

**CITY COUNCIL MEETING**  
**APRIL 22, 2025**  
**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** THE REGULAR CITY COUNCIL MEETING AT 5:30 P.M. THIS 22<sup>ND</sup> DAY OF APRIL 2025.
- 2) **QUORUM CHECK/COUNCIL PRESENT:** Mayor Gary Chumley, Mayor Pro-Tem Greg Casey, Councilmembers Kalinda Westbrook, Jon Salter, Meredith Rainer, Aaron Smith, and Joe Patterson.  
  
**CITY STAFF PRESENT:** City Manager Brad Hunt, City Secretary Holly Owens, Deputy City Manager/Finance Director Mike Halsema, Shea Harp, Chad Newman, and Police Chief Jeff Clark.  
  
**OTHERS:** Gatesville Messenger Staff Writer Alex Meelbusch, Leo Corona, Travis VanBibber, Janis and John Barnhill, Robert Patterson, Kristi Roberts, Pam and Jack Ray, Tim Maynard, Bob Coward, Larry Letter, Shannon Terry, Terry Bledsoe, Jerrie Bledsoe, Lavinia and Richard Shelton, Crystal Cowen, and Jeff Coward.
- 3) **INVOCATION:** Councilmember Casey and **PLEDGE OF ALLEGIANCE:** Led by Mayor Chumley.

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.

There were no public/citizen comments.

**PRESENTATION:**

- 4) **Alternative Water Source:** Shannon Terry, 2336 Buella in Jacksonville, FL, came forward to give a presentation regarding an alternative water source. Dr. Larry Lehr came forward to assist with the presentation.

Councilwoman Rainer asked about the overall effects this has on the environment. Dr. Lehr explained the process and stated there are no environmental concerns and the process does not affect the surrounding area.

Councilman Patterson asked who the regulating Commission was. Mayor Chumbley stated the Railroad Commission is the regulator.

Councilman Casey asked about longevity of the water source. Mr. Terry stated it is conceptually unlimited.

Councilwoman Westbrook asked about the acreage. Mr. Terry stated the acreage is around 1,500 acres.

Councilman Patterson asked about the fracture system and the economics behind the system. Mr. Terry explained the system and believed that once this is done, it will become more common practice.

Councilwoman Westbrook asked about the cost. Mr. Terry stated he would like to keep the cost low but is unable to give an amount.

**CONSENT:** 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.

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.

a. **Resolution 2025-031:** Discussion and possible action regarding approval of minutes from Regular City Council Meeting held on April 8, 2025.

b. **Resolution 2025-032:** Discussion and possible action regarding the approval for the Cruzin Cruzers Event.

c. **Resolution 2025-033:** Discussion and possible action regarding the approval for the Shivarree Event.

d. **Resolution 2025-034:** Discussion and possible action regarding the approval for the Corks & Kegs Event.

e. **Resolution 2025-035:** Discussion and possible action regarding February 2025 Financials.

**Resolution 2025-036:** Discussion and possible action regarding change order #2 for HVAC Replacement Services.

**CONSENT AGENDA:** Motion by Aaron Smith, seconded by Greg Casey to **APPROVE** the **CONSENT AGENDA** as written. All six voting “Aye”, motion passed, 6-0-0.

**OTHER BUSINESS:**

- 6) Discussion and possible action regarding membership and a professional services agreement with the Texas Coalition for Affordable Power, Inc.

Margaret Somereve with TCAP gave a brief presentation.

Mayor Chumley asked Mr. Halsema what the city is currently paying. Mr. Halsema explained the current contract and the amount is \$0.05, but it only applies to the deregulated accounts serviced by Oncor and TNMP.

**RESOLUTION 2025-037:** Motion by Meredith Rainer, seconded by Kalinda Westbrook to **APPROVE RESOLUTION 2025-037**, approving the membership and a professional services agreement with the Texas Coalition for Affordable Power, Inc. All six voting “Aye”, motion passed, 6-0-0.

- 7) Discussion and possible action regarding **Resolution 2025-038**, establishing a Comprehensive Economic Development Policy and Program.

Items 7 and 8 were discussed together.

**RESOLUTION 2025-038:** Motion by Jon Salter, seconded by Meredith Rainer to **APPROVE RESOLUTION 2025-038** establishing a Comprehensive Economic Development Policy and Program. All six voting “Aye”, motion passed, 6-0-0.

- 8) Discussion and possible action regarding **Resolution 2025-039**, authorizing the City Manager to execute a Chapter 380 Economic Development Program Agreement with Laerdal Medical Corporation.

**RESOLUTION 2025-039:** Motion by Kalinda Westbrook, seconded by Jon Salter to **APPROVE RESOLUTION 2025-039**, authorizing the City Manager to execute a Chapter 380 Economic Development Program Agreement with Laerdal Medical Corporation. All six voting “Aye”, motion passed, 6-0-0.

- 9) Discussion and possible action to approve a resolution stating the City’s intent to pursue an application with the USDA Rural Development to construct a new police station.

**RESOLUTION 2025-040:** Motion by Joe Patterson, seconded by Aaron Smith to **APPROVE RESOLUTION 2025-040**, stating the City’s intent to pursue an application with the USDA Rural Development to construct a new police station. All six voting “Aye”, motion passed, 6-0-0.

- 10)** Discussion and possible action to consider **Ordinance 2025-10**, repealing Sec. 10-1 of Chapter 10, and repealing Section 5 of Ordinance 1995-17, dissolving the Board of Adjustment and the Construction Board of Appeals. (*3<sup>rd</sup> and Final Reading*)

Councilwoman Rainer wanted to make sure that contractors, citizens, and developers has a means to appeal a decision and the ability to request a variance is available.

Ms. Owens explained that individuals who request an appeal from the Building Official will begin with the planning supervisor, followed by the City Manager. If the decision is not resolved, the individual can go before Council to state their case. Regarding a variance request, the applicant goes before the PZC, followed by the City Council. If the applicant is denied by the PZC, the case will still move forward to the Council but will require a super majority vote of approval per TLGC.

**ORDINANCE 2025-10:** Motion by Greg Casey, seconded by Kalinda Westbrook to **APPROVE ORDINANCE 2025-10**, repealing Sec. 10-1 of Chapter 10, and repealing Section 5 of Ordinance 1995-17, dissolving the Board of Adjustment and the Construction Board of Appeals on the third and final reading. All six voting “Aye”, motion passed, 6-0-0.

- 11)** Discussion and possible action to approve **Ordinance 2025-08**, adding Chapter 3, “Boards and Commissions”. (*3<sup>rd</sup> and Final Reading*)

Councilwoman Rainer presented Ms. Owens a printout of Chapter 16 of the Code of Ordinances from 2019. Ms. Owens did not recognize the handout and requested Council to table this item to research further.

Councilwoman Rainer had questions regarding member selection, specifically requiring a member to own property and residents who live within the ETJ. Councilwoman Rainer would prefer, residents who live within the city limits are only required to be residents, but if they live in the ETJ, they are required to own property within the city limits. Also, the miles outside the city limits need to be reduced to 3 miles. Councilman Patterson agreed.

Mr. Hunt added Council still has the final word on who serves on the Commission.

Ms. Owens agreed to make the changes discussed and follow up with the research based on the information given by Councilwoman Rainer.

**ORDINANCE 2025-08:** This item was tabled.

- 12)** Discussion and possible action to re-appoint members to the Planning and Zoning Commission/Building Standards Commission. Johnson and Charles Ament to the Planning and Zoning Commission/Building Standards Commission. All six voting “Aye”, motion passed, 6-0-0.

Councilman Patterson left the meeting at 7:45 p.m. and a quorum was maintained.

- 13)** CM Report



Brad Hunt gave a presentation of the monthly City Manager's Report.

**14) Adjourn Meeting**

City Council adjourned at 8:10 p.m.

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Mayor Gary Chumley

ATTEST:

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City Secretary, Holly Owens



Date 5/13/2025

Agenda Item 4b

## CITY COUNCIL MEMORANDUM FOR RESOLUTION

**To: Mayor & Council**

**From: Mike Halsema, Deputy City Manager**

**Agenda Item: Presentation of Coryell County Appraisal District 2025 Preliminary Assessment Roll.**

**Information:**

Attached are the preliminary property tax values for the FY25 budget. Comparing preliminary values from last year to the current, we are 6.43% above last year. Historically, there is an increase in final values over preliminary, which may put the valuations over 3.5% from last year's certified values.

### Preliminary Freeze Adjusted Taxable Values

(Tax Year)	2025	2024	2023	2022	2021
	\$ 572,242,218	\$ 537,677,847	\$ 526,537,403	\$ 480,675,163	\$ 415,127,686
Increase from prior year	6.43%	2.12%	9.54%	15.79%	
Certified Taxable		\$ 570,237,384	\$ 547,842,730	\$ 484,772,771	
Increase from prelim to certified		6.06%	4.05%	0.85%	

**No action required.**

**Attachments:**

- Preliminary Property Tax Values



CORYELL CENTRAL APPRAISAL DISTRICT  
705 E MAIN STREET  
GATESVILLE, TX 76528



April 22, 2025

City of Gatesville  
Mike Halsema, Deputy City Manager  
803 E. Main St  
Gatesville, TX 76528

Re: 2025 Taxable Value Estimate

Dear Mr. Halsema:

The purpose of this letter is to provide your jurisdictions taxable property value estimate in accordance with section 26.01 of the property tax code. At this early date, few protests have been received or processed. Values for residential properties and most commercial properties are substantially set, but Coryell CAD will not finalize values for business personal property, industrial personal property and agriculturally productive property until after May 15. The following is my estimate of taxable value that will be certified on or before July 25, 2025 after an estimate of the loss due to taxpayer protests:

NET TAXABLE	\$701,218,292
FREEZE ADJUSTED TAXABLE	\$572,242,218

I, Mitch Fast, Chief Appraiser for Coryell Central Appraisal District, do solemnly swear that the foregoing estimate is the preliminary 2025 estimate of taxable value for Coryell County. The taxable value provided is subject to change by the appraisal district in accordance with appropriate rules and regulations, as well as by the action of the Appraisal Review Board.

I have provided my best estimate of taxable value for 2025 and consider the amount provided to be a reasonable expectation for budget purposes; however, additional value loss could occur. I will make every effort to keep you informed regarding the status of you estimated value as we move through the protest and appeal process.

If you have any questions, please do not hesitate to contact me.

Mitch Fast, RPA

April 22, 2025

Date



Date 5/13/2025

Agenda Item 4c

Resolution 2025-043

## CITY COUNCIL MEMORANDUM FOR RESOLUTION

**To: Mayor & Council**

**From: Holly Owens, City Secretary**

**Agenda Item: Discussion and possible action regarding the certificate of appointment of Commissioners of the Housing Authority of the City of Gatesville, Texas.**

### **Information:**

The Gatesville Housing Authority (GHA) is a nonprofit public entity that is not governed by the City of Gatesville. However, GHA requires that the Mayor and City Council approve the appointment of Commissioners to the Gatesville Housing Authority Board and provide a signed copy to the Commissioners of the Board. [Gatesville Housing Authority – Find Local Texas Housing At OfficialHousingAuthority.com](https://www.gatesvillehousingauthority.com/).

