

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
JUNE 9, 2020 AT 5:30 P.M
GATESVILLE COUNCIL CHAMBER
110 NORTH 8TH 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 to approve of Minutes from Regular City Council Meeting May 26, 2020
4. Discussion and possible action regarding the request to subdivide 1.503 acres out of a 55.84 acre tract of land owned by Randy and Lynn Erwin located at 4144 South Highway 36 in the A. Arocha Survey
5. Discussion and possible action regarding an ordinance annexing territory into the City of Gatesville, Coryell County, Texas, and extending the boundary limits of said city so as to included property within said city limits, and granting to all the inhabitants 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; adopting a service plan and amending the zoning ordinance of the City of Gatesville (3rd & final reading of Ordinance 2020-09)
6. Discussion and possible action regarding an ordinance of the City of Gatesville, to re-zone approximately 0.923 acres of land located at 110 Wells Park Drive, Gatesville, Texas, and legally known as Lot 4, Block 62, Original Town Gatesville (2nd reading of Ord. 2020-10)
7. Briefing on CY 2020 rainfall amounts and impacts of local drainage basins
8. Discussion/briefing regarding the implementation of Senate Bill 2 and impact on the City of Gatesville's Budget and Tax Rate
9. City Manager's Report: - Capital Projects
- Budget Report
- Future Agenda Topics
- Coronavirus Update
10. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 5th day of June, 2020 by 5:00 p.m. on the official City of Gatesville website, www.ci.gatesville.tx.us and the official bulletin boards at the Gatesville City Hall, 110 N. 8th Street, Gatesville, Texas.

Wendy Cole
City Secretary

The City of Gatesville council chambers are wheelchair accessible and accessible parking spaces are available at the back entrance of City Hall. Requests for accommodations or interpretive services must be made 24 hours prior to this meeting. Please contact the city secretary's office at 254-865-8951 or FAX 254-865-8320, or email wendy.cole@ci.gatesville.tx.us for further information.

REGULAR CITY COUNCIL MEETING
JUNE 9, 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 5:30 P.M. THIS 9TH DAY OF JUNE, 2020

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

REGRETS: Council Member Randy Hitt

ABSENT: Council Member Robert Kent

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, Rene Ochoa Heather Ashley, Brenda Kiphen, and Dean Smith

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.

Dean Smith of 201 Old Fort Gates Road and owner of the Texas Station Events Center spoke to the Council about the hotel tax code and how he is certain that the Gatesville Civic Center is not following the guidelines. Mr. Smith provided the Council a handout regarding questions that he wanted answered. He argues that the Civic Center is not being used correctly. Why is the City not following the rules and guidelines that is passed by legislature? Mr. Smith asked for this to be addressed as an agenda item.

3) DISCUSSION AND POSSIBLE ACTION TO APPROVE OF MINUTES FROM REGULAR CITY COUNCIL MEETING MAY 26, 2020

RESOLUTION 2020- 42: Motion by Bill Robinette, seconded by Meredith Rainer, to approve the minutes from the Regular City Council Meeting May 26, 2020; all four voting "Aye", motion passed.

4) DISCUSSION AND POSSIBLE ACTION REGARDING THE REQUEST TO SUBDIVIDE 1.503 ACRES OUT OF A 55.84 ACRE TRACT OF LAND OWNED BY RANDY AND LYNN ERWIN LOCATED AT 4144 SOUTH HIGHWAY 36 IN THE A. AROCHA SURVEY

City Manager Parry said that the owners of this 55.84 acre tract of land have requested to subdivide this property and plan to build a house on it. Planning Director, Rene Ochoa, explained that because this piece of land was never platted, it needed to go through the plat/subdivision process. As part of the development, no extension of public facilities were needed to be created by the developer as existing water services will be provided by Fort Gates Water Supply and the sewer services by City of Gatesville. The subdivision application was reviewed and unanimously approved by the Planning and Zoning Commission on June 1, 2020.

RESOLUTION 2020- 43: Motion by Jack Doyle, seconded by Greg Casey, to approve the request to subdivide 1.503 acres out of a 55.84 acre tract of land owned by Randy and Lynn Erwin located at 4144 South Highway 36 in the A. Arocha Survey; all four voting "Aye", motion passed.

5) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE ANNEXING TERRITORY INTO THE CITY OF GATESVILLE, CORYELL COUNTY, TEXAS, AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY SO AS TO INCLUDED PROPERTY WITHIN SAID CITY LIMITS, AND GRANTING TO ALL THE INHABITANTS 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; ADOPTING A SERVICE PLAN AND AMENDING THE ZONING ORDINANCE OF THE CITY OF GATESVILLE (3RD & FINAL READING OF ORDINANCE 2020-09)

City Manager Parry said that this action is the third and final reading of the ordinance that will annex the back portion (3.2 acres) of a 10.07 acre tract of land which is known as the Gatesville Trails Subdivision into the city limits of Gatesville. This ordinance will also amend the zoning of this 3.2 acre tract to Business/Commercial which will match the front portion of the property.

