

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
October 2, 2007  
6:30 P.M.**

The City Council of the City of Gainesville, Texas met in regular session on October 2, 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

**MEMBERS ABSENT:** Council Member Woody Williams

**STAFF PRESENT:** Dan Parker, Interim City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Steven Fleming, Interim Police Chief; Leah Gore, Human Resources Director; Kent Sharp, GEDC Executive Director; Chris Cypert, Municipal Court Judge; Officers Jack Jones, Tim Green, and Jason Beck.

**VISITORS PRESENT:** Larry Pool, Jane Pool, Dale Sissney, Ed Hinkle, Jean Hinkle, Kit Chase, Andy Hogue, Matt Mathews

**CALL TO ORDER**

Mayor Loch called the meeting to order with a quorum of members present. The absence of Councilmember Williams was noted.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Reverend Mark Dennison, First Baptist Church gave the invocation and Mayor Loch led the pledge to the flag.

**PROCLAMATION**

Mayor Loch read a Proclamation, designating October 12, 2007, as Salute to America Day in Gainesville, encouraging citizens to proudly display the American flag and to join in patriotic activities that pay tribute to the United States of America. The Proclamation was presented to Gainesville Athletic Booster Club President, Ed Hinkle, dressed as Uncle Sam, who handed out miniature American flags and invited everyone to attend the pre-game show at Leeper Stadium at 6:30 p.m. on October 12.

**REPORTS**

The General Manager of TASWA, Dale Sissney, gave a brief report on the TASWA landfill operations in Whitesboro. He said TASWA operated during the summer months between twelve to fourteen hours a day, under extremely muddy conditions, to assist the member cities bringing in flood debris. He remarked that the flood debris tonnage resulted in a twenty percent increase in revenues for the fiscal year ended June 30. Sissney said the Citizen Convenience Center has been doubled in size and is now set up to receive electronic component recyclables. TASWA is

presently landfilling cell number one which is predicted to last until April 2009. Cell number two is currently being excavated, about eight to twelve months ahead of schedule. Sissney said TASWA has been beneficial for the member cities and has been able to maintain fees when most other landfills have had to increase their fees.

Interim Police Chief, Steven Fleming, reported on increased gang activities in the city and said the department now has officers specifically assigned to the purpose of tracking gang and drug activity in Gainesville. Officers Jack Jones and Tim Green were present to answer questions and stated they are committed to stopping the violence. Fleming said the department has contacted the U. S. Department of Homeland Security regarding a federal partnership program to combat gang and organized crime activity and illegal aliens in the community. A meeting regarding this program is scheduled for Wednesday afternoon at the Public Safety Center. Councilmembers and City staff are urged to attend the meeting. Municipal Judge, Chris Cypert, stated that nearly seventy percent of defendants in his court are illegal aliens. Mayor Loch stated it is a problem for everyone in Texas and in the United States.

### **CONSENT AGENDA**

Council reviewed the Minutes of the September 18, 2007 Regular City Council Meeting and approved them as written.

With no further discussion, Councilmember Goldsworthy **moved to approve the Minutes on the Consent Agenda**, and was seconded by Councilmember Rippy. The motion carried.

### **RESOLUTION NO. 10-02-2007 – NOMINATING BEVERLY SNUGGS AS THE CITY OF GAINESVILLE CANDIDATE TO THE COOKE COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS**

A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT THE NAME OF BEVERLY SNUGGS AS THE CITY OF GAINESVILLE CANDIDATE FOR THE COOKE COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS.

Councilmember Beverly Snuggs was nominated as the City's candidate for the CCAD Board of Directors. After receiving nominations from all taxing units in Cooke County, the CCAD will prepare ballots listing all the nominees and the taxing units then will cast their votes to elect five members to the board of directors. The Chief Appraiser will declare the candidates who received the largest vote totals by December 10, 2007. Councilmember Snuggs has served since 2005 and said she is willing to serve again.

Councilmember Draper **moved to approve** and was seconded by Councilmember Goldsworthy. The motion carried.

### **RESOLUTION NO. 10-02-2007 A – APPROVING ASSESSMENT AND COLLECTION CONTRACT WITH COOKE COUNTY APPRAISAL DISTRICT**

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF GAINESVILLE TO ENTER INTO A CONTRACT WITH THE COOKE COUNTY APPRAISAL DISTRICT PROVIDING FOR THE ASSESSMENT AND COLLECTION OF TAXES AND PAYMENT OF FEES FOR SUCH SERVICES.

Interim City Manager, Dan Parker, said contracting for these combined services eliminates duplication and is efficient and cost effective for the City. The contract with the appraisal district is a two-year contract expiring December 31, 2009, for assessment and collection services.

Councilmember Draper **moved to approve** and was seconded by Councilmember Goldsworthy. The motion carried.

**RESOLUTION NO. 10-02-2007 B – APPROVING SECTION 125 PREMIUM ONLY PLAN FOR CITY EMPLOYEES**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF GAINESVILLE, TEXAS, AN ADOPTION AGREEMENT FOR SECTION 125 PREMIUM ONLY PLAN.

Leah Gore, Human Resources Director, said the Section 125 agreement allows employees to have certain insurance premiums and health savings account contributions deducted from pay on a pre-tax basis, saving money for both the employee and the City.

Councilmember Snuggs **moved to approve** and was seconded by Councilmember Draper. The motion carried.

