

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
APRIL 12, 2022 AT 5:30 P.M
GATESVILLE COUNCIL CHAMBER, 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 2022-25: Minutes from Regular City Council Meeting March 22, 2022**
 - Resolution 2022-26: Appointment/Re-appointment of members to the Planning and Zoning Commission (P & Z)**
 - Resolution 2022-27: Appointment of Gatesville Housing Authority Board Commissioners**
 - Resolution 2022-28: Proclamation declaring April as Parkinson's Awareness Month**
4. Discussion and possible action regarding request from the Cruzin Cruzers to hold their annual car show around the Coryell County Courthouse and regarding temporary closure of streets
5. Discussion and possible action to adopt Civil Rights Resolution and Policies for the TxCDBG Grant Agreement CDV21-0304 "As a condition of funding for TxCDBG Grant Agreement CDV21-0304, a Section 3 Presentation is required "
6. 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
7. Discussion and possible action regarding a Resolution of the City Council of the City of Gatesville, Texas, authorizing the participation in the Community Development Block Grant – Mitigation Local Hazard Mitigation Plans Program application to the Texas General Land Office and authorizing the Mayor or designee to act as the City's Executive Officers and authorized representatives in all matters pertaining to the City's participation in this Community Development Block Grant
8. Discussion and possible action regarding an Ordinance of the City of Gatesville, Texas, amending Chapter 32, Article III, Sections 32-65, 32-66, and 32-67 of the Code of Ordinances of the City of Gatesville; providing that carnivals and circuses may begin operations no earlier than 10:00 a.m. each day; providing a permit exception for certain carnivals and circuses located indoors; and amending the distance from a private residence at which a carnival or circus may operate (1st reading of Ordinance 2022-02)
9. Discussion and possible action regarding a Bank Depository for the City of Gatesville
10. Discussion and possible action regarding the Investment Policy and Strategy and supporting Resolution 2022-34 for the City of Gatesville
11. City Manager's Report: Capital Projects & Future Agenda Topics
12. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 8th day of April, 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
APRIL 12, 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 5:33 P.M. THIS 12TH DAY OF APRIL, 2022

PRESENT: Mayor Gary Chumley, Councilmembers Billy Sinyard, Barbara Burrow, Greg Casey, Meredith Rainer, John Westbrook (arrived at 5:37 p.m.), and Claude Williams (arrived at 5:49 p.m.)

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, Rene Ochoa, Mike Halsema, Lynn Massingill, Lavinia Shelton, Richard Shelton, Michael Shelton, Chase Massingill, Becky Adams, Cindy Metro, Josiah Wilson, Becky Adams, Laura Carpenter, Ian Carpenter, Lee Otis Ford, Laura Car, 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

Lynn Massingill of 4527 East Highway 84 spoke to the Council about a Recreational Vehicle Resort that he is proposing to build by the east side of the Gatesville ball park. In a recent meeting with the City Manager and Planning staff, Mr. Massingill said that he was told that there is not capacity in the sewer to add on anything else and that even if the property was annexed into the city limits water could be made available but not sewer. Mr. Maasingill said that he would like to get water and then he would proceed to install a septic system. Mr. Massingill said that this RV Resort would be beneficial to City activities such as the Riding Club, Rodeo, and baseball tournaments.

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 2022-25: Minutes from the Regular City Council Meeting March 22, 2022

RESOLUTION 2022-26: Appointment/Re-appointment of members to the Planning & Zoning Commission (P & Z)

RESOLUTION 2022-27: Appointment of Gatesville Housing Authority Board Commissioners

RESOLUTION 2022-28: Proclamation declaring April as Parkinson's Awareness Month

Motion by Meredith Rainer, seconded by Barbara Burrow, to approve the first three (3) Consent Agenda items; all four voting "Aye", motion passed:

RESOLUTION 2022-25: Minutes from the Regular City Council Meeting March 22, 2022;

RESOLUTION 2022-26: Re-appointment/Appointment of members to the Planning & Zoning Commission for a two (2) year term: Wyllis Ament to Place 2 and William Davidson to Place 6.

RESOLUTION 2022-27: Re-appointment of Gatesville Housing Authority Board Commissioners: Bob Meharg, Charles Scheiner, & Gene Wolske to a two (2) year term and authorize the Mayor to sign the Certificate of Appointment.

Mayor Chumley pulled the last item off the consent agenda so he could present the Parkinson's Proclamation to Becky Adams. Following the reading and presentation of the Proclamation declaring the Month of April 2022 Parkinson's Awareness Month; Mayor Chumley asked for a motion.

RESOLUTION 2022-28: Motion by Greg Casey, seconded by Billy Sinyard, to approve the Proclamation declaring April 2022 as Parkinson’s Awareness Month; all five voting “Aye”, motion passed.

4) DISCUSSION AND POSSIBLE ACTION REGARDING REQUEST FROM THE CRUZIN CRUZERS TO HOLD THEIR ANNUAL CAR SHOW AROUND THE CORYELL COUNTY COURTHOUSE AND REGARDING TEMPORARY CLOSURE OF STREETS

Michael Shelton, President of the Cruzin Cruzers, said that since the car show had been moved from Faunt LeRoy Park several years ago to the area around the Courthouse the participation and attendance to the show had been a bigger success than they had ever had. Mr. Shelton asked on behalf of the car club to hold the car show around the Courthouse square again this year with temporary closure of the streets around the block.

RESOLUTION 2022-29: Motion by Billy Sinyard, seconded by Greg Casey, to approve Cruzin Cruiser’s request to hold their annual car show around the Coryell County Courthouse on September 17, 2022 and allow temporary closures on adjacent streets around the Courthouse as depicted on the map presented to the Council; all five voting “Aye”, motion passed.

5) DISCUSSION AND POSSIBLE ACTION TO ADOPT CIVIL RIGHTS RESOLUTION AND POLICIES FOR THE TXCDBG GRANT AGREEMENT CDV21-0304 ”AS A CONDITION OF FUNDING FOR TXCDBG GRANT AGREEMENT CDV21-0304, A SECTION 3 PRESENTATION IS REQUIRED “

City Manager Parry said that this is a Community Development Block Grant that is funded by the United States Department of Housing and Urban Development and administered by the Texas Department of Agriculture. This grant is in the amount of \$350,000.00 and will replace components at the city’s water treatment plant. The grant agreement requires the City to comply with 32 separate Certifications and Assurances mandated by 24 CFR (HUD). Those include Resolutions/Ordinances covering:

- a. Civil Rights
- b. Citizen Participation Plan
- c. Excessive Force Policy
- d. Fair Housing
- e. Section 504 (ADA) Policy/Grievance Procedures
- f. Code of Conduct

The grant requires the City Council be briefed on Section 3, HUD Act of 1968 regarding employment and economic opportunities for low-and very low-income persons. Cindy Metro from Langford Community Management Services was present at the meeting and presented the Section 3 briefing and discussed the different components of the grant requirements.

RESOLUTION 2022-30: Motion by John Westbrook, seconded by Barbara Burrow, to approve the Resolutions on Civil Rights, Citizen Participation Plan, Excessive Force Policy, Section 504, and Code of Conduct as required by the grant funding agreement; the City’s Fair Housing Policy was previously approved and is codified in Chapter 26, Article II of the Code of Ordinances; all six voting “Aye”, motion passed.

6) 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 meeting on March 22nd the Council approved an extension to Mr. Josiah Wilson to present a plan at this meeting regarding the renovation of 2006 Bridge Street. Mr. Wilson was present at the meeting and told the Council that procedures are underway to get a permit and he had a contractors list which includes a roofing contractor. Mr. Wilson said that he has been in contact with the city's permit department and will have all the required information submitted tomorrow. The renovation should start next week as long as all the materials needed are available. Once the project starts it should take six (6) to eight (8) weeks to complete.

Mayor Chumley commented that Mr. Wilson has shown good faith in lining up contractors, applying for permits, and indicating that he has a plan in place. Mayor Chumley said Council could consider giving Mr. Wilson further time to come back to the Council with an update on the renovation.

RESOLUTION 2022-31: Motion by Greg Casey, seconded by Claude Williams, to approve an extension to property owner Josiah Wilson for ninety (90) days until the Council meeting on July 12, 2022 to present an update regarding the scope of work that had been completed regarding 2006 Bridge Street; all six voting "Aye", motion passed.