### **Motion:**

Motion to approved **Resolution 2025-043**, re-appointing Tommy Pope to the Gatesville Housing Authority Board and authorized the mayor to sign the Certificate of Appointment.

### **Attachments:**

- Certificate of Appointment of Commissioners of the Housing Authority of the City of Gatesville, Texas.

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GATESVILLE:**

That the above stated recommendation is hereby approved and authorized.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Gatesville, Texas, this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at which meeting a quorum was present, held in accordance with provisions of V.T.C.A, Government Code, § 551.001 *et seq.*

APPROVED

\_\_\_\_\_  
Gary Chumley, Mayor

ATTEST:

\_\_\_\_\_  
Holly Owens, City Secretary

CERTIFICATE OF APPOINTMENT OF COMMISSIONERS OF THE  
HOUSING AUTHORITY OF THE CITY OF GATESVILLE, TEXAS

I hereby appoint the 1 person(s) hereinafter named to serve as commissioner(s) of the Housing Authority of the City of Gatesville, Texas from the 3rd day of May, 2025 until the expiration date as indicated below:

Tommy Pope succeeds Tommy Pope term expires 5/3/2027

\_\_\_\_\_ succeeds \_\_\_\_\_ term expires \_\_\_\_\_

\_\_\_\_\_ succeeds \_\_\_\_\_ term expires \_\_\_\_\_

\_\_\_\_\_ succeeds \_\_\_\_\_ term expires \_\_\_\_\_

I hereby certify that none of the above newly designated commissioners is an officer or employee of the City of Gatesville, Texas.

IN WITNESS WHEREOF, I HAVE HEREUNTO SIGNED MY NAME AS MAYOR OF THE CITY OF GATESVILLE, TEXAS AND CAUSED THE OFFICIAL SEAL OF SAID CITY TO BE ATTACHED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Seal



Date 5/13/2025

Agenda Item 4d

Resolution 2025-044

## CITY COUNCIL MEMORANDUM FOR RESOLUTION

**To: Mayor & Council**

**From: Bradford Hunt, City Manager**

**Agenda Item: A Resolution of City Support for Creation of The Central Texas Regional 9-1-1  
Emergency Communications District**

**Information:**

The Gatesville Police Department serves as the northern Coryell County Public Safety Answering Point (PSAP) and the Central Texas Council of Governments (CTCOG) currently administers the State's 9-1-1 Program for the City of Gatesville, as directed by legislation enacted in 1987. The CTCOG – Emergency Communications/9-1-1 program has more than met the legislative charge of providing emergency dispatch centers with the latest and best available equipment and technology and assuring that this equipment and technology are operating or backed up on a 24 hour/365-day basis.

City Manager Hunt is a member of the CTCOG Board of Directors and has been fully briefed on the proposed creation of a "Regional 9-1-1 Emergency Communications District." Please see the attached letter from CTCOG Executive Director Jim Reed for full details. Mr. Hunt voted in favor of the District creation, based on the merits of the proposal and the fact that services to the City and Police Department will not be negatively affected.

**Financial Impact:** none currently

**Staff Recommendation:** Staff recommends passing the Resolution of City Support for Creation of The Central Texas Regional 9-1-1 Emergency Communications District.

**Motion:** I recommend passing the Resolution of City Support for Creation of The Central Texas Regional 9-1-1 Emergency Communications District.

**Attachments:** Letter from Jim Reed; Resolution



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2180 N MAIN ST, BELTON, TX 76513 | (254) 770-2200 | [WWW.CTCOG.ORG](http://WWW.CTCOG.ORG)

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**Date: March 4th, 2025**

**Attn: Brad Hunt**

**Address: 803 Main Street, Gatesville TX 76528**

Dear Brad Hunt,

The Central Texas Council of Governments (CTCOG) currently administers the State's 9-1-1 Program for your city/county, as directed by legislation enacted in 1987. The CTCOG – Emergency Communications/9-1-1 program has more than met the legislative charge of providing emergency dispatch centers with the latest and best available equipment and technology and assuring that this equipment and technology are operating or backed up on a 24 hour/365-day basis.

I am writing this letter to you on behalf of the CTCOG Board of Directors, which is made up of elected and appointed officials from the entities which are served by the CTCOG 9-1-1 program. We believe there is a positive opportunity for the participants in the CTCOG program to have a real and larger impact on policy and fiscal matters than is now available through the state administrative program.

In a legislative session, the Health and Safety Code was amended to permit Councils of Governments/Regional Planning Commissions to establish Regional Emergency Communications Districts (ECD). We see a lot of potential advantages and opportunities that would be to our benefit by creating an ECD. I will attempt to lay out our reasoning in the following paragraphs.

Currently, our citizens and businesses are charged 50 cents on their phone bills to pay for 9-1-1 services. This money is remitted to and held by the state until the legislature appropriates all or part of the funds collected to the Texas Commission on State Emergency Communications (CSEC). CSEC then allocates these funds to councils of governments. The problem is that the Legislature does not always appropriate all the funds collected but rather retains some of the funds to show (on paper) a balanced state budget. If we were to create an Emergency Communication District (ECD), the monies collected through the maximum 50 cent fee would be remitted in their entirety to this district. The major benefit from this, aside from all the funds collected in our region coming back to it, is that a long-range strategic plan could be adopted outlining future capital improvements and replacements for our dispatch centers based on a known and reliable stream of revenue. Under the present situation, we have no certainty of the amount of funding that the region will receive during any given biennium. This results in inefficiencies because long-term planning for capital equipment is difficult to do.

The other major driver of this proposed change, to form our own district, is to ensure local control. Policy and budgetary matters would be decided by a Board of Directors consisting of local elected officials from entities served by the CTCOG 9-1-1 Program. The new law specifies that councils of governments, CTCOG in our case, will continue to staff the district. This ensures that there will be no disruption to the current services provided to our citizens and businesses. The new law requires that the governing body of each entity now served by a council of governments pass a resolution calling for the creation of an ECD. The CTCOG Board of Directors have already indicated an interest in doing so and have approved the resolution that is being presented.

As such, we are now reaching out to everyone to execute the resolution. Please let us know of your preference and/or if you would like to have a meeting to learn more about this matter and to get any questions answered. Also, enclosed is the approved sample resolution, which can be used to support the creation of an ECD. I would encourage you to contact Uryan Nelson, Director at 254.770.2373 with any additional questions. Please notify us as soon as you are ready to execute the resolution and/or if you would like us to come speak to the governing body of your entity to further discuss this resolution. I would also encourage you to call me at 254.654.1595 if you have any questions.

Sincerely,

Jim Reed, AICP

*Executive Director*

*Central Texas Council of Governments*

*Cc: City Manager/ Secretary*

**CITY OF GATESVILLE RESOLUTION 2025-044**

**A RESOLUTION AUTHORIZING THE CREATION OF THE CENTRAL TEXAS  
REGIONAL 9-1-1 EMERGENCY COMMUNICATIONS DISTRICT**

**WHEREAS**, Chapter 772, Subchapter H, of the Texas Health and Safety Code, cited as the Regional Emergency Communications District Act (the “act”), provides the creation of a Regional Emergency Communications District: and

**WHEREAS**, the act applies to a state planning region established under Chapter 391 of the Texas Local Government Code with a population of under 1.5 million, composed of counties and municipalities that operate a 9-1-1 system solely through a regional planning commission: and

**WHEREAS**, the Act requires that the governing bodies of each participating county and municipality in the region adopt a resolution approving the creation of the Regional Emergency Communications District (the “District”): and

**WHEREAS**, as of May 25, 1989, the City of Gatesville exclusively receives 9-1-1 system services operated through the Central Texas Council of Governments, a regional planning commission.

**NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF GATESVILLE HEREBY  
AUTHORIZES THE CREATION OF 9-1-1 EMERGENCY COMMUNICATIONS  
DISTRICT**

Passed and approved on the **13<sup>th</sup> day of May, 2025** at a regularly scheduled Council Meeting of the City of Gatesville, Texas.

APPROVED:

Mayor: Gary Chumley

ATTEST:

City Secretary: Holly Owens





Date 5/13/2025

Agenda Item 5

## **CITY COUNCIL MEMORANDUM FOR RESOLUTION**

**To: Mayor & Council**

**From: Mike Halsema, Deputy City Manager/Shea Harp, Library Director**

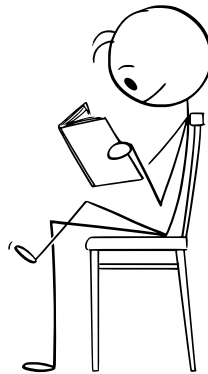
**Agenda Item: Library Renovations and Grants**

**Information:**

**Attachments:**

- Presentation

# Gatesville Public Library Update

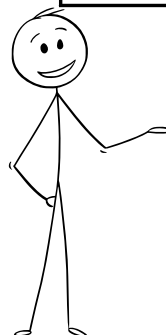


Library renovations to date

## Library Renovations Cost as of May 2025

<b>Airconditioning</b>	<b>\$135,530</b>
<b>Mold Remediation</b>	<b>\$89,025</b>
<b>Library Renovations</b>	<b>\$341,637</b>
<b>Total</b>	<b>\$566,192</b>

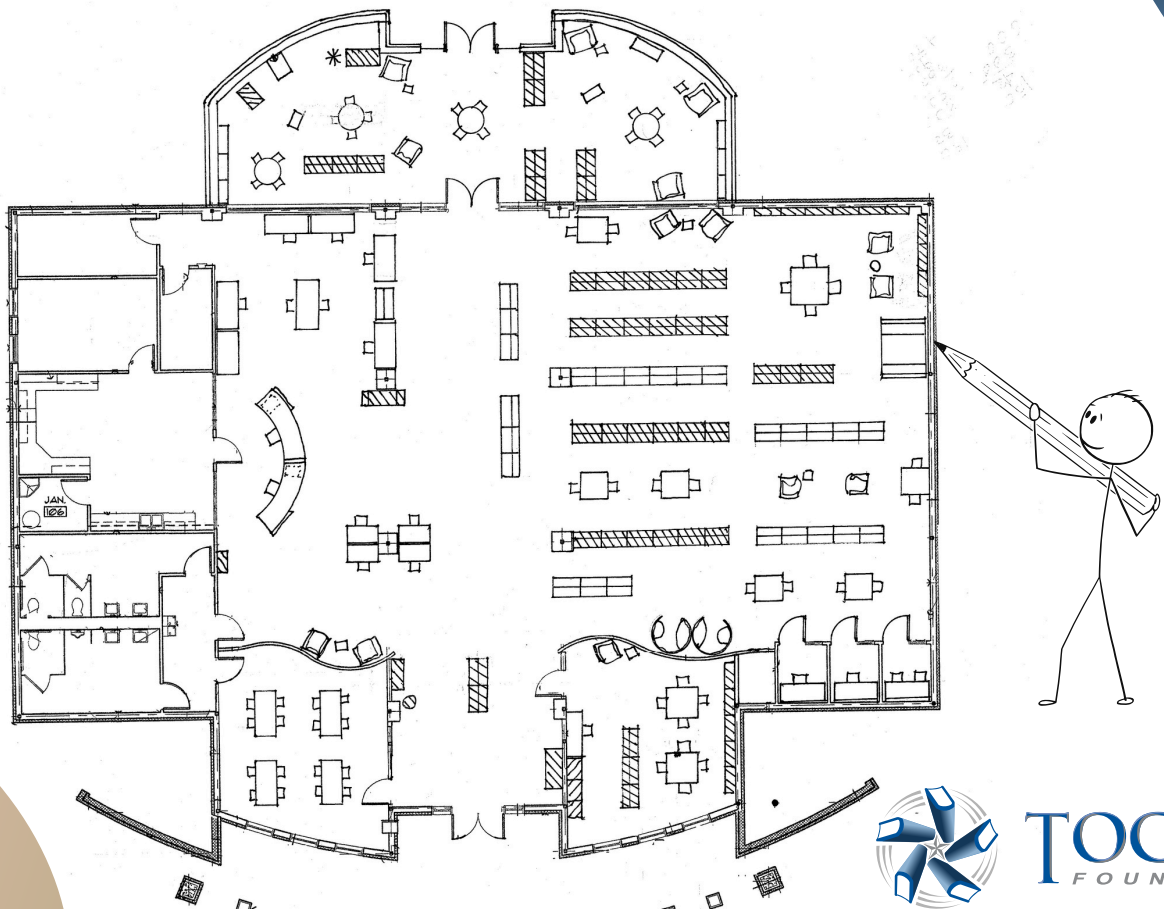
<b>CLFRF funds</b>	<b>\$473,095</b>
<b>Net Cost from Capital Projects Fund</b>	<b>\$93,097</b>





STRONG LIBRARIES BUILD STRONG COMMUNITIES

02:44



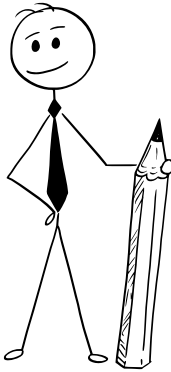
Gatesville Community Library - Tocker Grant FFE

21-Apr-25

FFE Cost Estimate

Item#	Qty: Description	Unit Price	Total Price
SHELVING			
Children's/JF/JNF			
SS1244	6Single Faced Metal Shelving 14" x 44" x 36"	\$300	\$1,800
SD1066	6Double Faced Metal Shelving 22" x 66" x 36" on casters	\$700	\$4,200
SD1244C	9Existing SD1244 - ADD Casters	\$400	\$3,600
Teen			
Adult			
SD1066	10Double Faced Metal Shelving 22" x 66" x 36"	\$700	\$7,000
SD1066C	10Double Faced Metal Shelving 22" x 66" x 36" on casters	\$950	\$9,500
XSD1066	10Existing SD1066- ADD Casters	\$400	
Sign	36Top Mount Signs	\$85	\$3,060
	Delivery/Installation		\$5,600
Architectural Woodwork			
DSK1	2Help Desk	\$8,200	\$16,400
EP1	8PL End Panel SD1244 - Children's	\$220	\$1,760
EP2	4PL End Panel SS1244 - Children's	\$200	\$800
EP3	6PL End Panel SD1066- Children's	\$300	\$1,800
EP4	4PL End Panel XSS1066 - YA	\$240	\$960
EP5	20PL End Panel SD100/XSD1066 - Adult	\$300	\$6,000
	Delivery/Installation		\$4,700
Children's/Elem			
C1	16Reading Room chair	\$362	\$5,792
C2	2Reading Room chair	\$370	\$740
T1	4Reading table	\$900	\$3,600
T2	1Reading Table	\$950	\$950
L1	2Lounge Chair	\$2,700	\$5,400
PT1	4Personal Tables	\$355	\$1,420
L2	1Lounge Chair	\$2,900	\$2,900
L3	1Lounge Chair	\$1,900	\$1,900
L4	2Elem Lounge Chair	\$2,000	\$4,000
L5	1Rocking Chair -Buy Direct	\$1,200	\$1,200
DOG	1Dog - Buy Direct	\$300	\$300
ELE	1Elephant - Buy Direct	\$400	\$400
KIT	1Play Kitchen - Buy Direct	\$300	\$300
PLAY	1Touch Screen Table - Buy Direct	\$5,700	\$5,700
Teen			
Booth	1 Booth	\$7,400	\$7,400
L6	2Lounge Chair	\$1,800	\$3,600
C3	4Study Chair	\$220	\$880
T48	148" Table	\$650	\$650
ST1	1Stool - Buy Direct	\$350	\$350
Adult/Study Rooms			
C4	14Adult Study Chair	\$220	\$3,080
T36	5Adult Reading Table - 36"	\$525	\$2,625

T2460	CF1	3Study table 24" x 48"	\$680	\$2,040
C5		4Computer Stations	\$850	\$3,400
L7		4Computer Chairs - Existing	\$0	\$0
L8A		1Adult Lounge	\$2,800	\$2,800
L9		1Adult Lounge	\$2,600	\$2,600
L10	PT2	1Adult Lounge	\$2,200	\$2,200
POD		2Adult Lounge 3Personal	\$2,200	\$4,400
Genealogy		Table 2Study POD	\$355	\$1,065
			\$7,400	\$14,800
C4		9Adult Study Chair	\$220	\$1,980
T42		2Adult Reading Table - 42"	\$600	\$1,200
T2460		1Study table 24" x 60" - Microfilm	\$680	\$680
C5		1Task Chair - Existing	\$0	\$0
L8B		1High Back Lounge Chair	\$2,600	\$2,600
PT		1Personal Table	\$355	\$355
Multi-Purpose/Maker Space				
C4	Dolly	27High Density Stacker - Same as Study Chair	\$220	\$5,940
Chairs		1Chair dolly	\$800	\$800
T2460		4Folding Makerspace Table	\$500	\$2,000
T3060		7Folding Meeting/Makerspace Table	\$560	\$3,920
Help Desk				
C6		2Task Chair - Existing	\$0	\$0
BBF		2Box/Box/ File	\$620	\$1,240
Hitch		5Byrne Hitch Buy Direct	\$65	\$325
		Subtotal	\$174,712	
		Freight/Installation	\$2,400	
			<b>\$177,112</b>	
Office/Wkrm				
DSK2		2Office Desk	\$2,800	\$5,600
C4		2Task Chair	\$390	\$780
T3060HA		1Height Adjustable Table	\$900	\$900
			\$7,280	
		Freight/Installation	300	
			<b>\$7,580</b>	





Date 5/13/2025

Agenda Item 6

Ordinance 2025-012

## CITY COUNCIL MEMORANDUM FOR ORDINANCE

**To: Mayor & Council**

**From: Bradford Hunt, City Manager**

**Agenda Item: Discussion and possible action regarding Ordinance 2025-12, annexing 1.16 acres situated in A Wood Survey, Abstract No. 1062, Coryell County, Texas; and the north-adjacent 17.47 acres situated in A Wood Survey, Abstract No. 1062, Coryell County, Texas.**

**Information:** On December 10, 2024, the Council approved the entry into an agreement between the City and landowners near Gatesville Airport, Mr. and Mrs. Don Strieber. In short, the agreement involved the City assisting with clearing of trees and drainage issues on Strieber's land in exchange for their granting a 1.16-acre section to the City. City crews and Strieber's contractor finished the work, and the Strieber's filed the Warranty Deed with Coryell County to transfer the 1.16 acres.

This transferred parcel now abuts an existing City-owned 17.47-acre property to the north. Both parcels are outside the City Limits of Gatesville. To join the parcels with the existing airport property directly to the south, City Manager Hunt requests that both parcels be annexed into the City.

The City Charter requires an ordinance to be read on three separate occasions and the first reading is tonight. The second reading and public hearing would be May 27<sup>th</sup>, with the third and final reading occurring June 10, 2025. Following a successful annexation, the next step will involve rezoning the property. Initially, the entire property will be zoned as "AG" (Agricultural).

**Financial Impact:** There is no current financial impact, other than City crews installing an access gate from existing airport property to the newly acquired parcel, leading to the 17.47-acre parcel (estimated cost: \$2,500).

**Staff Recommendation:** Staff's recommendation is to approve passing **Ordinance 2025-12** to the next meeting.

**Motion:** Move to pass **Ordinance 2025-012**, annexing 1.16 acres situated in A Wood Survey, Abstract No. 1062, Coryell County, Texas; and the north-adjacent 17.47 acres situated in A Wood Survey, Abstract No. 1062, Coryell County, Texas, **first reading** to the next meeting.

**Attachments:**

- Exhibits
- CAD map
- Draft Ordinance

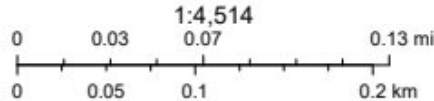


# Coryell CAD Web Map



5/2/2025, 8:06:07 AM

 Parcels  Abstracts  City Limits



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Coryell Central Appraisal District, BIS Consulting - [www.bisconsulting.com](http://www.bisconsulting.com)

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## **ORDINANCE NO 2025-12**

**AN ORDINANCE ANNEXING APPROXIMATELY 1.16 ACRES SITUATED IN A WOOD SURVEY, ABSTRACT NO. 1062, CORYELL COUNTY, TEXAS; AND THE NORTH-ADJACENT 17.47 ACRES SITUATED IN A WOOD SURVEY, ABSTRACT NO. 1062, CORYELL COUNTY, TEXAS, EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDE SUCH PROPERTY WITHIN THE CITY'S CORPORATE LIMITS; GRANTING TO ALL THE INHABITANTS AND OWNERS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF SAID CITY; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, §43 of the Texas Local Government Code authorizes the City of Gatesville, Texas, an incorporated city, to engage in the annexation of territory, subject to the laws of this state, and

**WHEREAS**, the annexation of approximately 1.16 acres situated in A Wood Survey, Abstract No. 1062, Coryell County, Texas and being more particularly described and depicted in Exhibit "A" attached hereto and incorporated herein by this reference, and

**WHEREAS**, the north-adjacent 17.47 acres situated in A Wood Survey, Abstract No. 1062, Coryell County, Texas and being more particularly described and depicted in Exhibit "B" attached hereto and incorporated herein by this reference, and

**WHEREAS**, the notices and public hearings required by Chapter 43, Texas Local Government Code and other applicable law have been given and conducted; and

**WHEREAS**, the Property lies adjacent to the existing corporate limits of the City of Gatesville, Texas and is located within the exclusive extraterritorial jurisdiction of the city of Gatesville, Texas; and

**WHEREAS**, the requirements and procedures prescribed by the Texas Local Government Code and the Charter of the City of Gatesville, Texas, and the laws of this state for annexation of the Property have been duly followed; and

**WHEREAS**, the City Council of the City of Gatesville has concluded that the Property should be annexed to and made a part of the City of Gatesville, Texas;

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

**SECTION 1.** Based on the findings of fact set forth in the recitals above, which are found to be true and correct and are incorporated herein as if set forth in full, the Property is hereby annexed into the corporate limits of the City of Gatesville, Texas.

