

City Council Meeting

March 14, 2023

At

Gatesville Council Chamber

110 N. 8th Street

5:30 P.M.



**INDEX
REGULAR CITY COUNCIL MEETING
MARCH 10, 2023
5:30 P.M.**

PAGE 1 --- AGENDA – 3-14-2023

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

PAGE 2-6 -- 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 2023-26: MINUTES FROM THE REGULAR CITY COUNCIL MEETING FEBRUARY 28, 2023

RESOLUTION 2023-37: DISCUSSION AND POSSIBLE ACTION TO ACCEPT THE RE-APPOINTMENT/APPOINTMENT OF JIM BAIZE, JOHN MACH, HERSHAL MOONEY, AND JERRY WRIGHT TO THE CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS, PLACES 1, 3, 5 AND 7 RESPECTIVELY, AND STACY SUMMERS AS ALTERNATE 1

PAGE 7-8- CITY COUNCIL MEMORANDUM- 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

NO MEMO -- DISCUSSION AND POSSIBLE ACTION REGARDING ENFORCEMENT OF REPAIR ORDER NUMBER 2022-01 ISSUED ON JANUARY 11, 2022 AND RENOVATION COMPLETION REPORT AND POTENTIAL PENALTY REGARDING 308 FENNIMORE STREET, GATESVILLE, TEXAS

NO MEMO -- DISCUSSION AND POSSIBLE ACTION REGARDING ENFORCEMENT OF DEMOLITION ORDER NUMBER 2022-02 ISSUED ON JANUARY 25, 2022 AND RENOVATION COMPLETION REPORT AND POTENTIAL PENALTY REGARDING 2006 BRIDGE STREET, GATESVILLE, TEXAS

PAGE 9 -- CITY COUNCIL MEMORANDUM- DISCUSSION AND POSSIBLE ACTION REGARDING THE CITY OF GATESVILLE'S CONTRACT WITH SUNBRIGHT RECYCLING AND THE SINGLE-STREAM RECYCLE CONTAINER AT THE UTILITY BUILDING

NO MEMO--RECESS REGULAR MEETING AND CALL AN EXECUTIVE SESSION --

THIS CLOSED SESSION IS IN ACCORDANCE WITH LOCAL GOVERNMENT CODE SECTION 551.072- REAL PROPERTY- DELIBERATION REGARDING POTENTIAL SALE OF A PROPERTY LOCATED IN THE CITY OF GATESVILLE, CORYELL COUNTY, TEXAS: 805 E. MAIN STREET, GATESVILLE, TEXAS, LEGALLY KNOWN AS ORIGINAL TOWN GATESVILLE, BLOCK 10, LOT 2 PT, LOT 6 & LOT 9 PT, .144 ACRES

END EXECUTIVE MEETING AND RECONVENE REGULAR MEETING-----

PAGE 10- CITY COUNCIL MEMORANDUM- DISCUSSION AND POSSIBLE ACTION REGARDING THE SALE OF PROPERTY LOCATED AT 805 E. MAIN STREET, GATESVILLE, LEGALLY KNOWN AS ORIGINAL TOWN GATESVILLE, BLOCK 10, LOT 2 PT, LOT 6 & LOT 9 PT, .144 ACRES

PAGE 11- 13 -- CITY MANAGERS REPORT: CAPITAL PROJECTS, FUTURE AGENDA TOPICS

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
MARCH 14, 2023 AT 5:30
GATESVILLE CITY COUNCIL CHAMBERS
110 NORTH 8TH STREET, GATESVILLE, TEXAS 76528

1. Call Regular Meeting 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. 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 2023-26 Discussion and possible action to approve of Minutes from Regular City Council Meeting February 28, 2023

Resolution 2023-27 Discussion & possible action to accept re- appointment and appointment of Jim Baize, John Mach, Stacy Summers, and Jerry Wright to the Construction Board of Adjustments and Appeals, Places 1, 3, 5 and 7 respectively, and Tyler Powell as Alternate 1

