

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
FEBRUARY 8, 2022 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 to approve Minutes from Regular City Council Meeting January 25, 2022.**
- 4. Discussion and possible action to approve a cost-share commitment of \$3,755 from the City of Gatesville for the FY 2022 Defense Economic Adjustment Assistance Grant (DEAAG).**
- 5. Discussion and possible action to approve a solid waste preferred option to present to Waste Management of Central Texas.**
- 6. Discussion and possible action regarding approval of an employment agreement with the Municipal Judge.**
- 7. Discussion and possible action regarding a determination of whether the structure located at 2006 Bridge Street, Gatesville, TX is dilapidated, substandard, unfit for habitation and/or a hazard to public health, safety and welfare, and action, if any, that should be taken to address any such condition.**
- 8. City Manager's Report: Capital Projects, Future Agenda Topics.**
- 9. Adjourn Meeting**

I hereby attest that the above agenda was posted on this the 3rd day of February, 2022 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
FEBRUARY 8, 2022 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 5:36 P.M. THIS 8TH DAY OF FEBRUARY, 2022

PRESENT: Mayor Gary Chumley, Councilmembers Greg Casey, Billy Sinyard, Meredith Rainer, Claude Williams, and John Westbrook

REGRETS: Councilmember Barbara Burrow

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, Rene Ochoa, Mike Halsema, Paul Daugereau, Diana Barnett, Chris Richardson, 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

Visitors present were only concerned with an agenda item.

3) DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF MINUTES FROM THE REGULAR CITY COUNCIL MEETING JANUARY 25, 2022

RESOLUTION 2022-11: Motion by Meredith Rainer, seconded by Billy Sinyard, to approve the Minutes from the Regular City Council Meeting January 25, 2022; all five voting "Aye", motion passed.

4) DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF A COST-SHARE COMMITMENT OF \$3,755 FROM THE CITY OF GATESVILLE FOR THE FISCAL YEAR 2022 DEFENSE ECONOMIC ADJUSTMENT ASSISTANCE GRANT (DEAAG).

City Manager Parry reminded the Council that two years ago the Council approved a local match/cost share of \$3775.00 for DEAAG grant funding designated for improvements to the South Highway 9/ Tank Destroyer Boulevard intersection. The grant application was not approved by the Texas Military Preparedness Commission (TMPC) so the funds approved by the Council for that project were not expended. In September 2021, the City of Temple submitted a DEAAG application in the amount of \$5 million for the expansion of the Robert Gray Army Airfield microgrid which the TMPC approved in January of 2022.

City staff recommended that Council approve rolling over the \$3755.00 unexpended match to this grant application for the expansion of the Robert Gray Army Airfield microgrid.

There was brief discussion if grant writers were used for these applications and if any projects in the Gatesville area had ever been considered. Parry stated that Fort Hood would have to be convinced that the proposed project would be a priority as increased military value is the key criteria for consideration.

RESOLUTION 2022-12: Motion by John Westbrook; seconded by Meredith Rainer; to approve the Fiscal Year 2022 Defense Economic Adjustment Assistance Grant cost-share commitment of \$3,755 from the City of Gatesville for the Robert Gray Army Airfield microgrid expansion with understanding that Federal and State funding will be expended before the local cost-share contribution; all five voting “Aye”, motion passed.

5) DISCUSSION AND POSSIBLE ACTION REGARDING A SOLID WASTE PREFERRED OPTION TO PRESENT TO WASTE MANAGEMENT OF CENTRAL TEXAS

City Manager Parry stated that at the January 11, 2022 meeting, the City Council discussed the options for trash, bulk trash, recycling, and household hazardous waste disposal. The Council’s consensus at that meeting was to start the process with once per week trash, every other week curbside recycling, monthly bulk trash pickup, and the “At Your Door” service for household hazardous waste. Parry said that discussion at this meeting would determine if this was the level of service that the Council still desired. Following the decision of options that the Council approves for solid waste; Waste Management staff and attorneys would draft a contract which would then be reviewed by the City of Gatesville attorney before it is presented to the Council for final approval. This contract process could take several months.

Paul Daugereau, Waste Management Public Sector Solutions Manager of Central Texas was present at the meeting to answer any questions.

There was discussion if there had been any feedback from the public since information regarding these options had been presented to the public by-way-of newspaper, website and social media. City Manager Parry said that city staff had heard no comments. Mayor Chumley said that the majority of comments that he had heard were overwhelmingly for the changes. One person was concerned that workers would lose jobs; but these WM employees have third party contracts and will be able to find jobs elsewhere.