**SECTION 2.** The boundary limits of the City of Gatesville shall be and the same are hereby extended to include the Property within the City's corporate limits and the territory described herein shall be and is hereby included within the corporate limits, subject to all the acts, ordinances, resolutions, and regulations of the City. The inhabitants of the Property shall hereafter be entitled to all the rights and privileges of other citizens of the City of Gatesville and they shall be bound by the acts, ordinances, resolutions, and regulations of said City.

**SECTION 3.** To the extent of any irreconcilable conflict with the provisions of this Ordinance and other ordinances of the City of Gatesville governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

**SECTION 4.** All provisions of the ordinances of the City of Gatesville, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 5.** Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 6.** The City Secretary is hereby directed to file with the County Clerk of Coryell County Texas, a certified copy of this ordinance.

**SECTION 7.** This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

The foregoing Ordinance No. 2025-12 was read the first time and passed to the second reading  
this \_\_\_\_ day of \_\_\_\_\_ 2025.

The foregoing Ordinance No. 2025-12 was read the second time and passed to the third reading  
this \_\_\_\_ day of \_\_\_\_\_ 2025.

The foregoing Ordinance No. 2025-12 was read the third time and was passed and adopted as an  
Ordinance to the City of Gatesville, Texas, this this \_\_\_\_ day of \_\_\_\_\_ 2025.

BY: \_\_\_\_\_  
GARY M. CHUMLEY, MAYOR



ATTESTED:

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HOLLY OWENS, T.R.M.C.  
CITY SECRETARY

## EXHIBIT "A"

BEING all of that certain 1.163 -acre tract of land located in Coryell County, Texas out of the Alfred Woods Survey, Abstract No. 1 055 and being a portion of a 90.719 acre tract of land conveyed to Donald R. Strieber et ux Marcia Strieber, by deed recorded in the Deed Records of Coryell County, Texas, Document No. 147311, Tract One, and being more particularly described metes and bounds as follows:

BEGINNING at a 5/8" dia. capped iron pin RPLS 4327, set at an old 8" dia. fence corner post for an ell corner in the east line of said Strieber Tract One, the northwest corner of a so-called 12.741 acres tract of land conveyed to the City of Gatesville, Texas by Quit Claim Deed and Bill of Sale, recorded in the (DRCCT) Document No. 204104, Exhibit D, (Airport Tract), (see also deed in Volume 259, Page 315, Tract one, DRCCT), same being the southwest corner of this tract. From which a 3/8" dia. iron pin found at an old fence corner post for the southeast corner of said Strieber Tract One, the northeast corner of Strieber Tract Two and the southwest corner of said city of Gatesville 12.741 acres tract, bears SO 1-34-1 SW 1109.37 feet (Strieber call S02-33-02W 1109.24') (Gatesville deed call S02-26W 1110.0')

THENCE North 02 deg. 37 min. 08 sec. East along the un-fenced west line of this tract and severing off the most northerly portion of said Strieber tract one, a distance of 175.84 feet to an 5/8" dia. capped iron pin RPLS 4327, set in an old rock fence and being 1.5' northeast of a wire fence for the northwest corner of this tract, same being in the easterly north line of said Strieber Tract One and also being in the south line of a so-called 17.466 acres tract of land conveyed to the city of Gatesville, Texas, by deed recorded in the (DRCCT), Document No. 173451. From which a 5/8" dia. capped iron pin RPLS 4327, set at an old 6 1/2" dia. cedar fence post at the intersection of two old rock fences on the top of a bluff, same being an ell corner in said Strieber Tract One and the southwest corner of said city of Gatesville 17.466 acres tract, bears N72-01-33W 194.89. (Strieber total deed call S71-04-43E 71.297') (Gatesville 17.466 acres tract total deed call S71-16-49E 712.82')

THENCE South 72 deg. 01 min. 33 sec. East along easterly north line of said Strieber Tract One and the southwest line of said city of Gatesville 17.466 acres tract and also being along an old wire fence, same being on the southwest side of an old rock fence, a distance of 518.32 feet to a 3/8" dia. iron pin found at a fence corner for the most north easterly northeast corner of said Strieber Tract One, the northeast corner of this tract, the southeast corner of said 17.466 acre tract, the northwest corner of a so-called 63.46 acres tract of land conveyed to Brivibas Investori, LLC by deed recorded in the (DRCCT), Document No 349819 and also being the southwest corner of a so-called 118.72 acres tract of land conveyed to John Shoaf et ux, by deed recorded in the (DRCCT) Document No. 261 405, Exhibit A.

THENCE South 02 deg. 36 min. 59 sec. West along the fenced most easterly east line of said Strieber Tract One and the east line of this tract, same being the west line of said Brivibas Tract, a distance of 27.93 feet to a 3/8" dia. capped iron pin, stamped Wallace Group, found at an old fence corner post for the most easterly southeast corner of said Strieber Tract One, the southeast corner of the tract, same being the northeast corner of said City of Gatesville 12.741 acres Airport Tract and also being a slight corner in said Brivibas Tract. (Strieber call S03-59-58W 27.75) (Brivibas deed call S01-23-17WW 27.99')

THENCE North 88 deg. 36 min. 20 sec. West along an old fence on the easterly south line of said Strieber Tract One, the south line of this tract and the north line of said City of Gatesville 12.741 acres tract, a distance of 497.35 feet (Strieber total deed call N87-41-22W 495.67') (Gatesville 12.741 acres tract deed call N87-34W- 500.0') to the PLACE OF BEGINNING and containing 1.163 acres of land.

EXHIBIT "B"

BEING a 17.466 Acre parcel of land situated in the A. Wood Survey, Abstract No. 1062, Coryell County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at a 6-inch cedar fence post (control monument) being the Southwest corner of said 120.106-acre tract and also being a Northeasterly inner corner of a tract of land described in the deed to Donald R. Strieber et ux, recorded in Document No. 147313, Deed Records, Coryell County, Texas;

THENCE North 36 degrees 39 minutes 30 seconds East, a distance of 300.46 feet to a 5/8-inch Huitt-Zollars capped steel rod being the Northeast corner of said Strieber tract and Southeast corner of a tract of land described in a deed to Shoaf, John & Ginny recorded in Document No. 261405 Deed Records, Coryell County, Texas;

THENCE North 02 degrees 43 minutes 54 seconds East, a distance of 225.00 feet to a 5/8-inch Huitt-Zollars capped steel rod;

THENCE North 10 degrees 18 minutes 55 seconds East, a distance of 216.67 feet to a 5/8-inch Huitt-Zollars capped steel rod;

THENCE North 17 degrees 35 minutes 05 seconds West, a distance of 219.44 feet to a 5/8-inch Huitt-Zollars capped steel rod;

THENCE North 01 degrees 28 minutes 02 seconds West, a distance of 80.55 feet to a 5/8-inch Huitt-Zollars capped steel rod;

THENCE South 89 degrees 48 minutes 20 seconds East, a distance of 790.53 feet to a 5/8-inch Huitt-Zollars capped steel rod;

THENCE South 08 degrees 43 minutes 31 seconds West, a distance of 1011.19 feet to a 5/8-inch Huitt-Zollars capped steel rod;

THENCE North 89 degrees 48 minutes 20 seconds West, a distance of 114.55 feet to a 5/8-inch Huitt-Zollars capped steel rod;

THENCE South 00 degrees 09 minutes 04 seconds West, a distance of 171.95 feet to a 3/8-inch steel rod found (control monument) being the most Easterly Northeast corner of said Strieber tract on the South line of said tract;

THENCE North 73 degrees 16 minutes 49 seconds West, a distance of 712.82 feet to the POINT OF BEGINNING and embracing 760,798 Square Feet or 17.47 Acres of Land.



## CITY COUNCIL MEMORANDUM FOR RESOLUTION

**To: Mayor & Council**

**From: Bradford Hunt, City Manager**

**Agenda Item: Discussion and possible action authorizing the City Manager to Contract with a Local Realtor to Sell City-Owned Vacant Lots.**

**Information:**

Staff have reviewed existing records and the Coryell County CAD site, and we have compiled a list of 21 city-owned properties that are vacant. At City Manager Hunt's direction, the lots of known locations are being maintained on a regular basis (mowing, cleanup, etc.) by the Parks and Public Works Departments.

In her review of this agenda item, City Attorney Victoria Thomas noted that Section 253.014 of the Local Govt. Code allows cities to sell municipal property by signing a contract with a real estate broker. In this way, the broker can, if advantageous, keep the City's identity confidential. This is often, of course, more advantageous when the City is seeking to purchase rather than sell, but it still could be advantageous here.

Ms. Thomas also recommended the Council consider the brokerage agreement without actually naming the broker or putting the contract in the agenda packet, to preserve that confidentiality. It is City Manager Hunt's intent that the realtor will be local but will not be a current member of any city commission or board.

12 of the City's vacant lots have varying degrees of value on the market:

- Seven of the lots appear to be of a size and zoning designation that would allow development:

CAD I.D.	Address	Appraised Value	Street Number	Street Name	Doing Business As	Acres
107412	CR 215 GATESVILLE, TX 76528	420280		CR 215	old landfill N. FM 215	61.09
112173	WREN ST GATESVILLE, TX 76528	25000		WREN	vacant lots curve of Wren St. at Elm Ln.	0.33
112174	WREN ST GATESVILLE, TX 76528	50000		WREN	vacant lots curve of Wren St. at Elm Ln.	0.56
112604	1905 RAILROAD ST GATESVILLE, TX 76528	15000	1905	RAILROAD	vacant lot dead end Railroad St. past 19th	0.21
113182	2613 MEARS DR GATESVILLE, TX 76528	20000	2613	MEARS	vacant lot Mears & 28th St.	0.24
113432	302 STATE SCHOOL RD GATESVILLE, TX 76528	25870	302	STATE SCHOOL	vacant lot St. School north of Stillhouse Rd	0.29
114119	306 N 14TH ST GATESVILLE, TX 76528	15000	306	14TH	vacant lot N. 14th between Waco & St Louis	0.17

Total 2024 appraised value: \$571,150

Date 5/13/2025

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Resolution 2025-045

- Five others appear to be too small for development, but may have value on the open market or at auction:

CAD I.D.	Address	Appraised Value	Street Number	Street Name	Doing Business As	Acres
111581	N LUTTERLOH AVE GATESVILLE, TX 76528	15000		LUTTERLOH	vacant lot Lutterloh between Mill & 11th Sts.	0.11
112572	2006 ST LOUIS ST GATESVILLE, TX 76528	15000	2006	ST LOUIS	vacant lot deadend St. Louis past 20th	0.14
113132	SE CNR LUTTERLOH AVE GATESVILLE, TX 76528	12500		LUTTERLOH	vacant lot Mill St. & Lutterloh	0.11
113338	210 S 19TH ST GATESVILLE, TX 76528	10840	210	19TH	vacant lot S. 19th between Leon & Bridge	0.08
111166	1515 MARY ST GATESVILLE, TX 76528	45000	1515	MARY	vacant lot 16th & Mary St.	0

Total appraised value: \$98,340

Please see Attachment 1 for map locations of the 12 lots listed above.