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 regarding enforcement of Repair Order Number 2022-01 issued on January 11, 2022 and renovation completion report and potential penalty regarding 308 Fennimore Street, Gatesville, Texas
6. Discussion and possible action regarding enforcement of Demolition Order Number 2022-02 issued on January 25, 2022 and renovation completion report and potential penalty regarding 2006 Bridge Street, Gatesville, Texas
7. Discussion and possible action regarding the City of Gatesville's contract with Sunbright Recycling and the single-stream recycle container at the Utility Building
8. Discussion and possible action to call a Special Meeting March 23, 2023 regarding interviews with City Manager position candidates
9. Recess Regular Meeting and enter into Executive Session -----

This closed session is in accordance with Local Government Code Section 551.072- Real Property- Deliberation regarding potential sale of a property located in the City of Gatesville, Coryell County, Texas: 805 E. Main Street, Gatesville, Texas, legally known as Original Town Gatesville, Block 10, Lot 2 PT, Lot 6 & Lot 9 PT, .144 acres

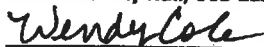
10. End closed session and reconvene regular Meeting-----

11. Discussion and possible action regarding the sale of property located at 805 E. Main Street, Gatesville, legally known as Original Town Gatesville, Block 10, Lot 2 PT, Lot 6 & Lot 9 PT, .144 acres

12. City Managers Report: Capital Projects, Future Agenda Topics

13. Adjourn Meeting

I hereby attest that the above agenda was posted on this the 10th day of March, 2023 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 East Main Street and 110 North 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 28, 2023 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 28TH DAY OF FEBRUARY, 2023

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

OTHERS PRESENT: City Manager William H. Parry III, City Secretary Wendy Cole, Mike Halsema, Rene Ochoa, Brad Hunt, Leo Corona, 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 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 2023-19: Minutes from Regular City Council Meeting February 14, 2023

RESOLUTION 2023-20: Minutes from Special City Council Meeting February 21, 2023

RESOLUTION 2023-21: 1ST Quarter Fiscal Year 2022-23 Investment Report for the City of Gatesville

Motion by Greg Casey, seconded by John Westbrook, to approve the Consent Agenda; all six voting "Aye", motion passed.

4) DISCUSSION AND POSSIBLE ACTION REGARDING:

- RESOLUTION 2023-22 OF THE CITY COUNCIL OF THE CITY OF GATESVILLE, TEXAS, AUTHORIZING THE SUBMISSION OF A 2023-24 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND COMPETITION, AND REAFFIRMING HOUSING AND URBAN DEVELOPMENT POLICIES

- RESOLUTION 2023-23 AUTHORIZING CITY REPRESENTATIVES AS SIGNATORIES IN MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE 2023-24 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND FUTURE GRANTS ADMINISTERED THROUGH THE TEXAS DEPARTMENT OF AGRICULTURE TDA GO GRANTS ONLINE

City Manager Parry said that the City of Gatesville will be submitting a grant application to replace the earthen lagoons at the Water Treatment Plant and in order to be considered the application must be submitted by April 3, 2023.

Since Community Development Block Grants (CDBG) are funded by the U.S. Department of Housing

and Urban Development (HUD) and administered by the Texas Department of Agriculture. The grant requires the City to comply with 32 separate Certifications and Assurances mandated by 24 CFR (HUD). Those include City policies covering:

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

These policies were re-affirmed by the City Council in April 2022 for the submission of the 2022 CDBG-Fire, Ambulance, and Service Truck (FAST) grant and just need to be re-affirmed again at tonight's meeting.

The City Council is also required to pass a Resolution authorizing the submission of the grant and a Resolution authorizing signatories if the grant is awarded.

RESOLUTION 2023-22: Motion by Billy Sinyard, seconded by Barbara Burrow, to approve a Resolution of the City Council of The City Of Gatesville, Texas, authorizing the submission of a 2023-24 Texas Community Development Block Grant Program Application to the Texas Department of Agriculture for the Community Development Fund competition, and reaffirming Housing and Urban Development Policies; all six voting "Aye", motion passed.

RESOLUTION 2023-23: Motion by Meredith Rainer, seconded by Claude Williams, to approve a Resolution authorizing City Representatives as signatories in matters pertaining to the City's participation in the 2023-24 Texas Community Development Block Grant Program and future grants administered through the Texas Department of Agriculture TDA Go grants online; all six voting "Aye", motion passed.