**PUBLIC HEARING ON AN ORDINANCE DESIGNATING REINVESTMENT ZONE NUMBER 14 FOR COMMERCIAL TAX ABATEMENT**

Mayor Loch opened the Public Hearing at 7:26 p.m. and called for comments either for or against Reinvestment Zone No. 14. No person came forward to speak either for or against the ordinance.

With no further discussion, Councilmember Snuggs **moved to close the Public Hearing**, and was seconded by Councilmember Rippy, the motion carried. The Public Hearing was closed at 7:27 p.m.

**ORDINANCE NO. 1186-10-2007 DESIGNATING REINVESTMENT ZONE NUMBER 14 FOR COMMERCIAL TAX ABATEMENT**

FIRST READING OF AN ORDINANCE MAKING FINDINGS; DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR COMMERCIAL TAX ABATEMENT; ASSIGNING THE NAME “REINVESTMENT ZONE NUMBER 14 (FOURTEEN) OF THE CITY OF GAINESVILLE, TEXAS” TO SAID ZONE; DESCRIBING THE BOUNDARIES THEREOF; PROVIDING FOR ELIGIBILITY REQUIREMENTS FOR TAX ABATEMENT WITHIN SAID ZONE; PROVIDING TERMS FOR ABATEMENT WITHIN THE ZONE; PROVIDING REQUIREMENTS FOR TAX ABATEMENT AGREEMENTS; PROVIDING FOR SUSPENSION OF THE CITY CHARTER REQUIREMENT OF READING ON THREE SEPARATE OCCASIONS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND MAKING AN OPEN MEETING FINDING.

Kent Sharp, Executive Director of the Gainesville Economic Development Corporation, said Allied Production will locate their fiberglass tank manufacturing company on this property, which is 14.82 acres described as Lot Three of Corporate Square Industrial Park. The reinvestment zone designation is necessary for the project to be eligible for commercial tax abatement. The ordinance establishes the reinvestment zone and sets the eligibility requirements and terms for tax abatement within the zone.

Councilmember Goldsworthy **moved to suspend the Charter**, and was seconded by Councilmember Snuggs. The motion carried by a vote of 5 ayes, 0 nays, 1 absent, and Councilman Draper abstaining.

Councilmember Goldsworthy **moved to adopt the ordinance**, and was seconded by Councilmember Snuggs. There was no further discussion. The motion carried by a vote of 5 ayes, 0 nays, 1 absent, and Councilman Draper abstaining.

**PUBLIC HEARING ON A RESOLUTION FOR TAX ABATEMENT FOR ALLIED PRODUCTION SOLUTIONS, L.P. 19.596 ACRES LOCATED AT 3329 NORTH I-35 AND 14.82 ACRES LOCATED AT LOT THREE CORPORATE SQUARE**

Mayor Loch opened the Public Hearing at 7:31 p.m. and called for comments either for or against the Tax Abatement. No person came forward to speak either for or against the tax abatement.

With no further discussion, Councilmember Snuggs **moved to close the Public Hearing**, and was seconded by Councilmember Goldsworthy, the motion carried. The Public Hearing was closed at 7:32 p.m.

**RESOLUTION NO. 10-02-2007 C – APPROVING TAX ABATEMENT IN REINVESTMENT ZONE NO. 13 AND 14 FOR ALLIED PRODUCTION SOLUTIONS, LP.**

A RESOLUTION MAKING FINDINGS; APPROVING AN AMENDED AGREEMENT BY AND BETWEEN THE CITY OF GAINESVILLE, NORTH CENTRAL TEXAS COLLEGE, NORTH TEXAS MEDICAL CENTER, COUNTY OF COOKE, AND ALLIED PRODUCTION SOLUTIONS, L.P.; PROVIDING FOR AD VALOREM TAX ABATEMENT FOR SAID BUSINESS WITHIN REINVESTMENT ZONE NUMBERS 13 (THIRTEEN) AND 14 (FOURTEEN) OF THE CITY OF GAINESVILLE, TEXAS; DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR COMMERCIAL (C) TAX ABATEMENT FOR ALLIED PRODUCTION SOLUTIONS, L. P. LOCATED AT 3329 NORTH I-35 AND LOT THREE OF CORPORATE SQUARE INDUSTRIAL PARK; DESCRIBING THE BOUNDARIES THEREOF; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT FOR AND ON BEHALF OF THE CITY, FOR THE CONSIDERATION AND ON THE TERMS AND CONDITIONS STATED THEREIN.

Kent Sharp clarified that the agreement is for one project located on two parcels of land, with one agreement for tax abatement that includes both parcels. This agreement amends the original agreement approved by the Council in June 2007, to include the two parcels. Allied Production Solutions will invest over fourteen million dollars (\$14,000,000.00) in improvements to the premises, and add 140-150 jobs. The agreement is for a six-year, 70% tax abatement.

Councilmember Snuggs **moved to approve** and was seconded by Councilmember Goldsworthy. The motion carried by a vote of 5 ayes, 0 nays, 1 absent, and Councilman Draper abstaining.

**RESOLUTION NO. 10-02-2007 D – SUSPENDING EFFECTIVE DATE FOR ATMOS RATE INCREASE**

A RESOLUTION OF THE CITY OF GAINESVILLE SUSPENDING THE OCTOBER 25, 2007, EFFECTIVE DATE OF ATMOS ENERGY CORP., MID-TEX DIVISION REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH ATMOS CITIES STEERING COMMITTEE AND OTHER CITIES IN THE ATMOS ENERGY CORP., MID-TEX DIVISION SERVICE AREA TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE

