

## 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, SEPTEMBER 14, 2021 AT 5:30 P.M  
GATESVILLE COUNCIL CHAMBERS, 110 NORTH 8<sup>TH</sup> 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 2021-60: Minutes from the Regular City Council meeting August 24, 2021**  
  
**Resolution 2021-61: Resolution to nominate a candidate for appointment to the Board of the Directors of the Coryell Central Appraisal District**
4. Discussion and possible action regarding a Proclamation recognizing Constitution Week for the Elizabeth Gordon Bradley Chapter, National Daughters of the American Revolution
5. Discussion and possible action regarding all things necessary in regard to the cancellation of the City Council Member election November 2, 2021
6. Discussion and possible action regarding approval for the City of Gatesville's participation in the Fiscal Year 2022 Texas Department of Transportation Aviation Routine Airport Maintenance Program (RAMP) Grant
7. Discussion and possible action regarding the request of the City of Gatesville to change the zoning of 101 S. 34th St., legally known as Lot 1 Block 6 Eastern Annex from C/F Community Facility to B/C Business Commercial (3rd and final reading of Ordinance 2021-04)
8. Discussion and possible action regarding amending Chapter 18 (Fees) of the City of Gatesville Code of Ordinances (2nd reading of Ordinance 2021-07)
9. Discussion and possible action regarding a Resolution setting fees for City functions not included in the City of Gatesville Code of Ordinances
10. Discussion and possible action regarding an ordinance creating a new Section 28-1, Reserve Police Force, to the Code of Ordinances, authorizing a reserve police force, establishing qualifications, setting the maximum number of reserve police force positions, granting authority for the Chief of Police and providing for the operation of a reserve police force (1st reading of Ordinance 2021-08)
11. City Manager's Report: Capital Projects, Future Agenda Topics, Coronavirus Update
12. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 10th day of September, 2021 by 5:00 p.m. on the official City of Gatesville website, [www.gatesvilletx.com](http://www.gatesvilletx.com) and the official bulletin boards at the Gatesville City Hall, 110 N. 8<sup>th</sup> 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 [wcole@gatesvilletx.com](mailto:wcole@gatesvilletx.com) for further information.

REGULAR CITY COUNCIL MEETING  
SEPTEMBER 14, 2021 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 5:35 P.M. THIS 14TH DAY OF SEPTEMBER, 2021

PRESENT: Mayor Gary Chumley, Council Members Meredith Rainer, Greg Casey, Jack Doyle, Barbara Burrow, Claude Williams, and Billy Sinyard

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, City Rene Ochoa, Mike Halsema, Nathan Gohlke, Cheri Shepherd, Marilyn Judy, and Kristen Meriwether

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) 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 2021-60: Minutes from the Regular City Council Meeting August 24, 2021

RESOLUTION 2021-61: Resolution to nominate a candidate for appointment to the Board of the Directors of the Coryell Central Appraisal District

Motion by Meredith Rainer, seconded by Jack Doyle, to approve the Consent Agenda:

RESOLUTION 2021-60: Minutes from the Regular City Council Meeting August 24, 2021;

RESOLUTION 2021-61: Nomination of Andy James to be a candidate for appointment to the Board of the Directors of the Coryell Central Appraisal District; all six voting "Aye", motion passed.

4) DISCUSSION AND POSSIBLE ACTION REGARDING A PROCLAMATION RECOGNIZING CONSTITUTION WEEK FOR THE ELIZABETH GORDON BRADLEY CHAPTER, NATIONAL DAUGHTERS OF THE AMERICAN REVOLUTION

Mayor Chumley read the Proclamation declaring September 17th through September 23rd, 2021 as "Constitution Week" and presented the Proclamation to Elizabeth Gordon Bradley Waco Chapter Regent, Marilyn Judy. Ms. Judy thanked the Council for the Proclamation and invited everyone to a reading of the entire Constitution in Waco on the Courthouse steps this Friday at 11:00 a.m. if interested.