There was a lengthy discussion regarding the potential components: trash, bulk items, single stream curbside recycling, and “At Your Door” (which addresses household hazardous items) – and that these options can be considered separately or in some combination. Parry said that going to carts will significantly increase the cleanliness of the city since animals cannot get into the carts and tear trash bags up – which is currently what is happening since some residents sit trash bags at the curb for days before their scheduled pick up day - which then make a mess or gets blown around by the wind. Mr. Daugereau said that on inclement weather days when the trucks would not be able to drive in the elements and missed service days- they allow customers to lay three (3) extra trash bags outside of their can. Daugereau elaborated on all the options and answered the Council’s questions.

Mr. Parry recapped the options and projected costs for each option which was included in the council’s read ahead books. A City employee manned bulk station at the City Utility Yard was discussed as well as dividing the city into quadrants/zones for residents to put out bulk items for Waste Management to pick up. “At Your Door” is an unlimited Household Hazardous Waste collection service that accepts everything except tires. Mr. Daugereau said that the hazardous items picked up by Waste Management are eighty percent recyclable items that the employees are trained to process for reuse with the other non-recyclable items disposed of properly. Mr. Parry said that approving the “At Your Door” option would mean that the City could discontinue hosting Household Hazardous Waste events which would save the City a significant amount of money. The City could continue to offer an annual tire collection event for Gatesville residents.

Communicating and educating residents was discussed. Mr. Daugereau said that he can come to Open Houses and set out carts for people to look at and be available for questions. Internet, Website, social media, and newspaper ads are all options that Waste Management has used. A widget can be added to resident’s phones which would take them to the Waste Management website where they can see the schedule for when their items will be picked up. There will be a marketing campaign to let residents know when their carts will be delivered. When residents do get their carts information will be included with each cart so customers will know what their schedule is and the do’s and don’ts of the process. Communication with customers will be a priority even weeks after the collection process begins.

Following the options discussion, Councilmember Rainer stated that everyone should remember that the residents currently pay for recycling at the Utility Yard and for the annual Household Hazardous Waste event so this is essentially just transferring their money to these options.

City Manager Parry recommended Council approve these solid waste options and for City staff to begin contract negotiations with Waste Management. The agreement would then be provided to the Council for final approval at a future council meeting.

RESOLUTION 2022-13: Motion by Meredith Rainer; seconded by Greg Casey; to approve City staff to begin negotiations with Waste Management regarding the solid waste options of once per week trash, every other week curbside recycling, monthly bulk trash pickup, and the “At Your Door” service for household hazardous waste; all five voting “Aye”, motion passed.

6) DISCUSSION AND POSSIBLE ACTION REGARDING AN EMPLOYMENT AGREEMENT WITH THE MUNICIPAL JUDGE

City Manager Parry stated that the City Attorney advised that Council did not need to go into Special Session regarding this agenda item. The Municipal Judge is aware that this is on the agenda for tonight and was certainly invited if she wished to attend. Mayor Chumley said that the Municipal Judge reached out to him and asked if it was imperative that she be at the meeting and he told her that it was not a necessity.

Tonya Place has been the Municipal Judge since 1990 after serving as the Associate Municipal Judge since 1984. There has never been an employment agreement or written documentation of her formal appointment. The Texas Local Government Code stipulates that the Municipal Judge serves a two-year term that runs concurrently with the Mayor’s term and must be reappointed biennially by the City Council. There is no doubt that the Municipal Judge was approved by the Council and it has been the practice since the 1960s that the Council designate a local attorney as the City Municipal Judge, agree to an annual salary, and provide benefits. It has been a City policy that benefits are not provided to employees who work less than 40 hours per week and the City’s group health insurance is considered a benefit. However, there is a precedent that has existed for at least 32 years that the City allows the Municipal Judge to participate in the group health insurance plan. City Manager Parry recommended that Council approve the employment agreement with Tonya Place with the policy exception regarding participation in the group health insurance plan. Mayor Chumley stated that everything will continue as is- it will just be put in writing.

RESOLUTION 2022-14: Motion by Greg Casey; seconded by Billy Sinyard; to approve the employment agreement with Tonya Place to serve as the Municipal Judge for the City of Gatesville, with the exception to City Policy regarding participation in the group health insurance plan; all five voting “Aye”, motion passed.

7) DISCUSSION AND POSSIBLE ACTION REGARDING A DETERMINATION OF WHETHER THE STRUCTURE LOCATED AT 2006 BRIDGE STREET, GATESVILLE, TX IS DILAPIDATED, SUBSTANDARD, UNFIT FOR HABITATION AND/OR A HAZARD TO PUBLIC HEALTH, SAFETY AND WELFARE, AND ACTION, IF ANY, THAT SHOULD BE TAKEN TO ADDRESS ANY SUCH CONDITION.

