

REGULAR CITY COUNCIL MEETING

MARCH 27, 2018

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 27TH DAY OF MARCH, 2018

PRESENT: Mayor Chumley, Council Members; Ronnie Viss, David Mitchell, Dwight Suson, Jack Doyle, Meredith Rainer, and newly appointed Council Member, Tim Woodlock

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, Joyce Woodlock, Kate Edwards, and Michael Stoldt

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) RESOLUTION 2018-24 ADMINISTER OATH OF OFFICE TO NEWLY APPOINTED COUNCILMEMBER, TIM WOODLOCK REPRESENTING WARD 1, PLACE 2

City Secretary, Wendy Cole, administered the Oath of Office to Tim Woodlock.

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

RESOLUTION 2018-25: Minutes from the Regular City Council meeting
February 27, 2018

RESOLUTION 2018-26: Re-adoption of the City of Gatesville Tax Abatement
Guidelines (effective for two years)

RESOLUTION 2018-27: Re-appointment of Johnny Benson, Jackie Dixon,
and Tim Martin as members to the Construction Board
of Adjustments and Appeals, Places 2, 4, 6 respectively,
and Terry Williams as Alternate 2

No Council Member asked to remove any items from the consent agenda for discussion.

Motion by Meredith Rainer and seconded by Dwight Suson to approve the consent agenda; all six in favor, motion passed.

REGULAR CITY COUNCIL MEETING
MARCH 27, 2018
PAGE 2

5) RESOLUTION 2018-28 DISCUSSION AND POSSIBLE ACTION TO APPROVE RESOLUTION 2018-28 RELATED TO ATMOS MIDTEX AND ATMOS PIPELINE TEXAS REQUEST, EACH A DIVISION OF ATMOS ENERGY, TO PASS THROUGH TO RATEPAYERS A REDUCTION IN RATES RESULTING FROM THE REDUCTION IN THE CORPORATE FEDERAL INCOME TAX RATE FROM 35% TO 21%.

City Manager William H. Parry III reminded the Council that the City of Gatesville participates in a consortium (Atmos Texas Municipalities) that is comprised of about fifty central Texas cities and is represented by the law firm of Herrera Law & Associates, PLLC. This consortium determines how this group should move forward after reviewing Atmos Energy issues that are presented to the ATM, such as rate reviews. Effective January 1, 2018 the U.S. Congress changed the federal-income-tax ("FIT") laws, by among other things, reducing the corporate tax rate from 35% to 21%. Atmos Energy is seeking administrative approval of a reduction rates charged by Atmos MidTex as expeditiously as possible to begin passing through to ratepayers the reduction in Atmos MidTex' rates.

The projected percentage decreases on an "average" customer's bill, are:

Residential and Commercial: decrease of approximately 6% in base rates

After a series of discussions with Atmos Energy and a review of the data Atmos MidTex and Atmos Pipeline Texas provided, ATM's Special Counsel recommends that the City by way of resolution:

1. Approve Atmos MidTex' reduction in rates to implement the reduction in the federal-income-tax rate from 35% to 21%, and require to file conforming tariffs and changes to its rates to give effect to the reduction in revenue; and
2. *Consent* to Atmos Pipeline Texas' reduction in rates, to implement the reduction in the federal-income-tax rate from 35% to 21%; and that the City authorize the City and ATM's Special Counsel, Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC to sign the consent.

Motion by Jack Doyle and seconded by Tim Woodlock; all six in favor, motion passed to approve Resolution 2018-28: which approves a reduction in rates charged by Atmos Energy Corporation, Mid-Tex Division (Atmos) and authorizing consent to a reduction in rates charged by Atmos Pipeline Texas (APT), all related to the reduction in the Federal Corporate Tax rate and authorize the City and ATM's Special Counsel, Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC to sign the consent.

6) DISCUSSION AND POSSIBLE ACTION TO APPROVE FIRST READING OF ORDINANCE NUMBER 2018-01 ADOPTING A DRAINAGE POLICY AND DRAINAGE CRITERIA MANUAL FOR THE CITY OF GATESVILLE

City Manager Parry pointed out that the City of Gatesville does not and has never had drainage criteria, but as the city continues to grow, drainage has become an issue. Continued development without a means to impose and enforce requirements for developers to design projects that minimize the impacts of stormwater runoff will make the current, unacceptable situation worse. Without approved regulations and management, increasing volumes of rapidly-moving water cause flooding and erosion, carry pollutants into the watershed, and disintegrate the City's street system.

