

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
May 15, 2007  
6:30 P.M.**

The City Council of the City of Gainesville, Texas met in regular session on May 15, 2007 at 6:30 p.m. with the following persons in attendance:

**MEMBERS PRESENT:** Mayor Glenn Loch  
Council Members Charles Draper, Carolyn Hendricks, Vince Rippy, Beverly Snuggs, Woody Williams

**MEMBERS ABSENT:** Jim Goldsworthy

**STAFF PRESENT:** Mike Land, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Dan Parker, Finance Director; Carl Dunlap, Police Chief; Roy Lewis, Building Official; Ron Sellman, Public Services Director; Lynette Pettigrew, Main Street Director;

**VISITORS PRESENT:** Kathy Floyd, Andy Hogue, Duwayna Cullum, Mike Shelton, David Greene, Ron Trevino, Ken Farmer, Greg Rohmer, Steve Schmitz, Jerry Rhodes, Chris Will, Nancy Murray, Martha Stevens, Rod Tyler, Jack Frost, Debbie Frost, Terry Neal, Mary Onugha, Keanna Franklin, Arthur Warren

**CALL TO ORDER**

Mayor Loch called the meeting to order with a quorum of members present.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Reverend Betsy Stilwell, Chaplain at North Texas Medical Center, gave the invocation. Mayor Loch led the pledge to the flag.

**OATH OF OFFICE TO NEWLY ELECTED OFFICIALS**

Municipal Court Judge, Chris Cypert administered the Oaths of Office individually to newly elected officials Mayor Glenn Loch; Carolyn Hendricks, Councilmember Ward 1; and Beverly Snuggs, Councilmember Ward 2.

**ELECTION OF MAYOR PRO TEM**

The Mayor called for nominations for Mayor Pro Tem for the newly installed City Council. Councilmember Draper nominated Jim Goldsworthy. Councilmember Williams seconded the motion. With no further discussion Goldsworthy was elected Mayor Pro Tem by a vote of:

Ayes: Draper, Hendricks, Loch, Rippy, Snuggs, and Williams;

Nays: None

Absent: Goldsworthy

## **PROCLAMATIONS**

Mayor Loch read a proclamation designating the week of May 13-17, 2007 as Law Enforcement Week. Police Chief Carl Dunlap, and officers Steven Fleming, Jack Jones, Tim Green, and Tom Reynolds received the proclamation on behalf of the department.

The week of May 20-26, 2007 was designated as Public Works Week, with a proclamation presented to members of Public Services Department, Director Ron Sellman, Chris Hill, Larry Downe, Jerry Rhodes, and Craig Evins.

## **REPORTS**

Duwayna "Boogie" Cullum, Chair of Keep Gainesville Beautiful, gave a report on projects and activities of Keep Gainesville Beautiful. Cullum reported the first phase of landscaping the courthouse lawn has been completed. KGB has participated four years in the penny match with students at Chalmers Elementary, and funds raised are used to plant trees at Chalmers. KGB has a membership with Keep Texas Beautiful and participates annually in the Great American Clean-up. The Board receives and processes applications for tree planting and dedications along the Home Grown Heroes walking trail. Grant funds awarded by Keep Texas Beautiful are earmarked for use in the I-35 frontage improvements project. Cullum said KGB is working toward incorporation as a 501(c)3 tax-exempt organization.

Police Chief Dunlap, and officers Jack Jones and Tim Green updated Council on crime and drug intervention activities. Dunlap said the department has set a course to proactively eliminate violence in the community. He said the Uniform Crime Rate report shows a 14% decrease in overall crime in Gainesville for the second consecutive year. The department is working closely with City Code Enforcement to effect positive change in neighborhoods. Dunlap said the one thing constant is that Gainesville Police Department is committed to providing the best level of protection possible. Officer Jones reported on activities of the Gang and Drug Enforcement Unit. He said they have teamed up with and gotten stronger with Federal help.

