

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  
SEPTEMBER 22, 2020 AT 5:30 P.M  
GATESVILLE COUNCIL CHAMBERS  
110 NORTH 8<sup>TH</sup> STREET, GATESVILLE, TEXAS 76528

An Open Meeting will be held concerning the following subjects:

1. Call to Order
2. Hear Visitors/Citizens Forum: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council for a maximum of three (3) minutes. No formal action can be taken on these items at this meeting.
3. Discussion and possible action regarding the Consent Agenda: (all consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)  
  
**Resolution 2020-79:** Minutes from the Regular City Council meeting September 8, 2020  
  
**Resolution 2020-80:** Minutes from the Special City Council meeting September 15, 2020
4. Discussion and possible action regarding a request to subdivide a tract of land located adjacent to 411 River Oaks Drive, Gatesville Texas, in the A. Arocha Survey
5. Discussion and possible action regarding a request to re-plat a lot located at 1606 Saunders Street, legally known as Lot G, Block 4, Pidcoke Addition
6. Discussion and possible action regarding an Ordinance amending Chapter 10, Garbage and Trash Collection charges Section 10-6, Code of Ordinance of the City of Gatesville, Texas by changing the garbage rates (1st reading of Ord. 2020-16)
7. Discussion and possible action regarding an Ordinance of The City of Gatesville, Texas Repealing Article VI, Chapter 5, Substandard Structures of the Code of Ordinances of the City of Gatesville, with the exception of Section 5-67; adopting a new Article VI providing for Definitions; Building Standards Commission; Substandard Buildings; Standards of Repair, Vacation, or Demolition; Inspections; Pre-Hearing Notices; Hearing Procedures; The Order – Building Standards Commission Final Decision; Post-Hearing Notice; Alternative Action; City Action Pursuant To Its Order; Enforcement; and Judicial Review; and amending Section 5-67 (3rd & final reading of Ordinance 2020-13)
8. Discussion and possible action regarding an Ordinance adopting the 2021 Fiscal Year Budget for the City of Gatesville (3rd & final reading of Ord. 2020-14)
9. Discussion and possible action regarding an Ordinance adopting a tax rate of \$0.56 per \$100 valuation to support the 2020-2021 Budget. (3rd & final reading of Ord. 2020-15)
10. City Manager's Report: Capital Projects, Budget Report, Future Agenda Topics, Coronavirus Update, Department Head Reports: Fire, Finance, Code Enforcement/Permits, Utility, Police, Municipal Court, Recreation, Convention and Visitors Bureau
11. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 18th day of September, 2020 by 5:00 p.m. on the official City of Gatesville website, [www.ci.gatesville.tx.us](http://www.ci.gatesville.tx.us) and the official bulletin boards at the Gatesville City Hall, 110 N. 8<sup>th</sup> Street, Gatesville, Texas.

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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 [wendy.cole@ci.gatesville.tx.us](mailto:wendy.cole@ci.gatesville.tx.us) for further information.

REGULAR CITY COUNCIL MEETING  
SEPTEMBER 22, 2020 AT 5:30 P.M.  
COUNCIL CHAMBER, 110 NORTH 8TH STREET  
GATESVILLE, TEXAS 76528

In accordance with guidelines of the Office of the Governor, the City Council of the City of Gatesville conducted an in-person meeting while maintaining social distancing to slow the spread of the Coronavirus (COVID-19). In order to provide a safe and healthy environment for the public attending the meeting, social distance regulations and guidelines were followed.

AN OPEN MEETING WAS HELD CONCERNING THE FOLLOWING SUBJECTS:

1) CALL TO ORDER REGULAR CITY COUNCIL MEETING AT 5:32 P.M. THIS 22ND DAY OF SEPTEMBER, 2020

PRESENT: Mayor Gary Chumley, Council Members Meredith Rainer, Greg Casey, Jack Doyle and Bill Robinette

ABSENT: Council Member Randy Hitt

WARD 1 PLACE 1: Vacant

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, Eddie Sherman, Rene Ochoa, and Heather Ashley

2) HEAR VISITORS/CITIZENS FORUM: AT THIS TIME, ANY PERSON WITH BUSINESS BEFORE THE COUNCIL NOT SCHEDULED ON THE AGENDA MAY SPEAK TO THE COUNCIL FOR A MAXIMUM OF THREE (3) MINUTES. NO FORMAL ACTION CAN BE TAKEN ON THESE ITEMS AT THIS MEETING.