This policy would benchmark water flow on a 25 year storm and a 100 year flood average. Approval of this policy and design manual would force developers to consider drainage and stormwater runoff in order for a project to be approved. Retail, commercial, and industrial site developments will be required to incorporate site grading and drainage plans. This policy/ manual would provide for planning and design of drainage infrastructure within the City limits and within all the areas subject to its Extraterritorial Jurisdiction, as required.

Mr. Parry recommended that the Council approve the first reading of Ordinance 2018-01 adopting the City of Gatesville Drainage Policy and Drainage Criteria Manual. Parry told the Council that they were welcome to look at the Design Manual which provides the calculations and rate flows.

Following a lengthy discussion regarding current drainage situations, Council Member Rainer requested a workshop/ briefing regarding this ordinance. Parry said that he will arrange for City of Gatesville

REGULAR CITY COUNCIL MEETING
MARCH 27, 2018
PAGE 3

Engineer, Otto Wiederhold, of Walker Partners to come and brief the Council at one of the next two meetings as the ordinance is considered.

2018-01-01 Motion by Meredith Rainer and seconded by Jack Doyle to approve the first reading of Ordinance 2018-01 adopting the City of Gatesville Drainage Policy and Drainage Criteria Manual; all six in favor, motion passed.

7) DISCUSSION AND POSSIBLE ACTION TO APPROVE FIRST READING OF ORDINANCE NUMBER 2018-02 ADOPTING RIGHT-OF-WAY MANAGEMENT AND SPECIFIED RIGHT- OF-WAY PROVISIONS FOR THE CITY OF GATESVILLE

City Manager Parry stated that a Right-of Way Management Ordinance is integral to the City of Gatesville to ensure the integrity of City streets and managing facilities and equipment placed in public right-of-ways. Without a right-of-way ordinance, the City's ability to regulate facilities or equipment in the right-of-way is limited.

2018-02-01 Motion by Dwight Suson and seconded by David Mitchell to approve the first reading of Ordinance 2018-02 adopting Right-of-Way Management and specified provisions for the City of Gatesville.; all six in favor, motion passed.

8) DISCUSSION AND POSSIBLE ACTION TO APPROVE FIRST READING OF ORDINANCE NUMBER 2018-03 ADOPTING THE DESIGN MANUAL FOR THE INSTALLATION OF NETWORK NODES AND NODE SUPPORT POLES FOR THE CITY OF GATESVILLE, PROVIDING REPEALING AND SAVINGS CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

City Manager Parry said that approval of the right-of way management ordinance (2018-02) is necessary to be able to implement this proposed ordinance (2018-03) for deployment of network nodes in the public right-of-way. Senate Bill 1004 added Chapter 284 to the Local Government code governing 'small cell' or "network nodes" which will reportedly power the next generation 5G wireless networks. In order for these small cell nodes to work they must be placed on existing poles or stand-alone poles. This new state legislature bill requires cities to allow wireless providers to place their equipment in the City's right-of way, unless it is a historic district. Currently the City of Gatesville has no historic districts. The maximum fee that a City can charge is an annual franchise fee of \$250. The City of Gatesville cannot prohibit wireless network providers from erecting these small cell nodes in the City's right-of-way and need to adopt a design standards to impose restrictions on placement and setbacks.

Following a brief discussion, Mayor Chumley asked for a motion.

2018-03-01 Motion by David Mitchell and seconded by Jack Doyle to approve the first reading of Ordinance 2018-03 adopting the design manual for the installation of network and associated infrastructure for the City of Gatesville.; all six in favor, motion passed.

9) CITY MANAGER'S REPORT:

1. INITIATIVES:

City of Gatesville Comprehensive Plan Update:

- Comprehensive Plan Development handouts were provided to the councilmembers. City Manager Parry gave an overview of already completed actions:
 1. Published a survey to residents requesting their needs/issues/desires - there were 349 responses.
 2. Collected data on capabilities of the Fire & Police Departments, Water, sewer, streets solid waste, etc... and worked on demographics and geographic/historic context.

