

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
5:30 P.M
GATESVILLE CITY COUNCIL CHAMBERS
110 NORTH 8TH STREET, GATESVILLE, TEXAS 76528
NOVEMBER 14, 2024

An Open Meeting was held concerning the following subjects:

1. Call to Order: Mayor Chumley called the meeting to order at 5:34 P.M. on November 14, 2024.
2. Quorum check: Mayor Gary Chumley, Councilmembers Greg Casey, Joe Patterson, John Westbrook, Aaron Smith, and Barbara Burrow, Council Elect, Kalinda Westbrook and Jon Salter

Regrets: Mayor Pro-Tem Meredith Rainer

City Staff Present: City Manager, Brad Hunt, Deputy City Manager/CFO, Mike Halsema; City Secretary Wendy Cole and Holly Owens, Interim Police Chief, Georg Cleverly; Parks and Recreation, Seth Phillips; Library, Shae Harp; Civic Center, Morgan Smart; Human Resources, Lori McLaughlin

Others: Leo and Dana Corona, Lloyd Hayslip, Caleb Hayslip, Danny and Debra Kilgore, Toni Randall, Travis VanBibber, Keith Smart, Yvonne Williams (Chamber), Tonya Place (Municipal Judge), Tom Creek, Marley Boiles, Shane and Kegan Webb, Kim Chumley, Monica Salter, David Jones (FNI), Kaley Dusang (Gatesville Messenger), Annette Coe, Jeff Clark (Appointed Police Chief)

3. Invocation and Pledge of Allegiance: John Westbrook gave the invocation and led the Pledge of Allegiance.
4. Citizens/Public Comments Forum: Individuals wishing to address the Gatesville City Council may do so during this segment. If you intend to comment on a specific agenda item, please indicate the item(s) on the sign-in sheet before the meeting. Each speaker is allotted a maximum of 3 minutes for their remarks, and speakers are expected to conduct themselves in a respectful & civil manner. In accordance with the Texas Open Meetings Act, the City of Gatesville City Council cannot deliberate or act on items not listed on the meeting agenda.

Debra Kilgore, Pennoli Bed & Breakfast located at 1009 E Main St. came forward to address the Council regarding their special event application.

CONSENT:

5. All consent agenda items are considered routine by the City Council and will be enacted by a single motion. There will be no separate discussion of these items unless a Councilmember requests an item to be removed and considered separately.

RESOLUTION 2024-117: Discussion and possible action regarding approval of Minutes from Regular City Council Meeting held on October 22, 2024. (Holly Owens)

RESOLUTION 2024-118: Discussion and possible action regarding September 2024 Financials. (Mike Halsema)

RESOLUTION 2024-119: Discussion and possible action regarding a resolution of the City of Gatesville, Texas authorizing the submission of a Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Community Development Fund. (Mike Halsema)

CONSENT AGENDA: Mayor Chumley removed Resolution 2024-120 from the Consent Agenda. Motion by John Westbrook, seconded by Barbara Burrow to approve the Consent Agenda minus Resolution 2024-120 as written. All five voting “Aye”, motion passed.

RESOLUTION 2024-120: Discussion and possible action regarding a proclamation recognizing the Salvation Army Red Kettle Kickoff Campaign. (Mayor Chumley)

Motion by Joe Patterson, seconded by Greg Casey to approve Resolution 2024-120; Proclamation recognizing the Salvation Army Red Kettle Kickoff Campaign. All five voting “Aye”, motion passed.

Mayor Chumley presented the proclamation to the Salvation Army Representative.

OTHER BUSINESS:

6. Discussion and possible action regarding the November 5, 2024, Election: (Wendy Cole)

- A. Canvass Votes
- B. Declare Election Results
- C. Administer Oath to newly elected Council Members
- D. Issue Certificates of Election

City Secretary, Wendy Cole, canvassed the votes and declared the election results:

Position – Name	Absentee Voting	Early Voting	Election Day Voting	Total Votes
<u>Mayor</u>				
Leo Corona	25	873	274	1,172
Gary Chumley	67	1,444	312	1,823
<u>Ward 1, Place 2</u>				
Jon Salter	65	2,026	539	2,630
<u>Ward 2, Place 4</u>				
Joe Patterson	70	2,026	544	2,640
<u>Ward 2, Place 6</u>				
Kalinda Westbrook	52	1,398	361	1,811
Willie Joe Taylor	28	647	181	856

RESOLUTION 2024-121: Motion by Joe Patterson, seconded by John Westbrook to approve the canvassed votes regarding the election of the Mayor and Council Members and declare the results final. All five voting “Aye”, motion passed.