Eddie Sherman of 216 Mountain Dew Drive, located off of FM 116, spoke to the Council concerning two county deputies that assisted his grandson when he was mauled by a dog earlier this year. Mr. Sherman said that when the incident happened, the deputies (Stewart Crossman and Gilbert Esparza) not only escorted him to the hospital and stayed with him but also followed up with the family regularly for two months after the occurrence. Mr. Sherman said that the actions of the deputies made him respect the job that they do. The deputies made his grandson an honorary deputy sheriff and that meant so much to his family. Mr. Sherman said that he went to the Sheriff's office for his recognition request and was told to come to the city. Mr. Sherman recommended that the City Council recognize these deputies and award these deputies for their commitment to protect and serve.

Mayor Chumley thanked Mr. Sherman for coming to the meeting and appreciated making the council aware of the actions of the deputies.

City Manager Parry said that the Council will decide the appropriate way to recognize these deputies and city staff will let him know when that recognition would happen.

3) DISCUSSION AND POSSIBLE ACTION REGARDING THE CONSENT AGENDA: (ALL CONSENT AGENDA ITEMS ARE CONSIDERED ROUTINE BY CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCILMEMBER REQUESTS AN ITEM BE REMOVED AND CONSIDERED SEPARATELY.)

RESOLUTION 2020-79: Minutes from the Regular City Council Meeting September 8, 2020

RESOLUTION 2020-80: Minutes from the Special City Council Meeting September 15, 2020

Motion by Meredith Rainer, seconded by Greg Casey, to approve the Consent Agenda: RESOLUTION 2020-79: Minutes from the Regular City Council Meeting September 8, 2020; RESOLUTION 2020-80: Minutes from the Special City Council Meeting September 15, 2020; all four voting "Aye", motion passed.

4) DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST TO SUBDIVIDE A TRACT OF LAND LOCATED ADJACENT TO 411 RIVER OAKS DRIVE, GATESVILLE TEXAS, IN THE A. AROCHA SURVEY

City of Gatesville's Planning Director, Rene Ochoa, discussed the request that was made by Richard Mills to subdivide a 2-acre tract of unplatted property into two 1-acre lots in order to sell one of those lots. This subdivision proposal takes place entirely within Gatesville's Extraterritorial Jurisdiction. The County has been sent a copy of this proposed plat for their review and there has been no response from them. All utilities are already in place and water services are provided by Fort Gates Water Supply and sewer service is provided by the City of Gatesville. No new roads are being created as part of this subdivision. The plat was sent to the City Engineer to analyze for drainage and has been approved. Planning and Zoning Commission unanimously approved the re-plat request on September 15, 2020.

RESOLUTION 2020-81: Motion by Meredith Rainer, seconded by Jack Doyle, to approve the request of Richard Mills to subdivide a tract of land located adjacent to 411 River Oaks Drive, in the A. Arocha Survey into two 1-acre lots; all four voting "Aye", motion passed.

5) DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST TO RE-PLAT A LOT LOCATED AT 1606 SAUNDERS STREET, LEGALLY KNOWN AS LOT G, BLOCK 4, PIDCOKE ADDITION

City of Gatesville's Planning Director, Rene Ochoa, discussed the request that was made by Otis Ford and Kent Ford to subdivide one existing 0.43 lot into two lots. This re-plat request is located entirely inside the city limits of Gatesville and is zoned 2-4- Family. This district requires lots be a minimum of 6,000 SqFt and both proposed lots meet the minimum lot size requirements. There will be no extensions of public facilities created by the developer. The developer is providing utilities to Lot 2 from existing utility services located along East Saunders Street through the use of a private utility easement running through Lot 1. These easements that host private utility lines will be maintained by the developer. Water and sewer services will be provided by the City of Gatesville and no new roads are being created as part of this subdivision. Planning and Zoning Commission unanimously approved this re-plat request on September 15, 2020.

RESOLUTION 2020-82: Motion by Jack Doyle, seconded by Bill Robinette, to approve the request of Otis Ford and Kent Ford to re-plat a lot located at 1606 Saunders Street, legally known as Lot G; Block 4, Pidcoke Addition into two lots (12,632 SqFt and 6,098.4 SqFt); all four voting "Aye", motion passed.

6) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE AMENDING CHAPTER 10, GARBAGE AND TRASH COLLECTION CHARGES SECTION 10-6, CODE OF ORDINANCE OF THE CITY OF GATESVILLE, TEXAS BY CHANGING THE GARBAGE RATES (1ST READING OF ORD. 2020-16)

City Manager Parry said that the current contract with Waste Management allows an annual fee adjustment based upon the Urban Consumer Price Index of United States Cities average. This is a routine request and if approved will increase the residential garbage rate by \$0.12. Even though Waste Management sets up and bills all commercial accounts; the rate increase for commercial accounts must also be approved by the City Council. This ordinance requires three readings so if approved, the new fee would pass on October 27, 2020 and would take effect on the November 1, 2020 billing.

ORDINANCE 2020-16-01: Motion by Bill Robinette, seconded by Greg Casey, to approve the first reading of Ordinance 2020-16 amending Chapter 10, Garbage and Trash Collection Charges Section 10-6, Code of Ordinance of the City of Gatesville, Texas by changing the Garbage Rates; all four voting "Aye", motion passed.

7) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS REPEALING ARTICLE VI, CHAPTER 5, SUBSTANDARD STRUCTURES OF THE CODE OF ORDINANCES OF THE CITY OF GATESVILLE, WITH THE EXCEPTION OF SECTION 5-67; ADOPTING A NEW ARTICLE VI PROVIDING FOR DEFINITIONS; BUILDING STANDARDS COMMISSION; SUBSTANDARD BUILDINGS; STANDARDS OF REPAIR, VACATION, OR DEMOLITION; INSPECTIONS; PRE-HEARING NOTICES; HEARING PROCEDURES; THE ORDER – BUILDING STANDARDS COMMISSION FINAL DECISION; POST-HEARING NOTICE; ALTERNATIVE ACTION; CITY ACTION PURSUANT TO ITS ORDER; ENFORCEMENT; AND JUDICIAL REVIEW; AND AMENDING SECTION 5-67 (3RD AND FINAL READING OF ORDINANCE 2020-13)

City Manager Parry reminded the Council that this amendment to Article VI, Chapter 5, of the Code of Ordinances, will add the “Alternative Procedure” article to the Substandard Structures Code which will allow lien holders to request options and time if they have an interest in a substandard structure in which the owner of the structure does not carry out the Building Standards Commission order. Approving this ordinance will bring the Substandard Structures Code into compliance with State statutes. This amendment will not affect the current order for 600 and 600 1/2 Bridge Street.

ORDINANCE 2020-13-03: Motion by Greg Casey, seconded by Jack Doyle, to approve the third and final reading of Ordinance 2020-13 Repealing Article VI, Chapter 5, Substandard Structures of the Code of Ordinances of the City of Gatesville, with the exception of Section 5-67; adopting a new Article VI providing for Definitions; Building Standards Commission; Substandard Buildings; Standards of Repair, Vacation, or Demolition; Inspections; Pre-Hearing Notices; Hearing Procedures; The Order – Building Standards Commission Final Decision; Post-Hearing Notice Alternative Action; City Action Pursuant To Its Order; Enforcement; and Judicial Review; and amending Section 5-67, all four voting “Aye”, motion passed.

8) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE ADOPTING THE 2021 FISCAL YEAR BUDGET FOR THE CITY OF GATESVILLE (3RD AND FINAL READING OF ORD. 2020-14)

City Manager Parry stated that there had been no changes to the budget and recommended approval of the third and final reading of the Fiscal Year 2021 Budget for the City of Gatesville.

ORDINANCE 2020-14-03: Motion by Jack Doyle, seconded by Meredith Rainer, to approve the third and final reading of Ordinance 2020-14 adopting the 2021 Fiscal Year Budget for the City of Gatesville, all four voting “Aye”, motion passed.

9) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE ADOPTING A TAX RATE OF \$0.56 PER \$100 VALUATION TO SUPPORT THE 2020-2021 BUDGET. (3RD AND FINAL READING OF ORD. 2020-15)

City Manager Parry said that this tax rate supports the 2021 Fiscal Year Budget for the City of Gatesville and has had no changes. Parry recommended approval of the third and final reading of Ordinance 2020-15.

ORDINANCE 2020-15-03: Motion by Meredith Rainer: “I move that the property tax rate be increased by the adoption of a tax rate of 56 cents per \$100 valuation, which is effectively a 1.65 percent increase in the tax rate.” Seconded by Bill Robinette, to approve the third and final reading of Ordinance 2020-15 adopting a tax rate of \$0.56 per \$100 valuation to support the 2020-2021 Budget.

