b>	<b>8,051,392</b>	<b>8,094,396</b>	<b>0.5%</b>
<b>Expenditures</b>					
<b>LIBRARY</b>					
Personnel Svcs.	8,234	8,234	178,241	172,050	-3.5%
O&M	7,962	7,962	96,355	84,520	-12.3%
<b>Total</b>	<b>16,196</b>	<b>16,196</b>	<b>274,596</b>	<b>256,571</b>	<b>-6.6%</b>
<b>ADMINISTRATION</b>					
Personnel Svcs.	34,715	34,715	686,597	668,154	-2.7%
O&M	71,071	71,071	713,951	635,745	-11.0%
<b>Total</b>	<b>105,786</b>	<b>105,786</b>	<b>1,400,548</b>	<b>1,303,899</b>	<b>-6.9%</b>
<b>PLANNING</b>					
Personnel Svcs.	8,975	8,975	164,047	160,337	-2.3%
O&M	2,210	2,210	19,160	17,298	-9.7%
<b>Total</b>	<b>11,185</b>	<b>11,185</b>	<b>183,207</b>	<b>177,635</b>	<b>-3.0%</b>
<b>POLICE</b>					
Personnel Svcs.	127,474	127,474	2,245,666	2,169,905	-3.4%
O&M	94,430	94,430	462,549	536,375	16.0%
<b>Total</b>	<b>221,904</b>	<b>221,904</b>	<b>2,708,215</b>	<b>2,706,280</b>	<b>-0.1%</b>
<b>COURT</b>					
Personnel Svcs.	9,621	9,621	149,766	146,509	-2.2%
O&M	4,215	4,215	49,870	52,388	5.0%
<b>Total</b>	<b>13,836</b>	<b>13,836</b>	<b>199,636</b>	<b>198,897</b>	<b>-0.4%</b>
<b>FIRE</b>					
Personnel Svcs.	83	83	1,000	1,000	0.0%
O&M	57,141	57,141	311,554	367,024	17.8%
<b>Total</b>	<b>57,225</b>	<b>57,225</b>	<b>312,554</b>	<b>368,024</b>	<b>17.7%</b>
<b>STREET</b>					
Personnel Svcs.	28,854	28,854	544,908	531,573	-2.4%
O&M	48,552	48,552	862,338	888,315	3.0%
<b>Total</b>	<b>77,406</b>	<b>77,406</b>	<b>1,407,246</b>	<b>1,419,888</b>	<b>0.9%</b>
<b>FLEET SERVICES</b>					
Personnel Svcs.	4,462	4,462	76,377	75,289	-1.4%
O&M	6,333	6,333	38,100	39,440	3.5%
<b>Total</b>	<b>10,795</b>	<b>10,795</b>	<b>114,477</b>	<b>114,729</b>	<b>0.2%</b>
<b>BUILDING INSPECTIONS</b>					
Personnel Svcs.	3,198	3,198	164,950	156,310	-5.2%
O&M	8,179	8,179	48,777	55,751	14.3%
<b>Total</b>	<b>11,377</b>	<b>11,377</b>	<b>213,727</b>	<b>212,061</b>	<b>-0.8%</b>
<b>PARKS &amp; RECREATION</b>					
Personnel Svcs.	26,390	26,390	475,883	469,856	-1.3%
O&M	37,887	37,887	224,757	248,129	10.4%
<b>Total</b>	<b>64,277</b>	<b>64,277</b>	<b>700,640</b>	<b>717,985</b>	<b>2.5%</b>
<b>Fitness Center</b>					
Personnel Svcs.	7,419	7,419	155,679	150,841	-3.1%
O&M	17,473	17,473	150,152	161,437	7.5%
<b>Total</b>	<b>24,892</b>	<b>24,892</b>	<b>305,831</b>	<b>312,278</b>	<b>2.1%</b>
<b>SWIMMING POOL</b>					
Personnel Svcs.	-	-	64,590	64,590	0.0%
O&M	2,697	2,697	45,814	47,082	2.8%
<b>Total</b>	<b>2,697</b>	<b>2,697</b>	<b>110,404</b>	<b>111,672</b>	<b>1.1%</b>
<b>CIVIC CENTER</b>					
Personnel Svcs.	5,261	5,261	81,183	78,448	-3.4%
O&M	8,506	8,506	39,128	44,990	15.0%
<b>Total</b>	<b>13,768</b>	<b>13,768</b>	<b>120,311</b>	<b>123,438</b>	<b>2.6%</b>
<b>TRANSFER EXPENSE</b>					
	-	-	-	-	0.0%
<b>TOTAL EXPENDITURES</b>	<b>631,343</b>	<b>631,343</b>	<b>8,051,392</b>	<b>8,023,357</b>	<b>-0.3%</b>
<b>Gain (Loss)</b>	<b>(111,285)</b>		<b>-</b>	<b>71,040</b>	

## Water & Sewer Fund

	2023-24 YTD	OCTOBER	2023-24 Budget	2023-24 Projected	% over (under)
<b>Water</b>					
Revenues 011,030,034	508,547	508,547	9,067,068	9,101,582	0.4%
<b>Expense</b>					
Distribution- 240	91,545	91,545	3,964,518	3,967,912	0.1%
Production -242	307,518	307,518	5,341,604	5,479,580	2.6%
<b>Total Water Expense</b>	<b>399,063</b>	<b>399,063</b>	<b>9,306,122</b>	<b>9,447,492</b>	<b>1.5%</b>
<b>Gain (Loss)</b>	<b>109,484</b>	<b>109,484</b>	<b>(239,054)</b>	<b>(345,909)</b>	
<b>Sewer</b>					
Revenues 012,037	290,424	290,424	11,771,745	11,841,495	0.6%
<b>Expense 245</b>	<b>337,885</b>	<b>337,885</b>	<b>10,447,882</b>	<b>10,384,109</b>	<b>-0.6%</b>
<b>Gain (Loss)</b>	<b>(47,461)</b>	<b>(47,461)</b>	<b>1,323,863</b>	<b>1,457,386</b>	
<b>Sanitation</b>					
Revenues 013	71,624	71,624	796,930	820,904	3.0%
<b>Expense 250</b>	<b>70,386</b>	<b>70,386</b>	<b>793,200</b>	<b>818,127</b>	<b>3.1%</b>
<b>Gain (Loss)</b>	<b>1,238</b>	<b>1,238</b>	<b>3,730</b>	<b>2,778</b>	
<b>Non Departmental Transfers</b>					
<b>Expense 260</b>	<b>95,109</b>	<b>95,109</b>	<b>1,088,539</b>	<b>1,055,945</b>	<b>-3.0%</b>
<b>Grand Total</b>					
Revenues	<b>870,595</b>	<b>870,595</b>	<b>21,635,743</b>	<b>21,763,982</b>	<b>0.6%</b>
<b>Expense</b>	<b>902,443</b>	<b>902,443</b>	<b>21,635,743</b>	<b>21,705,672</b>	<b>0.3%</b>
<b>Gain (Loss)</b>	<b>(31,848)</b>	<b>(31,848)</b>	<b>-</b>	<b>58,310</b>	