This resolution requests council authorization allowing City Manager Hunt to enter into a contract on the City's behalf for Local Realtor Services, with the intent to list certain city-owned vacant lots for sale or auction. Rather than presenting each potential sale to council, the Resolution further authorizes City Manager Hunt to execute the individual sales.

Additionally:

- Five more City-owned vacant lots have future value to the City as parks or facility locations, and they will not be listed for sale without further authorization from the Council:

CAD I.D.	Address	Appraised Value	Street Number	Street Name	Doing Business As
112702	2525 OSAGE RD GATESVILLE, TX 76528	54030	2525	OSAGE	vacant lot old Rotunda
106697	N 34TH ST GATESVILLE, TX 76528	215930		34TH	empty field across from Fitness Ctr
113845	805 E MAIN ST GATESVILLE, TX 76528	135560	805	MAIN	NATIONAL UNITED BRANCH 1 vacant bldg
150924	CHURCH ST GATESVILLE, TX 76528	199940		CHURCH	N. 19th St. by cemetery, burn pile etc.
157521	711 E MAIN ST GATESVILLE, TX 76528	37030	711	MAIN	vacant green space by library on Main St.

Total appraised value: \$642,490

- Four other lots are listed in CAD but remain a mystery, as they do not appear on the CAD map. We continue to work toward learning their location and status:

CAD I.D.	Address	Appraised Value	Street Number	Street Name	Doing Business As
101615	7TH ST GATESVILLE, TX 76528	29430		7TH	UNK
106708	BRIDGE ST GATESVILLE, TX 76528	12500		BRIDGE	UNK
114309	LEON ST GATESVILLE, TX 76528	30000		LEON	UNK
115202	GATESVILLE, TX 76528	37800			UNK

Total appraised value of \$109,730. With the council's approval of this resolution, any of these four additional lots will be added to the list of those for sale, if possible.

**Financial Impact:**

There is a minimal expected up-front impact for the proposed realtor services.

The 12 lots with potential market value have a total 2024 appraised value of \$669,490. If we can locate the four mystery lots and they prove viable for sale or auction, possibly with the contracted realtor's assistance, the total appraised value of lots we intend to sell could rise to \$779,220. All sales (minus realtor and closing fees) are revenue to the City.

The City currently expends resources in the form of time, fuel, and equipment to maintain each vacant lot, and the sale of any lot thus reduces expenditures in this area.

**Staff Recommendation:**

Our goal is to sell those vacant lots which the city owns but does not need, thus putting them back on the property tax role as-is and with potential for further improvement via development.

The staff recommends passing **Resolution 2025-046** authorizing the City Manager to:  
a) execute a contract on the City's behalf with a local realtor; b) list certain city-owned vacant lots for sale; and c) execute the sale of the listed lots.

**Motion:**

Motion to pass **Resolution 2025-046** authorizing the City Manager to: a) execute a contract on the City's behalf with a local realtor; b) list certain city-owned vacant lots for sale; and c) execute the sale of the listed lots.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GATESVILLE:**

That the above stated recommendation is hereby approved and authorized.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Gatesville, Texas, this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, at which meeting a quorum was present, held in accordance with provisions of V.T.C.A, Government Code, § 551.001 *et seq.*

APPROVED

\_\_\_\_\_  
Gary Chumley, Mayor

ATTEST:

\_\_\_\_\_  
Holly Owens, City Secretary

Date 5/13/2025

Agenda Item 7

Resolution 2025-045

## Attachment 1, Maps





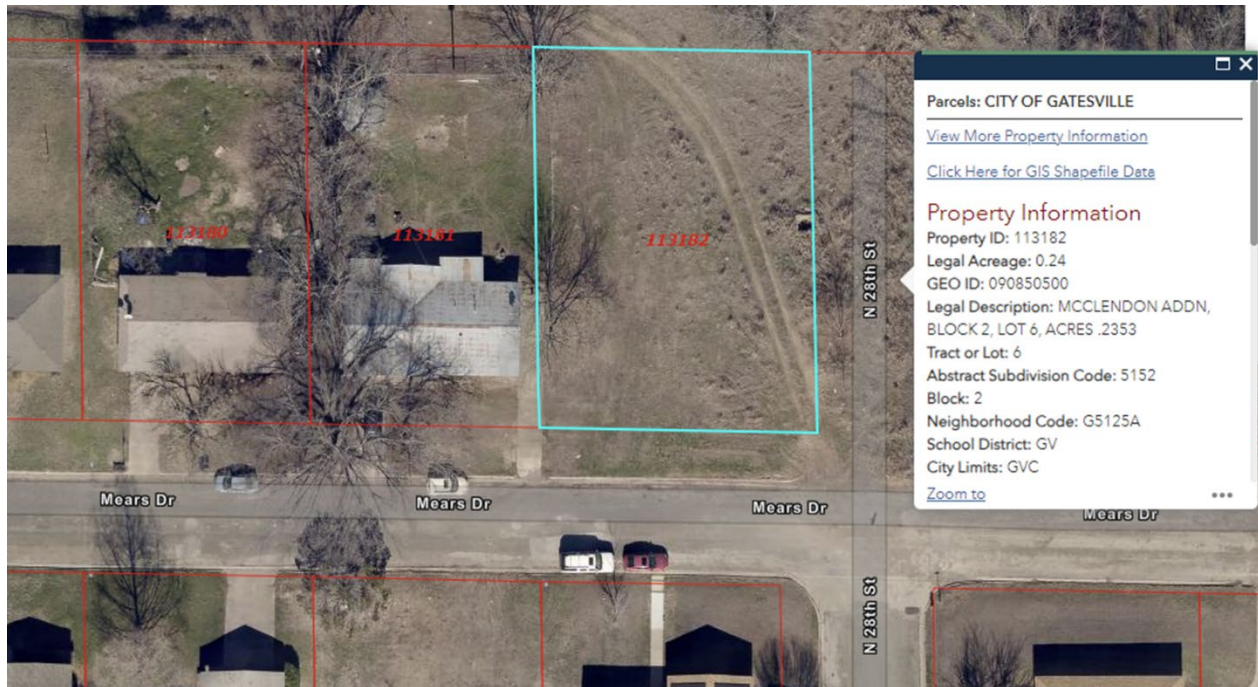




Date 5/13/2025

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Resolution 2025-045



Date 5/13/2025

Agenda Item 7

Resolution 2025-045





Date 5/13/2025

Agenda Item 7

Resolution 2025-045



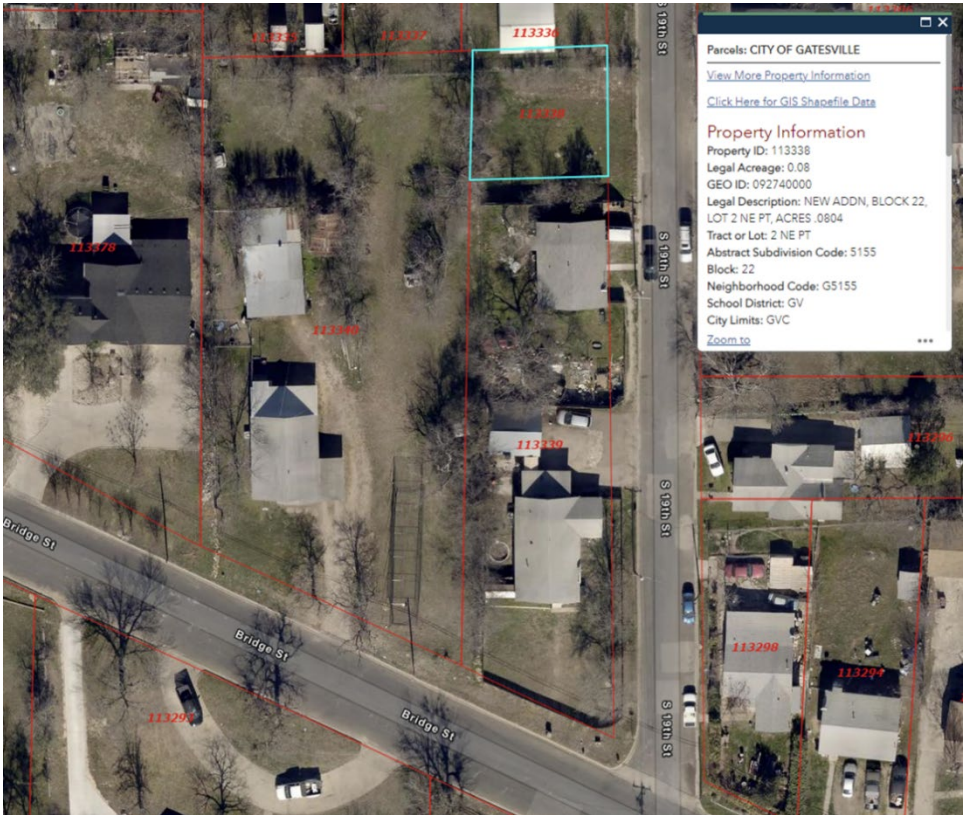
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Date 5/13/2025

Agenda Item 7

Resolution 2025-045





Date 5/13/2025

Agenda Item 8

Ordinance 2025-08

## CITY COUNCIL MEMORANDUM FOR ORDINANCE

To: Mayor & Council

From: Holly Owens, City Secretary

Agenda Item: Discussion and possible action to approve Ordinance 2025-08, adding Chapter 3, "Boards and Commissions".

### Information:

Historical Order for the Planning and Zoning Commission. Legal comments indicated in red.

- **Charter adopted in 1966:** Article 8, Sec. 8.03. – Planning Commission
- **Resolution 4-8-1969** Central Texas Regional Planning Commission, City Representative – "The city having elected to become a member of the Central Texas Regional Planning Commission, the mayor is designed as the representative of the city to the Central Texas Regional Planning Commission, with the full power to represent the city in deliberations of the commission. "
- **Ordinance 3-31-1970** establishing a Planning and Zoning Commission – Chapter 16, Sec. 16-1 thru 16-6
- **Ordinance 3-14-1972** amending Chapter 16 Planning – adding Sec. 16-7 thru 16-10
- **Ordinance 1975-3** – Zoning Ordinance (Planning Commission not mentioned)
- **Ordinance 1995-17** Progressive Zoning Ordinance – Section 4, Planning and Zoning Commission "Repealing Clause" which repealed Chapter 16.
- **Resolution 2012-53** amending Chapter 16 Planning, Sec. 16-1-16-5 "Removing Sec. 16-6-16-10, adding Article II, Gatesville Economic Development Board." – a resolution cannot amend an ordinance, so this ineffective and by this time, Chapter 16 was repealed with Ordinance 1995-17.
- **Ordinance 2017-10** amending Chapter 16, Article I, Planning "Repealing Ordinance 1995-17, Section 4 reviving Chapter 16, Article I." This ordinance acts like Chapter 16 is still in effect and, recognizing the fact that both 4 and 16 address P&Z, it repeals Chapter 4 in the CZO and purports to leave Chapter 16 revising and renaming it to deal with P&Z Regardless of the fact that Chapter 16 was NOT in effect at this time, it appears to be the intent of



this ordinance that Chapter 16 would be revised to include Planning and Development as stated in this ordinance.

