

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
August 1, 2017**

The City Council of the City of Gainesville, Texas met in regular session on August 1, 2017 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Jim Goldsworthy, Keith Clegg, Carolyn Hendricks, Ken Keeler, Mary Jo Dollar, Steve Gordon

MEMBERS ABSENT: Tommy Moore

STAFF PRESENT: Barry Sullivan, City Manager; Bill Harris, City Attorney; Caitlyn Huddleston, City Secretary; Kevin Phillips, Chief of Police; Dan Parker, Finance Director; Arlene Loyd, Gainesville Economic Development Corporation Executive Director; Leah Gore, Human Resources Director

OTHERS PRESENT: Richard Lemire, JT Forbus, C.J. Durbin-Higgins, John Fielder, Ray Nichols, Leslie Nichols, Nikki King, Mike Gordon, Justin Harris, Megan Gray-Hatfield, Shelley Zimmerer, Victoria Zimmerer, Sandy Schmitz, Don Pettigrew, Michael Green, Tony Dresser (Videographer)

CALL TO ORDER

Mayor Jim Goldsworthy called the meeting to order at 6:30 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE

City Manager Barry Sullivan gave the invocation. Mayor Jim Goldsworthy led the pledge to the flag.

REPORTS

Boys and Girls Club, Ray Nichols

Ray Nichols presented Councilmembers with an engraved wooden block, made from the same material as the floor in the new Cooke County Boys and Girls Club facility. He also thanked Council for their decision to invest in the lot and streets surrounding the facility and noted that their willingness and investment brought bigger returns than they had imagined. He pointed out there are an average of 350 kids attending the club a day, and 538 have signed up for the summer program. Each child is provided two FDA approved meals and snacks a day during the summer.

Nichols then presented a short video showcasing a day in the life of a child attending the Boys and Girls Club. Club staff members greet the children being dropped off at their vehicle each morning. Club-goers have well-rebounded activities, including trips to different locations, speakers coming to the club, weekly visits to the Leonard Park Aquatic Center, visits from the local 4-H club, and more. Nichols spoke regarding the teen center and thanked Nortex Communications for their providing of the internet services. He also commended John Schmitz for providing helicopter transportation for visiting other facilities in Texas and Oklahoma for research when planning the new facility.

Nichols summarized his presentation by inviting Council to visit the club for a tour of the facility. Mayor Goldsworthy commended Nichols and other volunteers for their work to create a world-class facility for our youth.

CITIZEN COMMENTS

Jim Forbus, 1551 Gunner Rd, Whitesboro, TX, spoke to Council regarding the American Legion Post 263. Mr. Forbus was joined by Richard Lemire, Commander of the Post. The name will soon be changed to Medal of Honor Post. The group meets at the college at 2:00 p.m. and an auxiliary unit will be established soon. The group recently received news coverage as they went to Austin with the Boys State Program and spent one week at the University of Texas. The young men were able to learn about government operations, visit the capital, and voted to secede from the United States during a mock meeting. Mr. Forbus finished his address by reciting the mission statement.

Shelley Zimmerer, Era, TX, provided the Council with information on a project her daughters are working on as part of their Girls Scouts Gold Award. Zimmerer explained that this award is equal to an Eagle Award in Boys Scouts. The girls have spent over 80 hours to plan, implement, and present their plan for Free Little Libraries. This project focuses on child literacy and makes books available throughout town. Zimmerer asked for general support of the project from Council and for location ideas. Mayor Pro Tem Keith Clegg offered to donate building material for the project.

CONSENT AGENDA

Council reviewed the Minutes of the City Council workshop session of July 15, 2017 and the regularly scheduled City Council Meeting of July 18, 2017 and approved them as written.

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

CONSIDERATION AND ACTION ON A PROPOSED TAX RATE FOR THE CITY OF GAINESVILLE FOR FISCAL YEAR 2017-2018.

CONSIDERATION AND ACTION ON A PROPOSED TAX RATE FOR THE CITY OF GAINESVILLE FOR FISCAL YEAR 2017-2018.

Council voted to consider a Tax Rate of \$0.72254 for the City of Gainesville for Fiscal Year 2017-2018. State law requires a record vote on the proposed tax rate if the rate exceeds the rollback rate (\$0.7317) or the effective rate (\$0.6929).