## General Fund

	2023-24 YTD	NOVEMBER	2023-24 Budget	2023-24 Projected	% over (under)
<b>Revenues</b>					
AV Taxes	259,014	148,455	2,799,236	2,871,379	2.6%
Sales Tax	489,064	251,448	2,909,568	2,926,375	0.6%
Franchise Fees	158,133	101,564	797,203	778,534	-2.3%
Fines & Fees	27,015	12,463	151,000	164,410	8.9%
Other taxes	2,477	1,322	15,000	14,973	-0.2%
Licenses & Permits	11,499	6,949	36,600	41,734	14.0%
Rental Income	11,506	3,128	33,500	39,311	17.3%
Parks & Rec	41,708	16,670	380,000	390,438	2.7%
Misc. Revenues	25,554	17,574	151,500	115,513	-23.8%
Intergovernmental	-	-	-	-	0.0%
Inter fund Transfers	107,723	53,861	777,785	777,785	0.0%
<b>TOTAL REVENUES</b>	<b>1,133,691</b>	<b>613,433</b>	<b>8,051,392</b>	<b>8,120,451</b>	<b>0.9%</b>
<b>Expenditures</b>					
<b>LIBRARY</b>					
Personnel Svcs.	23,518	15,284	178,241	173,402	-2.7%
O&M	16,711	8,749	96,355	80,717	-16.2%
Total	40,229	24,033	274,596	254,119	-7.5%
<b>ADMINISTRATION</b>					
Personnel Svcs.	93,660	58,944	686,597	676,365	-1.5%
O&M	124,805	53,735	713,951	626,215	-12.3%
Total	218,465	112,679	1,400,548	1,302,580	-7.0%
<b>PLANNING</b>					
Personnel Svcs.	24,170	15,195	164,047	163,258	-0.5%
O&M	6,020	3,810	19,160	19,915	3.9%
Total	30,190	19,005	183,207	183,173	0.0%
<b>POLICE</b>					
Personnel Svcs.	356,591	229,117	2,245,666	2,240,955	-0.2%
O&M	157,851	63,421	462,549	496,746	7.4%
Total	514,443	292,539	2,708,215	2,737,701	1.1%
<b>COURT</b>					
Personnel Svcs.	21,976	12,354	149,766	147,441	-1.6%
O&M	7,058	2,844	49,870	51,900	4.1%
Total	29,034	15,198	199,636	199,341	-0.1%
<b>FIRE</b>					
Personnel Svcs.	167	83	1,000	1,000	0.0%
O&M	96,630	39,489	311,554	321,032	3.0%
Total	96,797	39,572	312,554	322,032	3.0%
<b>STREET</b>					
Personnel Svcs.	75,015	46,161	544,908	537,406	-1.4%
O&M	100,426	51,874	862,338	878,784	1.9%
Total	175,441	98,035	1,407,246	1,416,190	0.6%
<b>FLEET SERVICES</b>					
Personnel Svcs.	11,678	7,216	76,377	76,950	0.8%
O&M	8,462	2,128	38,100	35,850	-5.9%
Total	20,140	9,344	114,477	112,801	-1.5%
<b>BUILDING INSPECTIONS</b>					
Personnel Svcs.	8,425	5,227	164,950	150,108	-9.0%
O&M	9,936	1,757	48,777	47,272	-3.1%
Total	18,361	6,984	213,727	197,380	-7.6%
<b>PARKS &amp; RECREATION</b>					
Personnel Svcs.	66,122	39,732	475,883	476,568	0.1%
O&M	59,780	21,893	224,757	250,083	11.3%
Total	125,902	61,625	700,640	726,651	3.7%
<b>Fitness Center</b>					
Personnel Svcs.	21,140	13,720	155,679	152,716	-1.9%
O&M	35,335	17,862	150,152	160,679	7.0%
Total	56,475	31,582	305,831	313,394	2.5%
<b>SWIMMING POOL</b>					
Personnel Svcs.	-	-	64,590	64,590	0.0%
O&M	5,001	2,305	45,814	46,087	0.6%
Total	5,001	2,305	110,404	110,677	0.2%
<b>CIVIC CENTER</b>					
Personnel Svcs.	14,691	9,429	81,183	80,067	-1.4%
O&M	15,232	6,725	39,128	45,037	15.1%
Total	29,922	16,154	120,311	125,104	4.0%
<b>TRANSFER EXPENSE</b>					
	-	-	-	-	0.0%
<b>TOTAL EXPENDITURES</b>	<b>1,360,398</b>	<b>729,055</b>	<b>8,051,392</b>	<b>8,001,144</b>	<b>-0.6%</b>
<b>Gain (Loss)</b>	<b>(226,707)</b>		<b>-</b>	<b>119,307</b>	

## Water & Sewer Fund

	2023-24 YTD	NOVEMBER	2023-24 Budget	2023-24 Projected	% over (under)
<b>Water</b>					
Revenues 011,030,034	930,603	422,056	9,067,068	9,050,975	-0.2%
<b>Expense</b>					
Distribution- 240	484,717	393,173	3,964,518	4,185,023	5.6%
Production -242	537,248	229,730	5,341,604	5,301,506	-0.8%
<b>Total Water Expense</b>	<b>1,021,966</b>	<b>622,903</b>	<b>9,306,122</b>	<b>9,486,530</b>	<b>1.9%</b>
<b>Gain (Loss)</b>	<b>(91,363)</b>	<b>(200,847)</b>	<b>(239,054)</b>	<b>(435,554)</b>	
<b>Sewer</b>					
Revenues 012,037	560,580	270,156	11,771,745	11,817,822	0.4%
<b>Expense 245</b>	<b>462,925</b>	<b>125,040</b>	<b>10,447,882</b>	<b>10,428,130</b>	<b>-0.2%</b>
<b>Gain (Loss)</b>	<b>97,655</b>	<b>145,116</b>	<b>1,323,863</b>	<b>1,389,693</b>	
<b>Sanitation</b>					
Revenues 013	142,347	70,723	796,930	846,446	6.2%
<b>Expense 250</b>	<b>144,831</b>	<b>74,445</b>	<b>793,200</b>	<b>848,863</b>	<b>7.0%</b>
<b>Gain (Loss)</b>	<b>(2,484)</b>	<b>(3,723)</b>	<b>3,730</b>	<b>(2,416)</b>	
<b>Non Departmental Transfers</b>					
Expense 260	185,115	90,006	1,088,539	1,058,022	-2.8%
<b>Grand Total</b>					
Revenues	<b>1,633,529</b>	<b>762,935</b>	<b>21,635,743</b>	<b>21,715,244</b>	<b>0.4%</b>
Expense	<b>1,814,837</b>	<b>912,394</b>	<b>21,635,743</b>	<b>21,821,544</b>	<b>0.9%</b>
<b>Gain (Loss)</b>	<b>(181,308)</b>	<b>(149,460)</b>	<b>-</b>	<b>(106,300)</b>	



**Consent Agenda: Resolution 2024-04**

**CITY COUNCIL MEMORANDUM**

**Date:** January 11, 2024

**To:** Mayor & City Council

**From:** Wendy Cole, City Secretary

**Agenda Item:** Discussion and possible action to approve Keep Gatesville Beautiful Board Members

**Information:**

The Keep Gatesville Beautiful Inc. (KGB) Organization was approved by the Gatesville City Council on April 11, 2017. The members and chairman of the KGB Committee are appointed by the KGB Nominating Committee and further approved by the Gatesville City Council.

The organizational guidelines determine that the number on the governing board shall not exceed ten members or less than six members.

Committee Board Members nominated and approved by Keep Gatesville Beautiful are Shelley Herring (Chairman), Marie Dominquez, Celeste Drake, Elena Spatzier, Kim Chumley, and Dustin Morgan.

Ex- Officio members nominated and approved are Liz Reinhardt as City Staff representative and Barbara Burrow as City Council representative.

**Staff Recommendation:**

Approve the nominations of Keep Gatesville Beautiful Committee Members

**Motion:** I make a motion to approve 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.

**Attachments:**

None

**Staff Contact:** Wendy Cole, City Secretary [wcole@gatesvilletx.com](mailto:wcole@gatesvilletx.com)



Other Business:                      Agenda Item # 6

**CITY COUNCIL MEMORANDUM**

**Date:**                      January 09, 2024

**To:**                         Mayor & City Council

**From:**                    Scott L. Albert, City Manager

**Agenda Item:** 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.

**Information:**

Trinity Housing Development, the company behind the construction of the Gatesville Trails age-restricted community at 101 Trails Private Drive (SH 36), is seeking support for the development of two new communities, one of which involves a 36-unit community and the other is a 52-unit aged restricted community, both to be financed using 9% Housing Tax Credits.

Gatesville Crossing would be a newly constructed community comprising approximately 36-units, and it will not have age restrictions. The units will consist of 1, 2, and 3-bedroom options, making it suitable for families.

Gatesville Terrace would be a newly constructed community of approximately 52-units for seniors (55 and older).

Both projects will include units subject to tax credit 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.

Tonight, the City Council will receive a presentation on the proposed projects; however, no formal decision or action in support of or opposition to the projects will be made until January 23.

**Financial Impact:**

N/A

**Staff Recommendation:**

N/A

**Motion:**

N/A.