RESOLUTION 2021-62: Motion by Greg Casey, seconded by Billy Sinyard, to approve a Proclamation declaring September 17th through September 23rd, 2021 as "Constitution Week" for the Elizabeth Gordon Bradley Chapter, National Daughters of the American Revolution; all six voting "Aye", motion passed.

5) DISCUSSION AND POSSIBLE ACTION REGARDING ALL THINGS NECESSARY IN REGARD TO THE CANCELLATION OF THE CITY COUNCIL MEMBER ELECTION NOVEMBER 2, 2021

City Manager, William Parry, explained that the Council needed to approve two actions to cancel the election since all the applicants (incumbents) were unopposed. Parry reminded the Council that the tax rate issue will still be on the November ballot but the three (3) incumbents names would not appear on the ballot. Mayor Chumley asked City Secretary, Wendy Cole, to present the Certificate of Unopposed Candidates.

Cole: As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on November 2, 2021:

Councilmember Ward 1 Place 1	Claude Williams
Councilmember Ward 1 Place 3	Meredith Rainer
Councilmember Ward 2 Place 5	Greg Casey

Mayor Chumley presented the Order of Cancellation and declared the candidates elected.

A copy of this order will be posted on Election Day at each polling place that will be used in the election.

Mayor Chumley then asked for a motion to accept and adopt the Certificate of Unopposed Candidates and approve the Order of Cancellation.

Motion by Barbara Burrow, seconded by Billy Sinyard, to approve Resolution 2021-63; all six voting "Aye", motion passed.

Resolution 2021-63:

1. Accept and approve the Certification of Unopposed Candidates
2. Approve the Order of Cancellation for the November 2, 2021 election and declare Claude Williams, Meredith Rainer, and Greg Casey elected as Councilmembers for two year terms to Ward 1 Place 1, Ward 1 Place 3, and Ward 2 Place 5 respectively.

6) DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL FOR THE CITY OF GATESVILLE'S PARTICIPATION IN THE FISCAL YEAR 2022 TEXAS DEPARTMENT OF TRANSPORTATION AVIATION ROUTINE AIRPORT MAINTENANCE PROGRAM (RAMP) GRANT

City Manager Parry stated that Texas Department of Transportation Aviation administers the RAMP program, which matches local government grants up to \$50,000 for maintenance to parking lots, fencing, and other airside and landside needs. The City has used the RAMP grant in the past for numerous projects such as resurfacing the runway, replacement of the game fence, and annual maintenance contract on the Automated Weather Observing System (AWOS). Because it is a grant to formally accept participation in the RAMP, the City Attorney has recommended that the Council approve the City's participation and approve authorization of the City Manager to execute all required paperwork.

There was a lengthy discussion regarding the AWOS and that the FY 2022 grant funds would likely be used on this as the City's AWOS is antiquated and needs regular attention and maintenance. The AWOS would be very expensive to replace and is on the City's priority list. Currently the AWOS service contract is the proposed expenditure and would be a 50/50 match.

RESOLUTION 2021-64: Motion by Claude Williams, seconded by Barbara Burrow, to approve the City of Gatesville's participation in the Fiscal Year 2022 RAMP grant program, and authorize the City Manager to execute all required paperwork; all six voting "Aye", motion passed.

7) DISCUSSION AND POSSIBLE ACTION REGARDING THE REQUEST OF THE CITY OF GATESVILLE TO CHANGE THE ZONING OF 101 S. 34TH ST., LEGALLY KNOWN AS LOT 1 BLOCK 6 EASTERN ANNEX FROM C/F COMMUNITY FACILITY TO B/C BUSINESS COMMERCIAL (3RD AND FINAL READING OF ORDINANCE 2021-04)

City Manager William Parry said that there have been no changes to this ordinance requesting the zoning change from Community Facility to Business Commercial since the previous two readings and is recommended for approval on this final reading.

