

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
November 17, 2015**

The City Council of the City of Gainesville, Texas met in regular session on November 17, 2015 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Keith Clegg, Carolyn Hendricks, Mary Jo Dollar, Ken Keeler, Ray Nichols, Beverly Snuggs

MEMBERS ABSENT: Mayor Jim Goldsworthy

STAFF PRESENT: Barry Sullivan, City Manager; Bill Harris, City Attorney; Caitlyn Huddleston, City Secretary; Dan Parker, Finance Director;

OTHERS PRESENT: Cathy Mounce, Cecil Rojas, Cindy Rojas, Steve Sprouse, Brenda Sprouse, Mike Hallum, Dusty Luton, Mike Todd, Rochelle Rondy, Nikki King, Duke Dowling, Tom Reynolds, John Hambrecht, Tony Dresser (Videographer)

CALL TO ORDER

Mayor Pro Tem Nichols called the meeting to order at 6:30 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE

Duke Dowling, Southside Baptist Church Pastor, gave the invocation. Mayor Pro Tem Nichols led the pledge to the flag.

RECOGNITIONS

Employees of the Month, November 2015

Cecil Rojas and Steve Sprouse, Fairview Cemetery, were named November 2015 Employees of the Month and recognized for their hard work and dedication to the Fairview Cemetery and the City of Gainesville. Both employees always work with a positive attitude towards coworkers and customers, and serve as role models for fellow employees with their excellent work ethics and commitment to quality in carrying out their responsibilities. Rojas and Sprouse are dependable, flexible, and sometimes have to work weeks without a day off to perform the work needed to prepare for burials in our community. Neither ever fails to provide excellent customer service to people who visit the cemetery and make certain all work is done in a professional and timely manner to ensure the Fairview Cemetery is adequately prepared for funerals and presentable for those who visit the graves of loved ones. City Manager Barry Sullivan read and presented the recognition certificate to Rojas and Sprouse along with a certificate for an additional one day of vacation each.

CONSENT AGENDA

Council reviewed the Minutes of the regularly scheduled City Council Meeting of November 3, 2015 and approved them as written.

Councilmember Dollar **moved to approve the Consent Agenda**, seconded by Councilmember Keeler, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Goldsworthy).

RESOLUTION NO. 11-17-2015 – SUBMITTING AN APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD SEEKING FINANCIAL ASSISTANCE FOR THE DEVELOPMENT OF AN ENGINEERING STUDY TO DETERMINE FEASIBILITY OF A TEXOMA REGIONAL WATER DISTRIBUTION SYSTEM

A RESOLUTION SUBMITTING AN APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD SEEKING FINANCIAL ASSISTANCE FOR THE DEVELOPMENT OF AN ENGINEERING STUDY TO DETERMINE FEASIBILITY OF A TEXOMA REGIONAL WATER DISTRIBUTION SYSTEM

Council voted to approve funding as part of the local share for an engineering study to investigate the feasibility and cost of preparing a regional water distribution study to serve retail water providers in the North Central Texas area. Greater Texoma Utility Authority (GTUA) requested \$9,000 in funding from the City. City Manager Barry Sullivan explained that this would be paid from excess revenue funds. The Texas Water Development Board has indicated a willingness to consider an application to fund 50% of the cost of the engineering study. The other half of the funding would come from local funds. The total cost is estimated to be \$200,000. Sullivan noted that he was not sure of the start date for the survey.

Mayor Pro Tem Nichols explained that City Council previously purchased over 10,000 acre feet on Lake Texoma and with the use of Moss Lake and groundwater, there is much potential for the City of Gainesville to grow and serve its residents and industrial partners for many years.

Councilmember Snuggs **moved to approve the resolution**. The motion was seconded by Councilmember Clegg and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Goldsworthy).

RESOLUTION NO. 11-17-2015 A – MAKING A RECOMMENDATION TO TXDOT TO CHANGE TRAFFIC DIRECTION OF I-35 SERVICE ROADS FROM THE BNSF RAILWAY INTERSECTION TO FM 1202 FROM TWO-WAY TO ONE-WAY

A RESOLUTION MAKING A RECOMMENDATION TO TEXAS DEPARTMENT OF TRANSPORTATION TO CHANGE TRAFFIC DIRECTION OF I-35 SERVICE ROADS FROM THE BNSF RAILWAY INTERSECTION TO FM 1202 FROM TWO-WAY TO ONE-WAY

Council made a recommendation to change the traffic direction from two-way to one-way on I-35 service roads from the BNSF Railway Intersection to FM 1202. The recommendation was made to Texas Department of Transportation (TXDOT). Council has discussed this issue at several other council meetings and provided notification of public hearings on said issue. TXDOT held a public meeting in February 2015 where they requested residents' feedback on several issues, including the service road direction, and provided these comments to council. There was much discussion regarding the exit ramps and the transition from two-way to one-way at FM 1202. TXDOT Area Engineer Mike Hallum advised that the transition would be the same as the service roads near Chisam Rd in Denton County. Councilmember Snuggs did ask why TXDOT would not be changing the direction all the way to the Red River. Hallum clarified that that would be a "considerable hardship" on property owners who live north of FM 1202 as there is no cross over between the farm to market road overpass and the state line.