**Attachments:**

- PowerPoint Presentation.



# HOUSING DEVELOPMENT

**PROPOSED MIXED-INCOME COMMUNITIES,  
GATESVILLE TEXAS**



# TRINITY HOUSING DEVELOPMENT

Trinity is a workforce development group that builds family and senior mixed-income communities throughout Texas, with local offices in Tyler and Austin.



## COMMUNITY AMENITIES

Communities include onsite amenities for residents including community kitchens, fitness centers, cyber lounges, BBQ areas, shared greenspace, and leasing centers.

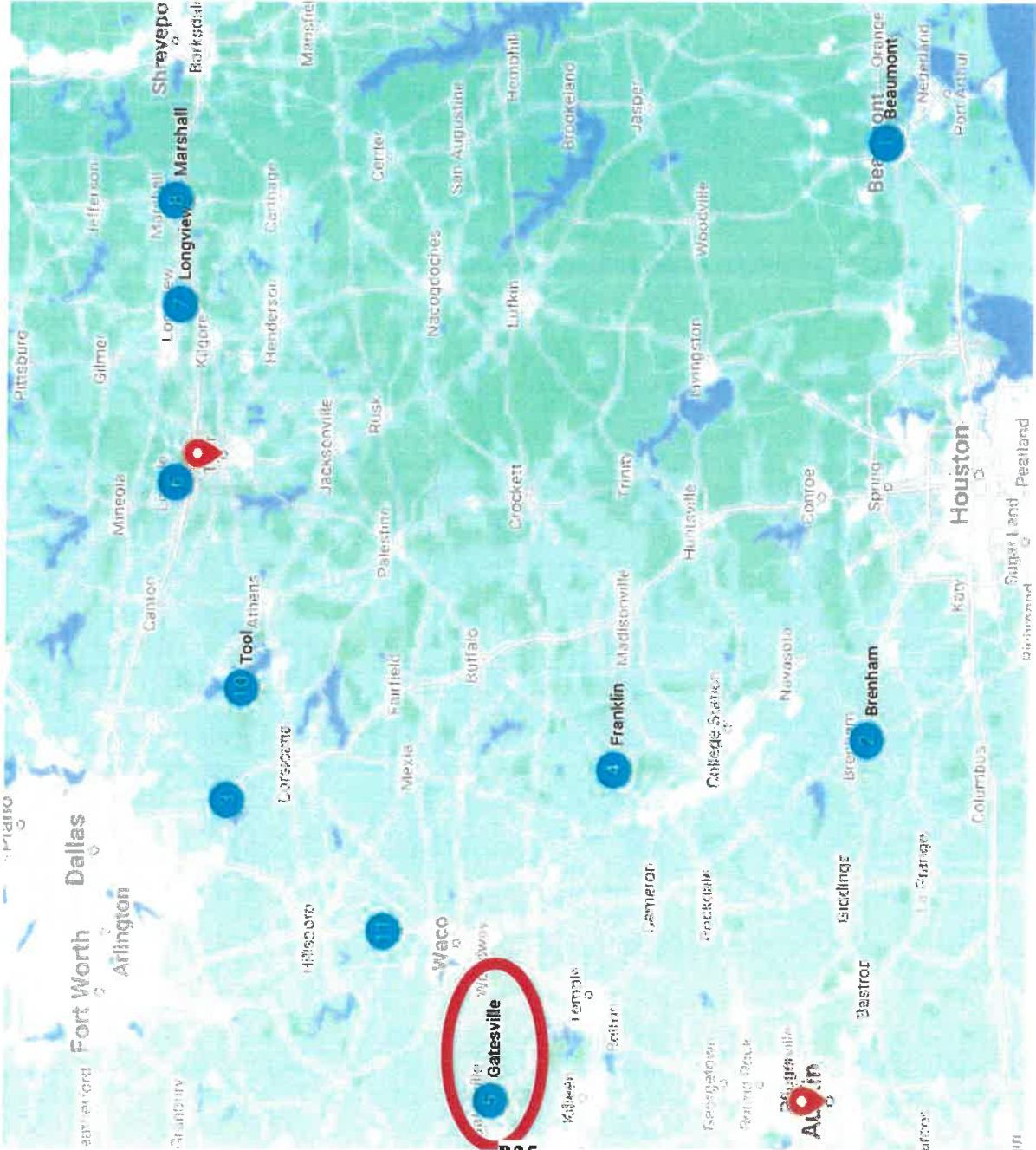


## UNIT AMENITIES

Units typically include solid-surface countertops, vinyl plank flooring, fully equipped kitchens with high efficiency appliances, ample storage, washer/dryer hookups.



# TRINITY DEVELOPMENTS



1. Beaumont
2. Brenham
3. Ennis
4. Franklin
5. Gatesville
6. Lindale
7. Longview
8. Marshall
9. San Angelo
10. Tool
11. West

Local offices: Austin & Tyler





## HOUSING TAX CREDITS

- Created under President Reagan in 1986 as part of the Tax Reform Act
- Allows for public-private partnership wherein private developers create mixed-income communities using federal tax credits to finance their equity in the projects
- Tax credits are allocated annually by the Texas Dept. of Housing & Community Affairs (TDHCA) in a competitive process
- Residents must income qualify for rent-restricted units, and are subject to criminal background screening & credit checks
- Not public housing or Section 8
- No requested property tax exemption/waiver – property remains on the tax rolls
- Resolution of local support requested from the City Council
  - Needed to apply for the tax credit funding – March 1, 2024 deadline.



## GATESVILLE TRAILS

Trinity is proud to have recently completed Gatesville Trails, a successful mixed-income senior community that is fully leased. We hope to continue our work in Gatesville by developing a similar community for all ages, targeting families.