5) DISCUSSION AND POSSIBLE ACTION REGARDING ENFORCEMENT OF REPAIR ORDER NUMBER 2022- 01 ISSUED ON JANUARY 11, 2022 AND RENOVATION COMPLETION REPORT AND POTENTIAL PENALTY REGARDING 308 FENNIMORE STREET, GATESVILLE, TEXAS

City Manager Parry said that Mr. Berry still could not attend tonight's meeting due to a recent health issue. Parry said that 308 Fennimore is very close to being finished but not quite completed. The project is not quite past the electrical inspection. The sheetrock is in and has been taped and floated but has not been painted- therefore no covers are on the electrical box or wall outlets. The contractor has indicated that is all that is needed and should be finished any day now. City Inspector, Robert Featherston, is aware of the update and is waiting for their call. Since there is essentially nothing new to report and is very nearly complete City Manager Parry determined that this will be put on the next agenda on March 14, 2023.

6) DISCUSSION AND POSSIBLE ACTION REGARDING ENFORCEMENT OF DEMOLITION ORDER NUMBER 2022-02 ISSUED ON JANUARY 25, 2022 AND RENOVATION COMPLETION REPORT AND POTENTIAL PENALTY REGARDING 2006 BRIDGE STREET, GATESVILLE, TEXAS

City Manager Parry reminded the Council that on November 15, 2022, the Building Standards Commission (Council) gave Mr. Josiah Wilson until February 15, 2023 to complete the renovation on 2006 Bridge Street and then report back to the Council at this meeting that it was completely finished. On November 15th, Mr. Wilson said that he would definitely be done by February 15 but that has not happened. Mr. Wilson emailed the City Manager and Mayor and said that he could not be at the meeting tonight because he was out of town. The house looks better on the outside but is not anywhere near being completed on the inside. The plumbing is not complete so the electrical and sheetrock are on hold.

The plumbing has been done incorrectly by an unlicensed plumber so will have to be taken out and done correctly. City Manager Parry said that he responded to Mr. Wilson's email that a definitive timeline was needed – including a completion date. Mr. Wilson has not yet responded.

Following a lengthy discussion regarding the options of issuing penalties, issuing an extension, or ordering demolition, Mayor Chumley asked for a motion.

RESOLUTION 2023-24: Motion by Meredith Rainer; seconded by Barbara Burrow; to approve issuing fines per day to Mr. Josiah Wilson starting March 1, 2023 for failure to follow the Building Standard Commission's orders regarding the renovation timeline for 2006 Bridge Street, Gatesville, Texas and continue fines until renovations are brought up to code and complete; all six voting "Aye," motion passed.

7) DISCUSSION AND POSSIBLE ACTION REGARDING A CONTRACT TO SELL 6.80 ACRES OUT OF SAMUEL RIGGS, ABSTRACT 859 TBD FM HIGHWAY 215

Mark Davis approached the City in August 2020 on behalf of Hay Valley Ranch, LLC about obtaining an easement from the City (at the former landfill site) to a tract of land that was landlocked from FM 215 for future housing development. Hay Valley Ranch, LLC acquired the property in March 2020. Hay Valley Ranch, LLC owns three separate tracts of property straddling SH 36 totaling 1206 acres. After discussion with the County Attorney (who opposed an easement which would have created a County road that would have to be maintained) and the City Attorney, an option of selling the property was deemed the best option.

Texas Local Government Code, Section 253.014 authorizes the City to list a property it owns with a broker for at least 30 days and sell the property to a buyer that submits the highest cash offer:

(b) The governing body of a home-rule municipality may contract with a broker to sell a tract of real property that is owned by the municipality.

(d) If a contract is made under Subsection (b) with a broker to list the tract of real property for sale for at least 30 days with a multiple-listing service, the governing body on or after the 30th day after the date the property is listed may sell the tract of real property to a ready, willing, and able buyer who is produced by any broker using the multiple-listing service and who submits the highest cash offer.

An independent appraisal was obtained in October 2022 valuing the property at \$102,000. The City Manager signed a listing agreement with Front Porch Realty on January 5, 2023 and the property was placed on the Central Texas MLS. Front Porch Realty did not charge the city to list the property nor was a commission charged so this transaction will be at no cost to the City.