7) DISCUSSION AND POSSIBLE ACTION REGARDING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, AUTHORIZING THE PARTICIPATION IN THE COMMUNITY DEVELOPMENT BLOCK GRANT – MITIGATION LOCAL HAZARD MITIGATION PLANS PROGRAM APPLICATION TO THE TEXAS GENERAL LAND OFFICE AND AUTHORIZING THE MAYOR OR DESIGNEE TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THIS COMMUNITY DEVELOPMENT BLOCK GRANT

City Manager Parry said that this Resolution supports Coryell County's application to secure a Community Development Block Grant for a local Hazard Mitigation Plan. It is a Federal Emergency Management Agency (FEMA) approved plan that provides funding for eligible mitigation measures that reduce disaster losses. The County has asked Gatesville, Copperas Cove, Evant, and Oglesby to approve a resolution in support of their grant application submission. If for some reason the County's application doesn't get approved the City could submit its own application. These grants typically require a 25% city match which could amount to approximately \$50,000 for the City's portion if Gatesville applied for its own grant.

RESOLUTION 2022-32: Motion by Meredith Rainer, seconded by Barbara Burrow, to approve a Resolution of the City Council of the City Of Gatesville, Texas, authorizing the participation in the Community Development Block Grant – Mitigation Local Hazard Mitigation Plans Program Application to the Texas General Land Office and authorizing the Mayor or Designee to act as the City's Executive Officers and authorized Representatives in all matters pertaining to the City's participation in this Community Development Block Grant; all six voting "Aye", motion passed.

8) DISCUSSION AND POSSIBLE ACTION REGARDING AN ORDINANCE OF THE CITY OF GATESVILLE, TEXAS, AMENDING CHAPTER 32, ARTICLE III, SECTIONS 32-65, 32-66, AND 32-67 OF THE CODE OF ORDINANCES OF THE CITY OF GATESVILLE; PROVIDING THAT CARNIVALS AND CIRCUSES MAY BEGIN OPERATIONS NO EARLIER THAN 10:00 A.M. EACH DAY; PROVIDING A PERMIT EXCEPTION FOR CERTAIN CARNIVALS AND CIRCUSES LOCATED INDOORS; AND AMENDING THE DISTANCE FROM A PRIVATE RESIDENCE AT WHICH A CARNIVAL OR CIRCUS MAY OPERATE (1ST READING OF ORDINANCE 2022-02)

City Manager Parry reminded the Council that the Gatesville Chamber of Commerce would like to host a carnival in conjunction with the annual Shivaree in June. The Chamber has requested that the City Council consider modifications to the City's Ordinance on carnivals and circuses to allow a start time of 10:00 a.m. (versus 12:00 p.m.) and to allow carnivals within 500 feet of any residence (versus 1,000 feet). Parry provided a chart to the Council that compared 3 locations that the Chamber would like to use for the carnival which showed the number of residential homes that would be impacted by noise within

a 500 foot radius of the carnival. One site impacted 29 houses, one site impacted 12 houses, and one site impacted 1 house. There was discussion regarding the set up and tear down of a carnival and how the whole event would probably require three (3) days and would need to be located in a location that wouldn't disrupt citizen's normal daily activities.

Additionally, the Convention and Visitors Bureau Director has requested an additional amendment be added to the Ordinance that would allow traveling acrobatic shows, often billed as a "circus" but whose performance would be completely accommodated indoors to conduct their show without receiving a permit.

ORDINANCE 2022-02-01: Motion by Barbara Burrow, seconded by Meredith Rainer, to approve the first reading of Ordinance 2022-02 amending sections 32-65, 32-66 and 32-67 of the Code of Ordinances of the City of Gatesville, Texas; providing that carnivals and circuses may begin operations no earlier than 10:00 a.m. each day; providing a permit exception for certain carnivals and circuses located indoors; and amending the distance from a private residence at which a carnival or circus may operate to 500 foot; all six voting "Aye", motion passed.

9) DISCUSSION AND POSSIBLE ACTION REGARDING A BANK DEPOSITORY FOR THE CITY OF GATESVILLE

City Manager Parry stated that the agreement between BancorpSouth and the City of Gatesville as the city's bank depository is coming to an end. For the last five (5) years BancorpSouth has been the city's depository, and by law this service must be rebid at this time. The City of Gatesville accepted applications for bank depository services for 3 years, beginning May 1, 2022, with the option to extend the agreement for an additional 2 years, 1 year at a time, based upon performance. Public notices were published in the Gatesville Messenger, posted on the City's website, and each local bank in Gatesville was contacted via email. The City of Gatesville received bids from BancorpSouth and Extraco banks. Both banks submitted solid proposals and met the qualifications set forth in the request. Upon comparison of the proposals most services were similar, but BancorpSouth offered a higher interest rate for deposits and a flat fixed fee for account management services. The deciding factor was the favorable interest rate and fee schedule of monthly service charges. Mr. Parry said that city staff recommends that BancorpSouth be accepted as the City's bank depository agent for the next 3 years with 2 optional years, based upon performance.