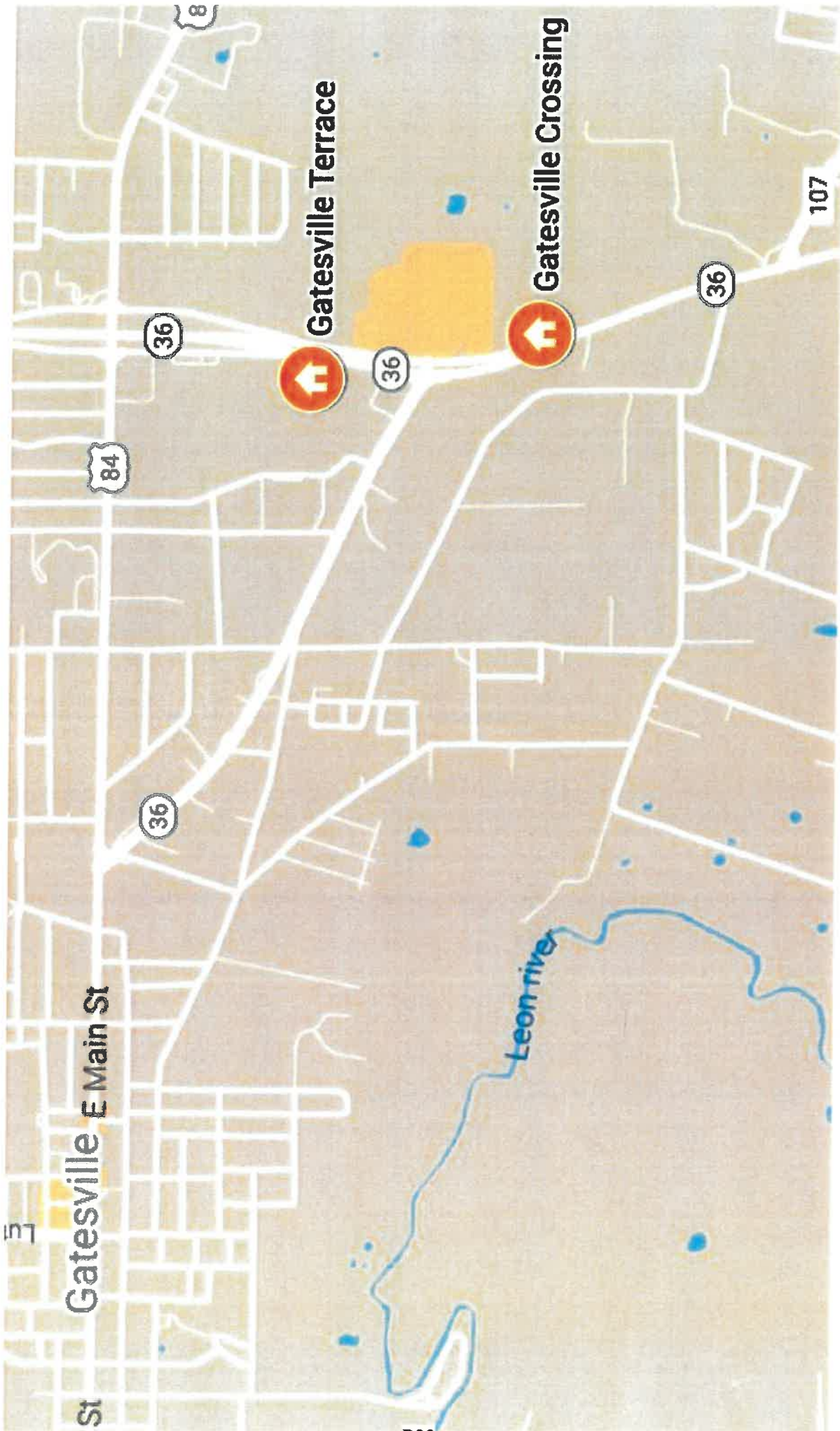
**TWO PROPOSED PROJECTS FOR  
CONSIDERATION  
(TRINITY WOULD ONLY BUILD ONE)**

**GATESVILLE CROSSING**

- New construction
- Non-age restricted
- Approximately 36 units
- 2-story building
- Developed using 9% Housing Tax Credits

**GATESVILLE TERRACE**

- New construction
- 55 and older
- Approximately 52 units
- 3-story building
- Developed using 9% Housing Tax Credits



St  
Gatesville  
E Main St

Gatesville Terrace

Gatesville Crossing





# GATESVILLE CROSSING FAMILY COMMUNITY

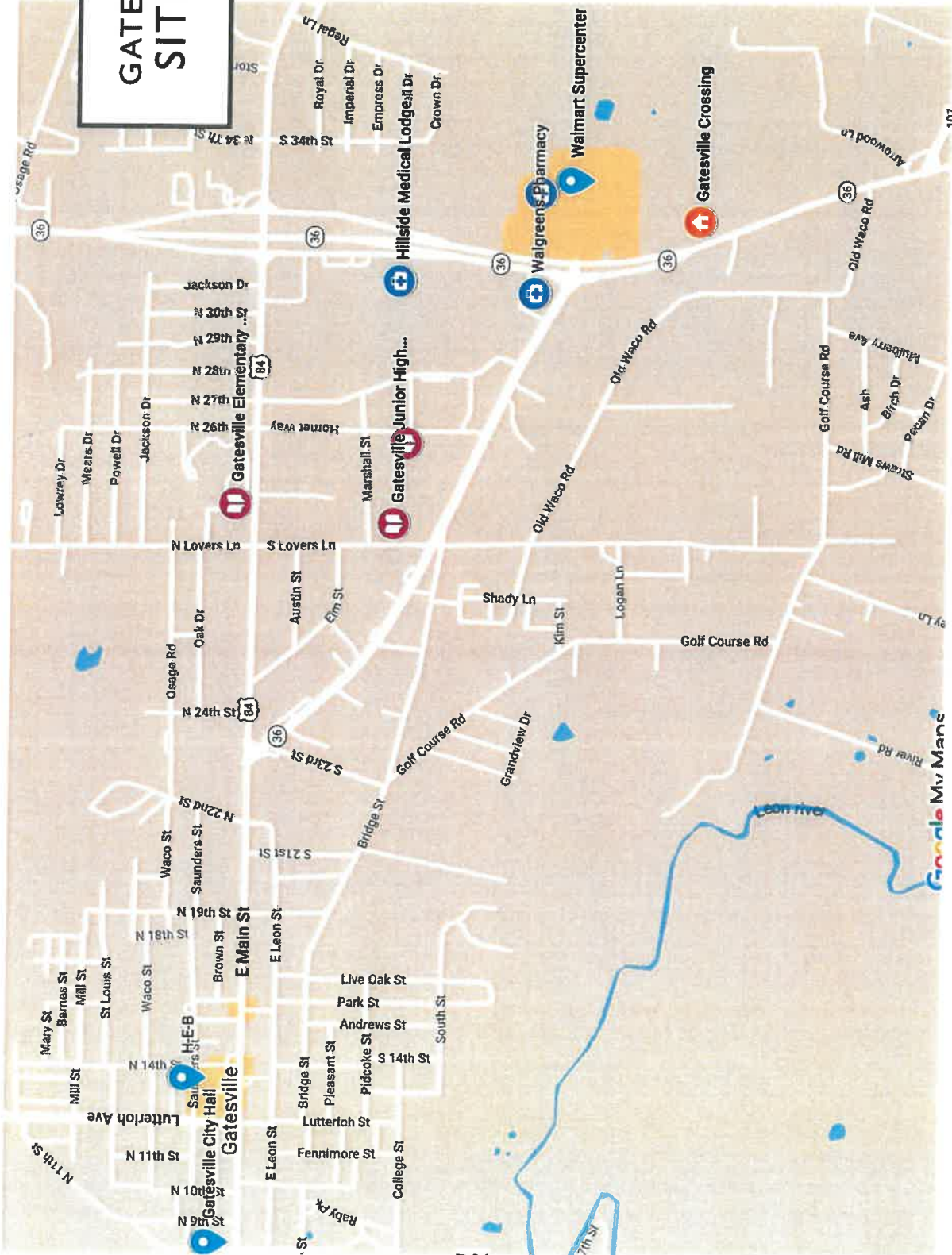
# GATESVILLE CROSSING SITE LOCATION

2907 TX-36  
Gatesville, TX 76528

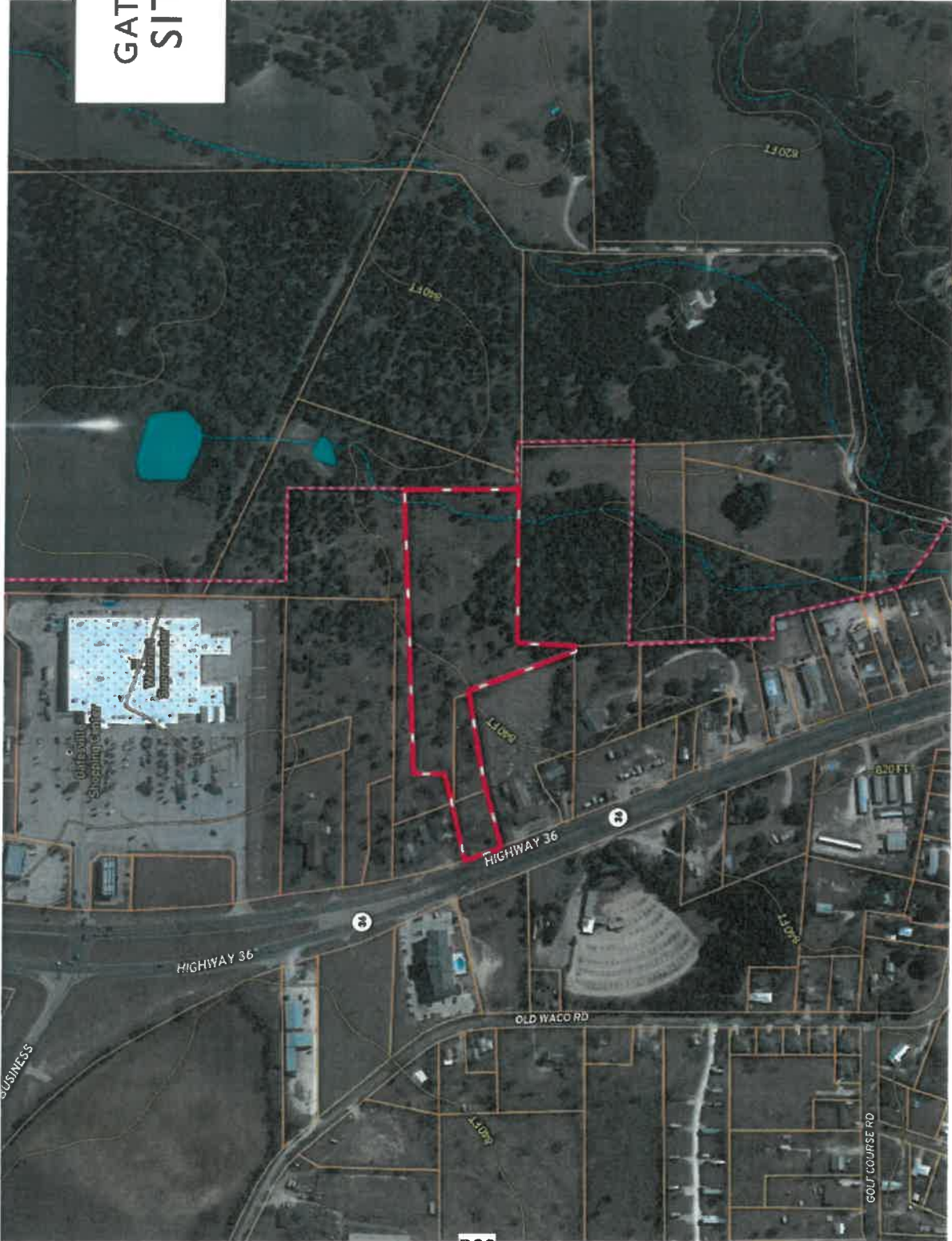
Just South of Walmart  
Supercenter on TX-36

