

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
OCTOBER 26, 2021 AT 5:30 P.M
GATESVILLE COUNCIL CHAMBERS
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 2021-76: Minutes from the Regular City Council meeting October 12, 2021

Resolution 2021-77: Re-appointment/appointment of members to the Board of Adjustments Committee

4. Briefing/Update regarding Heart of Texas Defense Alliance (HOTDA) – COL (retired) Keith Sledd

5. Discussion and possible action regarding the request of the City of Gatesville to amend the zoning of property located at 319A Valley View Drive legally known as 0698 E. Marshall, 37.01 Acres from P/D Planned Development to R/SF Residential Single Family (3rd reading of Ordinance 2021-09)

6. Recess Regular meeting and call a-----

Public Hearing

Hear comments concerning Substandard Structure located at 308 Fennimore

7. End Public Hearing and reconvene Regular Meeting

8. Discussion and possible action regarding the Substandard Structure located at 308 Fennimore

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

10. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 22nd day of October, 2021 by 5:00 p.m. on the official City of Gatesville website, www.gatesvilletx.com 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 wcole@gatesvilletx.com for further information.

REGULAR CITY COUNCIL MEETING
OCTOBER 26, 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 5:32 P.M. THIS 26TH DAY OF OCTOBER, 2021

PRESENT: Mayor Gary Chumley, Councilmembers Jack Doyle, Barbara Burrow, Greg Casey, Billy Sinyard, and Claude Williams

REGRETS: Councilmember Meredith Rainer

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, Rene Ochoa, Mike Halsema, Robert Featherston, Scott Harper, Lavinia Shelton, Richard Shelton, Dennis Berry, Keith Sledd, Wayne Martin, and Jeff Osborne

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

There were two (2) citizens that spoke to the City Council:

Scott Harper provided the council with an information sheet and spoke on behalf of the Gatesville Chamber of Commerce regarding the City of Gatesville carnival ordinance that was passed in 2020. Mr. Harper said that because of the limitations of this ordinance the Chamber had many problems getting a carnival to come to Gatesville. Mr. Harper asked the Council to consider amending Ordinance 2020-04 based on the problems that they encountered this year:

- Reduce the 1000 foot restriction in relation to residential areas. The carnival had to be held right outside the city limits instead of the preferred location in the center of town.
- Lower the aggregate insurance to 2 million instead of 3 million. It was hard to find a carnival that held that much insurance.
- Adjust the hours of the carnival start time from noon to 10:00 a.m. as that is when the Shivaree events and vendors start as the carnival is held in conjunction with the Shivaree.

The Chamber is trying to expand the Shivaree and make it a summer destination spot and having the ability to hold the annual carnival in various locations in town will give the community more variety. Harper said that the carnival is a very family friendly event and is popular as well as profitable and asked the Council to consider the Chamber's requests.

Mayor Gary Chumley reminded the Council that no action would be taken tonight and told Mr. Harper that the Council will consider the Chamber's requests. Mr. Harper said he was always available if anyone had any questions in the future.

Cruzin Cruzers representative, Lavinia Shelton, presented the Mayor with an aerial photograph of the car show that took place on September 18, 2021 and thanked the Council for allowing the Cruzin Cruzers Car Club to hold their annual car show around the Courthouse square. The car show was a wonderful success with 233 vehicles entered in the show. The concession stand totally ran out of food which had never happened before. Gatesville Convention and Visitors Bureau Director, Cheri Shepherd, assisted with the show and the car club really appreciated her help. Ms. Shelton commented that they would like very much to hold the show around the Courthouse again next year.

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 2021-76: Minutes from the Regular City Council Meeting October 12, 2021

RESOLUTION 2021-77: Re-appointment/appointment of members to the Board of Adjustments Committee

Motion by Barbara Burrow, seconded by Greg Casey, to approve the Consent Agenda:

RESOLUTION 2021-76: Minutes from the Regular City Council Meeting October 12, 2021;

RESOLUTION 2021-77: Re-appointment of members to the Board of Adjustments

Committee; Places 1, 3 and 5 to Nikki Foster, Debbie Hill, and Aleisha Nunn respectively and appoint Gary Kafer to replace resigned member Randy Haines, Place 2, to serve a partial term; all five voting "Aye", motion passed.