RESOLUTION 2022-33: Motion by Greg Casey, seconded by John Westbrook, to approve BancorpSouth as the City's bank depository agent for the next 3 years with 2 optional years, based upon performance; all six voting "Aye", motion passed.

10) DISCUSSION AND POSSIBLE ACTION REGARDING THE INVESTMENT POLICY AND STRATEGY AND SUPPORTING RESOLUTION 2022-34 FOR THE CITY OF GATESVILLE

City Manager Parry said that it is a requirement of the Public Funds Investment Act that the Investment Policy of a city must be reviewed and adopted on an annual basis, with any revisions being approved by the City Council. Decisions and activities associated with the City's investments are delegated to the City Manager and Director of Finance. The City Manager and Director of Finance must attend refresher training sessions at least once every two years and both attended in December 2021. The Investment Policy provides a guideline for the authorization of investments, ethics/conflict of interest, reporting, and collateral/safekeeping/custody matters. The proposed Investment Policy plan meets state/local statutes. Parry stated that there have been no revisions since the 2021 Investment Policy and recommended Council approval.

RESOLUTION 2022-34: Motion by Billy Sinyard, seconded by Greg Casey, to approve the Investment Policy and Strategy and supporting Resolution 2022-34 for the City of Gatesville; all six voting "Aye", motion passed.

11) CITY MANAGER'S REPORT:

CAPITAL PROJECTS:

Capital Improvement Plan: City Manager, Public Works Department Heads, Planning Department Head, and Finance Director are meeting with Walker Partners Engineers tomorrow to refine and scrub the CIP. Some lift stations and force main issues need to be analyzed and then strongly considered to be moved to the top of the CIP. The City may have to issue debt to repair some of these items.

Drainage Study & Master Plan: This grant covers the entire Leon River/Coryell Creek watershed project. Staff was attempting to just submit an application for a drainage study and master plan for only the city limits of Gatesville. Walker Partners will work with the Texas Water Development Board (TWDB) to modify the grant agreement so this project can move forward. Staff is now working with the third TWDB manager which make the process a bit more difficult.

Western Pressure Plane Project: In the 1970's the City ran a 2" water line down CR 133 (which is out of the city limits) to serve a dairy farm. As the years went by the city allowed more outside- the -city-limits residents tap into this line and now there are more connections than Texas Commission of Environmental Quality (TCEQ) allows on a 2" dead end water main. In 2007 an in-line booster pump station was installed on west US Hwy 84 by the City without notifying TCEQ. TCEQ notified the City that this pump was not an authorized system with TCEQ rules and would need to be taken out and replaced with a separate storage tank and a separate pneumatic tank so the water could be pumped up the hill correctly. There are about four (4) houses at the end of the line that sometimes have an issue receiving the correct water pressure of 35 pounds per square inch (psi) whenever everyone is using water simultaneously. Walker Partners Engineers has re-engineered several solutions to this issue and the cheapest scenario would cost the city approximately \$300,000 for about 15-20 residents that don't live in the city limits. Installing these tanks and pumps for out of city limits residents probably isn't the best use of tax payer's money. City staff has consulted with Multi-County Water Supply Inc. who has a water line (Certificate of Convenience & Necessity) by CR 133 and are willing to take some of these customers and serve them from their water system and who would then become customers of Multi-County Water Supply. If the Multi-County Water Supply Board of Directors approve this project at their meeting in May the Certificates of Convenience & Necessity would then be required to be amended with the Public Utility Commission. The booster pressure pump would then be removed as the city's water tank can provide the customers on west Hwy 84 right outside the city limits enough water pressure. Completion of this project would relieve the City of the Notice of Violation that has been around for 15 years.

FUTURE COUNCIL MEETING AGENDA TOPICS:

- A Cemetery Mowing contract was tentatively scheduled to be on the next meeting agenda for Council approval but no one submitted a bid. Insurance requirements for contractors may need to be reviewed to make sure the correct required amount is stated in the contract.
- Will provide a handout with results from the Household Hazardous Waste event at the next meeting.
- Possibly go into Executive Session at the next meeting regarding the lot between Graves Florist and the Appraisal District office to consider going out for bid.

12) ADJOURN MEETING AT 6:40 P.M., THIS 12TH DAY OF APRIL, 2022

ATTEST:

Wendy Cole
City Secretary

APPROVED:

Gary M. Chumley
Mayor