ORDINANCE 2020-09: Motion by Meredith Rainer, seconded by Bill Robinette, to approve the third and final reading of Ordinance 2020-09 adopting the annexation of approximately 3.2 acres of land located in the A. Arocha Survey located in Coryell County, Texas legally known as Lot 1, Block 1, Gatesville Trails Subdivision into the City limits of Gatesville, Coryell County, Texas, and granting to all the inhabitants 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; adopting a service plan and amending the zoning ordinance of the City of Gatesville for this 3.2 acre property to be zoned Business/Commercial; all four voting “Aye” motion passed.

6) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF GATESVILLE, TO RE-ZONE APPROXIMATELY 0.923 ACRES OF LAND LOCATED AT 110 WELLS PARK DRIVE, GATESVILLE, TEXAS, AND LEGALLY KNOWN AS LOT 4, BLOCK 62, ORIGINAL TOWN GATESVILLE (2ND READING OF ORD. 2020-10)

City Manager Parry stated that this ordinance will rezone 110 Wells Park Drive from Residential 2-4 Family to Residential Multi-Family. Parry noted that there were no changes to this ordinance since Council approved at the last council meeting.

ORDINANCE 2020-10: Motion by Jack Doyle, seconded by Greg Casey, to approve the second reading of Ordinance 2020-10 to re-zone approximately 0.923 acres of land located at 110 Wells Park Drive, Gatesville, Texas, and legally known as Lot 4, Block 62, Original Town Gatesville; all four voting “Aye” motion passed.

7) BRIEFING ON CY 2020 RAINFALL AMOUNTS AND IMPACTS OF LOCAL DRAINAGE BASINS

City Manager Parry said that this briefing is for information only with no action required. Numerous residents have appeared before the City Council to register specific complaints about drainage and several city staff departments have received complaints as well.

Parry presented a Power Point program regarding drainage and flooding in the City of Gatesville and the following points were discussed:

- Precipitation levels being above the normal average so far in 2020 and how the ground has stayed saturated which has contributed to flooding in the past few months.
- The most recent drainage complaints in 2020. Also looked at areas on maps that were included in the Comprehensive Plan which showed how the Leon River lays out, showed tributaries into the Leon River (which in some cases are drainage ditches) and how this impacts the drainage issues.

- Reviewed map of a portion of a southeastern area of Gatesville which detailed the contour lines and intervals of the land and indicated where the steeper slopes of terrain are/are not and highlighted the general direction of water run-off.
- This is not a new problem. A drainage/flooding incident that occurred in August of 1995 was discussed which impacted several businesses on South Business Highway 36, the Primary School, and some houses in the area.

While the City installed some minor drainage infrastructure during 1996, the City never adopted a drainage policy or drainage criteria for developments. The City adopted the Model Subdivision Rules under the Texas Water Development Board Economically Distressed Assistance program during this time but it had no standards for drainage. An indirect impact of a lack of development standards worsened the drainage problem along the SH 36 frontage roads (Stanley Chevrolet, Stanley Dodge, Hillside Nursing Home, Walgreens, Wal Mart) between 2007 and 2016. This created increased drainage issues in the southeast quadrant of the City – which has impacted housing developments such as Riverplace West, Hamilton Estates, Gateway Circle, and others.

The Council approved a drainage policy and drainage criteria in March 2018 which makes developers responsible to construct drainage infrastructure for new developments. The Subdivision Ordinance was also amended in 2018. While this should mitigate worsening conditions based on future development, it doesn't solve the problem the City has during excessive rainfall events.

This will be an expensive problem to fix- if it can be fixed. An engineered Drainage Study/ Master Plan will inform where to begin fixing the problem(s). If the Council decided to approve a Drainage Study/Master Plan a decision would have to be made as how it would be funded as a drainage study could cost \$250,000.00.

Options discussed were:

- Applying for a Flood Infrastructure Fund 0% loan/grant through the Texas Water Development Board.
- Implementing a drainage utility fee where every property in Gatesville would be assessed a monthly fee. This fee would be a restricted fund that could only be used towards drainage issues. If a drainage utility program was approved there would be a several month process that would have to be conducted before the fees could be charged. Then it would take several years of collecting fees before there would be enough funds to start constructing drainage infrastructure.

Parry said that he would apply for a Flood Infrastructure Fund loan/grant for a drainage study which would help the City tremendously if awarded.

