

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
January 20, 2009**

The City Council of the City of Gainesville, Texas met in regular session on January 20, 2009 at 6:30 p.m. with the following persons in attendance:

**MEMBERS PRESENT:** Mayor Glenn Loch  
Council Members Charles Draper, Jim Goldsworthy, Ray Nichols,  
Vince Rippy, Beverly Snuggs

**MEMBERS ABSENT:** Carolyn Hendricks

**STAFF PRESENT:** Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Dan Parker, Finance Director; Steven Fleming, Police Chief

**OTHERS PRESENT:** D. Van Adamson, Phillip Nolan, Jan Johnson, Scott Johnson, Bill Cox, Sheila Cox, Polly Boone, John Nusbaum, John and Angie Hare, Frank and Louise Mahnich, Tamera Broyles, Sally Page, Leonard Wiese, Britton Foster, Kathy Floyd, Mark Foster, Nancy Moore, Sonia Markle, John Rodgers, Mary Jarvis, Natalia Jones, Stephen Monahan, Kit Chase

**CALL TO ORDER**

Mayor Loch called the meeting to order at 6:30 p.m. with a quorum of members present. Mayor noted that Council Member Hendricks was in Washington, D.C. attending the Presidential Inauguration.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Reverend John Hare, First Presbyterian Church, gave the invocation. Mayor Loch led the pledge to the flag.

**RECOGNITIONS**

Dan Parker, Finance Director, and Mary Jarvis, Controller, received on behalf of the City the Certificate of Achievement for Excellence in Financial Reporting for the Comprehensive Annual Financial Report (CAFR) for fiscal year ended September 30, 2007. The award is presented by the Government Finance Officers Association of the United States and Canada to government units whose reports (CAFRs) achieve the highest standards in government accounting and financial reporting.

**REPORTS**

**Pecan Creek Project**

Sullivan reported on the status of the Pecan Creek Flood Reduction Project. At this time the project is estimated to cost twelve million dollars, and Sullivan said the improvements would not completely eliminate flooding but would significantly reduce future flood damage and reduce the level of flooding in the Pecan Creek. The project includes widening and deepening the Pecan Creek channel, reconstruction of six bridges, and relocating and extending a major sewer line that runs parallel to the creek. Sullivan said during the past two years the City has spent nearly

two million dollars toward the project in surveying and property acquisitions needed for the development of the project. In recent meetings with the Corps of Engineers and TXDOT, Sullivan said TXDOT expects to let bids in May for reconstruction of the California and Broadway Street bridges. The City is also planning to let bids in May for the sewer line relocation and extension. Sullivan said the sewer line project must be done before the creek can be widened. The channelization work on the creek will begin from the south end of the project and work north. Bridges spanning the creek will have to be demolished and rebuilt, and city utilities, electric, gas, and telecommunications utilities must be moved throughout the project area. Sullivan said people should notice actual construction work beginning in July or August 2009. Mayor Loch noted Congressman Burgess for his assistance in getting this project approved on the federal level and stated the City is planning a celebration for June 18<sup>th</sup>, to mark the two-year anniversary of the flood and the start of construction on the Pecan Creek Flood Reduction Project.

### **TASWA**

Sullivan reported that solid waste tonnage going into the Texoma Area Solid Waste Authority (TASWA) landfill is less than anticipated this fiscal year and is impacting TASWA revenues for operating costs. Sullivan said he and the city managers from Sherman and Denison met with the TASWA General Manager and recommended expenditure cuts before fee increases to the member cities. They are hopeful the tonnage level will increase as new construction projects begin. Mayor Loch added that the TASWA Board will meet tomorrow to discuss the issue, and they hope they will not need to increase fees, but if necessary, any increase would likely be implemented gradually over several months. The TASWA Board consists of Mayors from the cities of Denison, Gainesville and Sherman, and County Judges from Grayson and Cooke Counties. Sullivan clarified a fee increase would be to the member cities, but not necessarily individual local customers.