On February 7, 2023 Hay Valley Ranch, LLC submitted a cash offer of \$102,000 for the 6.8 acre property. Hay Valley Ranch, LLC will fence the remaining portion of the former landfill and provide gated access to that property at a location acceptable to the City. Provided that environmental issues are cleared and approved by the Texas Commission on Environmental Quality, this sale should be finalized in approximately sixty (60) days. There would be no liability to the City if the environmental study did not get approved. If this were the situation – the sale just would not happen.

RESOLUTION 2023-25: Motion by Barbara Burrow; seconded by Greg Casey; to approve the sale of 6.8 acres of City property on FM 215 in the amount of \$102,000 and authorize the City Manager to execute the sales contract on behalf of the City; all six voting "Aye," motion passed.

8) CITY MANAGERS REPORT:

Capital Projects:

STILLHOUSE WASTEWATER TREATMENT PLANT EXPANSION PROJECT: Sent an email to Texas Water Development Board (TWDB) Engineer/Senior Engineer- Brazos Team to determine

whether TWDB desires to review the plans prior to going out for bids; still awaiting response. This lack of response could affect the project timeline a bit.

WATER TREATMENT PLANT CLARIFIER #2 REHABILITATION PROJECT: Bid opening March 15th.

WATER TREATMENT PLANT CLARIFIER #1 MECHANISM REPLACEMENT: Waiting on parts and sealed shop drawings for fabrication.

LOVERS LANE WATER/WASTEWATER REPLACEMENT PROJECT: Almost ready to go out for bids on the 10" trunk line replacement.

MILLS STREET WATER/SEWER LINE REPLACEMENT PROJECT (PHASE II): The project is almost ready to go out for bid.

FEMA DISASTER DECLARATION- FAUNT LE ROY PARK REPLACEMENT PROJECT: FEMA reports that the City has a new analyst assigned to this project and that FEMA is on "Step 8".

BROWNFIELDS CLEANUP GRANT FOR THE ROTUNDA UPDATE: The "Request for Bids" document for the wet demolition of the Rotunda have been prepared and have been provided to Baer Engineering for review. Still waiting for their feedback that the document is ready to be issued.

DEPARTMENT HEAD REPORTS: New Police Chief Brad Hunt has provided a new format to the PD monthly report and is asking for Council feedback that this information provided is useful and informative.

FUTURE COUNCIL MEETING AGENDA TOPICS: March 14, 2023: Update from Dennis Berry regarding 308 Fennimore renovations. Updates regarding Josiah Wilson and 2006 Bridge Street will be scheduled on future agendas as well. Additional topics are to be determined.

Mayor Chumley asked for an update regarding high-speed internet in Gatesville. Planning Director, Rene Ochoa, explained that there are currently 3 internet service providers (ISP) that have shown interest in laying down fiber in Gatesville; with only one of these ISP that submitted a plan. The internet providers are using federal funds to fund these proposed projects. Mr. Ochoa said that there will need to be pre-construction meetings with whatever provider is selected regarding broken water and sewer service lines that are certain to occur during construction. Points of contact for constant communication with the selected provider will need to be established and also how the City will be reimbursed for repairs. Notifying businesses and residents will occur before the project takes place.

Councilmember Rainer asked about an update regarding the City Manager search. Finance/Human Resource Director, Mike Halsema, said that it is the same 4 finalists that were selected by the Council and any updates will be provided to Council by SGR search firm representative, Larry Gillis, by March 13/14. A Special Meeting may need to be scheduled for the third full week in March in order to move forward efficiently with the finalist selection.

9) ADJOURN MEETING AT 6:35 P.M., THIS 28TH DAY OF FEBRUARY, 2023

ATTEST:

APPROVED:

Wendy Cole
City Secretary

Gary M. Chumley
Mayor

CITY COUNCIL MEMORANDUM

AGENDA ITEM: Consider the re-appointment/appointment of members to the Construction Board of Adjustment and Appeals

ORIGINATING DEPARTMENT: Administration

BACKGROUND INFORMATION: A Construction Board of Adjustment and Appeals was established April 24, 2001 (Ord. No. 2001-07). The purpose of the board was to allow the owner of a building, structure or service system, or his duly authorized agent, who was trying to build or remodel a structure, the ability to appeal a decision of the building official. The Board would decide whether to allow a variance on the code in question.