- **Ordinance 2021-01** the City of Gatesville, Texas desires to adopt a Code of Ordinances which reorganizes and rennumbers provisions of its Code of Ordinances from that existing on April 23, 2018. The Exhibit of this ordinance shows Chapter 16 as Environment and Natural Resources, which is what appears in our online COO today (shows it was previously section 15-6). The Exhibit does not Indicate a chapter for Planning and Zoning or Planning and Development nor does it indicate that any of the new chapters include prior chapter 16. The Exhibit does indicate that the Zoning Ordinance is included in Appendix A. It was likely the 1995 CZO since the heading of ORD 2021-01 does not indicate that any revision to the CZO was being made. This would have effectively reinstated Chapter 4 in the CZO regarding P&Z Commission.

#### Legal Opinion.

Before this ordinance, P&Z Commission was addressed by Chapter 16 of the COO and that on and after the adoption of this ordinance, P&Z was not addressed any longer in the COO but was addressed in chapter 4 of the CZO. This conclusion is based on the assumption that Appendix A attached to this ordinance was the 1995 CZO.

Ordinance 2025-08 changes based on April 22<sup>nd</sup> discussion.

- Selection of Members (page 2 of the Ordinance)
  - a) Members shall have the following qualifications:
    1. Resident citizen, or;
    2. ETJ citizen or individual who lives within 3 miles of the city limits and owns property within the city limits, and;
    3. Not indebted to the City of Gatesville (taxes paid, no citations, no code violations, no liens).
    4. Four (4) members are required to live within the city limits.
    5. Allowing up to three (3) members to reside within the ETJ or within 3 miles of the city limits.

**Financial Impact:** There is no financial impact.

**Staff Recommendation(s):** Staff recommends passing **Ordinance 2025-08**, adding Chapter 3, "Boards and Commissions" to the Code of Ordinances.

**Motion:** Motion to pass **Ordinance 2025-08**, adding Chapter 3, "Boards and Commissions" to the Code of Ordinances, third and final reading.

#### **Attachment(s):**

- Draft Ordinance 2025-08

## **ORDINANCE 2025-08**

**AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS, AMENDING THE GATESVILLE CODE OF ORDINANCES BY ADDING CHAPTER 3, “BOARDS AND COMMISSIONS”; PROVIDING DUTIES AND POWERS; MEETINGS AND QUORUM; RULES AND PROCEDURES; APPLICATIONS; AND AMENDMENTS; REPEALING SECTION 4 OF ORDINANCE 1995-17; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING A SAVINGS CLAUSE.**

**WHEREAS**, the City of Gatesville is a Home Rule Municipality operating under the laws of the State of Texas; and

**WHEREAS**, the City Council has determined that it would be advantageous and beneficial to the citizens and developers of the City of Gatesville to characterize the Planning and Zoning Commission; and

**WHEREAS**, defining duties and powers, meetings and quorums, procedures, applications, and amendments; and

**WHEREAS**, this ordinance is repealing Section 4 of Ordinance 1995-17;

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

**SECTION 1.** The findings set forth in the above preamble to this Ordinance are true and correct and are hereby adopted and incorporated herein by this reference.

**SECTION 2.** The Code of Ordinances of the City of Gatesville, Texas is hereby amended adding a Chapter 3 “Planning and Zoning” which shall read in its entirety as follows:

### **ARTICLE I. PLANNING AND ZONING COMMISSION**

#### **Sec. 48-150. - GENERAL**

This Chapter addresses the duties and responsibilities of the Planning and Zoning Commission, hereafter referred to as “the Commission”, and other such officials and agencies, with respect to the administration of this code. The establishment of the Commission shall be in accordance with the policies and procedures as set forth in state law.

#### **Sec. 48-151. - ESTABLISHMENT OF THE COMMISSION**

##### **Terms for members**

The Commission shall consist of seven members, for two-year terms each. The terms of office for the Commission members shall be staggered at intervals so as to provide continuity in policy and personnel.

1. The terms of four (4) of the members shall begin on May 1st of each odd-numbered year and expire on April 30th two years thereafter and the terms of three of the members shall begin on May 1st of each even-numbered year and shall expire on April 30th two years thereafter.
2. The members of the Commission shall be identified by place numbers one (1) through seven (7). The odd-numbered places shall expire in odd-numbered years and the even places shall expire in even-numbered years.

### **Compensation**

Members of the Commission shall serve without compensation, except for reimbursement for authorized expenditure as attendant to the performance of their duties and shall not hold any other office or position with the City while serving on the Board.

### **Selection of Members**

Members shall be appointed and approved by the City Council by Resolution.

- a) Members shall have the following qualifications:
  - ~~1. Own property within the city limits and;~~
  - 1. Resident citizen, or;**
  - ~~2. Resident citizen or ETJ citizen within 5 miles of the city limits.~~
  - 2. ETJ citizen or individual who lives within 3 miles of the city limits and owns property within the city limits, and;**
  3. Not indebted to the City of Gatesville (taxes paid, no citations, no code violations, no liens).
  - ~~a. 4 members are required to live within the city limits.~~
  - ~~b. Allowing up to 3 members to reside within the ETJ.~~
  - 4. Four (4) members are required to live within the city limits.**
  - 5. Allowing up to three (3) members to reside within the ETJ or within 3 miles of the city limits.**
- b) The Council may appoint members to fill unexpired terms in the case of vacancies for any member whose term is not completed. A member shall continue to serve until a successor has been appointed and approved by the City Council.
- c) Appointments shall be made at the second council meeting during April or as soon thereafter as practical, and the terms of office shall commence on May first. No member shall be appointed for a single term in excess of two years. Newly appointed members shall be installed at the first regular Commission meeting after their appointment.

### **Removal**

Members of the Commission shall be removed for cause by the Council upon written charges after a public hearing before the Council following reasonable notice of the charges. Members may be removed by City Council following three consecutive unexcused absences or more during their term. A vacancy on the Commission shall be filled for the unexpired term.

### **Commission Liaison**

The Zoning Code Official shall serve as liaison to the Commission. The Zoning Code Official shall have the right to attend all meetings and take part in all discussions but shall not vote on Commission decisions.

### **Chairperson Election and Rules Adoption**

The Commission shall hold an organizational meeting in May of each year and shall elect a Chairman and Vice-Chairman from among its members before proceeding to any other matters of business. The Commission shall meet regularly and shall designate the time and place of its meetings, as stipulated hereinafter. The Commission shall adopt its own rules of procedure and keep a public record of its proceedings consistent with the provisions of this ordinance and the requirements of the law.

### **Commission Secretary**

A secretary to assist the Commission shall be appointed by the Zoning Code Official. The secretary shall keep minutes of the Commission meetings for public record and conduct all correspondence, including the notification of decision. The secretary shall certify records. The secretary shall prepare and submit the minutes of Commission meetings to the chairperson and the Commission.

## **Sec. 48-152. - DUTIES AND POWERS**

### **Comprehensive Plan**

It shall be the duty of the Commission, after holding public hearings, to recommend to the City Council with Staff recommendation a comprehensive plan for the development of the City, which shall be permitted to include areas outside of its boundaries that bear consideration to the planning jurisdiction. The Commission shall be permitted to recommend amendments to the comprehensive plan regarding the administration or maintenance of this code with Staff recommendation.

### **Zoning Code**

It shall be the duty of the Commission to develop and recommend to the City Council for its adoption a zoning code, in accordance with the guidelines of the comprehensive plan,

establishing zoning districts within the City with Staff recommendation. Such a code shall be made in regards to the character of each district and the most appropriate use of land within the City. The Commission shall make periodic reports and recommendations to the City Council with Staff recommendations.

### **Division of Land Regulations**

It shall be the duty of the Commission to develop and certify regulations governing the division of land. Divisions of land shall be in accordance with the adopted regulations. The Commission shall also approve or disapprove plans, plats, or re-plats and vacating of plans, plats or re-plats set out in statutes of the State of Texas, and with consideration for the requirements of the City's Subdivision Ordinance, Standard Construction Specifications, and Design Criteria.

### **Conditional-Use Permits [Special Use Permits (SUP)]**

It shall be the duty of the Commission to review all conditional-use permit applications and provide the City Council with a recommendation. The application shall be accompanied by maps, drawings, or other documentation in support of the request. The granting of a conditional-use permit shall not exempt the applicant from compliance with other relevant provisions of related ordinances. Each zoning district shall specify which conditional uses may be permitted upon review.

### **Official Zoning Map**

The City Council shall adopt an official zoning map for all areas included within the City based upon the recommendation of the Commission. The Commission shall initiate for consideration at public hearings all proposals for the original zoning of annexed areas; and any change of zoning district boundaries on an area-wide basis with Staff recommendation.

### **Variances**

To authorize upon appeal in specific cases such variance from the development controls set forth in this ordinance will not be contrary to the public interest. In reaching its decision the Board shall not grant the variance appeal if it finds:

1. That the literal enforcement of the controls will not create an unnecessary hardship or practical difficulty in the development of the affected property, or
2. That the situation causing the hardship or difficulty is neither financial in nature, not unique to the affected property or is self-imposed, or
3. That the relief sought will injure the permitted use of adjacent conforming property, or

4. That the granting of the variance will not be in harmony with the spirit and purposes of this ordinance.

#### **Other**

It shall be the responsibility of the Commission to perform other duties as the City Council may designate.

### **Sec. 48-153. - MEETINGS AND QUORUM**

#### **General**

A quorum for the conduct of business shall consist of four members of the Commission. The members shall regularly attend meetings and public hearings of the Commission and shall serve without compensation, except reimbursement of authorized expenses attendant to the performance of their duties. The Commission shall meet monthly, unless deemed not necessary, at a regularly scheduled time on regularly scheduled dates, and shall conduct special meetings and hearings as may be necessary. A minimum of four (4) votes shall be required for approval of any motion before the Commission.

#### **Agenda**

An agenda shall be prepared by the Secretary for each meeting of the Commission. A copy of the agenda shall be posted in the City Hall as required by law for a period of three full calendar days not counting the day of the meeting or the day of posting.

#### **Regular Meetings**

Regular meetings shall be held on the first Monday at the established time at a location designated by the Commission.

#### **Special Meetings**

Special meetings for any purpose may be held: on the call of the Chairman; or on request of two or more members having given written notice to all members deposited in the mail at least 72 hours before the meetings; or as may be scheduled by a majority of the Commission at any previous meeting. The time and place of the special meeting shall be determined by the convening authority.

#### **Public Meetings**

All meetings shall be held in full compliance with the provisions of State law, ordinances of the City and these Rules of Procedure. Any party in interest may appear in their own behalf or be represented by counsel or agent.

#### **Planning Sessions**

The Commission may be convened as a committee of the whole in the same manner as prescribed for the calling of a special meeting for the purpose of holding a planning session provided that no official action shall be taken there, and no quorum shall be required.

## **Sec. 48-154. - RULES AND PROCEDURE**

### **Order of Business**

The chairman shall call the Commission to order, and the members present and absent shall be recorded. The minutes of any proceeding meeting shall be submitted for approval. The public shall be advised of the procedures to be followed in the meeting. The Secretary shall publicly advise the Commission of any communications received pertaining to any matter before the Commission. The Commission shall then hear and act upon those proposals scheduled for consideration or public hearing together with such other matters of business and report as the Commission requires.

