

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
MAY 26, 2020 AT 5:30 P.M
GATESVILLE COUCIL 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 12, 2020**
- 4. Discussion and possible action regarding an Ordinance of the City of Gatesville, Texas adopting a Comprehensive Plan for the City of Gatesville (3rd & final reading of Ordinance 2020-07)**
- 5. Recess Regular Meeting and call a -----**

Public Hearing

Hear comments regarding the proposed zoning 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

- 6. End Public Hearing and reconvene Regular Meeting**
- 7. 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 (2nd reading of Ordinance 2020-09)**
- 8. Recess Regular Meeting and call a -----**

Public Hearing

Hear comments regarding the proposed re-zone of approximately 0.923 acres of land located at 110 Wells Park Drive, Gatesville, Texas, legally known as Lot 4, Block 62, Original Town Gatesville

- 9. End Public Hearing and reconvene Regular Meeting**
- 10. 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 (1st reading of Ord. 2020-10)**
- 11. Discussion and possible action regarding a Resolution by the City of Gatesville, Texas ("city") denying the distribution cost recovery factor rate request of Texas-New Mexico Power Company made on or about April 6, 2020; authorizing participation in a coalition of similarly situated cities; authorizing participation in related rate proceedings; requiring the reimbursement of municipal rate case expenses; authorizing the retention of special counsel; finding that the meeting complies with the open meetings act; making other findings and**

provisions related to the subject; and declaring an effective date

- 12. City Manager's Report:**
- Capital Projects
 - Budget Report
 - Future Agenda Topics
 - Coronavirus Update
 - Department Head Reports: Fire, Finance, Code Enforcement/Building Permits, Utility, Police, Court, Recreation, Convention and Visitor's Bureau

13. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 22nd day of May, 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
MAY 26, 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 26TH DAY OF MAY, 2020

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

ABSENT: Council Member Robert Kent

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, Rene Ochoa Heather Ashley, Brenda Kiphen, Ted McConville, Lori McConville, 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.

Two visitors spoke during the Citizen's Forum:

Ted McConville of 204 Bluebonnet Street said that he and his family have lived at this address for 20 years and wished to speak about road paving and drainage in this area. The road on Bluebonnet has been horrible with potholes the whole time that they have lived there and stated that right before the Coronavirus hit the City was tearing out the paving that was there and have been laying some base material. Mr. McConville requested that before the city finishes this paving project if they could take a look at the drainage as it is bad and has just gotten worse over the years.

Next, Dean Smith of 201 Old Fort Gates Road asked the City Council to answer his questions that he has asked previously, as he hasn't gotten any answers from city staff. Mr. Smith stated that the Civic Center is funded by Hotel/Motel taxes and have certain guidelines to follow and the city is not following these guidelines correctly. Smith said that he has provided the guidelines and standards to them at previous meetings and asked the Council to address his questions.

3) DISCUSSION AND POSSIBLE ACTION TO APPROVE OF MINUTES FROM REGULAR CITY COUNCIL MEETING MAY 12, 2020

RESOLUTION 2020- 40: Motion by Meredith Rainer, seconded by Greg Casey, to approve the minutes from the Regular City Council Meeting May 12, 2020; all five voting "Aye", motion passed.

4) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS ADOPTING A COMPREHENSIVE PLAN FOR THE CITY OF GATESVILLE (3RD & FINAL READING OF ORDINANCE 2020-07)

City Manager Parry said that he conducted a virtual Town Hall Meeting regarding the Comprehensive Plan on Thursday, May 21st and there were about 12 attendees. The same briefing was used for the

virtual meeting that was previously presented to the City Council and Planning and Zoning Commission. There were no additional comments as a result of the Town Hall Meeting and the previous comments were included in the Council’s read ahead book. These comments and staff responses will be considered as the Comprehensive Plan is finalized.

There were no questions or further discussion from the Council.

ORDINANCE 2020-07: Motion by Jack Doyle, seconded by Randy Hitt, to approve the third and final reading of Ordinance 2020-07 adopting a Comprehensive Plan for the City of Gatesville; all five voting “Aye” motion passed.

5) RECESS REGULAR MEETING AT 5:42 P.M. AND CALL A -----

PUBLIC HEARING

Hear comments regarding the proposed zoning 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

City Manager Parry said that this Public Hearing was in regards to the zoning of the voluntary 3.2 acre annexation of the Gatesville Trails Subdivision which will be presented to the Council tonight for second reading. The developer requested that the zoning be classified as Business/Commercial which will be consistent with the front 6.87 acres that are already in the city limits. The 1995 Zoning Ordinance specifies that all newly annexed property will be classified as Residential/Single Family. This zoning request was reviewed and approved by the Planning and Zoning Commission at their May meeting. The City Attorney recommended that Ordinance 2020-09 be amended to include that the 3.2 acre property would be zoned Business/Commercial upon annexation into the city limits of Gatesville.

There were no comments from the public or the Council.

6) END PUBLIC HEARING AND RECONVENE REGULAR MEETING AT 5:45 P.M.

7) 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 (2ND READING OF ORDINANCE 2020-09)

ORDINANCE 2020-09: Motion by Bill Robinette, seconded by Meredith Rainer, to approve the second reading of Ordinance 2020-09 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; all five voting “Aye” motion passed.