ORDINANCE 2021-04-03: Motion by Meredith Rainer, seconded by Greg Casey, to approve the third and reading of Ordinance 2021-04 to change the zoning of 101 S. 34th St., legally known as Lot 1 Block 6 Eastern Annex from C/F Community Facility to B/C Business Commercial; all six voting "Aye", motion passed.

8) DISCUSSION AND POSSIBLE ACTION REGARDING AMENDING CHAPTER 18 (FEES) OF THE CITY OF GATESVILLE CODE OF ORDINANCES (2ND READING OF ORD. 2021-07)

City Manager Parry said that there have been no changes to this Ordinance that amends Chapter 18 (Fees) of the Code of Ordinances and recommended approval of the second reading.

Councilmember Burrow commented that the way the commercial building permit fees are structured could encourage an extremely large business to come to Gatesville because the permit cost would be so low. Burrow thought that the Council desired to maintain the small businesses in Gatesville and not encourage large.

City Manager Parry said that these regulations were set by cost of service and how much time the building inspector would spend reviewing the plans but staff can certainly review these amounts again.

ORDINANCE 2021-07-02: Motion by Barbara Burrow, seconded by Jack Doyle, to approve the second reading of Ordinance 2021-07 amending Chapter 18 (Fees) of the City of Gatesville, Texas Code of Ordinances; all six voting "Aye", motion passed.

9) DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION SETTING FEES FOR CITY FUNCTIONS NOT INCLUDED IN THE CITY OF GATESVILLE CODE OF ORDINANCES

City Manager Parry said that fees fall into two categories: Regulatory and User fees. Regulatory fees cover those items in which the City has the lawful authority to regulate the activity. Regulatory fees are generally established by State Statute or City Ordinance and are included in the City's Code of Ordinances. Fees set by Ordinance must be amended by Ordinance. User fees are payments given in return for a government-provided benefit/public services which are optional. Home Rule cities may charge a user fee if it bears a reasonable relationship to the cost of providing the service. User fees pay for/offset the cost of the City providing the service and are not for raising revenues. Chapter 3.07 of the City Charter gives authority to the City Council to "provide for all necessary public utilities and set fees and charges therefor and provide penalties for misuses of same."

The City's General Fund revenues are insufficient to pay all costs for certain City-provided functions such as participation fees for youth sports and complex and field facility charges, Civic Center and City Auditorium rental fees, preliminary plat fees in the Planning and Zoning Department, and Restland Cemetery Fees regarding the plot and a perpetual maintenance fee. City staff compared what other local cities around Gatesville are charging to determine what these fees should be.

There was a lengthy discussion regarding vendors and bids for youth sports uniforms and cemetery fees.

Convention and Visitor's Bureau Director, Cheri Shepherd, spoke to the Council at length regarding the

reasons for the proposed user fees for the Civic Center which also included more specific rental hours, security, and how the building is cleaned after an event. Ms. Shepherd said that the proposed fees were decided by comparing with other venues around Gatesville but are still very affordable.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, SETTING FEES FOR YOUTH SPORTS, GATESVILLE CIVIC CENTER, CEMETERIES, AND PLANNING; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City’s General Fund revenues are insufficient to pay all costs for certain City-provided functions, the City must charge fees for participation, rental of City facilities, planning/zoning activities, and fair market value for cemetery plots; and

**WHEREAS**, fees that are not prescribed in the City’s Code of Ordinances are set by City Council Resolution, in conjunction with the annual budget process;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS:**

1. That effective October 1, 2021 the fee schedule below will apply to the following City functions.
2. Recreation:

	<b>Participation Fee</b>	<b>Facility Charge</b>
<b>YOUTH SPORTS</b>		
Flag Football, Volleyball, Soccer, Baseball, Softball	\$50	
Entire Complex (with lights)		\$750/day
Individual Field (with lights)		\$125/day
Baseball Field (with lights)		\$25/hour

