

REGULAR CITY COUNCIL MEETING

DECEMBER 12, 2017

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 5:31 P.M., THIS 12th DAY OF DECEMBER, 2017

PRESENT: Mayor Chumley, Council Members, Viss, Mitchell, Suson, Doyle, Rainer and Hitt

ABSENT: City Attorney Sandy Gately

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, Brenda Kiphen, Liz Reinhardt, Joey Acfalle, Wade Wilson, Vagn Hansen, Roger Miller, Will Coward, Jimmy Cummings

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.)

2017-92

Consider approval of minutes from Regular City Council meeting November 14, 2017

2017-93

Consider approval of appointment of Lute Sullins to Place #4 on the Planning and Zoning Commission

2017-94

Consider approval of Otto Wiederhold of Walker Partners as the City of Gatesville Engineer

Motion by Suson, seconded by Mitchell , all voting "Aye" to approve:

RESOLUTION NUMBER 2017-92: Approve Minutes from the November 14, 2017 Regular City Council Meeting

RESOLUTION NUMBER 2017-93: Approve appointment of Lute Sullins to Place #4 on the Planning and Zoning Commission

RESOLUTION NUMBER 2017-94: Approve Otto Wiederhold of Walker Partners as the City of Gatesville Engineer

4) RECESS REGULAR MEETING AT 5:32 P.M. AND CALL A -----

PUBLIC HEARING

Hear comments concerning a request of LCY Investments, LLC to re-plat two parcels of land into four lots, located at 307 & 309 State School Road, legally known as part of block 5 Northern annex .665 acres per lot, in order to build duplexes on these lots and also hear comments regarding request to change the zoning of these lots from Ag Suburban Home-Site Zoning District to Residential 2-4 Family Zoning District

City of Gatesville Zoning Official, Liz Reinhardt, stated that LCY Investments, LLC has two parcels of land located at 307 & 309 State School Road where the front parcel is totally in the City limits and approximately half of the back parcel is in the Extraterritorial Territorial Jurisdiction (ETJ). They are requesting to re-plat the two lots into four lots and re-zone from Ag Suburban Home-Site Zoning to Residential 2-4 Family Zoning in order to build duplexes. The Planning and Zoning Commission met on December 4, 2017 and unanimously voted to approve LCY Investment's request to re-plat and rezone these parcels of land. Liz said that Jimmy Cummings was present if anyone had any questions. Councilmember Viss asked if there were any drainage, water or sewer issues. Ms. Reinhardt said that there were no issues.

Mayor, Gary M. Chumley asked Mr. Cummings if he wished to address the council.

Mr. Cummings said that this project would increase the taxes for the City of Gatesville and thought there was a need for these duplexes.

There were no additional comments or questions from Council or the Public.

5) END PUBLIC HEARING AT 5:35 P.M. AND RECONVENE REGULAR MEETING

6) CONSIDER FIRST READING OF ORDINANCE NUMBER 2017-08 AMENDING THE ZONING ORDINANCE OF THE CITY OF GATESVILLE, TEXAS BEING ORDINANCE NUMBER 95-17, CHANGING THE ZONING OF TWO PARCELS OF LAND LOCATED AT 307 & 309 STATE SCHOOL ROAD, LEGALLY KNOWN AS PART OF BLOCK 5 NORTHERN ANNEX FROM AGRICULTURAL SUBURBAN HOMESITES ZONING DISTRICT TO RESIDENTIAL 2-4 FAMILY ZONING DISTRICT

Following the public hearing, Mayor Chumley asked for any discussion and there was none.

Motion by Doyle, seconded by Suson, all voting "Aye" to approve:

RESOLUTION NUMBER 2017-95: Approve first reading of Ordinance Number 2017-08 amending the Zoning Ordinance of the City of Gatesville, Texas being Ordinance Number 95-17, changing the zoning of two parcels of land located at 307 & 309 State School Road, legally known as part of Block 5 Northern Annex from Agricultural Suburban Homesites Zoning District to Residential 2-4 Family Zoning District

7) APPROVE REQUEST TO RE-PLAT TWO PARCELS OF LAND INTO FOUR LOTS, LOCATED AT 307 & 309 STATE SCHOOL ROAD, LEGALLY KNOWN AS PART OF BLOCK 5 NORTHERN ANNEX .665 ACRES PER LOT, IN ORDER TO BUILD DUPLEXES ON THESE LOTS

Mayor Chumley asked if there were any questions or discussion and there was none.
Motion by Hitt, seconded by Rainer , all voting “Aye” to approve:

RESOLUTION NUMBER 2017-96: Approve request from LCY Investments, LLC to re-plat two parcels of land into four lots, located at 307 & 309 State School Road, legally known as part of Block 5 Northern annex .665 acres per lot, in order to build duplexes on these lots.