4) BRIEFING/UPDATE REGARDING HEART OF TEXAS DEFENSE ALLIANCE (HOTDA) – COL (RETIRED) KEITH SLEDD

City Manager Parry explained that the City of Gatesville is a member of HOTDA, which was formed in 2003 to organize regional community support of Fort Hood in the wake of the Base Realignment and Closure (BRAC) round of 2005. This alliance promotes the importance and sustainability of the Fort Hood and all defense-related industries, organizations and institutions in the Killeen-Temple-Fort Hood metropolitan statistical area. Seven cities (including Gatesville) and three counties belong to HOTDA, and pay an annual fee to sustain the organization; Gatesville pays \$5,630 annually in dues.

Executive Director of HOTDA, Keith Sledd, said that in the three (3) regional counties of Bell, Lampasas, and Coryell Counties, which represent the metropolitan area in Central Texas, 1 in 3 people are active duty, retired or a military family member.

Several charts were highlighted (which were included in the read ahead books):

- Depiction of 2020 percentage of 160,714,000 plus population which included active duty, retirees, and family members and where they reside in a city or county around the region. It was pointed out that these individuals spend their time and money in Central Texas.
- Fort Hood will gain a Maneuver-Short Range Air Defense Battalion for approximately 550 soldiers including an estimated 780 family members. Station actions are likely to begin in Fiscal Year 22-23.
- The FY22 Defense Budget hasn't passed yet but when approved it should include a 2.7% pay raise and with retirees getting a probable 6% raise.
- Army end strength decreased by 1,700 troopers with Active Army down by 900 to 485 thousand.
- National Training Center visits: This program is open to visits from local, regional, state, and national leaders to expand their appreciation and understanding of the Army and Soldiers. This program consists of brigade combat teams who will have force on force battle with another brigade and is the army version of laser tag. There are several of these trainings scheduled in 2022 if any council members would like to attend.
- Base renaming: Plan must be implemented within three years to remove all names that honor Confederate States of America or persons. The Commission is now soliciting community/public feedback for potential name suggestions through December 1, 2021.
- 3D Printed Facilities: This is relatively new technology that has been in existence for about three (3) years from a business called Icon Technology located in Austin. Icon has developed a process to 3D print facilities using concrete and a proprietary 3D printing technology. There have been several barracks and other one story facilities built in Houston and Austin and the Army is interested in this company to use to construct expeditionary facility construction. These 3D facilities are double-walled and are cheaper than traditional construction and can be built in five (5) days.
- Fort Hood Fast Facts: The current number of 97,351 military, family members, civilian employees,

contractors and others are down 2500 in the last few months because soldiers can't find housing for their families.

HOTDA Director Sledd answered a few questions from the Council following the presentation.

5) DISCUSSION AND POSSIBLE ACTION REGARDING THE REQUEST OF THE CITY OF GATESVILLE TO AMEND THE ZONING FOR PROPERTY LOCATED AT 319A VALLEY VIEW DRIVE LEGALLY KNOWN AS 0698 E. MARSHALL, 37.01 ACRES FROM P/D PLANNED DEVELOPMENT TO R/SF RESIDENTIAL SINGLE FAMILY (3RD AND FINAL READING OF ORDINANCE 2021-09)

City Manager Parry said that there have been no changes to this ordinance since the first reading.

ORDINANCE 2021-09-03: Motion by Claude Williams, seconded by Billy Sinyard, to approve the third and final reading of Ordinance 2021-09 to change the zoning of 319A Valley View Drive, legally known as 0698 E. Marshall, 37.01 Acres from P/D Planned Development to R/SF Residential Single Family; all five voting "Aye", motion passed.

6) RECESS REGULAR MEETING AND CALL A PUBLIC HEARING AT 6:05 P.M. -----

PUBLIC HEARING

Hear comments concerning Substandard Structure located at 308 Fennimore

Chairman of the Building Standards Commission/ Mayor Chumley explained the processes and procedures to the City Council – who was designated and is serving as the Building Standards Commission (BSC) for the City of Gatesville:

The Building Standards Commission will receive a report from the City Building Inspector detailing the specific deficiencies that cause the structures to be non-compliant with city codes. Following the report the owner or owners or anyone holding an interest in the property will be allowed to address the Commission detailing the scope of work required to bring the structures into compliance with codes. That scope should contain:

- What They Intend To Do To Remedy the Deficiencies;
- When the Corrections Will Be Made

State Statute and the City's Ordinance grant the owner 30 days to correct the deficiency or deficiencies- However the state statute allows up to 90 days to correct the deficiency/deficiencies if the Commission determines that it is reasonable to give more time. However, as part of the decision tonight, the extra time allowed by the Commission will be captured.