City Secretary, Wendy Cole administered the oath to the newly elected council members, Jon Salter and Kalinda Westbrook and re-elected council members, Gary Chumley and Joe Patterson. The Council took their seats at the dais.

7. Recognize Outgoing Councilmembers Barbara Burrow and John Westbrook. (Mayor Chumley)

Mayor Chumley presented Councilmembers Barbara Burrow and John Westbrook with a commemorative clock to honor their time on council.

8. Discussion and possible action to appoint Mayor Pro-Tem. (Mayor Chumley)

RESOLUTION 2024-122: Councilman Smith nominated Greg Casey for Mayor Pro-Tem, seconded by Joe Patterson. There were no other nominations. All five voting “Aye”, motion passed.

EXECUTIVE SESSION:

18. Recess Regular Meeting and Call for an Executive Session – Closed Meeting

The City Council of the City of Gatesville will convene into a closed executive session pursuant to Texas Government Code Section 551.074 (personnel matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, to wit: City Judge and City Prosecutor.

19. City Council entered Executive Session at 5:51 P.M.

20. City Council reconvened into Regular Session at 6:01 P.M.

21. Discussion and possible action resulting from deliberations in Executive Session.

RESOLUTION 2024-129: CITY JUDGE: Motion by Greg Casey, seconded by Kalinda Westbrook to approve the agreement for Municipal Judge Services, contracting Mrs. Tonya Place as the Municipal Judge for the City of Gatesville, for the agreed-upon term. All five voting “Aye”, motion passed.

RESOLUTION 2024-130: CITY PROSECUTOR: Motion by Jon Salter, seconded by Aaron Smith to approve the agreement for Municipal Prosecutor Services, contracting Mr. Charlie Buenger, of Buenger & Associates, as the Municipal Prosecutor for the City of Gatesville, for the agreed-upon term. All five voting “Aye”, motion passed.

9. City Manager Report: (Brad Hunt)

Brad Hunt introduced the new Police Chief, Jeff Clark and his family. Mr. Hunt presented a power point covering each department regarding staffing, priority items, and communication. The council was also updated on ongoing projects, grants, and FEMA. Mr. Hunt finished his presentation by announcing up-and-coming community events.

10. Discussion and possible action regarding a finance agreement to purchase three pickups through Randall Reed’s Planet 635 Ford. (Mike Halsema)

Mr. Halsema explained the purchase of one F150 4x4 at \$42,510, one F150 2WD at \$36,998, and one F250 2WD at \$47,999. The vehicles are priced through the HGAC purchasing co-op contract. Randall Reed Planet 635 Ford is a vendor qualified under the HGAC contract and has provided the quotes for all vehicles. All vehicles are in the dealer’s lot and are ready for purchase. The Parks and Water Production trucks were budgeted utilizing 5-year financing. Staff are proposing financing the Parks and Water Production vehicles through Government Capital. Financing is proposed for 5 years, with an annual payment of \$18,872.02 (combined) at an interest rate of 6.817% beginning March 2025. The Animal Control vehicle was budgeted under the capital improvement fund and will be a cash purchase. The Animal Control vehicle will require a third party to re-install the animal box from the existing truck. The additional cost is expected to be minimal and is not included in the purchase price presented.

Councilwoman Westbrook asked about policy for when the City pays cash versus finance for vehicles. Mr. Halsema stated Staff have been building the capital improvement fund to have the ability to purchase vehicles because in the past, city vehicles were leased, and they were driven without any maintenance plan. The City is currently working to build the vehicle fleet and put a maintenance and rotation schedule in place. It will be a few years before the City will be able to purchase vehicles without financing.

