

MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
July 17, 2007
6:30 P.M.

The City Council of the City of Gainesville, Texas met in regular session on July 3, 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; John Noblitt, Planning Technician; Sam West, Industrial Waste Supervisor; Bill Holmberg, Purchasing Agent

VISITORS PRESENT: Eli Kangas, William Fickel, Betty Garrett, Rod Tyler, Errol and Laverne Harrison, Kathy Floyd, Delania Trigg, Donna Hertel, Shana Powell, Karon Sullivant.

CALL TO ORDER

Mayor Loch called the meeting to order with a quorum of members present. The absence of Mayor Pro Tem, Jim Goldsworthy was noted.

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Jerry Elliott, First Assembly of God, gave the invocation. Mayor Loch led the pledge to the flag.

REPORTS

Sam West, Industrial Waste Supervisor, gave a brief report on the 2006 Annual Drinking Water Quality Report, which has been sent to all City Water Customers. West said the Texas Commission on Environmental Quality (TCEQ) has issued the City water supply a rating of "Superior".

Donna Hertel, Chair of the Main Street Board, spoke about activities of the Main Street Board, focusing on historic preservation, economic development, promotions, marketing, organization, and grants. Main Street sponsors the planters in the downtown area. They work with the Downtown Development Association, Chamber of Commerce, and the Tourist Center, to promote tourism and events in the downtown area such as the Victorian Stroll, holiday window judging contests, Depot Day Festival, and the Legends and Lore Storyboard Program. Future projects and plans include completion of the Heritage Park fence, building a gazebo in Heritage

Park, creation of a small pocket park in the downtown area, securing low interest loans for revitalization of historic buildings. Hertel said the board has worked very hard to create a prioritized list of the city's brick streets for historic preservation, and may need advice from a consultant regarding a Brick Streets Program. This request would be brought to the City Council for approval. Hertel said Gainesville Main Street is eligible again this year to apply for a grant from the Texas Capital Fund.

CONSENT AGENDA

Council reviewed the Minutes of the July 3, 2007 Regular City Council Meeting and approved them as written.

BOARD APPOINTMENTS:

RESOLUTION NO. 07-17-2007 – APPOINTMENT TO GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION BOARD

Charles Draper, Jim Goldsworthy, and Don Wallace were re-appointed to the Board of Directors of the Gainesville Economic Development Corporation to terms expiring August 2009.

RESOLUTION NO. 07-17-2007 A – APPOINTMENTS TO AIRPORT BOARD

Earl Russell, Ginger Herrmann, and Carroll Johnson were re-appointed to the Airport Board to terms expiring July 2009. Dan Ott was appointed to fill the position formerly held by Earl Clement, to a term expiring July 2009.

TABLED RESOLUTION MAKING APPOINTMENTS TO THE BUILDING AND STANDARDS COMMISSION

Mayor Loch announced no action would be taken on a resolution for appointments to the Building and Standards Commission. All appointees had not been contacted prior to the meeting.

With no further discussion, Councilmember Snuggs **moved to approve the Consent Agenda**, and was seconded by Councilmember Williams. The motion carried by vote of 6 ayes, 0 nays, and 1 absent (Goldsworthy).

RESOLUTION NO. 07-17-2007 B - SUSPENDING EFFECTIVE DATE FOR ATMOS GRIP 2006 RATE ADJUSTMENTS

A RESOLUTION BY THE CITY OF GAINESVILLE, TEXAS SUSPENDING THE JULY 30, 2007 EFFECTIVE DATE OF THE PROPOSAL BY ATMOS ENERGY CORP., MID-TEX DIVISION TO IMPLEMENT INTERIM GRIP RATE ADJUSTMENTS FOR GAS UTILITY INVESTMENT IN 2006; AUTHORIZING PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) IN A REVIEW AND INQUIRY INTO THE SUFFICIENCY OF THE FILING AND THE BASIS OF THE PROPOSED RATE ADJUSTMENTS; AUTHORIZING INTERVENTION IN ADMINISTRATIVE AND COURT PROCEEDINGS INVOLVING THE PROPOSED GRIP RATE ADJUSTMENTS; REQUIRING REIMBURSEMENT OF REASONABLE LEGAL AND CONSULTANT RATEMAKING COSTS; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

Finance Director Dan Parker stated legal counsel advised suspension of the July 30, 2007 effective date for the Atmos GRIP 2006 rate adjustment, and to authorize participation with other member cities of the Atmos Cities Steering Committee to review and analyze the Gas Reliability Infrastructure Program (GRIP) 2006 rate adjustment filing. Suspension is advised because

review of previous filings by Atmos for 2003, 2004, and 2005 resulted in substantial disallowances, which subsequently lowered the rate adjustment.

Councilmember Draper **moved to approve** and was seconded by Councilmember Snuggs. The motion carried by vote of 6 ayes, 0 nays, and 1 absent (Goldsworthy).

RESOLUTION NO. 07-17-2007 C - PROJECT COOPERATION AGREEMENT WITH THE DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, FOR DESIGN AND CONSTRUCTION OF THE PECAN CREEK LOCAL FLOOD DAMAGE REDUCTION PROJECT

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF GAINESVILLE TO EXECUTE A PROJECT COOPERATION AGREEMENT WITH THE DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS, FOR DESIGN AND CONSTRUCTION OF THE PECAN CREEK LOCAL FLOOD DAMAGE REDUCTION PROJECT.

City Manager Mike Land stated this is the long awaited project cooperation agreement (PCA) for design and construction of the Pecan Creek Local Flood Damage Reduction Project. Mayor Loch recognized Congressman Burgess for his efforts at the Federal level on Gainesville's behalf in receiving the funding for this improvement project.

Land explained that with the signing of this agreement, the City can move forward with property acquisition for the project. The agreement outlines the City's responsibilities for real estate acquisition and bridge and utility replacements and relocations, which will count toward the City's match funding. The Corps of Engineers has full funding in place for plans and specifications for this project. Plans and Specifications are expected to be completed and ready for bid by June 2008. The project area begins north of Belcher Street and ends south of Gordon Street. Land added that contracts with the engineers should be ready for approval by Council at their next regular meeting.

Councilmember Draper **moved to approve**, and was seconded by Councilmember Williams. The motion carried by vote of 6 ayes, 0 nays, and 1 absent (Goldsworthy).

PUBLIC HEARING ON SPECIFIC USE PERMIT FOR MOBILE HOME AT 3611 EAST HWY 82 AS REQUESTED BY CHRISTOPHER BRACKEEN

Mayor Loch announced the public hearing at 7:02 p.m. and called for comments for or against the specific use permit.

No one came forward to speak either for or against the permit.

With no further discussion, Councilmember Snuggs **moved to close the Public Hearing**, and was seconded by Councilmember Williams. The Public Hearing was closed at approximately 7:03 p.m. by vote of 6 ayes, 0 nays, and 1 absent (Goldsworthy).

ORDINANCE FOR A SPECIFIC USE PERMIT FOR MOBILE HOME TO BE USED AS A SINGLE FAMILY RESIDENCE TO BE LOCATED AT 3611 E. HWY. 82, AS REQUESTED BY CHRISTOPHER BRACKEEN

FIRST READING OF AN ORDINANCE AMENDING ORDINANCE NO. 25-2-71; 154-12-79; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, TO GRANT A SPECIFIC USE PERMIT, AS REQUESTED BY MR. CHRISTOPHER BRACKEEN FOR A MOBILE