Ideal location for a  
family community:

- Proximity to groceries (HEB, Walmart)
- Proximity to Gatesville Schools



## GATESVILLE CROSSING SITE LOCATION



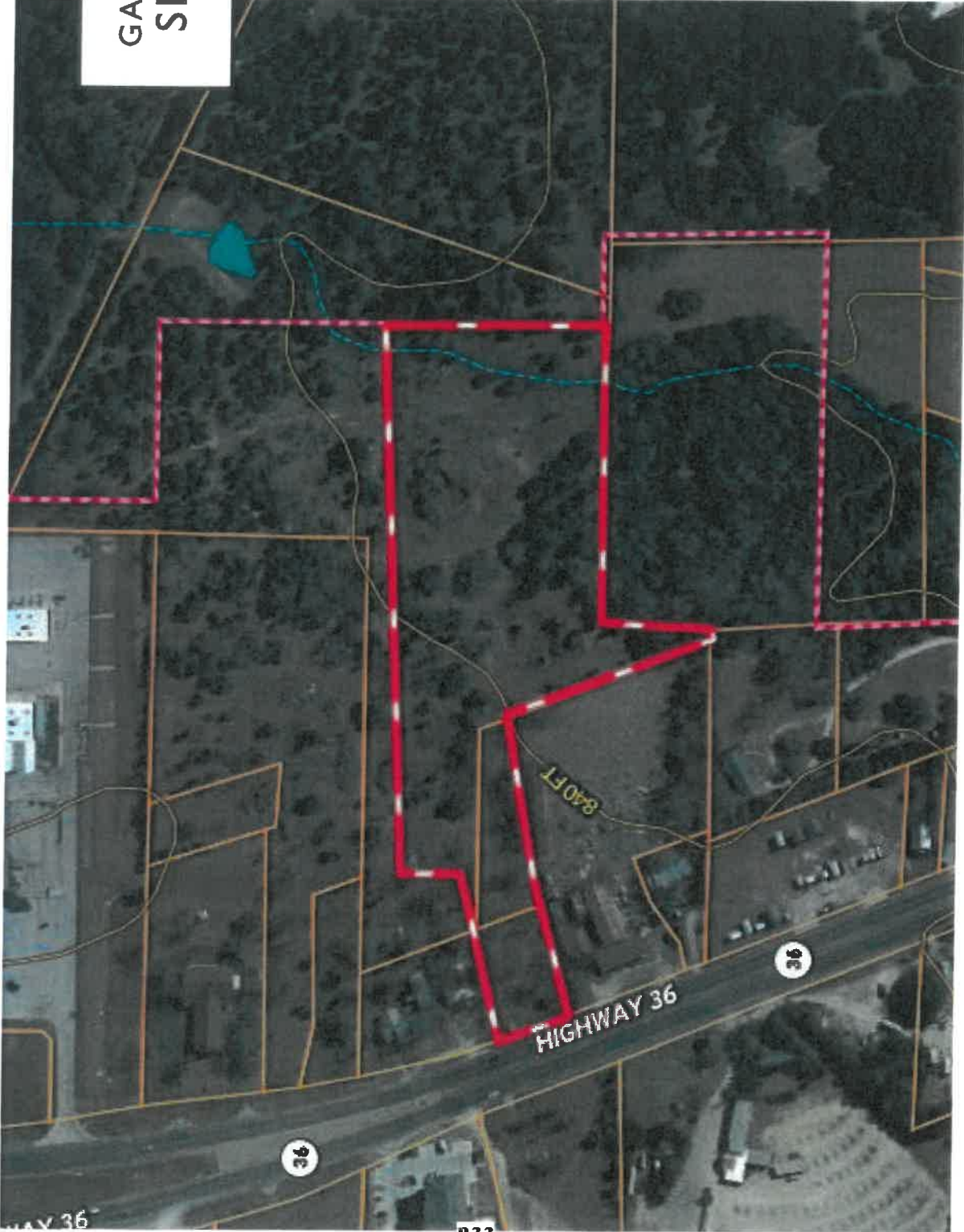
Trinity to purchase just 7 of 35 acres for sale, leaving the remaining acreage fronting Highway 36 available for commercial development, as well as various possible uses in the rear of property.

Includes only 150 ft of highway frontage out of 600 ft of frontage available.

Permitting entry drive through TxDOT, which can serve remaining acreage



## GATESVILLE CROSSING SITE LOCATION



Trinity to purchase just 7 of 35 acres for sale, leaving the remaining acreage fronting Highway 36 available for commercial development, as well as various possible uses in the rear of property.

Includes only 150 ft of highway frontage out of 600 ft of frontage available.

Permitting entry drive through TxDOT, which can serve remaining acreage





## GATESVILLE CROSSING PROJECT SPECIFICS

- Approximately 36 units (estimate, subject to change until time of tax credit application on March 1, 2024)
- 1, 2, and 3-bedroom units to allow for families
- Open to all ages, targeting families
- Mix of units bound to tax credit rent & income restrictions and market rate units
- Approval of the tax credit resolution of local support enables the development of both the restricted and non-restricted units – neither of which are possible on their own.
- No property tax abatement requested



## GATESVILLE CROSSING INCOME & RENT LIMITS

- Majority of units to serve individuals and families making between \$26,500 and \$50,000 per year (50-60% of Area Median Income for Coryell County)
- Majority of units to be rented between \$700 and \$1,100 per month depending on the number of bedrooms and total family income



**GATESVILLE TERRACE**  
**55+ COMMUNITY**

# GATESVILLE TERRACE SITE LOCATION

Just south of Hillside Medical Lodge, north of Walgreens on TX-36

Ideal location for a senior community:

- Proximity to groceries (HEB, Walmart)
- Proximity to health services (Baylor Scott & White Clinic, Walgreens, Hillside Medical Lodge)





# GATESVILLE TERRACE SITE LOCATION

Just south of Hillside Medical Lodge,  
north of Walgreens on TX-36

Ideal location for a senior  
community:

- Proximity to groceries (HEB, Walmart)
- Proximity to health services (Baylor Scott & White Clinic, Walgreens, Hillside Medical Lodge)





## GATESVILLE TERRACE PROJECT SPECIFICS

- Approximately 52 units (estimate, subject to change until time of tax credit application on March 1, 2024)
- 1 and 2-bedroom units to allow for 55+ individuals and couples
- Mix of units bound to tax credit rent & income restrictions and market rate units
- Approval of the tax credit resolution of local support enables the development of both the restricted and non-restricted units – neither of which are possible on their own.
- No property tax abatement requested



## GATESVILLE TERRACE INCOME & RENT LIMITS

- Majority of units to serve individuals and couples with incomes between \$26,500 and \$36,500 per year (50-60% of Area Median Income for Coryell County)
- Majority of units to be rented between \$700 and \$1,000 per month depending on the number of bedrooms and total household income



**TWO PROPOSED PROJECTS FOR  
CONSIDERATION  
(TRINITY WOULD ONLY BUILD ONE)**

**GATESVILLE CROSSING**

- New construction
- Non-age restricted
- Approximately 36 units
- 2-story building
- Developed using 9% Housing Tax Credits

**GATESVILLE TERRACE**

- New construction
- 55 and older
- Approximately 52 units
- 3-story building
- Developed using 9% Housing Tax Credits



THANK YOU

Questions? Please reach out to:

Michael Fogel, Vice President

[mfogel@trinityhousingdevelopment.com](mailto:mfogel@trinityhousingdevelopment.com)





**Agenda Item # 7**

**CITY COUNCIL MEMORANDUM**

**Date:** January 9, 2024

**To:** Mayor & City Council

**From:** Brad Hunt, Chief of Police

**Agenda Item:** Discussion and Possible Action to Approve the First Reading of an Ordinance regarding Changes to the City Code of Ordinances Regarding Alarm Systems

**Information:**

As part of the FY 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.