### **Procedure**

First - The Commission shall call, or cause to be called by the secretary, each proposal in such order as to be in accord with the hearing time specified in the notice of public hearing.

Second - The Chairman shall next call on the staff for a factual summary and presentation relative to the proposal and shall afford the staff an opportunity to call to the attention of the Commission any additional pertinent communications.

Third - The Chairman shall then call on persons present who wish to speak for or against the proposal and shall direct that they speak in the following order:

1. The applicant and/or their representative,
2. Those persons in support,
3. Those persons in opposition. Whenever necessary the chairman shall direct that all remarks shall be germane to the proposal. No rebuttal shall be permitted by either side, but the Commission may direct questions to any speaker in order to clarify statements and facts presented.

Fourth - The Chairman shall then declare the public presentation or hearing closed, as to that proposal.

### **Disqualification from Voting**

A member shall disqualify himself from voting whenever he or she finds that they have a personal interest in the property under appeal or will be directly affected by the decision of the Commission.

A member may disqualify themselves from voting whenever any applicant, or their agent, has sought to influence the vote of the member on their application, other than in the public hearing.

If a member does disqualify themselves, they must fill out and sign an Abstention Affidavit.

### **Motions**

- a) A motion may be made by any member except the presiding officer.
- b) A motion to approve any matter before the Commission or to recommend approval of any request requiring Council action shall require a minimum of four affirmative votes by the Commission.
- c) When fewer than all members are present for voting and when all motions to recommend on a given application fail to carry a majority of votes, consideration of the application shall be continued to the next regular meeting upon motion carried by a majority of those present.
- d) No request or application shall be continued under this rule beyond the next regular meeting; failure of the Commission to secure a majority of concurring votes to approve or recommend approval at said next regular meeting shall be recorded in the minutes as a denial of the proposal under this rule.

### **Action by the Commission**

The concurring vote of four members of the Commission shall be necessary to decide in favor of the applicant on any matter upon which the Commission is required to pass or recommend under this ordinance.

## **Sec. 48-155. - APPLICATIONS**

### **Applications**

An application requiring Commission action or recommendation shall be made in writing using forms prescribed by the city and shall be accompanied by an application fee in accordance with the City Council's adopted fee schedule, and any information as may be requested to properly review the application. Applications shall be complete in all respects before being accepted for filing.

### **Schedules and Instructions**

Every proposal or request for Commission action or recommendation shall be filed, processed and considered in accordance with specific schedules and instructions adopted as Chapter 48 - Subdivisions Rules of Procedure, and to the pertinent requirements of the City's Subdivision Ordinance and Rules.



### **Submission of Supporting Information**

Information supporting a request or recommendation to approve or disapprove any proposal before the Commission shall be submitted only through the City Secretary in writing or to the Commission in a public meeting.

### **Proposal Withdrawal**

When any applicant desires to withdraw their proposal, they may do so by filing a written request to that effect with the City Secretary.

- a) Such request shall be effective upon the date of its official receipt, provided that no such request shall be valid after notices have been mailed, except on action of the Commission.
- b) Withdrawal of a proposal at any stage of its processing shall terminate all consideration of it by the City, and the case file shall then be closed.

### **Official Submission Date and Completeness of Application**

The “official submission date” shall be the date on which a complete application of a zoning change request (that contains all elements and information required by this Code) is submitted to the Zoning Code Official.

- a) No application shall be considered officially submitted until the Zoning Code Official determines that the application is complete and the appropriate fee received.
- b) Failure by the Zoning Code Official to make a determination of incompleteness within 10 calendar days following the date on which the application was first received by the City shall result in the application being deemed complete and the official submission date shall become the 11th calendar day following initial receipt of the application by the City.
- c) Applications which do not include all required information shall be considered incomplete, shall not be accepted for official submission and shall not be scheduled on the Commission agenda until the proper information is provided to the Zoning Code Official.

### **Repeat applications**

No application for a request may be received or filed, if six months prior thereto, the same request has been denied.

### **Time limitations**

Where a request is granted by the Commission under this ordinance and no action is taken within one year after the date of the hearing thereon, said request becomes null and void and of no force or effect.

### **Appeals**

Any person with standing aggrieved by any decision of the Commission shall have the right to make such appeals as shall be permitted to be provided by this code or state law per Sec. 211.011. Such appeals shall be based on the record.

## **Sec. 48-156. - AMENDMENTS**

### **General**

The City Council may from time to time, after receiving a final report thereon by the Commission and after public hearings required by law, amend, supplement, or change the regulations herein provided or the boundaries of the zoning districts specified on the Official Zoning Map. Any Ordinance regulations or Official Zoning Map amendments may be ordered for consideration by the City Council, the Commission, or requested by the owner of real property or the authorized representative of an owner of real property.

### **Application**

Each application for a change to the Official Zoning Map or for an amendment or change to the existing regulations of this Zoning Ordinance shall be made in writing on an application form available at the City, filed with the City and shall be accompanied by payment of the appropriate fee as established by the City. Applications for a change to the Official Zoning Map must be signed by the owner of the property, when not initiated by the Commission or to the City Council.

### **Planning and Zoning Commission**

The Planning and Zoning Commission shall hold a Public Hearing at which parties in interest and citizens have an opportunity to be heard. For Amendments to the regulations of the Zoning Ordinance notice of the Public Hearing shall be placed in the official newspaper or a newspaper of general circulation in the City before the 15th day before the date of the hearing. For Amendments to the Official Zoning Map written notice of the Public Hearing shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property affected by the proposed change of zoning classification and real property owners within 200 feet of the property on which the change in classification is proposed. The notice may be served by its deposit in the City, properly addressed with postage paid, in the United States mail before the 10th day before the date

of the hearing. After the Public Hearing the Commission shall submit a final report to the City Council for approval or disapproval of any proposed amendment.

### **Planning and Zoning Commission Consideration and Report**

The Planning and Zoning Commission, after the public hearing is closed, shall prepare its report and recommendations on the proposed change stating its findings, its evaluation of the request and of the relationship of the request to the Comprehensive Plan.

### **City Council**

After Planning and Zoning Commission consideration the amendment shall be presented to the City Council for final action. City Council shall hold a Public Hearing before acting on any amendment to the Zoning Ordinance or Official Zoning Map. Notice of the Public Hearing shall be placed in the official newspaper or a newspaper of general circulation in the City before the 15th day before the date of the hearing.

- a) The affirmative vote of three-fourths of all members of City Council is required for the approval of any proposed change to the Official Zoning Map when it is opposed in writing and signed by the owners of at least 20 percent of either: the area of the lots or land covered by the proposed change; or the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area. In computing the percentage of land area, the area of streets and alleys shall be included.
- b) The City Council may not hold a public hearing until it receives the final report of the Commission, unless the public hearing will be held jointly by the Commission. In either case, the City Council may not act on the matter until it receives the final report of the Commission.

### **Other Public Hearing Notice Considerations**

If the City Council conducts a hearing, the City Council may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the public hearing.

- a) Notice requirements prescribed under this subsection are in addition to the notice requirements listed above.
- b) The City Council, by a two-thirds vote, may prescribe the type of notice to be given of the time and place of a public hearing held jointly by the City Council and the Commission.

**SECTION 3.** If any section, subsection, paragraph, sentence, clause, phrase, or word in this Ordinance, or the application thereof to any person or under any circumstances is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council of the City of Gatesville, Texas, hereby declares it would have enacted such remaining portions despite any such invalidity.

**SECTION 4.** It is officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and public notice of the time, place and purpose of this meeting was given as required by law.

**SECTION 5.** This Ordinance shall become effective immediately upon its passage and approval.

The foregoing **Ordinance No. 2025-08** was read the first time and passed to the second reading  
this **11<sup>th</sup> day of March 2025.**

The foregoing **Ordinance No. 2025-08** was read the second time and passed to the third reading  
this **8<sup>th</sup> day of April 2025.**

The foregoing **Ordinance No. 2025-08** was read the third time and was passed and adopted as  
an Ordinance to the City of Gatesville, Texas, this **13<sup>th</sup> day of May 2025.**

BY: \_\_\_\_\_  
GARY M. CHUMLEY, MAYOR

ATTESTED:

APPROVED AS TO FORM:

\_\_\_\_\_  
HOLLY OWENS, T.R.M.C.  
CITY SECRETARY

\_\_\_\_\_  
VICTORIA THOMAS  
CITY ATTORNEY



Date 5/13/2025

Agenda Item 9 & 10

Ordinance 2025-011

## CITY COUNCIL MEMORANDUM FOR ORDINANCE

**To: Mayor & Council**

**From: Holly Owens, City Secretary**

**Agenda Item: Discussion and possible action to consider Ordinance 2025-011, abandoning a portion of Mesquite Street.**

**Information:** Richard and Cynthia Moore approached the City of Gatesville to obtain property located to the north of their property located at 902 S. Lovers Lane. Mesquite Street is platted, but it is an undeveloped right-of-way. The property was originally platted in 1956 as “Mesquite Street” within the Logan Subdivision. The street is identified on the plat as a 40-ft. right-of-way running from S. Lovers Lane to the edge of the subdivision, approximately 425-ft. in length. Mr. & Mrs. Moore would like to purchase the portion between S. Lovers Lane and Clover Street. Although the right-of-way was dedicated within the Logan Subdivision, the street was never constructed, and City Staff have determined that there is no apparent utility infrastructure constructed within the dedicated right-of-way.

The City of Gatesville, Article 2 “Powers of the City”, establishes the general powers of the City including, but not limited to, the power to sell, lease, hold, manage, control and police any property now owned by the City. Although this power of the City is identified in the City Charter, the process to abandon and sell City right-of-way is not specified within the Charter but rather is outlined in the Texas Transportation Code and Texas Local Government Code.

### Texas Transportation Code, Chapter 311, Section 311.007

Texas Transportation Code, Chapter 311, Section 311.007 states that A home-rule municipality may vacate, abandon, or close a street or alley.

### Texas Local Government Code, Chapter 272, Section 272.001

TLGC Chapter 272, Section 272.001, Subsection (b), with certain specific requirements, exempts the sale of streets or alleys, owned in fee or used by easement from the public notice and bidding requirements associated with other public property.

In order to be exempt from such notice requirements the land must not be conveyed, sold, or exchanged for less than the fair market value of the land or interest unless the conveyance, sale, or exchange is with one or more abutting property owners who own the underlying fee simple.

TLGC Chapter 272, Section 272.001, Subsection (c), provides that the land or interests ... may be sold to: (1) abutting property owners in the same subdivision if the land has been subdivided; or (2) abutting property owners in proportion to their abutting ownership, and the division between owners must be made in an equitable manner.

Date 5/13/2025

Agenda Item 9 & 10

Ordinance 2025-011

Taking into account the state law references listed above, along with the guidance from the City Attorney and the available information regarding the subject property, Staff concludes that the City may choose to vacate the right-of-way originally platted as Mesquite Street.