## **CITIZENS COMMENTS**

Prior to opening the floor to citizen comments, Mayor Loch made an announcement that first reading of the rental property registration ordinance would be struck from tonight's agenda, and that a meeting for public input on the proposed ordinance has been scheduled for June 7 at 6:30 p.m. at the Civic Center. Loch said those who had signed up to speak to council tonight on this issue could go ahead and speak tonight, or wait for the public meeting. Terry Neal withdrew his request, stating he would wait for the public meeting.

David Greene said he would not be able to attend the June 7 meeting. He praised recent ordinances for code enforcement as the proper way to go about cleaning up the city, but expressed concerns regarding registration of rental property as a method of code enforcement. He said the proposed ordinance needs clarification in many areas, such as the fees and property owners having to divulge financial information. He suggested an alternative to registration and inspection might be to create enterprise zones with economic incentives for property improvements. Greene said he owns rental property in Gainesville, is committed to Gainesville, and wants to see it grow and prosper.

Ken Farmer expressed his appreciation for the City's cooperation with Bone Movie Company. He said his company is attempting to bring a whole new industry to Gainesville and economic gain for the community.

**CONSENT AGENDA**

Council reviewed the Minutes of the May 1, 2007 Regular City Council Meeting and approved them as written.

**BOARD APPOINTMENTS:**

**RESOLUTION NO. 05-15-2007 – APPOINTMENTS TO BUILDING & STANDARDS COMMISSION**

John Broyles, Jan Russell, and Jim Myrick were re-appointed to two-year terms expiring May 2009. Donna Doty and Tommy Robinson were re-appointed to terms expiring May 2008. James B. King was appointed as alternate.

**RESOLUTION NO. 05-15-2007 A – APPOINTMENTS TO ZONING APPEALS BOARD**

Jess Cason was appointed as an alternate member of the board.

**RESOLUTION NO. 05-15-2007 B – APPOINTMENTS TO HEALTH BOARD**

Dr. Matt Record, Laura Blanton, Mark Meece, and Judy Stone were re-appointed to terms expiring May 2008. Steve Porter was appointed to replace Andy Anderson.

With no further discussion, Councilmember Draper **moved for approval of the Consent Agenda**, and was seconded by Councilmember Snuggs. The motion was approved.

Ayes: Draper, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

Absent: Goldsworthy

**RESOLUTION NO. 05-15-2007 C – APPOINTMENTS TO HOUSING AUTHORITY BOARD**

Keith Clegg, Peggy Holt, and Allen Fleitman were re-appointed to terms expiring April 2009.

Councilmember Snuggs **moved for approval**, and was seconded by Councilmember Williams. The motion carried.

Ayes: Draper, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

Absent: Goldsworthy

**RESOLUTION NO. 05-15-2007 D – COUNCIL APPROVAL OF TASWA REFUNDING BONDS SERIES 2004**

A RESOLUTION APPROVING THE FORM OF RESOLUTION OF THE TEXOMA AREA SOLID WASTE AUTHORITY AUTHORIZING THE ISSUANCE OF REFUNDING BONDS TO REFUND A PORTION OF THE AUTHORITY'S REGIONAL SOLID WASTE DISPOSAL CONTRACT REVENUE BONDS, SERIES 2004 (INITIAL FACILITY PROJECT); APPROVING THE FORM OF OFFERING DOCUMENT TO BE USED IN THE MARKETING OF SUCH REFUNDING BONDS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

As a member city of TASWA, Council is requested to approve the offering document for TASWA to issue refunding bonds to refund all or a portion of the callable Series 2004 bonds and to re-finance at a lower interest rate. Boyd London, financial advisor with First Southwest Company, reviewed the offering. TASWA General Manager, Dale Sissney, said a savings of approximately \$900,000 is projected over the life of the bonds.

Councilmember Draper **moved for approval**, and was seconded by Councilmember Williams. The motion was approved.

