

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
JULY 9, 2019
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 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 2019-41: Discussion and possible action to approve Minutes from Regular City Council Meeting June 25, 2019.

ORDINANCE 2019-02-02: Discussion and possible action to approve an Ordinance of the City of Gatesville, setting a curfew for Children under the age of 17 years (second reading of Ordinance 2019-02).

ORDINANCE 2019-03-02: Discussion and possible action regarding an Ordinance of the City of Gatesville, amending Chapter 5, Buildings and Structures Article II, of the Code of Ordinances of the City of Gatesville, Texas, by changing certain fees for remodeling or alteration of buildings, processing procedures and providing an effective date (second reading of Ordinance 2019-03).

4. Discussion and possible action to approve a lease agreement for a Wheeled Excavator for the City of Gatesville
5. Discussion and possible action regarding a Resolution (2019-42) determining that the Management Agreement entered into between the City of Gatesville and Flat Water Supply Corporation should be terminated, terminating said agreement and directing that Flat Water Supply Corporation be notified.
6. City Manager's Report:
 - Capital Projects
 - Comprehensive Plan
 - Financial Report
 - Future Council Agenda Topics
 - Director of Planning and Community Development Recommendation

7. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 5th day of July, 2019 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
JULY 9, 2019 AT 5:30 P.M.
COUNCIL CHAMBER, 110 NORTH 8TH STREET
GATESVILLE, TEXAS 76528

AN OPEN MEETING WAS HELD CONCERNING THE FOLLOWING SUBJECTS:

1) CALL TO ORDER REGULAR CITY COUNCIL MEETING AT 5:30 P.M. THIS 9TH DAY OF JULY, 2019

PRESENT: Mayor Pro-Tem Ronnie Viss, Council Members, Dwight Suson, Meredith Rainer, Bill Robinette, Randy Hitt, and David Mitchell

REGRETS: Mayor Gary Chumley

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, Max Rudolph, and Andy Williams

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.

Visitors present were only concerned with an agenda item.

3) 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 COUNCILMEMBER REQUESTS AN ITEM BE REMOVED AND CONSIDERED SEPARATELY.)

RESOLUTION 2019- 41: Discussion and possible action to approve the Minutes from the Regular City Council meeting June 25, 2019

ORDINANCE 2019-02-02: Discussion and possible action to approve an Ordinance of the City of Gatesville, setting a curfew for Children under the age of 17 years (second reading of Ordinance 2019-02).

ORDINANCE 2019-03-02: Discussion and possible action regarding an Ordinance of the City of Gatesville, amending Chapter 5, Buildings and Structures Article II, of the Code of Ordinances of the City of Gatesville, Texas, by changing certain fees for remodeling or alteration of buildings, processing procedures and providing an effective date (second reading of Ordinance 2019-03).

Mayor Pro-Tem Ronnie Viss read the items on the consent agenda and asked if anyone would like to remove any items from the agenda for discussion. No one objected and Mayor Pro-Tem Viss asked for a motion to approve all the items on the consent agenda.

Motion by Meredith Rainer, seconded by Dwight Suson, to approve the consent agenda; Rainer, Hitt, Suson, Robinette, and Mitchell Voting "Aye"; motion passed.

4) DISCUSSION AND POSSIBLE ACTION TO APPROVE A LEASE AGREEMENT FOR A WHEELED EXCAVATOR FOR THE CITY OF GATESVILLE

City Manager Parry reminded the Council that about six weeks ago the Council approved a lease plan for updated/upgraded equipment for the Public Works Department. Staff wasn't sure at that time that an

excavator would be needed to be included in the lease plan, but now realize it would be very beneficial.

Parry explained that the John Deere tracked excavator that the City currently owns is at least twenty-one (21) years old. The excavator is assigned to the Water Treatment Plant and is used to clean sludge out of three lagoons and is normally done three times a year. Due to the excavator being tracked, only the Water Treatment Plant can use this piece of equipment as this specialized piece of equipment cannot be used or driven on the city streets because it is tracked. Additionally, if the city had an occasion to use the tracked excavator in town, staff had to pay someone to haul it.

The City relies on drainage ditches to move stormwater; the City doesn't have a piece of equipment to clean ditches, and relies on the County (through an interlocal agreement) to loan us the piece of equipment. The ditch cleaning process needs to be done more often than the city has been doing, but it is difficult to find a time to borrow the excavator from the county as it is rarely available. The county has been using regularly to repair all the damage from the recent flooding.

Replacing the tracked excavator with a leased wheeled excavator provides a more efficient solution in that it can be used at both the Water Treatment Plant as well as within the Street Department to do ditch maintenance and brush clearing/tree trimming. Holt Caterpillar has guaranteed a minimum trade in value of the tracked excavator at \$25,000 which will cover 88 percent of the first-year lease payment.

Following a brief discussion comparing the capabilities of the tracked excavator vs. the wheeled excavator, Mayor Pro-Tem Viss asked for a motion.

RESOLUTION 2019-43: Motion by Dwight Suson, seconded by Bill Robinette, to approve a lease agreement for a wheeled excavator to be used by the City of Gatesville's Public Works Department; all five voting "Aye" motion passed.

5) DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION (2019-42) DETERMINING THAT THE MANAGEMENT AGREEMENT ENTERED INTO BETWEEN THE CITY OF GATESVILLE AND FLAT WATER SUPPLY CORPORATION SHOULD BE TERMINATED, TERMINATING SAID AGREEMENT AND DIRECTING THAT FLAT WATER SUPPLY CORPORATION BE NOTIFIED.

City Manager Parry said that in October 2001, the Flat Water Supply Corporation approached the City of Gatesville to determine if the City was interested in operating the Flat Water Supply Corporation, with the members retaining ownership, and management by the Board of Flat WSC. The City agreed to operate Flat's system (billing, meter reading, repairs) for \$2,500 per month/\$30,000 annually. The Management Agreement with the Flat WSC provides that the City may terminate the agreement 90 days after notifying the Flat WSC.

On June 24, 2019 the City was notified by the U.S. Department of Agriculture that they were calling the two notes (loans – balance of \$129,369.96) issued to Flat WSC immediately. The City has sufficient funds in the Flat account (\$127,440.38 in Operating funds, \$42,197.63 in two CDs) to pay off the loans.

The Flat WSC's corporation status was involuntarily dissolved in March 2007 for failure to file reports, and thus is no longer a legal entity operation in the State of Texas. There is no active Board of Directors, no one interested in serving on the Board, and the Flat WSC has not conducted the required annual meeting of members for several years. For the last ninety days, city staff has been trying to work with individuals in Flat to get the Flat Water Supply Board re-established with the intention to transition to a private operator but no one has been interested. All the local water supply entities use private operators to manage their systems.

Managing the Flat Water Supply System has not generated much revenue for the City of Gatesville as once anticipated. Flat has one of the highest levels of water loss among the City's wholesale customers and managing the Flat WSC has become quite time consuming. When a leak is reported at Flat, the Water Distribution Department has to drop any project that they are working on in Gatesville, go analyze the situation, and then take the heavy equipment to Flat to make the needed repairs.

City of Gatesville's Attorney, Charlie Olson has written a resolution (2019-42) that terminates the Management Agreement October 7, 2019 and there will be a written statement regarding the termination on the back of the Flat water bills for the next three billing cycles. Perhaps someone from Flat will step up and resolve this issue. City Manager Parry said that the City will not cut off water to Flat and that the residents of Flat need to recruit customers of their water system to voluntarily serve on the board – and the board needs to rectify its reporting violations with the Texas Secretary of State – so as to become a legal entity again.

There was discussion that the City Manager send a letter to every customer on the Flat WSC informing them of this situation. Following the discussion, Mayor Pro-Tem Viss asked for a motion.

RESOLUTION 2019-42: Motion by Randy Hitt, seconded by Dwight Suson, to approve Resolution 2019-42 determining that the Management Agreement entered into between the City of Gatesville and Flat Water Supply Corporation should be terminated, terminating said agreement and directing that Flat Water Supply Corporation be notified, as well as immediately mail a letter from the City Manager to the 212 Flat customers informing them of this termination; all five voting “Aye” motion passed.

6) CITY MANAGER'S REPORT:

1. CITY MANAGER INITIATIVES:

- Capital Projects:

- o FY 2019 CIP Project: Replacement of 1,760 linear feet of Sewer lines and 7 manholes on West Main; a majority of this work will be in TxDOT right-of-way and will include a bore under U.S. 84. Currently in design by Walker Partners Engineering and is 75% completed. Atmos Energy called today regarding this project and is contemplating replacing the gas line at the intersection. Contacted Walker Partners about this and if it would be possible to install a gas line and a water line in the same bore.

Other activities/dates of note:

There will be a telephonic debrief on the Brownfields Grant Application (Region 6 EPA), at 10:00 on August 5th if anyone would like to attend and listen to the debriefing.

2. BUDGET/FINANCIAL REPORT: The Booster Pump 2 Ground Storage Tank is at 60% design and should be ready to go for bid in August.

3. FUTURE COUNCIL MEETING AGENDA TOPICS: An Atmos Municipality Resolution will be added to the agenda for July 23, 2019.

4. ENERGY SAVINGS CONTRACT UPDATE: Met with Way Services last week to receive an update on savings generated by the Energy Savings Contract. Parry distributed a more detailed report to the Council and highlighted a few items in the report. The City has measured savings but city staff needs to find a way to drive down the Demand Charge rates that are being charged for the pump usage at the Water Plant. These charges will stay on the bill annually and are almost as much as the electric bill.

5. HEART OF TEXAS DEFENSE ALLIANCE: Parry provided the Council with several “Fort Hood Fast Facts” information sheets which depicted the deployments/mobilizations of troops at Fort Hood. Parry discussed the information displayed on the charts and said that this is useful in tracking water and sewer usage.

7) ADJOURN MEETING AT 6:11 P.M., THIS 9TH DAY OF JULY, 2019

ATTEST:

Wendy Cole, City Secretary

APPROVED:

Gary M. Chumley, Mayor