Councilman Patterson questioned the language of the resolution regarding qualified tax-exempt obligation and the interest rate. Mr. Halsema stated the language used is State Law to not commit future council to expenditures.

RESOLUTION 2024-123: Motion by Joe Patterson, seconded by Greg Casey to approve the purchase of three pickups through Randall Reed's Planet 635 Ford. All five voting "Aye", motion passed.

11. Discussion and possible action regarding a request from Dana Corona for placement of an honorary street sign. (Brad Hunt)

Mr. Hunt presented the honorary street sign request. The City received an application and payment for an honorary street sign on September 1, 2024 from Mrs. Dana Corona. The application listed the career highlights of her husband and then Mayoral candidate Leo Corona, and originally requested that a portion of East Main Street (US 84) near the intersection with Veterans Memorial Drive be given the honorary designation of "Veteran Leo Corona"; the application was soon thereafter amended and re-submitted to have the designation read "Veterans Way". As Mayor Corona was at that time a current candidate for Mayor, presentation of this application to council prior to the election, and its subsequent appearance of city staff support, would have been improper. Therefore, staff were directed that the application would be presented as an agenda item on the first council meeting directly following the election. This decision was based on Texas City Managers Association Code of Ethics, Tenet 7, which states: "Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body." Therefore, Staff is abstaining from a recommendation.

Mrs. Dana Corona, 409 State School Road, came forward to request the approval of the application.

Councilman Patterson expressed his appreciation to Mr. Corona for his military service and his volunteerism. However, when this honorary sign application and process was created, Mr. Patterson believes the intent was for a resident who has served in the military and who has spent most of their life living and serving in the City of Gatesville. Another concern is the request is for a phrase and not a name and if this would set a future precedence.

RESOLUTION 2024-124: Motion by Aaron Smith, seconded by Joe Patterson, to deny the application for the placement of an honorary street sign in the name of "Veterans Way" on the existing signpost at Veterans Memorial Drive and Main Street in Gatesville, Texas. All five voting "Aye", motion passed.

12. Discussion and possible action regarding the closure of the historic 1904 Leon River Bridge to all traffic, including pedestrians, due to safety concerns. (Brad Hunt)

Mr. Hunt explained the historic value of the Leon River Bridge and reminded Council of the extensive community interest in this bridge between 2015 and 2019. Since the partial restoration and rededication in 1994, it has been in a state of declining repair with no record of maintenance done in the last 30 years. The bridge remains open to pedestrian traffic, but there is an increasing concern that it may fail catastrophically even under these reduced loads. TxDOT provided the City with a 2019 bridge inspection report that stated in writing that they would not recommend allowing any type of crossing. Game cameras were installed to monitor the bridge's activity for four weeks. The cameras documented over 200 crossings by walkers, bicyclists, and motorcyclists. Staff recommend temporarily closing the Leon River Bridge to address safety concerns and allow for future consideration of funding for repairs.

RESOLUTION 2024-125: Motion by Greg Casey, seconded by Jon Salter to temporarily close the Leon River Bridge to address safety concerns and allow for future consideration of funding for repairs. All five voting "Aye", motion passed.

13. Discussion and possible action regarding the south sewer line upgrade with State and Local fiscal recovery funds (SLFRF). (Mike Halsema)

Mr. Halsema stated this item has changed and a new report will be presented at the next meeting.
NO ACTION WAS TAKEN ON THIS ITEM.

14. Discussion and possible action regarding an agreement between the Coryell County Youth Fair Board and the City of Gatesville for concrete work at the Civic Center Agricultural Barn. (Brad Hunt)

Keith Smart with Coryell County Youth Fair Board came forward. Mayor Chumley asked about the mechanics of showing the animals. Mr. Smart stated shavings are brought in to show the animals.

RESOLUTION 2024-126: Motion by Joe Patterson, seconded by Aaron Smith to approve an agreement between Keith Smart of the Coryell County Youth Fair Board of Directors and the City of Gatesville, regarding improvements to the Agricultural Barn at the Gatesville Civic Center, and grant City Manager Hunt authority to execute the agreement. All five voting “Aye”, motion passed.