When asked for a timeline if the change was recommended, Hallum explained that the painting to indicate the direction change is dependent on several ground and weather conditions and would

most likely not take place until Spring 2016. He added that TXDOT would help in efforts to notify the public of the change.

Councilmember Dollar **moved to approve the resolution.** The motion was seconded by Councilmember Snuggs and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Goldsworthy).

PUBLIC HEARING ON AN ORDINANCE GRANTING A NON-EXCLUSIVE TAXICAB FRANCHISE TO ROCHELLE RONDY FOR OPERATION OF A HORSE DRAWN CARRIAGE COMPANY.

PUBLIC HEARING AN ORDINANCE GRANTING A NON-EXCLUSIVE TAXICAB FRANCHISE UNDER ARTICLE II OF CHAPTER 9, CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, TO ROCHELLE RONDY; ESTABLISHING RATES FOR HORSE DRAWN CARRIAGE RIDES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR SUSPENSION OF THE CHAPTER REQUIREMENT OF READING ON THREE SEPARATE DAYS; AND MAKING AN OPEN MEETING FINDING.

Mayor Pro Tem Nichols opened the Public Hearing at 6:47 p.m. and called for public comment on the proposed taxicab franchise.

Rochelle Rondy, owner of the horse drawn carriage business, came forward to speak in support of the franchise. She noted that her mother currently operates a horse drawn carriage business in Grand Rapids, Michigan and has done so for nearly 30 years. Ms. Rondy said plans for the carriage rides include routes from the Butterfield Stage Theater and participation in other special occasion events. Rides would be for 15-20 minutes. She reiterated the caution she received to travel on Highway 51/California street but indicated they would cross at lighted intersections. Ms. Rondy claimed that the horses used were gentle and that there been no accidents with the company.

With no further discussion, Councilmember Snuggs moved to close the Public Hearing, with second by Councilmember Clegg, and the motion carried by vote of 6 Ayes, 0 Nays, and 1 Absent (Goldsworthy).

The Public Hearing was closed at 6:49 p.m.

ORDINANCE NO. 1377-11-2015 – GRANTING A NON-EXCLUSIVE TAXICAB FRANCHISE TO ROCHELLE RONDY FOR A HORSE DRAWN CARRIAGE BUSINESS; ESTABLISHING RATES FOR HORSE DRAWN CARRIAGE RIDES

CONSIDERATION OF AN ACTION ON A FIRST READING OF AN ORDINANCE GRANTING A NON-EXCLUSIVE TAXICAB FRANCHISE UNDER ARTICLE II OF CHAPTER 9, CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, TO ROCHELLE RONDY; ESTABLISHING RATES FOR HORSE DRAWN CARRIAGE RIDES; PROVIDING FOR PUBLICATION; AND PROVIDING FOR SUSPENSION OF THE CHAPTER REQUIREMENT OF READING ON THREE SEPARATE DAYS; AND MAKING AN OPEN MEETING FINDING.

Council granted a non-exclusive taxi franchise to Rochelle Rondy for operation of an on-call horse drawn carriage business. City Charter provides for a franchise if a transportation company operates on an on-call basis, and not solely pre-arranged.

City Manager Barry Sullivan began by explaining that this is the first taxicab franchise requested in a while, and that Staff is excited about the business and the draw for our downtown area.

Sullivan noted that other cities were consulted and advised the hooves and shoes of the horses caused some damage to their streets. This is not an immediate issue, but the franchise includes a clause that the City may enforce the use of certain shoes. Rates for rides are included with the ordinance. The ordinance also provides that the franchise holder will be provided with the parking and motor vehicle rules of the City. Staff recommended for adoption of the ordinance.

Councilmembers had several questions for Ms. Rondy regarding the safety features of the carriages, insurance liability, and training of the carriage drivers. Councilmember Clegg asked for confirmation that the carriages would be equipped with proper brake lights and liability insurance documentation, and Councilmember Snuggs questioned if the operators of the carriage would be trained. Councilmember Clegg added that it was a “great idea.”

Councilmember Clegg **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Keeler, the motion carried by vote of 6 Ayes, 0 Nays, and 1 Absent (Goldsworthy).

Councilmember Clegg **moved to adopt the ordinance**. The motion was seconded by Councilmember Keeler and carried by vote of 6 Ayes, 0 Nays, and 1 Absent (Goldsworthy).

ADJOURN

In closing, Mayor Pro Tem Ray Nichols wished everyone a safe Thanksgiving holiday, and asked that we give thanks that we are living in a safe place and keep those who have recently suffered in our thoughts.

With no further business to come before the City Council, the meeting was adjourned at 6:56 p.m.
Respectfully submitted,

Caitlyn Huddleston, City Secretary

Ray Nichols, Mayor Pro Tem