3. Civic Center and City Auditorium:

<b>Space</b>	<b>General Public Fee</b>	<b>Nonprofit Fee</b>
<b>CIVIC CENTER RENTAL</b>		
Large Room M-Th (6am-1am)	\$500	\$375
Large Room Fri or Sun (6am-1am)	\$750	\$375
Large Room Sat (6am-1am)	\$1000	\$500
Large Room Full Weekend (Friday 5pm-Sunday 5pm)	\$2000	\$750
Small Room M-F (6am-1am)	100.00	\$50
Small Room M-F (partial day)	\$10hr/\$50minimum	\$10hr
Small Room Sat -Sun (6am-1am)	\$100.00	\$100
Security (if alcohol is served)	\$45/hour per officer	\$45/hour per officer
Charge per hour after 1AM	\$200 hour + security	
Use/set up of stage	\$50	Free
Use/set up of dancefloor	\$50	Free
Use of AV system	\$50	Free
<b>AUDITORIUM</b>		
M-Th (8am-midnight)	\$50	\$50
Fri-Sun (8am-midnight)	\$100	\$50

4. Planning and Zoning:

Preliminary Plat	+ \$ per lot	Final Plat	+ \$ per lot	Re-plat	+\$ Per lot	Amended Plat	+ \$ per lot	Zoning Variance	Zoning Change
\$250	\$3.00	\$250	\$3.00	\$250	\$3.00	\$125	\$3.00	\$200	\$250

5. Restland Cemetery Fees:

Cemetery Plot (Resident & Non-resident)	Perpetual Maintenance Fee	Total Cost
\$250	\$250	\$500

RESOLUTION 2021-66: Motion by Barbara Burrow, seconded by Greg Casey, to approve user fees for Youth Sports, Civic Center and City Auditorium rentals, Preliminary Plat fees, and Restland Cemetery fees, to support the Fiscal Year 2022 budget; all six voting “Aye”, motion passed.

10) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE CREATING A NEW SECTION 28-1, RESERVE POLICE FORCE, TO THE CODE OF ORDINANCES, AUTHORIZING A RESERVE POLICE FORCE, ESTABLISHING QUALIFICATIONS, SETTING THE MAXIMUM NUMBER OF RESERVE POLICE FORCE POSITIONS, GRANTING AUTHORITY FOR THE CHIEF OF POLICE AND PROVIDING FOR THE OPERATION OF A RESERVE POLICE FORCE (1ST READING OF ORDINANCE 2021-08)

City Manager Parry said that prior to the re-codification of the Code of Ordinances last year there was a section in the ordinances under Law Enforcement that established a Police Reserve. It was based on qualifications that were outdated and obsolete and the Police Department had no reserve officers at that time so Municode recommended that the section be deleted from the Code of Ordinances until the Police Department was ready to re-create the Police Reserve. The Police Department is now ready to add the Police Reserve back in and will be in accordance with current qualifications set per the Texas Local Government Code. The Governing Body (City Council) must authorize the creation of the Police Reserve Force and set qualifications.

City Manager Parry and Police Chief Nathan Gohlke discussed the required qualifications and proposed the appointment of a former deputy sheriff, Eric Fox, who was in the Crisis Intervention Unit and has now moved over to the Central Counties Services- which was formerly known as the Mental Health and Mental Retardation Unit- and is now located in an office on the square. Officer Fox is interested in becoming a Reserve Officer and would be a tremendous asset for the Gatesville Police Department. Appointing a Reserve Officer is at no cost to the City and he/she would work sixteen (16) hours a month and by doing this; the officer would be able to retain his/her law enforcement commission and keep it current.

Following further discussion of potential reserve officer duties, qualifications, responsibilities, and minority hiring rate; Mayor Chumley asked for a motion.

ORDINANCE 2021-08-01: Motion by Meredith Rainer, seconded by Jack Doyle, to approve the first reading of Ordinance 2021-08 creating a new Section 28-1, Reserve Police Force, to the Code of Ordinances, authorizing a Reserve Police Force, establishing qualifications, setting the maximum number of reserve police force positions, granting authority for the Chief of Police, providing for the operation of a Reserve Police Force and approving the appointment of Eric Fox to the Reserve Police Force; all six voting “Aye”, motion passed.