Councilmember Clegg **made a motion to consider a tax rate of \$0.72254 per \$100 of property value for Fiscal Year 2017-2018**. The motion was seconded by Councilmember Keeler and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

CONSIDERATION OF AND ACTION ON SETTING PUBLIC HEARING DATE(S) FOR THE PROPOSED 2017-2018 TAX RATE.

CONSIDERATION OF AND ACTION ON SETTING PUBLIC HEARING DATE(S) FOR THE PROPOSED 2017-2018 TAX RATE.

Council scheduled dates for two public hearings (as required by State law) on the proposed 2017-2018 tax rate, to be held on August 15 and September 5, 2017 at Gainesville City Hall, 200 South Rusk Street at 6:30 p.m.

Councilmember Gordon **made a motion to schedule public hearings on the proposed tax rate for August 15 and September 5, 2017, to be held at Gainesville City Hall, 200 South Rusk at 6:30 p.m.** The motion was seconded by Councilmember Hendricks, and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

CONSIDERATION OF AND ACTION ON SETTING THE PUBLIC HEARING DATE FOR THE PROPOSED 2017-2018 BUDGET.

CONSIDERATION OF AND ACTION ON SETTING THE PUBLIC HEARING DATE FOR THE PROPOSED 2017-2018 BUDGET.

Council scheduled September 5, 2017 as the date for a Public Hearing on the Proposed FY 2017-2018 Budget to be held at Gainesville City Hall, 200 South Rusk Street at 6:30 p.m.

Councilmember Dollar **made a motion to schedule a public hearing on the proposed Fiscal Year 2017-2018 Budget for September 5, 2017 at Gainesville City Hall, 200 South Rusk at 6:30 p.m.** The motion was seconded by Councilmember Keeler, and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

RESOLUTION 08-01-2017 – AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, FOR INDIVIDUAL PROJECT ORDER NUMBER 2017 FARMERS MARKET IMPROVEMENTS.

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, FOR INDIVIDUAL PROJECT ORDER NUMBER 2017 FARMERS MARKET IMPROVEMENTS.

Council voted to authorize the City Manager to execute an agreement with Kimley-Horn and Associates for engineering for the Farmers Market Improvements and Performance Area. The total cost is \$174,700 and will be paid from Hotel/Motel Occupancy Tax Funds and the Assigned Fund.

Councilmember Keeler **moved to approve the resolution**, seconded by Councilmember Clegg, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

RESOLUTION 08-01-2017 A – AUTHORIZING THE DECLARATION OF GAINESVILLE POLICE DEPARTMENT EQUIPMENT, TO INCLUDE FIREARMS, AS SURPLUS.

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE DECLARATION OF GAINESVILLE POLICE DEPARTMENT EQUIPMENT, TO INLCUDE ONE (1) SPRINGFIELD ARMORY MP5A2 SUBMACHINE GUN, ONE (1) FEDERAL LABORATORIES 1.5 CALIBER (37 MM) GAS RIOT GUN, ONE (1) KIMBER SEMI-AUTOMATIC PISTOL, AND SIX (6) ASSORTED PUMP-ACTION SHOTGUNS, AS SURPLUS.

Council authorized the City to declare firearms which are currently not in use by the Gainesville Police Department as surplus. The items will either be destroyed or exchanged for new merchandise.

Councilmember Keeler **moved to approve the resolution**, seconded by Councilmember Gordon, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

RESOLUTION 08-01-2017 B – AUTHORIZING THE CITY MANAGER OF THE CITY OF GAINESVILLE, TEXAS TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE TEXOMA COUNCIL OF GOVERNMENTS (TCOG) FOR E9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES.

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF GAINESVILLE, TEXAS TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE TEXOMA COUNCIL OF GOVERNMENTS (TCOG) FOR E9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES.

Council voted to authorize the City Manager to enter into an interlocal agreement with Texoma Council of Governments for E 9-1-1 Public Safety Answering Point Services. The PSAP Interlocal Agreement between the Texoma Council of Governments and the City of Gainesville sets out the responsibilities of both parties in the provision of 9-1-1 service.

The contract hasn't changed from previous years, except for more testing requirements. City Manager Barry Sullivan explained that the services allow for the Gainesville Police Department and Cooke County Sheriff's Department to be interoperable, should one system go down. Sullivan also commended the value this system offers to our community.