8) RECESS REGULAR MEETING AT 5:47 P.M. AND CALL A -----

PUBLIC HEARING

Hear comments regarding the proposed re-zone of approximately 0.923 acres of land located at 110 Wells Park Drive, Gatesville, Texas, legally known as Lot 4, Block 62, Original Town Gatesville

City Manager Parry said that Steve Buckner has requested this 0.923 acres of land be re-zoned from Residential 2-4 Family to Residential Multi-Family to develop this property into multi-family housing. Letters were sent out to adjacent property owners and no one protested. There was a discussion to explain the difference between Residential 2-4 Family and Residential Multi-Family. Residential 2-4 Family is designed for duplexes, triplexes, and fourplexes and Residential Multi-Family is designed for apartment buildings and complexes containing more than four dwelling units.

9) END PUBLIC HEARING AT 5:50 P.M. AND RECONVENE REGULAR MEETING

10) 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 (1ST READING OF ORD. 2020-10)

There was no further discussion following the Public Hearing.

ORDINANCE 2020-10: Motion by Randy Hitt, seconded by Jack Doyle, to approve the first 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 five voting “Aye” motion passed.

11) DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION BY THE CITY OF GATESVILLE, TEXAS (“CITY”) DENYING THE DISTRIBUTION COST RECOVERY FACTOR RATE REQUEST OF TEXAS-NEW MEXICO POWER COMPANY MADE ON OR ABOUT APRIL 6, 2020; AUTHORIZING PARTICIPATION IN A COALITION OF SIMILARLY SITUATED CITIES; AUTHORIZING PARTICIPATION IN RELATED RATE PROCEEDINGS; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; AUTHORIZING THE RETENTION OF SPECIAL COUNSEL; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE

City Manager Parry said that Texas-New Mexico Power Company (TNMP) is a retail electric provider for a portion of the city but are also a transmission and distribution company as well. The transmission and distribution side of TNMP submitted an application for approval of a Distribution Cost Recovery Factor effective September 1, 2020, to increase its annual revenues by approximately \$14.7 million. This increase would cover the costs associated with their investments made in distribution and transmission lines from the period of January 1, 2019 through December 31, 2019. TNMP filed the application with the public Utility Commission around April 6, 2020.

The City of Gatesville, along with fourteen other cities that are served by TNMP are in an alliance and are being asked to submit a resolution denying TNMP’s request on the recommendation of the alliance’s attorneys which will give the attorneys opportunity and time to review the requests.

RESOLUTION 2020- 41: Motion by Randy Hitt, seconded by Greg Casey, to approve Resolution 2020-41 by the City of Gatesville, Texas (“city”) denying the distribution cost recovery factor rate request of Texas-New Mexico Power Company made on or about April 6, 2020; authorizing participation in a coalition of similarly situated cities; authorizing participation in related rate proceedings; requiring the reimbursement of municipal rate case expenses; authorizing the retention of special counsel; finding that the meeting complies with the open meetings act; making other findings and provisions related to the subject; and declaring an effective date; all five voting “Aye”, motion passed.

12) CITY MANAGER’S REPORT: Councilmember Randy Hitt departed the meeting at 6:11 p.m.

OTHER ACTIVITIES/DATES OF NOTE: 4th of June: “Leadership Gatesville” Introduction and Overview- Civic Center at 6:30 p.m. Gatesville staff is introducing a program that will give residents the opportunity to gain insight into local government, county government, and the Gatesville Independent School District’s school board. The first meeting would be an in-person meeting and the rest would be held as virtual meetings. This will be advertised in the paper and is posted in the website. An RSVP is needed from the council if any councilmembers would be interested in attending the June 4th introductory meeting as a notice of a quorum would need to be posted if there would be a quorum of councilmembers.

BUDGET QUESTIONNAIRE: Asked the Council for their budget questionnaires if anyone had theirs to return. Staff will start working on the City of Gatesville budget in the next few weeks and would like to include councilmembers objectives and goals.

FEMA DISASTER DECLARATION 4416-FALL 2018 FLOODING (Update): Spoke to the Texas Parks and Wildlife Department regarding park options this afternoon. Because the City of Gatesville accepted federal funding for a parks and wildlife grant in the early 1980’s the park is in perpetuity for park operations. The city could enter into a public/private partnership to execute a program such as canoeing or kayaking as part of a park master plan.

DEPARTMENT HEAD REPORTS:

- Fire Department: Engine 3 is a possible candidate for a Community Development Block Grant/Fire Ambulance, and Service Truck Grant. A 1% match is required and will try to get the County involved in the submission of this grant as the city would lose points if the city submitted the grant application since the city was awarded the grant for the solar arrays last year at the Leon Wastewater Treatment Plant.

- Re-opening plans for City Facilities in relation to the COVID-19 Pandemic: Discussed details and limitations on re-opening the Fitness Center, Civic Center, and the Library. The adjusted youth sports schedule was also discussed.

- Future Council Meeting Agenda Topics: Still working some future agenda topics: Results of the Wholesale Water Study, Adoption of Recodified Code of Ordinances, and Ordinance adopting Water & Sewer rates for 2020-2021.

- North Fort Hood Fact Sheet: Pointed out the information sheet included in the council read ahead books and the many statistics and information regarding the population, deployed units, and short and long term projects regarding North Fort Hood.

-Rotunda: Waiting on EPA to hold a debriefing and suggest other options. It is anticipated that they will suggest an EPA revolving loan fund that the City could apply. The GISD hired an abatement consultant to handle the abatement process. Parry said he is waiting on an answer from GISD administration to answer his questions on the process that was used to select the consultant.

13) ADJOURN MEETING AT 6:30 P.M., THIS 26TH DAY OF MAY, 2020

ATTEST:

APPROVED:

Wendy Cole, City Secretary

Gary M. Chumley, Mayor