11) CITY MANAGER'S REPORT - Capital Projects:

Stillhouse Wastewater Treatment Plant Expansion: The Engineering Feasibility Report (EFR) is still in the 30-day posting period for public comment and assuming there are no comments the EFR will be approved on September 24th and will officially move into the design phase.

Drainage Study and Master Plan Grant: Received an email from the Texas Water Development Board regarding the drainage study/master plan and it said that the "draft agreement is still in the internal routing phase." Hopefully will see the draft agreement by the end of September.

BROWNFIELDS CLEANUP GRANT FOR THE ROTUNDA: The Quality Management Plan "to establish program consistency in the application of quality assurance practices for cleanup activities" is nearly complete. The grant is scheduled to officially start October 1, 2021.

AIRPORT HANGARS: The cleanup on the outside of the airport property is complete with the inside cleanup scheduled to start next. The challenge right now is that it is difficult to find contractors available to hire for cleanup because of all the recent hurricanes. Contractors can make more money going to the hurricane sites and cleaning at those places. The remainder of Gatesville's airport cleanup may experience a slight delay until a qualified contractor can be located.

COVID: According to the county wide weekly conference call last Friday, it is being reported that Gatesville is in the approximate 52% range on full vaccinations for 12+ and 65+ ; 59% for Texas and 63% for the United States. The Gatesville area vaccination rates are lagging behind the State and National averages as are many other counties in this area. The Coryell County Judge said that the Department of State Health Services reported that as of last Friday there have been 108 COVID deaths in Coryell County. Coryell Health Doctors, Bates and Wuenschel, noted that there had been a slight downward trend in Intensive Care hospitalizations regarding COVID with three (3) inpatient deaths last week. Bigger hospitals in the area still have reports of being overwhelmed with Emergency/ICU COVID patients.

SKATE PARK UPDATE: Following the skate park article in the Gatesville Messenger, the manager of Tony Zapata's Flea Market contacted the City Manager and said that there was some skate park equipment pieces on Mr. Zapata's property located at FM 215 that he would donate to the City. City staff went and looked at the equipment and following a bit of research were able to locate the company that the equipment came from and was able to get an assembly manual for the pieces. Some parts are clearly unserviceable but may be able to be replaced or fabricated. Recreation Director, Seth Phillips, spoke to the skate park group to see if they can coordinate trailers to transport the pieces to the Leon Wastewater Treatment Plant where an assessment of the equipment can be made. More information to follow as it comes available.

ROUND ROCK, COPPELL, HUMBLE, AND DESOTO LAWSUIT(S) REGARDING SALES TAX ALLOCATIONS: This issue largely revolves around warehouses and distribution centers in these areas and how sales taxes are assigned to the jurisdiction of the purchase- pertaining mostly to internet sales. The distribution centers had previously been collecting the sales taxes but the State Comptroller changed the rules and directed sales tax to be distributed to the jurisdiction of the purchase and so the City of Round Rock has filed a lawsuit. City staff will monitor this situation as well as the City's sales tax allocations to determine if there is any impact.

FUTURE COUNCIL MEETING AGENDA TOPICS:

October 12th: - P & Z action regarding a zoning action in the Valley View Subdivision  
- Opioid Settlement lawsuit that governments can opt in or opt out of regarding manufacturers and distributors. Council would need to authorize use of settlement  
- Capital Improvement Projects

October 26th - Two (2) substandard structures to present to the Council (Building Standards Comm.)

Parry highlighted the Fort Hood Fact Sheet included in the Council read ahead book.

City Staff is working on a survey for residents regarding solid waste, bulk & recycling services and will bring to the council to review before it is launched - probably in October.

12) ADJOURN MEETING AT 6:58 P.M., THIS 14TH DAY OF SEPTEMBER, 2021

ATTEST:

APPROVED:

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Wendy Cole  
City Secretary

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Gary M. Chumley  
Mayor