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8) CONSIDER FIRST READING OF ORDINANCE 2017-09 REMOVING SECTION 12-UNIFORM SIGN REGULATIONS FROM THE 1995 ZONING ORDINANCE AS IT NOW EXISTS AND MOVE TO RESERVED CHAPTER 12 IN THE CITY OF GATESVILLE’S CODE OF ORDINANCES

City Manager William H. Parry III said that in the process of revising the 1995 Zoning Ordinance, the Planning and Zoning (P & Z) Commission recommended moving Section 12 (Uniform Sign Regulations) out of the Zoning Ordinance and into reserved Chapter 12 of the City’s Code of Ordinances. City Manager Parry pointed out that when someone comes in to get a permit for a sign, the rules are enforced by City staff -not P & Z- and is appropriate to move out of the Zoning Ordinance. The P & Z approved moving Section 12 out of the Zoning Ordinance at their meeting in September and City staff agrees with their recommendation.

There was no discussion or questions so Mayor Chumley asked for a motion.

Motion by Suson, seconded by Rainer, all voting “Aye” to approve:

RESOLUTION NUMBER 2017-97: Approve first reading of Ordinance 2017-09 removing Section 12-Uniform Sign Regulations from the 1995 Zoning Ordinance as it now exists and move to reserved Chapter 12 in the City of Gatesville’s Code of Ordinances

9) CONSIDER FIRST READING OF ORDINANCE 2017-10 AMENDING CHAPTER 16, ARTICLE I, PLANNING, OF THE CODE OF ORDINANCES FOR THE CITY OF GATESVILLE AND REPEALING SECTION 4 IN THE 1995 ZONING ORDINANCE AS IT NOW EXISTS AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES HEREWITH

City Manager Parry explained that this proposed ordinance removes inconsistencies in Section 4 of the Zoning Ordinance and Chapter 16 of the City’s Code of Ordinances that should have been repealed and amended through the years but were not changed in all the appropriate places of the zoning book and code book. This ordinance will reconcile the discrepancies regarding qualifications and duties of the P & Z as they now appear in the two ordinances and by putting in one place will make it easier to read and understand.

Parry discussed the minor ordinance changes that occurred between the briefing that P & Z Chairman, Roger Miller conducted with the Council on October 24, 2017 and the current proposed ordinance. All the changes were documented in the council read ahead book and City Staff agrees with the changes recommended by the P& Z.

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

Motion by Rainer, seconded by Viss, all voting "Aye" to approve:

RESOLUTION NUMBER 2017-98: Approve first reading of Ordinance 2017-10 amending Chapter 16, Article I, Planning, of the Code of Ordinances for the City of Gatesville and repealing Section 4 in the 1995 Zoning Ordinance as it now exists and repealing all Ordinances or parts of Ordinances herewith

10) CONSIDER FISCAL YEAR 2018 BUDGET ADJUSTMENTS

City Manager Parry reminded the Council that the budget that was approved on September 26, 2017 was based on a tax rate of \$0.46/\$100 valuation. During the budget discussion at that time it was noted that the 2018 budget did not have sufficient funding to complete infrastructure replacement on Park Street which was the result of not being awarded a Community Development Block Grant.

In accordance with the Local Government Code, the Council approved the budget prior to approving the tax rate. At that same meeting the City Council approved the Fiscal Year 2018 ad valorem tax rate of \$0.51/\$100 valuation and also approved a list of items to be funded in the FY

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2018 budget if the \$0.51/\$100 were adopted. City Manager Parry discussed and compared the budget that was proposed on September 26, 2017 and what budget adjustments the City Staff is currently proposing since the \$0.51/\$100 was approved. The additional funds which was a result of the higher tax rate must be put in the General Fund. Parry discussed the revenues and expenses of the City and adjustments that City Staff proposed which brings the General Fund balance to \$65,173.13.

Pending Council approval, these adjustments would be made accordingly. If anyone would wish to review these changes, it would be on the city's website and could be studied line by line.