15. Discussion and possible action regarding an On-Call Planning and Development Review professional service agreement with Freese & Nichols, Inc. (FNI). (Holly Owens)

Ms. Owens explained in January of 2024, a professional services agreement not to exceed \$49,980 was entered into with Freese & Nichols for on call planning services and in June of 2024 that agreement was amended to add \$30,000. Due to a large influx of projects that had arrived prior to September, those funds have been used and Staff is requesting an additional \$30,000 to have on hand for on-call planning and development review services. Staff are working to reduce these services with in-house review and therefore reduce the financial impact, however, there may be a time that their services are needed again. This amendment is more of a safety net to guarantee the services are available instead of an on-going expenditure and Staff is working to add third-party review costs to the fee schedule to be reimbursed by the developer for future projects.

David Jones with FNI came forward to address any questions or concerns of the Council.

RESOLUTION 2024-128: Motion by Kalinda Westbrook, seconded by Greg Casey to approve Resolution 2024-128 amending the On-Call Planning and Development Review professional service agreement with Freese & Nichols, Inc., authorizing the City Manager to execute all related documents. All five voting “Aye”, motion passed.

16. Discussion regarding an Ordinance 2024-11, amending the Gatesville Code of Ordinances by amending Chapter 48 - Subdivisions; Providing a Severability Clause; Providing a Savings Clause; and Providing for an Effective Date. (2nd Reading of Ordinance 2024-11) (Holly Owens)

Ms. Owens stated this ordinance is an amendment adding definition and procedure language for minor plats and bringing other items current with legislation and standards. The amended language regarding the requirement of performance bonds in lieu of a line of credit was explained further due to questions from Council at the last meeting.

ORDINANCE 2024-11: Motion by Greg Casey, seconded by Joe Patterson to adopt the amendment to the Gatesville Code of Ordinances by amending Chapter 48 – Subdivisions to the next meeting. All five voting “Aye”, motion passed.

17. Discussion regarding an Ordinance of the City of Gatesville, Texas amending the Gatesville Code of Ordinances at Chapter 10 “Buildings and Building Regulations”, Article II “Technical Codes”, by adding a new Division 4 “Portable Buildings and Containers”; Providing a Penalty of Fine not to Exceed \$500; Providing a Severability Clause; Providing a Savings Clause; and Providing for an Effective Date. (2nd Reading of Ordinance 2024-12) (Holly Owens)

Ms. Owens explained the ordinance and regulations for portable buildings and stated that there were no changes from the previous reading.

Mayor Chumley verified that any existing container is grandfathered. Ms. Owens stated yes.

Councilman Smith verified that the containers cannot be lived in. Ms. Owens stated yes.

Councilwoman Westbrook asked how many portable buildings are currently in the city. Ms. Owens stated she had driven the city and did not find a lot.

ORDINANCE 2024-12: Motion by Aaron Smith, seconded by Jon Salter to adopt the amendment to the Gatesville Code of Ordinances at Chapter 10 “Building and Building Regulations”, Article II “Technical Codes”, by adding a New Division 4 “Portable Buildings and Containers” to the next meeting. All five voting “Aye”, motion passed.

22. Adjourn Meeting

City Council adjourned at 7:25 P.M.

I hereby attest that the above agenda was posted on this the 8th day of November, 2024 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, 803 E. Main Street and Gatesville Council Chambers, 110 N. 8th Street, Gatesville, Texas.

The City of Gatesville council chambers are wheelchair accessible and accessible parking spaces are available at the back entrance of City Hall. Requests for accommodation 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 howens@gatesvilletx.com for further information.

As authorized by section 551.071 of the Texas Government Code, this meeting may be convened into closed, executive session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item herein. The City of Gatesville reserves the right to reconvene, recess, or realign the regular session or called executive session or order of business as set forth on the agenda at any time prior to adjournment.

ATTEST:

Holly Owens
City Secretary

APPROVED:

Gary M. Chumley
Mayor