The next step is to take this compiled information and adopt a series of guiding principles and strategies. The principles and strategies will lead to task and action plans which will lead into a future land use map, which will then be formed into a written comprehensive plan document. The goal is to have this plan completed by mid-September.

REGULAR CITY COUNCIL MEETING
MARCH 27, 2018
PAGE 4

City Manager Parry presented the City's VISION:

To commit to providing a high quality of life for all its citizens while building on its unique character. Working collaboratively, we will foster pride, develop a vibrant economy, thoughtfully plan for the future, and preserve our small town feel.

Based on the proposed Vision statement and the public input received from the survey (which was discussed in detail) Mr. Parry discussed the proposed Guiding Principles that were formed to guide the development of the Comprehensive Plan:

INVESTMENT: The City of Gatesville will invest its resources in a manner that ensures that its municipal infrastructure, programs, and human resources meet both current needs and prepare the City for growth.

RENEWAL: The City of Gatesville will embrace and facilitate the positive renewal of the community through compatible growth, redevelopment, and expansion of economic opportunity.

BALANCE: The City of Gatesville will become a community that is balanced in all respects including demographically, economically, and in its approach to growth and the environment.

GROWTH: The City of Gatesville will grow in an orderly and efficient manner that strengthens the local economy while preserving Gatesville's unique physical character that reinforces shared pride and responsibility.

Each Guiding Principle has several proposed Strategies that support the principle and outlines the tasks needed to achieve each principle.

Mr. Parry thought that the City could offer two Town Hall meetings to share the survey information and give citizens a chance to be involved in the formation of the comprehensive plan. There was a lengthy discussion regarding the order of the guiding principles, economic development, "home town feel", and retaining current businesses and who should have that responsibility.

-CAPITAL PROJECTS:

• Park Street Project:

Walker Partners are having great difficulty finding any survey pins to determine the right-of-way for curbs and gutters. Street designs vary from street to street so this issue is still being worked out. Walker Partners is at 90% on the engineering design and about three weeks out on the surveying, so the actual project start date is close.

Other Activities/Dates of Note:

- Department Head Reports are included in the Council Books.
- April 17 & 21 are the dates when Softball and Baseball season begins with 709 youth signed up to play.
- Household Hazardous Waste Day on March 10th was very successful with 441 participants (versus 342 in 2017). Additional data will be provided by CTCOG.
- April 19 there will be a Code Enforcement Class conducted at the Police Department.
- Police Chief Gohlke's Homeland Security Grant application to replace the mobile and portable radios has been placed in the top three. Anticipating grant approvals by September 1, 2018.

2. Budget/Financial Report. As of the end of February, General Fund and Enterprise Fund revenues are at or above straight line and expenses in both the General Fund and Enterprise Fund are below straight line. As of about the 21st of March, 95.38% of property taxes have been collected.

3. Civic Center/Sports Complex Parking Lot improvements:

Mr. Parry explained the different estimated cost options to repair and stripe the parking lot at the Civic Center/Sports Complex: Partial Asphalt = \$23,363.00 Partial Seal Coat = \$38,598 Misc. = \$9,330

Total = \$71,291. There was a discussion about only striping the parking lot and/or raising the price of registration for sport participation and using that increase towards the parking lot improvements. Since these improvements are not included in the current budget it could be included in a future budget.

REGULAR CITY COUNCIL MEETING
MARCH 27, 2018
PAGE 5

Councilmember Comments:

Jack Doyle: Thinks the City should work on the 2024 Eclipse now since it will be occurring right over Gatesville. Mr. Parry said that CVB Director, Cheri Shepherd, is actually already working on it.

Also, Councilmember Doyle thought that the City should look at annexing areas (especially west of town) where residents are receiving water and sewer services from the City of Gatesville and are not in the city limits. He thought this would be a benefit to the Community because of the tax base. Parry said that he would provide information at a future council meeting.

10) ADJOURN MEETING AT 6:55 P.M., THIS 27TH DAY OF MARCH, 2018

ATTEST:

Wendy Cole, City Secretary

APPROVED:

Gary M. Chumley, Mayor