DISCUSSION/CONCLUSION: The board consists of seven (7) members and two (2) alternates and shall be approved by the City Council. Such Board members should be composed of individuals with knowledge and experience in the technical codes adopted by the City Council of the City of Gatesville governing construction. The alternate members shall be from the public at large and the other members shall be from the building industry. A board member shall not act in a case in which he has a personal or financial interest.

The Council approved the Board to be set up on a staggered basis with Place 1, 3, 5, & 7 and Alternate 1 currently up for appointment for a two-year term. There are a few changes to the Board as Hershhal Mooney has resigned.

RECOMMENDATION: Approve the following re-appointments/appointments to the Board of Adjustment and Appeals:

Place 1: Jim Baize (re-appointed)

Place 3: John Mach (re-appointed)

Place 5: Stacy Summers (move from Alternate 1 to replace Hershhal Mooney)

Place 7: Jerry Wright (re-appointed)

Alternate 1: Tyler Powell (newly appointed)

CITY COUNCIL MEMORANDUM

AGENDA ITEM: 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

ORIGINATING DEPARTMENT: Administration

BACKGROUND INFORMATION: The Cruzin Cruzers started holding their annual car show around the Coryell County Courthouse in 2019 because of the flood damage that occurred in 2018 at the previous location in Faunt LeRoy Park. Holding the car show around the Courthouse since 2019 has been an absolute success as there have been many more attendees and participation.

DISCUSSION/CONCLUSION:

- 1. The Cruzin Cruzers are requesting to hold the car show around the Courthouse square again this year.**
- 2. The requested date for the 37th annual car show is September 16, 2023. Spurfest is usually scheduled the same day as the car show and coincides with Spurfest festivities.**
- 2. There will be a representative from the Cruzin Cruiser's Car Club at the Council meeting to discuss the layout they propose and what streets they request to temporarily close.**
- 3. A satellite image of the proposed area is included behind this memorandum.**

RECOMMENDATION: Listen to briefing from the Cruzin Cruzers with possible action to approve their request.



CITY COUNCIL MEMORANDUM

AGENDA ITEM: Discussion and Possible Action regarding the City of Gatesville's contract with Sunbright Recycling and the single-stream recycle container at the Utility Building.

ORIGINATING DEPARTMENT: City Manager

BACKGROUND INFORMATION:

- 1. In January 2014, the City of Gatesville entered into a Memorandum of Agreement with Fort Hood that allowed the City to take segregated recyclable materials to North Fort Hood; the City had previously paid Waste Management for this service. In 2016, Fort Hood began placing a 40 CY dumpster at the Utility Yard and would pick it up when full. In 2019, Fort Hood's ability to service the recycling dumpster became sporadic, forcing us to turn people away when the dumpster was full.**
- 2. In July 2020, the City entered into a three-year contract with Sunbright Recycling to take over the recycling function. At that time, the haul charge was \$160.00 and the City was paid \$20 per ton of recycled materials. China quit taking U.S. recycled material (purportedly based on contamination rates) in 2018 shrinking markets for the materials.**
- 3. Effective March 2023 Sunbright Recycling is increasing the haul rate from \$160 to \$200 per haul and will charge a processing fee of \$55 per ton.**

DISCUSSION/CONCLUSION:

- 1. As per my e-mail of February 24, 2023 the cost to maintain the current recycling capability in the Utility Yard will increase to approximately \$920/month or \$11,000 per year.**
- 2. Gatesville residents are currently offered curbside recycling every other week; in effect maintaining a recycling capability at the Utility Yard is a redundant service – essentially resulting in double charge.**
- 3. The County Judge was included as an addressee in the February 24th e-mail.**
- 4. Businesses and multi-family housing units with dumpster service do not have an option to recycle under the current WM contract; WM indicated they would consider an amendment to the contract if the City desired to offer commercial recycling for a charge.**
- 5. The Sunbright Director of Business Development stated they could remove the equipment if the price increase was too much money.**

RECOMMENDATION: The City can save \$11,000 per year in General Fund expense by terminating the existing contract in July 2023. The City Manager will request a briefing from WM in the future on commercial recycling options.