### **Solid Waste Cart Pilot Program**

Polly Boone, Solid Waste Supervisor, reported the first week of the Solid Waste Cart Pilot Program ran smoothly with very few problems. A few residents were unable to move their carts to the curb and received walkup service by the City. The project, which runs from January 13 through April 7, is a trial program for use of a semi-automated solid waste truck and once a week trash pick-up service. Residents in the project area were issued ninety-six gallon trash carts at no cost. Customers having trash outside their carts will be contacted to see if they need a second cart. At the end of the program, participants will be surveyed for their input and ideas on ways to improve service. Sullivan said the semi-automated system has been in use by the City for commercial customers, but its use is new in residential areas. The semi-automated system reduces lifting the carts by city employees, thus reducing injuries. Sullivan said many cities have started using semi-automated and fully automated systems. Fully automated trucks would not be suitable in some areas of the city due to overhanging trees. Boone said during the next month the department will set up demonstration of a fully automated truck. Sullivan said the city has received both positive and negative comments regarding the pilot program and those concerns will be considered in the exit survey on the program. Other options to be explored include the possibility of curbside recycling, and a "pay as you throw" option with trash cart sizes/service to fit the needs of the customer.

### **Butterfield Stage**

The Executive Director of Butterfield Stage Players, Tamera Broyles, reported that the Butterfield Stage building, a former Carnegie Library, is in need of extensive renovations to preserve its usefulness for the city. She said that while the basic structural condition of the

building remains sound, many areas of the facility are in need of repair and/or replacement. Major concerns on the interior are old wiring, cracked walls and ceiling, outdated heating and air conditioning system, plumbing problems, basement flooding and drainage problems. Broyles said the building cannot be secured because of dysfunctional windows and rotten doors. There are issues on the facility exterior as well, including roof leaks, cracked coping and trim. She said the Butterfield Stage Players is committed to remaining in the building and has undertaken the task of reviewing restoration and upgrade requirements of the facility. They have obtained cost estimates. Broyles said the building can continue to be an asset to the community, and renovation, repairs, and updates to the building would be a worthwhile project. Broyles concluded with a request for Council consideration to fund repairs to the structure.

### **CITIZEN COMMENTS**

Sheila Cox, a local member of the statewide I-35 Corridor Advisory Committee, presented to the City copies of the committee's official report, issued in November 2008, on the current and future needs of the I-35 Corridor. Cox said she considers the report a great success and is a composite of recommendations presented by the committee to TXDOT for what will represent the best needs for Texans, considering both the larger metropolitan areas and the small communities and rural areas. TXDOT took the report to the Texas Transportation Commission and copies were provided to all state senators and state representatives. Cox said she has seen slight movement toward their recommendations, one of which was the recently announced elimination of the name "Trans-Texas Corridor". However, she advised that city and county officials remain very vigilant regarding this and other transportation issues. She said they are waiting to hear what will happen with the placement of the corridors, stating the corridors will be built, but may be downscaled in width, and may include greenbelt areas along the outside edges. Cox thanked Mayor Loch for his persistence and staying on top of efforts for the benefit of Gainesville and Cooke County. She requested continued assistance and input from local officials in smoothing the pathway to the future. Cox congratulated Barry Sullivan on being selected to serve on the I-35 Corridor Segment Committee. The official I-35 Corridor Advisory Committee Report is available online at [www.keeptexasmoving.org](http://www.keeptexasmoving.org).

Cooke County rancher, D. Van Adamson, spoke in opposition to the Trans Texas Corridor Project, stating that although people may think the TTC-35 is dead, plans are moving forward on the project, and may still include routing through some of the finest farm and ranchland in Texas. Adamson said the contract is still alive between the State of Texas and Cintra, a foreign corporation. He said the only thing killed is the name, TTC-35, but its objectives, routing, and contracts are alive and well, and will be given another identity under innovative connectivity plans. Adamson urged calls and letters to state legislators to put an end to the TTC-35 in its current legislative session.