City Manager Parry reminded the Council that at the last meeting the Building Standards Commission (City Council) ordered the demolition of the structure at 2006 Bridge Street, however, there was a contingency that if the owner of the property (Chris Richardson) had a contract and plan from the buyer to bring the structure up to code, a possible extension could be considered.

Chris Richardson of 2008 Bridge Street, Gatesville and Diana Barnett of 1502 Bridge Street, Gatesville addressed the Council regarding this structure at 2006 Bridge Street. Ms. Barnett introduced herself and said that she was the Realtor who originally sold 2006 Bridge Street to Mr. Richardson. Ms. Barnett said that Mr. Richardson's intent at that time was to demolish the structure but it never happened. She said that she was helping Mr. Richardson with the current sale of the house as he had an offer from an Investments Group to buy. Mr. Richardson presented a copy of the executed sales contract to the Building Standards Commission which he had just sent back to the Investments Group and that had a closing date of February 25, 2022. Mr. Richardson said that if the sale would not go through he is planning to demolish the structure.

City Manager Parry said that since Mr. Richardson has presented a contract the Building Standards Commission could allow the new owner (if the sale goes through) to present the plan for the structure at the Council meeting on March 8, 2022 since the potential closing deadline isn't until a few days after the very next Council meeting on February 22nd. Since Mr. Richardson has done everything that the Building Standards Commission has directed him to do – Parry recommended that an extension be given until March 8, 2022 for the new owner to come to the Council meeting and present the plan. If the deal would not happen; the Building Standards Commission has already ordered that the structure be demolished which Mr. Richardson said that he had already planned to do.

RESOLUTION 2022-15: Motion by Claude Williams; seconded by John Westbrook; to approve an extension until March 8, 2022 for the potential new owner of 2006 Bridge Street, Gatesville, Texas, to present a plan to the Building Standards Commission showing the renovation and repairs to bring the structure back into code; or if the sale of the structure is not successful the demolition order would be activated; all five voting “Aye”, motion passed.

8) CITY MANAGER'S REPORT:

WINTER WEATHER STORM –PREVIOUS WEEK: All went well during the freezing weather that Gatesville experienced last week. The City adequately prepared and there were no power outages or water breaks that impacted the water distribution system. The Street Department worked with the County Road & Bridge Department and were able to sand several intersections and also Memorial Drive and the hospital parking lot. Phone calls to City Hall were monitored remotely with the City's new phone system which is internet based. Employees could not take payments remotely so that is something that will need to be worked out; however, workers could answer many of resident's questions which included the trash pickup schedule. Overall it went really well.

CAPITAL PROJECTS:

Stillhouse Wastewater Treatment Plant Expansion: Walker Partners is working on a technical memorandum which will report what was approved for the treatment plant expansion project in 2018 and how it compares to the current projected costs. There is a meeting with Walker Partners scheduled for February 24th at 10:00 a.m. to discuss these costs. The costs have definitely gone up and some parts of the project may have to be deferred until a future date. Parry invited councilmembers to come to the meeting if desired.

Water Treatment Plant Clarifier Mechanism Replacement: The meeting that was set up with the Texas Department of Agriculture yesterday regarding the Community Development Block Grant funded clarifier project had to be rescheduled. The meeting is now scheduled for February 25, 2022.

FUTURE COUNCIL MEETING AGENDA TOPICS: Councilmember Williams requested that the Council discuss renaming Mill Street to Carver. Mr. Parry said that he will research the process and if Council agrees will schedule it to be on the March 22, 2022 agenda.

Mill Street Water/Sewer Line Replacement: Parry discussed the gas line break that occurred today on Lutterloh. The project contractor requested that the gas line be marked before digging. Atmos Energy contracts with the Texas 811 service. Texas 811 marked the line and the contractor dug in the approved area but hit a gas line. Texas Department of Transportation (TxDOT) came to the sight to assess the situation and it seemed that the line location plan that Atmos gave TxDOT which was then loaded into the Texas 811 map differentiated from the plan that was submitted to and accepted by TXDOT. So the Texas 811 representative blamed TxDOT who then blamed the contractor. Ultimately the line was mismarked and was not the contractor's fault.

American Rescue Plan Act Grant: Walker Partners is currently surveying North Lovers Lane for the Council approved water trunk line project. They will also be verifying where the lines are by potholing the area.

9) ADJOURN MEETING AT 6:30 P.M., THIS 8TH DAY OF FEBRUARY, 2022

ATTEST:

Wendy Cole
City Secretary

APPROVED:

Gary M. Chumley
Mayor