**Financial Impact:**

None – anticipated to save work hours and develop efficiency in management of alarm permits, and better organize police response and fine issuance for non-compliance.

**Staff Recommendation:**

The staff recommends that the city council approve the first reading of the Ordinance regarding the changes and additions to City Ordinance Article III, Sections 14-47 through 14-55.

**Motion:** I make a motion to approve the first reading of Ordinance 2024-01 regarding changes and additions to City Code of Ordinances Article III, Sections 14-47 through 14-55, as presented.

**Attachments:**

Exhibit A- Proposed City Ordinance changes  
Ordinance 2024-01

**Staff Contacts:**

Cody Lee, Lieutenant, Criminal Investigations Division, Police Department, [clee@gatesvilletx.com](mailto:clee@gatesvilletx.com)  
Brad Hunt, Chief of Police [bhunt@gatesvilletx.com](mailto:bhunt@gatesvilletx.com)

# Exhibit A

## ARTICLE III. - ALARM SYSTEMS

### **Sec. 14-47. - Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alarm business* means any individual, company, partnership, corporation or other entity, which alters, installs, maintains, moves, repairs, replaces, sells, leases, services, or monitors any alarm system that responds to a stimulus characteristic of unauthorized intrusion, fire or medical emergency.

*Alarm site* means a single premises or location (one street address) served by an alarm system or systems that are under the control of one owner.

*Alarm system* means an assembly of equipment (or a single device, such as a solid-state unit which plugs directly into a 110-volt AC line) arranged to signal the presence of a hazard requiring urgent attention and to which the department is expected to respond. Systems commonly referred to as burglar alarm systems, panic/alert systems, and fire alarms are included. The term "alarms system" does not include:

- (1) An alarm installed on a vehicle, unless the vehicle is permanently located at a site; or
- (2) An alarm designed to alert only the inhabitants of a premises, which does not have a local alarm.

*Alarm user* means the owner, agent or person in control of the premises where an alarm system is maintained within the city.

*Automatic dialing device* means an alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.

*Burglar alarm system* means an alarm system signaling an entry or attempted entry into the area protected by the system.

*Calendar year* shall be measured from January 1 to December 31.

*Department* means the city police department or any authorized agent thereof.

*Fire alarm system* means an alarm system signaling the presence or suspected presence of a fire in the area protected by the system.

*False alarm* means the activation of an alarm system, which is not the result of emergency or threat of emergency for which the alarm system was designed to give notice and for which the responding police officer finds no evidence of any criminal activity or other emergency. The term "false alarm" shall include activation of an alarm system through mechanical or electrical failure, malfunction, improper installation or the negligence of the owner or lessee of an alarm system or of their employees or agents. The term "false alarm" shall not include activation which results from any of the following:

- (1) Alarms caused by an attempted illegal entry of which there is visible evidence, illegal entry or other demonstrable criminal activity.

(2) Alarms occurring on a repeated basis without apparent cause but where continuous decided effort, in the sole opinion of the department, is being made jointly by the alarm user and the alarm business used by the alarm user for installation or servicing, and any other concerned person to correct the malfunction expeditiously.

(3) Alarms intentionally caused by a person acting under a reasonable belief that a need exists to call the department.

(4) Alarms followed by an immediate call to the department canceling the alarm by giving the proper code number prior to the arrival at the alarm site by the department.

(5) Alarms resulting from the servicing of an alarm system by an alarm business when, prior to such repair or service, the alarm user or their agent has, in person, notified the department that the alarm system will be repaired or serviced at the particular date and time coinciding with the alarm.

(6) Alarms that are activated during periods of severe weather, such as thunderstorms and high winds, or periods of widespread power failure.

(Code 2013, § 14-17(a); Ord. No. 2010-04, § 1, 3-23-2010)

**Sec. 14-48. - Permit and fee required.**

(a) A permit shall be required for any business or residential entity to use, operate or cause to be used or operated, any alarm system within the city.

(b) A separate permit application is required for each business or residential alarm site.

(c) Any business or residential entity wishing to use, operate, or cause to be used, or operated, an alarm system that was installed before the effective date of the ordinance from which this article is derived must apply for a permit within 60 days after the effective date of the ordinance from which this article is derived.

(d) An annual, non-refundable fee must be paid upon filing of an application for a new or renewal permit. The permit is valid for a period of 12 months from the date of issuance and may be renewed by submitting an updated application and renewal fee to the police department. It is the responsibility of the permit holder to submit an application prior to the permit expiration date. The fees for a business/commercial alarm system and for a residential alarm system are as provided in chapter 18.

(e) Upon receipt of the required fee and properly completed application form, the department shall issue a permit unless there is cause to believe the alarm system will not be maintained and operated in accordance with this article, or that the applicant will not comply with each provision of the article. If issued, the permit will be affixed in a location at the alarm site as prescribed by the department.

(f) Each permit application shall be upon a form promulgated by the department and verified by the applicant and must specify:

(1) The name, address, and telephone number of the applicant, who will be the alarm user or the authorized representative thereof, and who shall be responsible for the proper operation and maintenance of the alarm system;



(2) For each alarm system located at the alarm site, the classification of the alarm system (i.e., burglary, robbery, fire) and whether the notification is audible or silent;

(3) Any dangerous or special conditions present at the alarm site; and

(4) If applicable, the type of business conducted at the alarm site.

(g) An alarm permit is non-transferable, and any attempted or purported transfer shall immediately void the permit. At least three days prior to the effective date of any change, the alarm user shall inform the department in writing of any changes that alter information listed on the permit application. No fee will be assessed for such changes.

(h) Any materially false or misleading statement made by an applicant on the application for the original issuance or subsequent renewal of a permit shall be sufficient cause for refusal to grant or suspension of a permit.

(Code 2013, § 14-17(b); Ord. No. 2010-04, § 2, 3-23-2010)

**Sec. 14-49. - Service fee schedule for false alarms.**

(a) All service fees owed by an applicant must be paid before a permit may be issued or renewed.

(b) No service fee will be charged within any 12-month period for the first five-false alarm notifications.

(c) A person who is required to obtain a permit shall pay a service fee for each false alarm notification within any 12-month period as described in the following service fee schedule:

(1) First five false alarm notifications are free. All subsequent false alarm notifications during this period will be assessed a service fee as provided in chapter 18.

(2) For the purposes of determining the service fee set out above, the burden shall be on the permit holder to prove that the activation of the alarm system was not a false alarm.

(d) The Department shall notify the permit holder in writing after each false alarm.

(e) 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.

(Code 2013, § 14-17(c); Ord. No. 2010-04, § 3, 3-23-2010)

**Sec. 14-50. - Information recorded.**

The department shall record calls made in response to alarms, including, but not limited to, the following information, if available:

(1) Identification of the permit holder.

(2) Identification of the alarm site.

(3) Arrival time and time call cleared.

- (4) Time of day and date.
- (5) Physical damage to the structure likely to have caused the alarm.
- (6) Name of the permit holder's representative on premises, if any.

