

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
February 2, 2010**

The City Council of the City of Gainesville, Texas met in regular session on February 2, 2010 at 6:30 p.m. in accordance with the posted agenda and with the following persons in attendance:

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

STAFF PRESENT: Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Belvin Harris, City Attorney; Dan Parker, Finance Director; Steven Fleming, Police Chief; Kent Sharp, GEDC Executive Director

OTHERS PRESENT: Kit Chase, Dee Blanton, Delania Trigg, Jerry Chapman, Rod Tyler

CALL TO ORDER

Mayor Loch called the meeting to order at 6:30 p.m. with all Council members present.

INVOCATION & PLEDGE OF ALLEGIANCE

Councilman Charles Draper, gave the invocation. Mayor Loch led the pledge to the flag.

RECOGNITIONS

Mayor and Councilmembers recognized City Secretary, Kay Lunnon, for achieving certification as a Texas Registered Municipal Clerk in the University of North Texas Municipal Clerk's Certification Program.

REPORTS

Police Chief Steven Fleming presented the Annual Contact Data Report on traffic related and racial profiling contact data for the Gainesville Police Department. Fleming said the contact data is analyzed by an independent consultant. Fleming stated the Gainesville Police Department is in compliance with state law, and the department has received no complaints regarding racial profiling during the reporting period.

CONSENT AGENDA

MINUTES OF JANUARY 19, 2010

Council reviewed the Minutes of the Regular City Council Meeting of January 19, 2010, and approved them as written.

Councilmember Snuggs moved to **approve the Consent Agenda**, and was seconded by Councilmember Nichols. Motion carried by vote of 7 Ayes, 0 Nays, 0 absent.

RESOLUTION NO. 02-02-2010 – CALL FOR GENERAL ELECTION ON MAY 8, 2010

A RESOLUTION CALLING FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD BY THE CITY OF GAINESVILLE, TEXAS ON MAY 8, 2010, PROVIDING FOR THE ELECTION OF COUNCILPERSONS FOR WARD 3, WARD 5, WARD 6 AND MUNICIPAL

JUDGE; ADOPTING A VOTING SYSTEM AS APPROVED BY SECRETARY OF STATE; AND DESIGNATING POLLING LOCATIONS FOR EARLY VOTING AND ELECTION DAY.

The General Municipal Election was ordered as required by City Charter to be held on the State uniform election date, May 8, 2010, for the purpose of electing Councilpersons for Ward 3, Ward 5, Ward 6 and the Municipal Judge. Candidates may file for place on the ballot from February 6 through March 8. Early Voting will be held at City Hall, beginning on April 26 and ending on May 4. The polling location on Election Day, Saturday, May 8, is the Gainesville Civic Center. All members of the City Council signed the Election Order.

Councilmember Draper moved to **approve the Resolution**, and was seconded by Councilmember Goldsworthy. Motion carried by vote of 7 Ayes, 0 Nays, 0 absent.

RESOLUTION NO. 02-02-2010 A – DECLARING SURPLUS EQUIPMENT AND AUTHORIZING SALE AT AUCTION OVER THE INTERNET

A RESOLUTION DECLARING CERTAIN EQUIPMENT TO BE SURPLUS; FINDING THAT THE ITEMS MAY BEST BE SOLD AT AUCTION OVER THE INTERNET; AND DIRECTING THE DEPARTMENT DIRECTOR TO SELL THEM ACCORDINGLY, DEPOSITING THE PROCEEDS OF SALE INTO THE FUND THAT PROVIDED THE FUNDING.

The City Manager recommended approval of declaring certain city equipment as surplus and granting authorization to sell the surplus items at auction over the internet. A list of the surplus equipment is attached to the resolution. Department Directors are directed to deposit proceeds of each sale into the fund that originally purchased the item. The auction sale will be advertised in the newspaper and on the city website www.gainesville.tx.us and the items will be auctioned on line through René Bates Auctioneers, Inc. at www.renebates.com.

Councilmember Goldsworthy moved to **approve the Resolution**, and was seconded by Councilmember Nichols. Motion carried by vote of 7 Ayes, 0 Nays, 0 absent.

FIRST READING APPROVAL OF ORDINANCE REPEALING AND AMENDING CHAPTER 16 SOLID WASTE, ARTICLE I “IN GENERAL” AND ARTICLE II “SERVICE CHARGES

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TX, REPEALING ARTICLE I “IN GENERAL” AND ARTICLE II “SERVICE CHARGES” OF CHAPTER 16 “SOLID WASTE”; CHAPTER 16 “SOLID WASTE” ARTICLE I “IN GENERAL” AND ARTICLE II “SERVICE CHARGES”; PROVIDING FOR PENALTIES; REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR AN OPEN MEETING FINDING.

City Manager Barry Sullivan said amendments are necessary to Solid Waste Code in order to implement the new automated collection system. The ordinance amendments state the City will provide solid waste customers with the waste collection carts that are to be used with the automated collection system, and all items, except those placed in the specific plastic bags sold by the City, must be placed in the waste cart provided by the City. Outdated waste collection charges are deleted from the code and referenced to the annual Fee Schedule determined by the City Council. Sullivan stated the amendments need to be effective by March 1 and he recommended Council’s consideration in two separate readings.