Ayes: Draper, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

Absent: Goldsworthy

**RESOLUTION NO. 05-15-2007 E – EXTENDING GROUND LEASE AT AIRPORT WITH PETROFLEX NA**

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF GAINESVILLE TO EXECUTE A GROUND LEASE AGREEMENT WITH PETROFLEX NA, INC. AT THE GAINESVILLE MUNICIPAL AIRPORT.

Land said Petroflex is located on the acreage at the airport being purchased by Impact, and so Petroflex is being relocated to another area of the airport. Their lease of 75,500 square feet of land will be relocated to an area north of Airport Drive and south of CR 404. The City will put in a road to the new location. The lease extension is approved and recommended by the Airport Board. Land said the lease document would be amended to include lessor's responsibility to keep the grass cut and the airport gate closed and locked at all times.

Councilmember Snuggs **moved for approval**, and was seconded by Councilmember Rippy. The motion was approved.

Ayes: Draper, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

Absent: Goldsworthy

**RESOLUTION NO. 05-15-2007 F – EXTENDING GROUND LEASE AT AIRPORT WITH PARSONS INFRASTRUCTURE**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TX, AUTHORIZING THE MAYOR OF THE CITY OF GAINESVILLE TO EXECUTE AN EXTENSION TO A NON-AERONAUTICAL LEASE AGREEMENT WITH PARSONS INFRASTRUCTURE AND TECHNOLOGY GROUP, INC. FOR REAL PROPERTY LOCATED AT THE GAINESVILLE MUNICIPAL AIRPORT.

The resolution is for extension of the airport non-aeronautical lease with Parsons for 5,000 square feet for storage of equipment. Approval of the extended lease is recommended by the Airport Board.

Councilmember Williams **moved for approval**, and was seconded by Councilmember Rippy. The motion was approved.

Ayes: Draper, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

Absent: Goldsworthy

**RESOLUTION NO. 05-15-2007 G – PURCHASE OF WORK ORDER SYSTEM FOR PUBLIC SERVICES**

**A RESOLUTION AUTHORIZING THE PURCHASE OF A WORK ORDER MANAGEMENT SYSTEM AND IMPLEMENTATION FOR THE PUBLIC SERVICES DEPARTMENT.**

Public Services Director Ron Sellman and Mike Shelton, Civil Engineer, representing Kimley-Horn presented the request for purchase of a work order system and implementation services for the Public Services Department. The system will aid in compliance with financial requirements of GASB 34 accounting; provide a database of the physical map of the City that will aid in management of work orders, resource assigning, tracking, and reporting for greater efficiency of services, communication, and compliance. Shelton expressed a high level of confidence in the mapping system and said the mapping should be completed in about a month. The purchase is a budgeted item in the current fiscal year and is also included in the business plan.

Councilmember Hendricks **moved for approval**, and was seconded by Councilmember Rippy. The motion carried.

Ayes: Draper, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

Absent: Goldsworthy

**RESOLUTION NO. 05-15-2007 H – PERMIT USE OF CITY LOCATION FOR BONE MOVIE FOR MOTION PICTURE**

A RESOLUTION OF THE CITY COUNCIL APPROVING USE OF PORTIONS OF CITY FACILITIES BY BONE MOVIE, LLC. IN CONNECTION WITH PRODUCTION OF A MOTION PICTURE.

Council approved use of two city-owned locations for filming by the Bone Movie Production Company. The agreements are to film in front of the airport terminal building and at the Fairview Cemetery.

Councilmember Snuggs **moved for approval**, and was seconded by Councilmember Draper. The motion carried.

Ayes: Draper, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

Absent: Goldsworthy

**RESOLUTION NO. 05-15-2007 I – APPROVE CARNIVAL AT 1500 LAWRENCE STREET MAY 31 – JUNE 1**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE APPROVING THE RECREATIONAL USE OF 1500 LAWRENCE STREET PARKING LOT BY SUMMERTIME AMUSEMENTS ON MAY 31 THROUGH JUNE 3, 2007.