(Code 2013, § 14-17(d); Ord. No. 2010-04, § 4, 3-23-2010)

**Sec. 14-51. - Violations.**

- (a) A person commits an offense if the person violates by commission or omission any provision of this article that imposes upon them a duty of responsibility.
- (b) A person who is required to have a permit under this article commits an offense if the person knowingly operates, or causes or permits to be operated, an alarm system without a current alarm permit issued by the department.
- (c) A person who is required to have a permit under this article commits an offense if the person knowingly operates, or causes or permits to be operated, an alarm system during the period in which the alarm permit is revoked or suspended.
- (d) All false alarm invoices shall be due within 30 days from the invoice date.

(Code 2013, § 14-17(e); Ord. No. 2010-04, § 5, 3-23-2010)

**Sec. 14-52. Revocation and Reinstatement of Permit.**

The Chief shall revoke an alarm permit if he determines that:

- (A) There is a false statement in the application for a permit;
- (B) The permit holder has violated the provisions of this ordinance;
- (C) The permit holder has failed to make timely payment of a false alarm (service) fee assessed under this ordinance.

**Sec. 14-53. Reinstatement of Permit.**

A person whose alarm permit has been revoked may have the permit reinstated if the person:

- (A) Submits an updated application and pays a permit reinstatement fee in accordance with this ordinance;
- (B) Pays all outstanding false alarm (service) fees assessed under this ordinance for which a bill has been issued;
- (C) A reinstated permit expires the same date on which the original permit would have expired had it not been revoked.

**Sec. 14-54. Violations; Penalties; Corporations, Partnerships and Other Legal Entities.**

- (1) A person commits an offense if he operates or causes to be operated an alarm system within the city limits of Gatesville without a valid permit issued under this article.

- (2) A person commits an offense if he operates an alarm system during the period in which the alarm system is revoked.
- (3) An alarm company, an alarm permit holder, or a person in control of an alarm system, commits an offense if he violates any provision of this ordinance by either commission of an act that is forbidden, or omission of a duty or responsibility imposed upon him by this ordinance.
- (4) A person who violates a provision of this ordinance is guilty of a separate offense for each day or portion of a day during which the violation is committed, continued, permitted. Each offense is a Class C misdemeanor which is punishable by a fine of not more than \$200 for each conviction.
- (5) In addition to prohibiting or requiring certain conduct of individuals, it is the intent of this ordinance to hold a corporation, partnership, or other association criminally responsible for acts or omissions performed by an agent acting on behalf of the corporation, partnership, or other association, and within the scope of employment.

**Sec. 14-55. Government Immunity and Disclaimer.**

- (1) Registration of an alarm system is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. All liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained.
- (2) By registering an alarm system, the permit holder acknowledges that police response may be based on factors such as: availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions staffing levels.

ORDINANCE NUMBER  
2024-01

**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**

**BE IT ORDAINED BY** the City Council of the City of Gatesville, Texas as follows:

**Article III. Alarm Systems.** Sections 14-47 through 14-51 of the City of Gatesville, Texas Code of Ordinances are repealed.

**Article III. Alarm Systems.** Sections 14-47 through 14-51, revised, and 14-52 through 14-55, new, are attached as Exhibit A and are hereby adopted and shall be placed into Article III of the Code of Ordinances of the City of Gatesville.

The foregoing Ordinance No. 2024-01 was read the first time January 9, 2024, and passed to the second reading on the 13th day of February 2024.

The foregoing Ordinance No. 2024-01 was read the second time on February 13, 2024, and passed to the third reading on the 12th day of March, 2024.

The foregoing Ordinance No. 2024-01 was read the third time and was passed and adopted as an Ordinance of the City of Gatesville, Texas this 12th day of March, 2024 and will take effect April 1, 2024.

THE CITY OF GATESVILLE, TEXAS

\_\_\_\_\_  
Gary M. Chumley, Mayor

ATTESTED:

\_\_\_\_\_  
Wendy Cole, City Secretary

APPROVED AS TO FORM AND SUBSTANCE

\_\_\_\_\_  
Victoria Thomas, City Attorney



**Agenda Item #8:**

**CITY COUNCIL MEMORANDUM**

**Date:** January 9, 2024

**To:** Mayor & City Council

**From:** Mike Halsema, Finance Director/HR Director

**Agenda Item:** Discussion and possible action regarding the third and final reading of Ordinance No. 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 repealing Solid Waste Fees and adopting new Solid Waste Fees.

**Information:**

**Solid Waste Fees- Waste Management:**

The solid waste agreement with Waste Management, which was executed in December 2022, includes provisions for an annual CPI (Consumer Price Index) and fuel adjustment. The city recently received notification from Waste Management regarding an impending rate adjustment, which will be reflected in the city's invoicing for February 01, 2024. As per the calculations specified in the agreement, the rates will increase by 4.59%.

For residential cart service, the monthly rate will rise from \$20.61 to \$21.56, while the At Your Door service will increase to \$1.46 per month. When combined, the new total residential service cost will be \$23.02 per month, representing an increase of \$1.01.

Similarly, commercial dumpster rates will also increase by 4.59%."

	<b>Residential</b>		
	<u>Current</u>	<u>Adjusted</u>	<u>Increase</u>
Cart Service	\$ 20.61	\$ 21.56	\$ 0.95
At Your Door	\$ 1.40	\$ 1.46	\$ 0.06
<b>Total</b>	<b>\$ 22.01</b>	<b>\$ 23.02</b>	<b>\$ 1.01</b>
Additional cart	\$ 5.00	\$ 5.23	\$ 0.23

**Sewer Rates - Texas Department of Criminal Justice:**

During the budget process, it was discovered that the sewer rates proposed for TDCJ (Texas Department of Criminal Justice) were inconsistent with the findings of the rate study conducted by Newgen. The recommended rates for TDCJ sewer services are as follows: a base charge of \$389.65 per month and \$3.01 per 1,000 gallons of water used. This represents an approximate 1% increase compared to last year. The City Council needs to agree with aligning the TDCJ rates with the rate structure identified through the NewGen study.

**Staff Recommendation:**

The staff recommends that the city council approve the Ordinance adjusting the sewer rate fees for Texas Department of Criminal Justice, and repealing Solid Waste Fees and adopting new solid waste collection fees effective February 1, 2024.

**Motion:** I make a motion to approve the third and final reading of Ordinance 2023-07, amending the sewer rate fees for the Texas Department of Criminal Justice, and repealing previous Solid Waste Fees and adopting new Solid Waste Collection Fees in Chapter 18 of the Code of Ordinances, effective February 1, 2024.

**Attachments:**

Ord. 2023-07 regarding "Fees" amendment to "Fees Schedule"  
WM Rate Schedule

**Staff Contact:**

Mike Halsema, Finance & HR Director [mhalsema@gatesvilletx.com](mailto:mhalsema@gatesvilletx.com)

**CITY OF GATESVILLE, TEXAS**  
**ORDINANCE NO. 2023-07**

**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.**

**WHEREAS**, the City of Gatesville has set forth its master fee schedule in Chapter 18 of the Code of Ordinances of the City; and

**WHEREAS**, the City Council, from time to time, amends various portions of that master fee schedule to comply with changing laws and circumstances; and

**WHEREAS**, City staff has recommended, and the Council finds it to serve the general welfare of the City to amend the City's master fee schedule (1) to add sewer rate fees related to Texas Department of Criminal Justice, and (2) to repeal and replace solid waste fees;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS THAT:**

**SECTION 1.** The Code of Ordinances of the City of Gatesville, Texas is hereby amended at Chapter 18, "Fees," by amending Section 18-1 "Fee Schedule" by repealing in its entirety the fees for "Solid Waste" and replacing it with the fees set forth in Exhibit "A", attached hereto and incorporated herein by this reference, with the amendment and fees provided by this Section 2 of this Ordinance to be effective February 1, 2024.