### **CONSENT AGENDA**

#### **MINUTES OF DECEMBER 16, 2008 REGULAR COUNCIL MEETING**

Council reviewed the Minutes of the City Council Meeting of December 16, 2008 and approved them as written.

#### **RESOLUTION NO. 01-20-2009 – APPOINTMENTS TO KEEP GAINESVILLE BEAUTIFUL BOARD**

Jane Dudley, Phyllis Griffin, and Bob Lunnon are re-appointed to three-year terms expiring December 2011 on the Keep Gainesville Beautiful Board. Marla Bentley was moved from alternate member to member on the board to complete the term of Linda Williams who resigned. Bentley's term will expire December 2009.

**RESOLUTION NO. 01-20-2009 A – APPOINTMENTS TO MAIN STREET BOARD**

Gina Dill, Tyron Hodges, and Sonia Markle were appointed to the Main Street Board, replacing Dorthy Lewis, Shana Powell, and Donna Hertel respectively. Each appointment expires December 2011. In accordance with Main Street Bylaws, members may serve only two consecutive three-year terms.

Councilmember Draper moved to **approve all items on the Consent Agenda**, and was seconded by Councilmember Snuggs. Motion carried by vote of 6 Ayes, 0 Nays, 1 absent (Hendricks).

**ORDINANCE NO. 1220-01-2009 - ESTABLISHING FOUR-WAY STOP INTERSECTIONS ON WINE STREET AT CHERRY AND WINE STREET AT GARNETT**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, DESIGNATING THE INTERSECTIONS OF WINE STREET AND CHERRY STREET AND WINE AND GARNETT STREET IN THE CITY OF GAINESVILLE, TEXAS, AS MULTI-WAY STOP INTERSECTIONS, TO BE CONTROLLED BY STOP SIGNS; AUTHORIZING THE ERECTION OF SIGNS AT THE INTERSECTION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.

Sullivan reported that since first reading approval of the ordinance on December 16, the City has obtained consent from the property owner to remove a tree at the corner of the Wine and Cherry intersection at the City's expense. The tree protrudes into the roadway and obscures drivers' view. Sullivan recommended approval of the ordinance.

Councilmember Goldsworthy **moved to suspend the Charter requirement of readings on three separate occasions**, and was seconded by Councilmember Draper. The motion carried by vote of 6 Ayes, 0 Nays, 1 absent (Hendricks).

Councilmember Goldsworthy **moved to adopt the ordinance**. Motion was seconded by Councilmember Rippy and carried by vote of 6 Ayes, 0 Nays, 1 absent (Hendricks).

**PUBLIC HEARING ON REPLATTING OF .0701 ACRES IN J. MYERS SURVEY, ABSTRACT 734, TO BE KNOWN AS THE SIMPSON ADDITION**

Mayor Loch opened the Public Hearing at 7:31 p.m. and called for public comment on the proposed replat of the Simpson Addition.

No person came forward to speak either for or against the proposed ordinance. With no further discussion, Councilmember Snuggs **moved to close the Public Hearing**, seconded by Councilmember Draper. Motion carried by vote of 6 Ayes, 0 Nays, 1 absent (Hendricks). The Public Hearing was closed at 7:32 p.m.

**ORDINANCE NO. 1221-01-2009 - REPLAT .0701 ACRES IN J. MYERS SURVEY, ABSTRACT 734, TO BE KNOWN AS THE SIMPSON ADDITION**

AN ORDINANCE PROVIDING FOR THE APPROVAL OF THE REPLAT OF .0701 ACRES IN THE J. MYERS SURVEY, ABSTRACT NUMBER 734, CITY OF GAINESVILLE, COOKE COUNTY, TEXAS TO BE KNOWN AS THE SIMPSON ADDITION; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR AN OPEN MEETING; AND PROVIDING FOR THE CHARTER REQUIREMENT OF READING ON THREE SEPARATE DAYS.