Parry noted that the Sewer/Water Line Replacement Project and additional Personnel were fixed by the adjusted budget but the majority of the Capital Purchase requests, 2021 Water Rights renewal costs, and continued demolition/removal of the Rotunda nursing home were not included.

City Manager Parry discussed the Community Development Planner position that was approved in the adjusted budget. A potential part-time person is being considered and planning to work out the details and possible contract next week.

There was a brief discussion regarding the possibility to fund a few small Capital Purchases and the possibility of submitting another Brownfields Grant for the asbestos removal/demolition of the Rotunda.

City Manager Parry recommended approval of the FY 2018 Adjusted Budget.

Motion by Mitchell, seconded by Suson, all voting "Aye" to approve:

RESOLUTION NUMBER 2017-99: Approve the Fiscal Year 2018 Budget Adjustments

11) HEAR COMPREHENSIVE PLAN SURVEY RESULTS

City Manager Parry provided a handout to the Councilmembers that showed responses to all 19 questions of the Comprehensive Plan survey. 349 people responded to the survey which was a very good number for a city of this size. Mr. Parry and Benchmark Planning representative, Vagn Hansen discussed the results of the survey at length.

The top three reasons that people like to live in Gatesville are:

- ÿ Overall cost of living
- ÿ Housing affordability
- ÿ Community character- "small town feel"

High priority issues shown by these responses include:

- ÿ Infrastructure replacement
- ÿ Dilapidated structures- mostly in the downtown & residential areas
- ÿ Street rehabilitation
- ÿ Curbside recycling
- ÿ Code Enforcement

It was noted that citizens were agreeable to paying additional fees or taxes to fix some of these problems.

Mr. Hansen said that people seem to understand that things that can't be seen- such as infrastructure- must be fixed before visual things can be fixed. Also important is to get water and sewer rates correct and start factoring in capital replacement costs.

Mr. Parry proposed that the City host a Town Hall meeting in mid-January of

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next year to share these comments with the public and try to assemble a few focus groups.

City Manager Parry pointed out that Mr. Hanson's assistance with this survey was conducted at no cost to the City of Gatesville and could have cost up to \$80,000.

12) CITY MANAGER'S REPORT

1. INITIATIVES:

ÿ WaterCARE Communities Program: City Staff has been working with the University of North Carolina and have reviewed data regarding revenues and expenses that were not functionally aligned across several departments and have now been straightened out. Council and staff will need to review water/sewer rates and plan for capital replacements this next year, starting with a workshop in the Feb/March timeframe.

ÿ Fitness Center Pool HVAC System Installation: The pool dehumidifier has been installed and is fully functional for the first time in seven years. Metal door frames and possibly doors will now need to be replaced from years of rust and deterioration.

Other activities/dates of note:

December 18th : City Employee and Family Christmas Lunch at the Civic Center at noon- City Council and families are invited.

March 10th: City-wide cleanup and Household Hazardous Waste day event. Staff is planning to host a City-wide garage sale event on March 3rd which will hopefully allow citizens to get rid of some items before the cleanup day the next weekend.

2. Budget/Financial Report. Cash balance is in good shape. Property taxes should start showing up in about thirty days.

3. Future Council Meeting Agenda Topics. Discussed a few upcoming agenda topics and Mr. Parry noted that there could possibly be a workshop for the subdivision revision at the January 9th Council meeting. P & Z has been working on the issue.

13. RECESS REGULAR MEETING AT 6:34 P.M. AND CALL AN EXECUTIVE SESSION --
Closed Meeting:

Section 551.072- Real Property- Possible Right-Of-Way Acquisition

Councilmember Viss departed the Closed Meeting at 7:16 P. M. and quorum was maintained.

14. END CLOSED SESSION AND RECONVENE REGULAR MEETING AT 7:23 P.M.

15. CONSIDER ANY ACTION REQUIRED FROM EXECUTIVE SESSION CONCERNING REAL PROPERTY-
POSSIBLE RIGHT-OF WAY ACQUISITION

Mayor Chumley asked if there was any action or discussion as a result of the Closed session. There was no discussion or action.

16. ADJOURN CITY COUNCIL MEETING AT 7:23 P.M. THIS 12th DAY OF DECEMBER, 2017

ATTEST:

APPROVED:

Wendy Cole
City Secretary

Gary M. Chumley
Mayor