Record Vote:

Meredith Rainer: “Aye”

Jack Doyle: “Aye”

Bill Robinette: “Aye”

Greg Casey: “Aye”

Motion passed.

10) CITY MANAGER'S REPORT - FY 2020 Capital Projects:

Highway 84/West Main Street Sewer: This project is substantially complete. The City will conduct the post-construction walk through with the engineer and the contractor once the rain has stopped and notification that all the work is complete.

Booster Pump 2 Ground Storage Tank: The ground storage tank has been delivered and all materials are on hand. The crew is waiting on the ground and pad to dry out from all the rain before beginning work to set the tank.

BUDGET/FINANCIAL REPORT: Staff is currently going through the financials in order to prepare a budget amendment for Fiscal Year 2020. Parry provided examples of how COVID-19 impacted revenues and expenditures which resulted in discrepancies and therefore require a budget amendment. Fiscal Year 2020 will close out in a financially good position with the General Fund at 96%.

WHOLESALE WATER RATE STUDY (Update): Parry provided the Council with a copy of a letter that would be mailed out this week to the five water supply corporations that buy water from the Gatesville Regional Water System and discussed the following points:

- Previously 4000 acre feet of raw water was contracted and now is close to nearly 6,000 acre feet of raw water (only 4,000 acre feet of this raw water is allocated to the five entities)
- Take-or-Pay provision of contract must be implemented and enforced
- August of 2021 the water rights will increase from \$17.60 per acre foot to \$79.00 per acre foot

The rates will be recalculated and other costs must be borne by all the entities which would include water rights, debt service, operation and maintenance charges, and capitalization/recapitalization. NewGen (the city's rate consultant who conducted the water rate study) will brief the Council on the new methodology. The entities can also be briefed if they request a meeting.

TEXAS WATER DEVELOPMENT BOARD GRANT REQUEST (Update): The City's grant application has been approved by the Texas Water Development Board for \$225,000.00 with a loan/cash match of \$25,000.00 to fund a drainage study and master plan. The full application is due to the TWDB by October 30, 2020.

SUNBRIGHT RECYCLING AT THE CITY SHOP: Sunbright Recycling has delivered the new 40 cubic yard recycling compactor and the City began its enhanced recycling operation on Tuesday, 15 September. Residents will place their recyclables in the hopper on the left side; Street Department staff will compact the recyclables as required. We will monitor quantities of recycling materials, but our goal is that the dumpster (to the right) should last for one month before needing replacement. Education for children regarding recycling was discussed as well as getting Keep Gatesville Beautiful involved.

DEPARTMENT HEAD REPORTS: The fall sports schedule for flag football, volleyball, and adult softball was included in the read ahead book.

Civic Center rental activities were discussed: Election/Early Election, District Court, and soldiers that were housed at the Civic Center for a week as they participated in a civilian assistance disaster training mission that took place in various locations around Gatesville.

Parry commented that the Homeland Disaster Training that the military participated in was very beneficial to them and Gatesville hosting the event allowed our community do our part for National Defense.

COVID -19 (Update): Presented an updated chart which depicted confirmed COVID-19 cases inside Gatesville city limits and cases outside Gatesville city limits during July, August, and September. Parry noted that the reporting mechanism had changed for positive cases and a brand new dashboard had been established which is quite confusing but does indicate that cases are going down. The state has offered a free COVID-19 testing event and will be held at the Civic Center on Thursday, September 24th from noon to 8:00 p.m.

Governor Abbott issued another order (GA-30) which will allow certain business establishments to expand their operations to 75% occupancy: in-store retail; dine-in restaurants that collect less than 51% of gross receipts from alcohol; office buildings; museums and libraries; gyms and exercise facilities. Regional hospital rates must not exceed 15% of COVID-19 cases for seven days for these businesses to stay at 75% capacity. Bars will still remain closed. Nursing homes, state-supported living centers, assisted living or long term care facilities will allow visitors with some restrictions. Hair/nail salons; barber shops; licensed massage establishments, tanning, and tattoo shops can remain open with no occupancy limits as long as the work stations are 6-foot apart.

11) ADJOURN MEETING AT 6:27 P.M., THIS 22ND DAY OF SEPTEMBER, 2020

ATTEST:

APPROVED:

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Wendy Cole  
City Secretary

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Gary M. Chumley  
Mayor