The Commission will need to answer 2 questions:

1. Do the structures in their current condition violate Building Standards?
2. If the owner(s) desires to make repairs to bring the structures into compliance, is the owner's scope of work and timeline acceptable to the Commission (I.E. an assurance the repairs will be made on the timeline the owner stipulates)? Oral testimony shall be given under oath.
3. The properties are not occupied, so the issue of vacating lawful occupants is not applicable.

The Public Hearing will be conducted and then a decision will be made. The Council/Commission were encouraged to ask any questions of the building inspector or the owner.

City of Gatesville Building Inspector, Robert Featherston approached the Council and BSC Chairman Chumley asked Mr. Featherston if the owners/lienholders/mortgagees notified of tonight's public hearing?

Mr. Featherston answered yes.

Chairman Chumley then asked City Secretary Wendy Cole if the notice of tonight's public hearing had been posted, and will a tape recording be made of this evening's public hearing?

Ms. Cole answered yes.

City Inspector Featherston reviewed photographs in detail that were included in a packet provided to the Council and reported code violations that the Estate of Adelia McDonald were notified of that were determined to be at 308 Fennimore Street in Gatesville. Featherston addressed evidence of deterioration to the outside walls, roof, and the flooring structural system. Substandard electrical was pointed out as well as broken windows. Featherston stated that code enforcement had sent out letters to the estate ordering to clean the yard but realized that the problems were significant and asked the City to start the condemn process. Mr. Featherston said that one of the members of the Adelia McDonald Estate let him in the house and that is when substandard plumbing was noticed. The house has been vacant several years and all the utilities are disconnected and some will be required to be brought up to code before they can be turned back on. A new roof was put on the house within the last week with no permit.

Mayor Chumley asked Mr. Dennis Berry if he would like to address the Council.

Mr. Berry answered yes.

Mayor Chumley administered the oath to Mr. Berry that the testimony that Mr. Berry was about to give to the City of Gatesville Building Standards Commission would be the truth, the whole truth, and nothing but the truth?

Mr. Berry answered yes.

Mr. Berry provided the Council with an information sheet of his renovation plan to repair the house at 308 Fennimore. Mr. Berry said that he and his wife live in Waco and that his sister-in-law, Yvonne McDonald, inherited the house but haven't been able to contact her. Berry said that he and his wife, Teresa, have been trying to clean this house up on the weekends because they knew it needed it. Berry said that cleaning up the exterior is the first step and then demolish the add-on room in the back. The plan included replacement of the back exterior door, steps, and plans to contact contractors to repair ceilings, exterior walls, floors and to bring the electric service up to code. He estimated that he would need nine (9) months to complete as the contractors are unable to start immediately. Mr. Berry said that he believes it is repairable and is willing to spend the money and is committed to fix the house. There has been a lack of communication with Yvonne and Mr. Berry said they are attempting to locate her to let her know of these plans to restore the house.

The Mayor said that at this point there was no estimated cost to bring this house up to standard?

Mr. Berry said that he is estimating \$10,000 to \$15,000 max amount to renovate.

There was a lengthy discussion regarding the renovation cost and if the amount went over the threshold of what he was planning to spend. The taxes are up to date and Mr. Berry indicated that he believes the house is worth renovating and has every intention of to get it done as soon as possible.

City Manager Parry said that the house is in the legal name of The Estate of Adelia McDonald and that he will contact the City Attorney and make sure there is no ramifications if renovations are done without all the owners knowledge. Mr. Berry said that they will try to contact Yvonne and the other sibling, David, to make sure that they have no objections but he felt like they would not. City Manager Parry said that if the Building Standards Commission votes to allow Mr. Berry to continue with the repairs, the Commission needs to be presented a detailed list of what repairs will be done and the timeframe of repairs. Mr. Berry would need to come back at the November or December meeting to inform the Commission of the status of the plan and provide a general timeline. Mr. Berry would also need to communicate with the Building Inspector regarding the proposed plans and permit process.