Summertime Amusements was approved to set up a carnival at 1500 Lawrence Street from May 31 through June 1. Land said the company has used this location the past five years. Snuggs questioned approving a use that does not benefit the City and takes dollars out of the City.

Councilmember Williams **moved for approval**, and was seconded by Councilmember Rippy. The motion was approved.

Ayes: Draper, Hendricks, Loch, Rippy, Williams.

Nays: Snuggs

Absent: Goldsworthy

**ORDINANCE TO AMEND THE 2006 SIGN CODE**

CONSIDERATION OF AND ACTION ON THIRD READING OF AN ORDINANCE AMENDING THE 2006 GAINESVILLE SIGN CODE; PROVIDING REGULATIONS AND SPECIFICATIONS OF ALL SIGNS WITHIN THE CITY OF GAINESVILLE, IN ORDER TO PROMOTE AND SECURE THE SAFETY, HEALTH AND WELFARE OF ALL THE CITIZENS OF THE CITY OF GAINESVILLE; ACHIEVING A MORE DESIRABLE LIVING ENVIRONMENT; PROTECTING AND ENHANCING THE AESTHETICS OF THE CITY WITH BETTER SIGN USAGE; PROVIDING FOR REDUCTION OF NONCONFORMING SIGNS; MAKING FINDINGS OF FACT; PROVIDING FOR PUBLICATION; PROVIDING PENALTIES UP TO \$5000 FOR VIOLATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR SUSPENSION OF THE CHARTER REQUIREMENT OF READING THE ORDINANCE ON THREE SEPARATE OCCASIONS.

After a brief discussion, Council tabled this ordinance amending the 2006 Sign Code in order to allow additional time for response from billboard owners. Following second reading on May 1, letters regarding the proposed ordinance were sent to all billboard owners. Respondents have expressed their concern with zoning issues and the three-year amortization period for non-conforming billboards. Third reading of the ordinance is scheduled for June 5.

Councilmember Draper **moved to table third reading and place for consideration at the next regular meeting on June 5.** This motion was seconded by Councilmember Snuggs, and carried by vote of:

Ayes: Draper, Hendricks, Loch, Rippy, Snuggs, Williams.

Nays: None.

Absent: Goldsworthy

**ORDINANCE FOR REGISTRATION AND INSPECTION OF RENTAL HOUSING**

CONSIDERATION OF AND ACTION ON FIRST READING OF AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 5, BUILDINGS AND BUILDING REGULATIONS, BY ADDING SECTION 5-16, REGISTRATION AND INSPECTION OF RENTAL HOUSES AND MULTI-FAMILY DWELLING AND COMPLEXES, TO PROVIDE PROCEDURES ALLOWING FOR REGISTRATION AND INSPECTION OF RENTAL HOUSES AND MULTIFAMILY DWELLINGS AND COMPLEXES; PROVIDING FOR PENALTY OF UP TO \$500.00 PER VIOLATION, WITH EACH DAY THE VIOLATION CONTINUES CONSTITUTING A SEPARATE VIOLATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE.

This ordinance was struck from the agenda, and was not read or discussed, and no action was taken at this meeting.

**EXECUTIVE SESSION**

The City Council did not convene into executive session.

**CITY MANAGER'S COMMENTS**

Land reported good participation in the Household Hazardous Waste Collection Event held on May 5, and that twenty-five tons of hazardous waste was removed from Cooke County.

Land commented on the great attendance at tonight's meeting and encouraged citizens to attend Council meetings.

**MAYOR'S COMMENTS**

Mayor Loch added that Frances Pelley, Executive Director of Texoma Council of Governments, expressed her appreciation to the City staff for their assistance with the Hazardous Waste Collection Event on May 5.

**ADJOURNMENT**

There being no further business to come before the City Council, the meeting was adjourned at approximately 7:42 p.m.

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**Glenn Loch, Mayor**

Attest:

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**Kay Lunnon, City Secretary**