CITY COUNCIL MEMORANDUM

AGENDA ITEM: Discussion and Possible Action regarding the potential sale of City property located at 805 E. Main Street, legally known as Original Town Gatesville, Block 10, Lot 2 (PT), Lot 6 & Lot 9 (PT), 0.144 acres.

ORIGINATING DEPARTMENT: City Manager

BACKGROUND INFORMATION:

- 1. The City purchased 805 Main Street from Cadence Bank on February 8, 2023.**
- 2. In the near-term, the space is currently excess to the City's needs.**
- 3. The City has been approached by an individual that is potentially interested in purchasing the building for a law office, real estate office and financial services office. None of those functions violate the restrictions on the use of the property contained in the purchase agreement.**
- 4. The City Attorney recommends that the City exercise the possible sale under Texas Local Government Code, Section 253.014 which authorizes the City to list a property it owns with a broker for at least 30 days and sell the property to a buyer that submits the highest cash offer:**
 - (b) The governing body of a home-rule municipality may contract with a broker to sell a tract of real property that is owned by the municipality.*
 - (d) If a contract is made under Subsection (b) with a broker to list the tract of real property for sale for at least 30 days with a multiple-listing service, the governing body on or after the 30th day after the date the property is listed may sell the tract of real property to a ready, willing, and able buyer who is produced by any broker using the multiple-listing service and who submits the highest cash offer.*

DISCUSSION/CONCLUSION:

- 1. If the City Council authorizes the sale of the property, it is recommended an independent appraisal be obtained to determine the property's value.**

RECOMMENDATION: Authorize the City Manager to obtain an independent appraisal of 805 E. Main Street, and list the property with a commercial real estate firm.

CITY MANAGER'S REPORT

14 MARCH 2023

1. CITY MANAGER INITIATIVES:

- Capital Projects:

- **Stillhouse WWTP Expansion – Project 2-01590 (Update).** Conducted an in-progress review with Walker Partners on 17 February concerning updated construction costs. The design phase is currently at 90% completion (waiting on architect and HVAC plans scheduled to be delivered by the end of this week). TWDB desires to review the plans and project manual prior to going out for bids (30-45 day process). Anticipate bidding the project in April – May 2023; anticipated Notice to Proceed not later than July 2023, pending any additional issues.
- **Other Capital Projects in progress (Update).**



PROJECT NAME	WP PROJECT NUMBER	DATE	PROJECT AMOUNT (ENGR/CONSTR)	STATUS
WTP CLARIFIER #1 MECHANISM REPLACEMENT	2-01638	May 4, 2020	\$25,050/\$360,000	Bid awarded 8/9/22 (\$843,190); waiting on sealed shop drawings for fabrication.
WTP CLARIFIER #2 REHABILITATION	NA	March 1, 2022	\$34,150/\$360,000	CDBG-funded; initial bid rejected. Walker Partners rescoped and advertised for bids. Bid opening 3/15/23
CHLORINE BOOSTER STATIONS (BP 7 & MOUNTAIN)	2-01633	April 30, 2020	\$29,300/\$60,000	Design complete; bid after Clarifier #2
MILLS STREET WATER/SEWER LINE REPLACEMENT (PH. II – MARY/BARNES/MILLS)	2-01657	April 19, 2022	\$144,658/\$868,385	Preliminary Design at 100%; gas line SUE complete; upon completion of project manual, will go out for bids.
DRAINAGE STUDY & MASTER PLAN	2-01644	Oct 12, 2020	\$250,000	Draft report sent to TWDB