Mr. Featherston said that because 308 Fennimore is not Mr. Berry's primary residence and is not his homestead, he is only allowed to use licensed contractors/professionals. The Homestead Law won't allow Mr. Berry to do the work himself.

7) END PUBLIC HEARING AND RECONVENE REGULAR MEETING AT 6:38 P.M. -----

8) DISCUSSION AND POSSIBLE ACTION REGARDING THE SUBSTANDARD STRUCTURE LOCATED AT 308 FENNIMORE

Mayor Chumley told the Council/Building Standards Commission that having heard the report from the Building Inspector and testimony of the owner, they must decide if the structure violates City building standards and if the owner has a plan to correct, does the Commission accept the Owner's Plan and if the Owner does not comply or appeal within 30 days, they must decide if they want to order the owner to demolish the structure or order the City to demolish at the City's expense and a lien filed for the expense. Mayor Chumley said that the Commission's decision will be captured in an order by the City Secretary.

Councilmember Williams thought that the Council should allow Mr. Berry the opportunity to make the repairs according to his plan and give the owner ninety days and made that motion. Councilmember Burrow seconded. Following further discussion, Councilmember Williams amended his motion:

RESOLUTION 2021-78: Motion by Claude Williams; seconded by Barbara Burrow; that the structure located at 308 Fennimore does violate City Building standards and ordered Dennis Berry to provide to the Commission at the December 14, 2021 council meeting the detailed cost of the renovations and scope of repairs including the start date and completion date for evaluation; all five voting "Aye", motion passed.

9) CITY MANAGER'S REPORT - Capital Projects in progress:

- Mills Street Water/Sewer Line Replacement- Bid opening for this project will take place tomorrow afternoon at 3:00 p.m. in the City Council chambers. A non- mandatory pre-construction meeting was held last week and there were three (3) firms in attendance. After the engineer evaluates the bids, the bid award consideration will be brought to the City Council for approval.

- Drainage Study & Master Plan- Still have not received the draft funding agreement from the Texas Water Development Board. They are not answering telephone calls or answering emails.

BROWNFIELDS CLEANUP GRANT FOR THE ROTUNDA: City staff has advertised for Requests For Proposals for a Qualified Environmental Professional who will develop the plan. Proposals are due back by close of business on October 29, 2021.

WASTE MANAGEMENT: Parry said that he spoke with Paul Daugereau from Waste Management and they are almost done with the cost modeling for future solid waste. Hopefully the information will be ready to report to the City Council at the November 9th Council meeting.

AIRPORT HANGAR UPDATE: There is a cost estimate to replace the seven hangars. There is an option for an eighth larger hangar that could be put on the end but insurance would not cover the cost of that. There are some individuals that have expressed interest in parking larger airplanes out there and could be a revenue generator but could take many years to recoup the money spent on building it. Staff is waiting to receive the building and electrical plans for the hangars as staff wants to make sure they are constructed to the engineered standards.

COVID-19 VACCINATION UPDATE: Presented a chart with COVID information that the Coryell County Judge presented last Friday. It showed that there have been a total of almost 10,000 cumulative cases of COVID-19 in Coryell County with 155 of those cases resulting in death.

SOLAR ECLIPSE ON APRIL 8, 2024: There will be a total eclipse of the sun on this date and Gatesville, Fredericksburg, and Kerrville are located on the center line and will experience the longest durations of totally for 4 minutes and 24 seconds. Experienced eclipse experts report that Gatesville can anticipate the population in Gatesville to grow 10 to 15 times the current population the day before the eclipse, the day of the eclipse, and the day after. There are many people all over North America that are reportedly already planning to follow the eclipse. The eclipse will occur at 1:33 p.m. and Council and staff need to start thinking about how we will handle this event. There could be an estimated 40,000 vehicles driving down Main Street on those days.

Parry encouraged the Council to go vote and to please get the word out to everyone they see to vote. There was a brief discussion on Proposition 2 that is on the November 2nd ballot regarding the issuance of revenue bonds for roads and bridges.

Mayor Chumley bid farewell to Councilmember Jack Doyle as this was his last meeting. Chumley said that on behalf of the Council and city staff that his service was very much appreciated.

10) ADJOURN MEETING AT 7:10 P.M., THIS 26TH DAY OF OCTOBER, 2021

ATTEST:

Wendy Cole
City Secretary

APPROVED:

Gary M. Chumley
Mayor