**Requirements:**

1. An agreement has been signed by both the City Manager and Mr. & Mrs. Moore.
2. Mr. & Mrs. Moore have supplied the City with a current survey of the property.
3. Public Notice has been published in the Gatesville Messenger (May 3<sup>rd</sup>) advertising the Public Hearing.
4. Letter mailed to all owners abutting the right-of-way. No responses were received.
  - a. Richard Hall – 808 S. Lovers Lane (PID 113028)
  - b. Wayne & Mary Songer – Clover Street (PID 149444)
5. Vacation Ordinance which requires three readings per City Charter.
6. Vacation Ordinance filed in the official Public Records of Coryell County.

**Financial Impact:** There is no financial impact.

**Staff Recommendation:** Staff recommends passing the first reading to the next meeting for second reading. Once ownership is transferred to Mr. & Mrs. Moore, it will be added to the tax roll.

**Motion:** Move to pass **Ordinance 2025-011**, abandoning a portion of Mesquite Street, **first reading** to the next meeting.

**Attachments:**

- Survey
- CAD map
- Signed agreement
- Draft Ordinance







Richard & Cynthia Moore  
902 S Lovers Lane  
Gatesville, TX 76528

RE: Mesquite Drive Abandonment

Mr. & Mrs. Moore,

The City of Gatesville City Staff agree to present and recommend to the City Council of the City of Gatesville the abandonment of the City's interest(s) in the section of property located between Clover Drive and S Lover's Lane as shown on Exhibit "A" attached hereto and incorporated herein by this reference to you as a abutting property owner, subject to satisfaction of the following pre-conditions:

1. Mr. & Mrs. Moore will conduct a survey of the property at his expense and provide the survey and legal description to the City;
2. Line locates will be conducted to ensure there are no utility lines.

Mr. & Mrs. Moore understands that to the extent that there are any existing public or private easements or rights-of-way of any type on the property to be abandoned which are owned or in favor of anyone other than the City, those will remain on the property.

Upon satisfaction of the above-stated pre-conditions, the City of Gatesville will notify all property owners that abut the abandoned property as required by TLGC Chapter 272, Section 272.001, Subsection (c) and will thereafter conduct a public hearing regarding abandonment of the property prior to consideration of action to abandon the property by Ordinance which requires three (3) readings per City Charter.

Richard Moore  
Richard Moore, Owner

Cynthia Moore  
Cynthia Moore, Owner

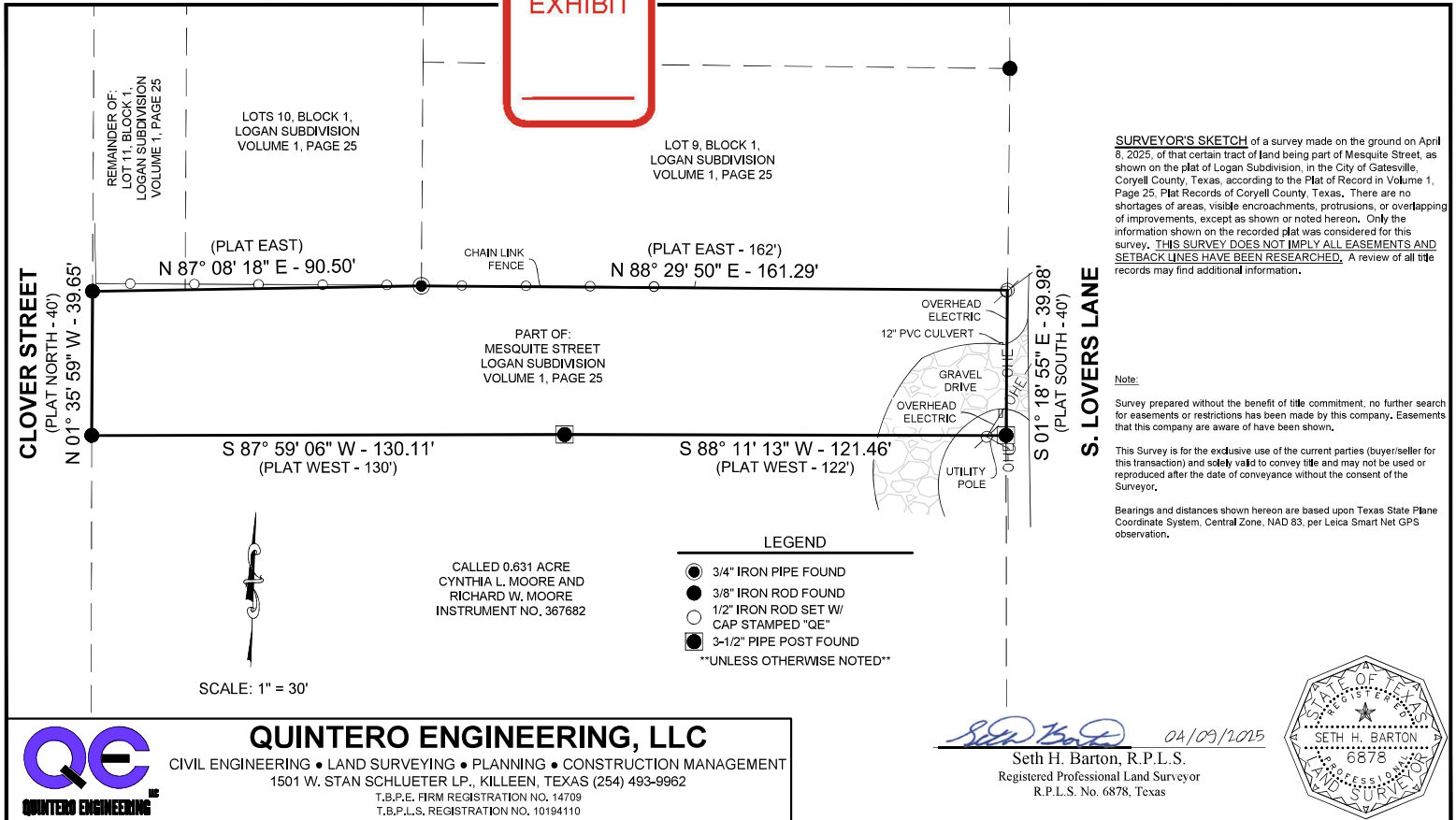
**Digitally signed 4/11/2025; 6:40 PM**

  
Brad Hunt, City Manager

Exhibit A is attached.



EXHIBIT



This survey provided solely for the use of the current parties and no license has been created, expressed or implied to copy the survey except as necessary in connection with this original transaction, which shall take place within 90 days of the completion of the survey.

**ORDINANCE 2025-11**

**AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS, VACATING AND ABANDONING A PORTION OF AN UNDEVELOPED RIGHT-OF-WAY KNOWN AS MESQUITE STREET IN THE LOGAN SUBDIVISION; AUTHORIZING THE CONVEYANCE OF SAID RIGHT-OF-WAY TO THE ABUTTING PROPERTY OWNERS, RICHARD & CYNTHIA MOORE; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the property commonly known as Mesquite Street was originally platted in 1956 as a 40-foot-wide right-of-way within the Logan Subdivision, extending approximately 425 feet in length from South Lovers Lane to the edge of the subdivision; and

**WHEREAS**, the portion of Mesquite Street between South Lovers Lane and Clover Street (hereinafter “the Subject Property”) remains an undeveloped right-of-way and has never been improved or used for vehicular access or utility infrastructure as described in “Exhibit A”; and

**WHEREAS**, the City of Gatesville has verified, through City Staff review, that there is no known existing or planned public utility infrastructure within the Subject Property; and

**WHEREAS**, Richard & Cynthia Moore, as abutting property owners, have requested to purchase the Subject Property, and have provided the City with a current survey of the proposed area; and

**WHEREAS**, pursuant to the Texas Transportation Code, Chapter 311, Section 311.007, the City of Gatesville, as a home-rule municipality, has the authority to vacate, abandon, or close a public street; and

**WHEREAS**, pursuant to the Texas Local Government Code, Chapter 272, Section 272.001(b) and (c), the City may sell abandoned street rights-of-way to abutting property owners in a subdivision without requiring public notice or bidding, provided such transfer is made for fair market value or to the fee simple owner of the underlying land; and

**WHEREAS**, Richard & Cynthia Moore are the owners of the fee interest in the property underlying and abutting the Subject Property and meet the criteria for such conveyance under state law; and

**WHEREAS**, an agreement for the sale and conveyance of the Subject Property has been duly executed by the City Manager and Richard & Cynthia Moore, in accordance with applicable laws and regulations; and

**WHEREAS**, the City published public notice of a public hearing regarding the proposed vacation in the *Gatesville Messenger* on May 3rd, in compliance with local practice; and

**WHEREAS**, notice of the proposed vacation was mailed to all abutting property owners, and no objections or responses were received; and

**WHEREAS**, the City Charter requires that this ordinance be read at three separate regular meetings of the City Council;

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

**SECTION 1.** The findings set forth in the above preamble to this Ordinance are true and correct and are hereby adopted and incorporated herein by this reference.

**SECTION 2.** The City of Gatesville hereby vacates and abandons the portion of the undeveloped right-of-way known as Mesquite Street, as shown on the original Logan Subdivision plat, lying between South Lovers Lane and Clover Street, approximately 425 feet in length and 40 feet in width, subject to the conveyance to Richard & Cynthia Moore.

**SECTION 3.** The City Manager is hereby authorized to execute all documents necessary to convey the Subject Property to Richard & Cynthia. Moore in accordance with the executed agreement and in compliance with Texas Local Government Code § 272.001. Said conveyance shall be made for fair market value or to the underlying fee simple owners, in accordance with state law.

**SECTION 4.** If any section, subsection, paragraph, sentence, clause, phrase, or word in this Ordinance, or the application thereof to any person or under any circumstances is held invalid by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council of the City of Gatesville, Texas, hereby declares it would have enacted such remaining portions despite any such invalidity.

**SECTION 5.** It is officially found and determined that the meeting at which this Ordinance was passed was open to the public as required by law, and public notice of the time, place and purpose of this meeting was given as required by law.

**SECTION 6.** This Ordinance shall become effective immediately upon its passage and approval.

The foregoing **Ordinance No. 2025-11** was read the first time and passed to the second reading  
this \_\_\_\_ day of \_\_\_\_\_ 2025.

The foregoing **Ordinance No. 2025-11** was read the second time and passed to the third reading  
this \_\_\_\_ **day of** \_\_\_\_\_ **2025**.

The foregoing **Ordinance No. 2025-11** was read the third time and was passed and adopted as an  
Ordinance to the City of Gatesville, Texas, this \_\_\_\_ **day of** \_\_\_\_\_ **2025**.

BY: \_\_\_\_\_  
GARY M. CHUMLEY, MAYOR

ATTESTED:

\_\_\_\_\_  
HOLLY OWENS, T.R.M.C.  
CITY SECRETARY



Date 5/13/2025

Agenda Item 11 & 12

## **CITY COUNCIL MEMORANDUM FOR RESOLUTION**

**To: Mayor & Council**

**From: Bradford Hunt, City Manager**

**Agenda Item:** Discussion regarding personnel matters, Municipal Court Judge

**Information:** Council will receive an update from City Manager Hunt on personnel matters at the municipal court.