8) DISCUSSION/BRIEFING REGARDING THE IMPLEMENTATION OF SENATE BILL 2 AND IMPACT ON THE CITY OF GATESVILLE'S BUDGET AND TAX RATE

City Manager Parry gave an overview of the information that was provided to the Council in the read ahead books regarding the House Research Organization who analyzes all the bills that are filed and passed in the legislature. One of the bills passed in 2019 was Senate Bill 2 and takes effect this year. It could possibly affect the City's budget/tax timeline and affect the tax rate amount and decision process. Parry discussed new terminology that was changed in the Texas Tax Code and different timelines that the city would have to adhere to which would depend on the Council's approved tax rate amount.

Parry compared and discussed tax rate scenarios and formulas varying from:

- \$0.5484/\$100 which would be the No-New-Revenue Tax Rate (formerly the "Effective Rate")
- \$ 0.5600/\$100 which is the City's current tax rate
- \$ 0.6413/\$100 which would be the Voter-Approval Tax Rate (formerly the Rollback Rate")
- \$ 0.667368/\$10 which would be the Voter Approval Tax Rate under Emergency Declaration
- \$0.7447/\$100 which would be the De Minimis Tax Rate (only cities <30,000 population can use)

Unused increment (used in 3 of the formulas) essentially means that if a city does not go to the "Voter Approval Tax Rate" for a period of 3 years a city can take the difference between whatever is adopted as long as the rate has stayed below the "Voter Approval Tax Rate" and bank it to be used at a later date.

The “Voter –Approval Tax Rate” is the highest rate that a city could adopt without triggering an automatic election on November 3, 2020. If a Council adopts a higher tax rate, the budget and tax rate must be approved by August 17, 2020. The certified tax rolls wouldn’t be completed until July 25th which would require the Council to call many Special Meetings.

The De Minimis Rate could be used by Gatesville since the population is below 30,000. It is calculated by adding a rate into the formula that would impose an additional \$500,000.00 in property taxes.

There was a lengthy discussion on the debt service tax rate, ½ cent tax which is used in Gatesville for property tax relief, taxable value of an average homestead residence in Gatesville, and the impact of the various tax rate options on ad valorem revenues for the city.

City Manager Parry reminded the Council of the budget goals that were presented to them at the Mid-Year Budget Review (on May 12, 2020) and asked the Council to consider their priorities and goals that they wish to accomplish for the City and the funds required to accomplish these goals as they consider what tax rate to propose.

9) CITY MANAGER’S REPORT:

WEST MAIN STREET (U.S. 84) WASTEWATER REPLACEMENT (FY 2019 CAPITAL IMPROVEMENT PROJECT): This project has started with the highway boring and a full report will be presented to the Council after the project is complete.

OTHER ACTIVITIES/DATES OF NOTE:

- Have received one application for “Leadership Gatesville” which will start on June 18th.
- July 3rd will be the federal holiday observed for the 4th of July. City hall will be closed. Although there is a difference of opinion between Gatesville’s public health authority and the Coryell Health authority regarding the decision to have fireworks or not- unless there is an objection tonight -the City will move forward with the fireworks show on the 4th.

FEMA DISASTER DECLARATION 4416-FALL 2018 FLOODING (Update): The total estimated cost to repair the damage to pre-flood (October 2018) condition is \$1,360,727.92. FEMA has approved that amount as the maximum cost; the City’s 25% share would amount to \$340,181.98. Our options are to accept this as a fixed cost project, or pursue an “Improved” project (mitigate against future flooding in the park) or an “Alternate” Project – the use of funds towards a project that does not restore the pre-disaster function of the Park (i.e. acquire land for a new park). Parry said that he rejected FEMA’s Fixed Cost Offer, which would restore FLRP to its pre-flooding condition, but not fix the root cause of the problem that causes the flooding to occur. If the banks would get repaired to pre-flood condition, the next time a significant rain event happened the park would be back in the same condition. Alternate park projects were briefly discussed.

SMOKE TESTING: Smoke testing on 125,000 feet of sanitary sewer lines will begin on June 22nd. This project will be funded out of the Wastewater Master Plan. Eleven different areas of town will be tested. The smoke testing will identify sewer lines that have a problem and possibly need to be replaced. The company conducting the tests will notify residents by door hangers.

CYBER SECURITY TRAINING: This training is mandated for city officials and employees. There will be a training session Friday, June 12th at the Civic Center at 1:30. A video is available to view if someone cannot attend the session on Friday. Must be completed by June 15, 2020.

10) ADJOURN MEETING AT 7: 29 P.M., THIS 9TH DAY OF JUNE, 2020

ATTEST:

APPROVED:

Wendy Cole, City Secretary

Gary M. Chumley, Mayor

