

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
April 3, 2007
6:30 P.M.**

The City Council of the City of Gainesville, Texas met in regular session on March 20, 2007 at 6:30 p.m. with the following persons in attendance:

MEMBERS PRESENT: Mayor Glenn Loch
Council Members Charles Draper, Jim Goldsworthy, Carolyn Hendricks, Vince Rippy, Beverly Snuggs, Woody Williams

STAFF PRESENT: Mike Land, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Dan Parker, Finance Director; Ron Sellman, Public Services Director; Chris Cypert, Municipal Judge; Kent Sharp, GEDC Executive Director

VISITORS PRESENT: Kathy Floyd, Andy Hogue, Shane Lee, Wally Cox, Shawn Castle, Jeremy Sieger

CALL TO ORDER

Mayor Loch called the meeting to order with a quorum of members present. Councilmember Rippy arrived during reports.

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Hollis Parsons, Tabernacle Baptist Church, gave the invocation. Mayor Loch led in the pledge to the flag.

REPORTS

Shane Lee made a powerpoint presentation of a planned display for the tower bell from the historic downtown fire station. The bell was removed last year during repairs to the fire station roof. The firemen propose to display the bell in front of the downtown fire station at the corner of Rusk and Pecan Streets. Names of retired firemen will be etched into the brick foundation. A brass plaque on each column will detail the histories of the bell and the Gainesville Fire Department. The department plans a fundraising campaign to pay for the project.

Captain Steve Fleming, Gainesville Police Department, reported that 564 citations were issued locally in the past year to motorists for failure to maintain liability insurance, and many of the citations were to repeat offenders. Fleming said in April the Gainesville Police Department will implement a policy of impounding vehicles of repeat offenders who do not have the required liability insurance coverage. First time offenders will be given warning citations. The Gainesville PD has issued a press release to local news media to educate the public prior to implementation of the new policy.

CONSENT AGENDA

Council reviewed the Minutes of the March 20, 2007 Regular City Council Meeting and approved them as written.

BOARD APPOINTMENTS:

RESOLUTION NO. 04-03-2007 – APPOINTMENTS TO PLANNING AND ZONING COMMISSION

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING APPOINTMENTS TO THE PLANNING AND ZONING COMMISSION.

Randy Jones, Bill Williams, and Jan Russell were re-appointed to two-year terms on the Planning & Zoning Commission. Lynn Monden was appointed to a two-year term, to fill the position vacated by Dr. John Gage. Appointment terms expire April 2009.

With no further discussion, Councilmember Snuggs **moved for approval of the Consent Agenda**, and was seconded by Councilmember Goldsworthy. The motion was approved unanimously.

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

RESOLUTION NO. 04-03-2007 A – ACCEPTING THE CAPITAL IMPROVEMENTS PLAN FOR FISCAL YEARS 2006-2012

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING AND ACCEPTING THE PROPOSED CAPITAL IMPROVEMENTS PLAN FOR FISCAL YEARS 2006 - 2012.

City Manager Mike Land said the annual Capital Improvements and Capital Equipment Plan was distributed to Council two weeks ago for their review. Land said the document provides guidance during the budget process, identifying projects and equipment needs in City Departments during Fiscal Years 2006 through 2012.

Councilmember Williams noted the Civic Center needs attention to some immediate electrical repairs. Responding to a question from Councilmember Rippy, Land confirmed that improvement plans for the swimming pool, parks and ballfields, are represented in the planning that is also under consideration in the Parks Board Master Plan, and may be requested for consideration as a bond issue at a later date.

Councilmember Goldsworthy **moved for approval**, and was seconded by Councilmember Williams. The motion was approved unanimously.

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

RESOLUTION NO. 04-03-2007 B – APPROVING GEDC ADOPTION OF IMPACT AS ECONOMIC DEVELOPMENT PROJECT ELIGIBLE FOR FINANCIAL INCENTIVES

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF GAINESVILLE WHICH ADOPTED IMPACT AS AN ECONOMIC DEVELOPMENT PROJECT ELIGIBLE FOR FUNDING AND APPROVED FINANCIAL INCENTIVES FOR IMPACT.

Executive Director, Kent Sharp, reported that the GEDC Board adopted Impact as a project eligible for financial incentives. Sharp said Impact desires to stay local and demonstrates extremely strong growth. GEDC proposes to purchase from the City a twenty-acre tract of land located 1200 feet north of the intersection of FM 1201 and Hwy 82 and then convey the land to Impact for their new facility. Sharp said the proposed location is ideal for Impact's intended

use. Councilmember Williams inquired regarding average pay for the company's jobs, and the response was ten dollars per hour plus.

Councilmember Goldsworthy **moved for approval**, and was seconded by Councilmember Snuggs. The motion carried.

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippy, Snuggs.

Nays: Williams.