Councilmember Clegg **moved to approve the resolution**, seconded by Councilmember Gordon, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

RESOLUTION 08-01-2017 C – APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH VOTED TO APPROVE AN ECONOMIC DEVELOPMENT INCENTIVE FOR DEF RECYCLING PHASE II ENVIRONMENTAL STUDY.

CONSIDERATION OF AND ACTION ON THE SECOND READING OF A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH VOTED TO APPROVE AN ECONOMIC DEVELOPMENT INCENTIVE FOR DEF RECYCLING PHASE II ENVIRONMENTAL STUDY.

Council approved actions of the Gainesville Economic Development Corporation (GEDC) to approve DEF Recycling Phase II Environmental Study as an economic development project. In consideration for future development of the I-35 corridor, GEDC agrees to grant 50% of the cost of an environmental study by James Environment, not to exceed \$26,035, to be completed at the Gainesville Foundry site. Grant is eligible for one year paid upon completion of the survey. GEDC and DEF Recycling will be co-owners of the survey, entitling GEDC to a full report.

This is the second reading of the resolution. First reading consideration took place at the July 18, 2017 Council Meeting.

Councilmember Clegg **moved to approve the resolution**, seconded by Councilmember Keeler, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

RESOLUTION 08-01-2017 D – APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH VOTED TO APPROVE ECONOMIC DEVELOPMENT INCENTIVE FOR CARY ALBERT ENTERPRISES.

CONSIDERATION OF AND ACTION ON THE SECOND READING OF A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH VOTED TO APPROVE ECONOMIC DEVELOPMENT INCENTIVE FOR CARY ALBERT ENTERPRISES.

Council approved actions of the GEDC to approve Cary Albert Enterprises (developer of the new shopping center at California and I-35) as an economic development project. The GEDC previously set a requirement that two sit-down restaurants must occupy the shopping center. Cary Albert Enterprises would like a glass wall removed and for the patio area to be extended. The GEDC agrees to share an additional improvement expense to the property as a one-time grant of \$25,000, eligible for one year and is paid upon securing the certificate of occupancy.

This is the second reading of the resolution. First reading consideration took place at the July 18, 2017 Council Meeting.

Councilmember Keeler **moved to approve the resolution**, seconded by Councilmember Clegg, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

RESOLUTION 08-01-2017 E – AWARDING BID 2017-05 CONTRACT LABOR TO PRONTO STAFFING.

CONSIDERATION OF AND ACTION ON A RESOLUTION AWARDING BID 2017-05 CONTRACT LABOR TO PRONTO STAFFING.

Council awarded Bid No. 2017-05 Contract Labor to Pronto Staffing and disqualified all other proposals. The city received two bids in response to the contract labor request for proposals from 22nd Century Technologies, Inc. and Pronto Staffing. 22nd Century Technologies responded with the lowest rate multiplier, however, there were communication issues and City Staff had concerns about timeliness in providing workers in emergency situations as the company was based out of state. Pronto Staffing has been providing the City of Gainesville day-labor and temporary workers for many years. They are local and easy to contact.

Councilmember Gordon **moved to approve the resolution awarding the bid to Pronto Staffing and to disqualify all other proposals**, seconded by Councilmember Keeler, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

ORDINANCE 1413-08-2017 – AMENDING CHAPTER 14 – PARKS AND RECREATION, SECTION 14-6.2 – CITY ZOO CLOSED DURING CERTAIN HOURS.

CONSIDERATION OF AND ACTION ON THE FIRST READING OF AN ORDINANCE AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AMENDING CHAPTER 14 – PARKS AND RECREATION, SECTION 14-6.2 – CITY ZOO CLOSED DURING CERTAIN HOURS; PROVIDING SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING AN EFFECTIVE DATE AND MAKING AN OPEN MEETING FINDING.

Council Amended Chapter 14, Section 14-6.2 of the City Code. Currently, incorrect hours for visiting the Frank Buck Zoo are listed. It was an oversight that this was not previously addressed. This ordinance makes the hours more general and says they shall be set by the City Manager. The zoo has seasonal hours that are posted on the City’s website.

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

Councilmember Clegg **moved to Adopt the Ordinance on the First Reading**, seconded by Councilmember Dollar, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Gordon).

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 7:14 p.m.

Respectfully submitted,

Caitlyn Huddleston, City Secretary

Jim Goldsworthy, Mayor