				for review Exploring Phase 2 options with GLO under Resilient Communities Program
LOVERS LANE WATER/WASTEWATER REPLACEMENT	2-01635	November 4, 2021 – PSA	\$1,560,300	CLFRF-funded (tranche 1); Final Design at 100% - bid upon completion of project manual
REPLACE WESTERN PRESSURE PLANE IN-LINE PUMP				Modify 2015 Design
BP #2 BOOSTER PUMP STATION [Potential sale to Coryell City WSD]	2-XXXX	April 7, 2022	\$493,820	Electrical and building subs ready to start; anticipated completion 6/23
REPLACEMENT OF WASTEWATER FORCE MAIN			(T)\$466,000	Potential candidate project for CLFRF tranche 2
OLD FORT GATES AND INTERMEDIATE LIFT STATION UPGRADE/DESIGN NEW 8-INCH FORCE MAIN ILS-INTERCEPT	2-01611	May 2, 2018	\$161,325	
TECH MEMO/PRELIM DESIGN & INSTALL NEW PUMPS AT 107 LIFT STATION		May 2, 2018	\$31,500	
VALLEY VIEW LIFT STATION IMPROVEMENTS	2-01639	May 4, 2020	\$13,750/	

Other activities:

- AWOS Replacement: system will be shipped for storage at the airport; waiting on FAA approval for siting.

Dates of Note

- Friday, April 7: Good Friday – City holiday. City Hall closed.

2. ZONING ORDINANCE REVISION (No Change): City Council approved the 2020 Comprehensive Plan setting the stage for updating the City’s 1995 Zoning Ordinance. Exploring opportunities for General Land Office “Resilient Communities” grant (no City match requirement) to move this process forward.

3. FEMA DISASTER DECLARATION 4416 – FALL 2018 FLOODING (No Change): The status of the one remaining project (Faunt Le Roy Park) which has not been funded is below. I executed a contract in the amount of \$49,500 with LJA Engineering on 10 November 2021 with an estimated completion of June 2022. Have notified TDEM of a preferred alternative; will schedule a briefing for the City Council on the preferred alternative once final costs are determined. Willing to host a public meeting to receive comments on the proposal once TDEM/FEMA approve. Submitted the

“Improved Project Request Letter” to TDEM on August 26th and the concept drawings/cost estimates to TDEM on 15 November for their approval and forwarding to FEMA. TDEM forwarded the project Statement of Work to FEMA and is it “due to be reviewed soon.” If no resolution, will engage Congressman Carter to inquire.

Leon River embankment	#88221	The total estimated cost to repair the damage to pre-flood (October 2018) condition is \$1,360,727.92. FEMA has approved that amount as the maximum cost; the City’s 25% share would amount to \$340,181.98. I rejected FEMA’s Fixed Cost Offer, which would restore FLRP to its pre-flooding condition, but not fix the root cause of the problem that causes the flooding to occur. TDEM and FEMA must approve the Improved Project.
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4. BROWNFIELDS CLEANUP GRANT FOR THE ROTUNDA (Update): EPA sent the grant award letter to the City on 7 October 2021. Baer Engineering and Environmental Consulting from Austin, TX - the Qualified Environmental Professional – has developed the Quality Assurance Project Plan (QAPP). EPA Region 6 has authorized the City to develop and issue the RFP for the demolition contractor. Met virtually with Baer Engineering on 10 October to discuss technical specifications for cleanup; agreed can be done within the scope of our current QEP contract. Conference call with Baer Engineering on 4 January 2023. Since EPA has approved wet demolition, demo contractor technical specifications at not required. Updated Request for Bids sent to Baer Engineering to review before issuing it. Conference call update with EPA Region 6 conducted on 27 February 2023. Exploring grant administrative services contract. We will work on scheduling a kick-off meeting once the demolition contractor is procured.

5. FAST (Fire, Ambulance, and Service Truck) Fund – (CDBG) Grant (Update) – Grant application was submitted on 26 July 2022. Texas Department of Agriculture is currently scoring applications.

6. FUTURE COUNCIL MEETING AGENDA TOPICS:

March 23, 2023 (T)	City Manager Interviews	Special-called meeting
March 28, 2023	TBD	
April 11, 2023	TBD	

FUTURE COUNCIL MEETING TOPICS -- DATE TBD
 Various Ordinance Amendments (Chapter 12, Cemeteries; New Ordinances: Water Meter Tampering; Fats, Oil, and Grease (FOG); Shipping Containers as structures.)
 Ambulance Agreement with CHEMS

2023

-JANUARY-

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