**SECTION 2.** The Code of Ordinances of the City of Gatesville Texas is hereby amended at Chapter 18, "Fees," by amending Section 18-1 "Fee Schedule" at "Monthly Water and Sewer Rates" by repealing and replacing the fixed and volumetric monthly rates for sewer services for the Texas Department of Criminal Justice to read in its entirety as follows: "Sewer service for the Institutional/Texas Department of Criminal Justice Units per connection:

**"TDCJ**

Base monthly charge \$389.65      Per 1,000 Gal \$3.01

TDCJ bills are based on 100% of monthly metered sewer flows

**SECTION 3.** All ordinances, orders and resolutions heretofore passed and adopted by the City Council of the City of Gatesville, Texas are hereby repealed to the extent said ordinances, orders or resolutions, or parts thereof, are in conflict herewith.

**SECTION 4.** If any section, article, paragraph, sentence, clause, phrase or work in this Ordinance or application thereto any person or circumstances is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**SECTION 6.** This Ordinance shall become effective from and after the date of its passage in accordance with law.

The foregoing Ordinance No. 2023-07 was read the first time and passed to the second reading this 14th day of November, 2023.

The foregoing Ordinance No. 2023-07 was read the second time and passed to the third reading this 12th day of December, 2023.

The foregoing Ordinance No. 2023-07 was read the third time and was passed and adopted as an Ordinance to the City of Gatesville, Texas, this 9th day of January, 2024.

**CITY OF GATESVILLE, TEXAS**

By: \_\_\_\_\_  
**Gary Chumley, Mayor**

**ATTEST:**

\_\_\_\_\_  
Wendy Cole, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Victoria Thomas, Special Counsel



# EXHIBIT A

City of Gatesville 2/1/2024 FOR THE CUSTOMER TAB								
RESIDENTIAL RATES NO FF								
Residential Rates	\$21.56	Included: Trash 1X per week-carts/ Recy EOW-carts/ Bulk 1X per month per cart trash and recycle						
Extra Cart	\$5.23							
AYD	\$1.46							
<b>Total Resi Rate</b>	<b>\$23.02</b>							
Rate 5 (Please Describe)	N/A							
COMMERCIAL HAND COLLECT NO FF								
	1XWK	2XWK						
95 gal cart per cart per cart	\$26.46	N/A						
Hand-PU (6-10 Bags)	N/A	N/A						
Poly Cart-PU (1 Toter)	N/A	N/A						
Poly Cart-PU (2 Toter)	N/A	N/A						
Poly Cart-PU (3 Toters)	N/A	N/A						
Recycling PU (1 Toter)	N/A	N/A						
COMMERCIAL RATES (Includes 3% Franchise Fee)								
	FREQUENCY PER WEEK							
Container Size / Type	1XWK	2XWK	3XWK	4XWK	5XWK	6XWK	7XWK	EXTRA PU
2 Yard FEL Container	\$96.66	\$138.23	\$200.43	\$240.54	\$269.40	N/A	N/A	OM
3 Yard FEL Container	\$112.67	\$206.50	\$309.96	\$366.33	\$427.77	N/A	N/A	OM
4 Yard FEL Container	\$158.52	\$245.70	\$334.13	\$424.32	\$509.26	N/A	N/A	OM
6 Yard FEL Container	\$195.64	\$352.29	\$534.21	\$657.09	\$781.91	N/A	N/A	OM
8-Yard FEL Container	\$255.14	\$422.50	\$632.07	\$784.09	\$932.14	N/A	N/A	OM
10 Yard FEL Container	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
See Other Charges Or Notes Below								
Delivery	N/A							
Lock Bar, MONTHLY	\$10.46							
Casters MONTHLY	\$10.46							
Redelivery Charge for non payment **	N/A							
Snapshot Charge								
TEMPORARY SERVICE								
6 Yard Temp ***	N/A	*** Temporary Service Includes delivery, rental and removal, and disposal						
8 Yard Temp ***	N/A							
N/A								
Size	1x	2x	3x	4x	5x	6x	7x	XPU
2 Yard FEL Compactor	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
3 Yard FEL Compactor	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4 Yard FEL Compactor	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
6 Yard FEL Compactor	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
8 Yard FEL Compactor	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
10 Yard FEL Compactor	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
See Other Charges Or Notes Below								
Delivery	N/A	*Compactor Rate Does Not Include Rental (Choose one and delete the other)						
Lock Bar, MONTHLY	N/A	*Compactor Rate Includes Rental						
Casters	N/A							
Redelivery Fee for non payment	N/A							
Gate or Enclosure Fee	N/A							
Snapshot Charge								
Additional Charge	N/A							

N/A								
Size	1x	2x	3x	4x	5x	6x	7x	XPU
2 Yard FEL Container	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
3 Yard FEL Container	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4 Yard FEL Container	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
6 Yard FEL (Cardboard)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
8 Yard FEL Cardboard	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
See Other Charges Or Notes Below								
Delivery	\$0.00							
Lock Bar, MONTHLY	N/A							
Casters MONTHLY	N/A							
Redelivery Fee for non payment	N/A							
Gate or Enclosure Fee	N/A							
Snapshot Charge								
Additional Charge	N/A							
<b>ROLL-OFF RATES (Includes 3% Franchise Fee)</b>								
Container Size / Type	Delivery Rate	Rental Rate	BY Month or Day Rate	Hauling Charge (Per Pull + Disp)	Haul Rate per Pull	Disposal Rate per ton		
20 Yard (Open-Top)	\$192.49	\$4.17	Day	N/A	\$381.04	\$39.86		
30 Yard (Open-Top)	N/A	N/A	N/A	N/A	N/A	N/A		
40 Yard (Open-Top)	\$192.49	\$4.17	Day	N/A	\$381.04	\$39.86		
30 Yard (Compactor)	Negotiated	NEGOTIATED	Month	N/A	\$546.43	\$39.86		
33 Yard (Compactor)	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
34 Yard (Compactor)	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
35 Yard (Compactor)	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
40 Yard (Compactor)	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
42 Yard (Compactor)	N/A	NEGOTIATED	Month	N/A	N/A	N/A		
TRIP CHARGE RATE:			N/A					
<b>NOTES / FREE SERVICES</b>								
<i>City is exempt from fuel, environmental and RRC charges</i> City of Gatesville FOUTS WWTP 683-126773 City of Gatesville 110 8th Street 683-129195 City of Gatesville Animal Shelter 683-613423 City of Gatesville Citizen Roll Off 683-609108 City Of Gatesville Bell Park 683-130096 Gatesville Civic Center 683-117227 Extra Pickups Open Market Rates								



Other Business:            Agenda Item # 10

**CITY COUNCIL MEMORANDUM**

**Date:**                    January 09, 2024

**To:**                        Mayor & City Council

**From:**                   Scott L. Albert, City Manager

**Agenda Item:** 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.

**Information:**

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.

To recap, the primary reasons for conducting one meeting per month are as follows:

- 1. Improved time and resource efficiency.
- 2. Enhanced focus on projects, initiatives, and operations within the daily workload.
- 3. Reduction of burnout.

**Financial Impact:**

N/A

**Staff Recommendation:**

N/A

**Motion:**

N/A.

**Attachment:**

N/A

# 2024

January							February							March							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
	1	2	3	4	5	6						1	2	3					1	2	
7	8	9	10	11	12	13	4	5	6	7	8	9	10	3	4	5	6	7	8	9	
14	15	16	17	18	19	20	11	12	13	14	15	16	17	10	11	12	13	14	15	16	
21	22	23	24	25	26	27	18	19	20	21	22	23	24	17	18	19	20	21	22	23	
28	29	30	31				25	26	27	28	29			24	25	26	27	28	29	30	
														31							
April							May							June							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
	1	2	3	4	5	6				1	2	3	4							1	
7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8	
14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15	
21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22	
28	29	30					26	27	28	29	30	31		23	24	25	26	27	28	29	
														30							
July							August							September							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
	1	2	3	4	5	6						1	2	3	1	2	3	4	5	6	7
7	8	9	10	11	12	13	4	5	6	7	8	9	10	8	9	10	11	12	13	14	
14	15	16	17	18	19	20	11	12	13	14	15	16	17	15	16	17	18	19	20	21	
21	22	23	24	25	26	27	18	19	20	21	22	23	24	22	23	24	25	26	27	28	
28	29	30	31				25	26	27	28	29	30	31	29	30						
October							November							December							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
		1	2	3	4	5							1	2	1	2	3	4	5	6	7
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14	
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21	
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28	
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31					