RESOLUTION NO. 04-03-2007 C – APPROVING CONVEYANCE OF REAL ESTATE PROPERTY TO THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION FOR ECONOMIC DEVELOPMENT PURPOSES WITH STIPULATION

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A DEED ON BEHALF OF THE CITY OF GAINESVILLE, CONVEYING REAL ESTATE PROPERTY TO THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION FOR ECONOMIC DEVELOPMENT PURPOSES.

Sharp presented the GEDC's request to purchase from the City a twenty-acre tract of land located 1200 feet north of the intersection of FM 1201 and Hwy 82 for conveyance to Impact. City Manager Mike Land reported the survey has been completed and the appraisal is \$8,000 per acre. He added the property has been released by the FAA to the City and has received environmental impact clearance certification. Funds received from the sale of this property will be deposited into the Airport Fund.

During discussion, Land responded that the City has a history for both selling and leasing airport property to various companies. Councilmembers Williams and Rippy voiced their concerns that the City receive fair market value for the land, and the City's interest be protected if the property were to be re-sold. Land said the appraised value is comparable to surrounding properties. Sharp assured that the GEDC contract will specify expectations before the property could be re-sold.

To protect the City's interest, Council stipulated that the City be given first right of refusal should the future owner decide to sell the property.

Councilmember Draper **moved for approval, stipulating a clause be included in the contract giving the City first right of refusal to purchase the property back if it is re-sold in the future.** The motion was seconded by Councilmember Rippy, and carried unanimously.

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

RESOLUTION NO. 04-03-2007 D – AUTHORIZING AN INTERLOCAL AGREEMENT WITH GAINESVILLE INDEPENDENT SCHOOL DISTRICT FOR UTILITY SERVICE EXTENSION TO FM 1306

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT WITH GAINESVILLE INDEPENDENT SCHOOL DISTRICT FOR UTILITY SERVICE EXTENSION TO FM 1306.

Land said this agreement is to extend 2650 feet of water line and 1800 feet of sewer line to the property line of the new Gainesville High School on FM 1306. GISD will be responsible for getting the service from their property line to the site. The City's total cost is \$341,000 for the extension project, but will necessitate a 5% increase in water rates because the expenditure is not included in the City's Comprehensive Water Utility Business Plan.

Councilmember Snuggs **moved for approval**, and was seconded by Councilmember Draper. The motion carried.

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

ORDINANCE NO. 1171-04-2007 – DELCLARING CANDIDATES UNOPPOSED, CANCELING THE CITY ELECTION, AND DECLARING THE RESULTS OF THE ELECTION

CONSIDERATION OF AND ACTION ON FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS RECEIVING THE CERTIFICATION OF THE CITY SECRETARY RELATING TO THE REGULAR GENERAL CITY ELECTION CALLED FOR MAY 12, 2007 FINDING THAT THE CANDIDATES WHO HAVE FILED FOR A PLACE ON THE BALLOT TO BE UNOPPOSED; DECLARING THE RESULTS OF THE ELECTION; FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS PASSED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW; MAKING AN OPEN MEETING FINDING; AND SUSPENDING THE CHARTER REQUIREMENT OF THREE SEPARATE READINGS.

Council received certification from the City Secretary that the candidates who have filed for place on the ballot in the May 12 General Election are unopposed and that no other candidates have filed as write-in candidates. The ordinance cancels the election and declares the following to be duly elected to the Gainesville City Council: Carolyn Hendricks, Ward 1; Beverly Snuggs, Ward 2; Jim Goldsworthy, Ward 4; and Glenn Loch, Mayor.

Councilmember Draper **moved to suspend the Charter**, and was seconded by Councilmember Williams. The motion was approved unanimously.

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

Councilmember Draper **moved for adoption of the ordinance**, and was seconded by Councilmember Hendricks. The motion was approved unanimously.

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

EXECUTIVE SESSION

The City Council did not convene into executive session.

CITY MANAGER’S COMMENTS

Mike Land announced that Keep Gainesville Beautiful is participating in the Great American Cleanup on Saturday, April 14. Volunteers are needed and are requested to meet at Moffett Park at 9 a.m.

Gainesville Habitat for Humanity has presented a proposal for a new housing development. The Council Economic Development Committee will meet for further discussion of the project.

The Hazardous Household Waste Collection Event sponsored by the Texoma Council of Governments is scheduled for May 5. The collection location is on Hwy 82 in front of the new Justice Center.

The Medal of Honor Banquet, parade and other events were a tremendous success, receiving very positive comments. Land expressed his appreciation for Council's support of the Medal of Honor Host City Program.

MAYOR'S COMMENTS

Mayor Loch reiterated Land's remarks about the success of Medal of Honor Program activities. He related remarks from the Gainesville High School Choir Director, that students and teachers attending a Saturday choir competition were impressed with all the activities taking place in Gainesville on Saturday. Loch also commended Land for his job in emceeding the MOH Banquet.

ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 7:26 p.m.

/S/
Glenn Loch, Mayor

Attest:

/S/
Kay Lunnon, City Secretary