

**MINUTES**  
**CITY OF GAINESVILLE**  
**CITY COUNCIL MEETING**  
**200 South Rusk**  
**Gainesville, Texas 76240**  
**August 21, 2007**  
**6:30 P.M.**

The City Council of the City of Gainesville, Texas met in regular session on August 21, 2007 at 6:30 p.m. with the following persons in attendance:

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

**STAFF PRESENT:** Dan Parker, Interim City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; John Noblitt, Planning Technician

**VISITORS PRESENT:** Kathy Floyd, Andy Hogue, Jerry Elliott, Reverend Scott Sundbye, Rod Tyler, Tony Avila, Johnny and Mary Lou Leftwich.

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

Reverend Scott Sundbye, Faith Lutheran Church, gave the invocation. Mayor Loch led the pledge to the flag.

**PROCLAMATION**

Mayor Loch read and presented a proclamation to Johnny Leftwich in recognition and appreciation for his dedication to the community and for his efforts on behalf of the City of Gainesville in raising financial support for construction of new iron fencing and new entrance gate for the Fairview Cemetery.

**REPORTS**

Jerry Elliott, updated Council regarding the Texoma Area Paratransit System (TAPS). TAPS is currently experiencing declining finances. They have implemented a number of cost saving measures and are in the process of determining other actions to further reduce costs and increase revenues. Statistics from TAPS show that over 58,000 people in Cooke County were served between October 2006 and June 2007. Elliott said Gainesville is perhaps underfunding TAPS a little and requested Council's consideration to increase its allocation for TAPS. Elliott said he and Cooke County Commissioner Gary Hollowell are working together and hope to improve TAPS over the next few months.

**CONSENT AGENDA**

Council reviewed the Minutes of the August 7, 2007 Regular City Council Meeting and the August 14, Special Called City Council Meeting and approved them as written.

**BOARD APPOINTMENTS:**

**RESOLUTION NO. 08-21-2007 – APPOINTMENT TO MENTAL HEALTH MENTAL RETARDATION BOARD OF DIRECTORS**

Michaele Ann Bryson was appointed to serve on the Board of Directors of the MHMR for a two-year term expiring August 2009.

With no further discussion, Councilmember Williams **moved to approve all items on the Consent Agenda**, and was seconded by Councilmember Rippy. The motion carried by unanimous vote.

**RESOLUTION NO. 08-21-2007 A - DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT**

A RESOLUTION DECLARING EXPECTATION TO REIMBURSE EXPENDITURES WITH PROCEEDS OF FUTURE DEBT.

Interim City Manager, Dan Parker, said the City will need to issue the remaining principal amount of tax-exempt obligations from the bond program approved by the voters in 2002, and this resolution is necessary in order for City expenditures to be reimbursed from bond proceeds. The resolution preserves the City's ability to reimburse expenditures for storm water drainage and wastewater trunk line relocation projects with proceeds from the sale of bonds. The maximum principal amount of the tax-exempt obligations expected to be issued is five million four hundred twenty-five thousand dollars (\$5,425,000). Parker said the bond program approved in 2002 was sufficient to cover the Pecan Creek Flood Damage Reduction Project at the time, but since then the project has been scaled back, and the cost is not yet known.

Councilmember Draper **moved to approve** and was seconded by Councilmember Goldsworthy. The motion carried by unanimous vote.

**RESOLUTION NO. 08-21-2007 B - INTENT TO PARTICIPATE HAZARD MITIGATION GRANT PROGRAM & SUBMISSION OF REQUIRED NOTICES OF INTEREST FOR POSSIBLE FUNDING.**

A RESOLUTION OF CITY OF GAINESVILLE INTENT TO PARTICIPATE IN THE STATE OF TEXAS DIVISION OF EMERGENCY MANAGEMENT HAZARD MITIGATION GRANT PROGRAM DR-1709 FOR SEVERE STORMS TORNADOS AND FLOODING, AND APPROVING THE SUBMISSION OF REQUIRED NOTICES OF INTEREST FOR POSSIBLE FUNDING.

John Noblitt, Planning Technician, recommended approval of Notice of Interest (NOI) for participation in possible grant funding for projects eligible for the Hazard Mitigation Grant Program DR-1709. The deadline for submission of NOIs for this program is August 24. Noblitt said certain property acquisitions along Pecan Creek, a reverse 911 emergency warning system, and retrofits to the Emergency Operation Center may qualify for the grant funding. If awarded a grant, the City's match is 25% of the costs, which could be covered by services in-kind.

Goldsworthy said he wants the City to do their best to let people know, prior to rebuilding their homes, if their property will be part of the Pecan Creek Project acquisitions. Discussion followed regarding the permitting, remodeling, and reconstruction process for homes in the floodway and floodplain areas. Noblitt said surveyors have not finished and the City has not yet received the list of properties identified for acquisition as part of the project.

Councilmember Goldsworthy **moved to approve** and was seconded by Councilmember Snuggs. The motion carried by unanimous vote.

**RESOLUTION NO. 08-21-2007 C – DENY ATMOS ENERGY GRIP RATE INCREASE**

A RESOLUTION OF THE CITY OF GAINESVILLE, TEXAS DENYING THE REQUEST OF ATMOS ENERGY CORP., MID-TEX DIVISION, FOR AN ANNUAL GAS RELIABILITY INFRASTRUCTURE PROGRAM (GRIP) RATE INCREASE IN THIS MUNICIPALITY, AS A PART OF THE COMPANY'S STATEWIDE GAS UTILITY DISTRIBUTION SYSTEM; SUPPORTING STATUTORY REFORM OF THE TEXAS GRIP STATUTE, FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC; AND PROVIDING FOR NOTICE OF THIS RESOLUTION TO ATMOS ENERGY CORP., MID-TEX DIVISION.

Parker said legal counsel for Atmos City Steering Committee Members advised the resolution denying the surcharge request of Atmos Energy for a rate adjustment for the 2006 rate year on the grounds that it does not comply with the law and is not reasonable. The rate case is under consideration by the Texas Railroad Commission. The City of Gainesville joins 127 other cities filing opposition to the rate increase.

Councilmember Goldsworthy **moved to approve the resolution** and was seconded by Councilmember Williams. The motion carried by unanimous vote.

**RESOLUTION NO. 08-21-2007 D - CITY PARTICIPATION IN PATRIOT GOLF DAY SEPTEMBER 1, THROUGH SEPTEMBER 3, 2007**

A RESOLUTION AUTHORIZING CITY PARTICIPATION IN PATRIOT GOLF DAY ON SEPTEMBER 1, 2007 HONORING THE FALLEN HEROES FOUNDATION AND WOUNDED WARRIORS, INC.

Councilmember Williams presented information regarding the first national Patriot Golf Day on September 1, 2007. This is the first year for the national PGA sponsored event to raise funds to help the children of America's fallen heroes. Golfers will be asked to donate a dollar to support the Fallen Heroes Foundation and Wounded Warriors, Inc., tax exempt non-profit programs awarding education scholarships and counseling to families who have had a parent wounded or killed in Iraq or Afghanistan.

The resolution authorizes City participation in the event and a match contribution of one dollar for each round of golf played at the Municipal Golf Course.

Councilmember Draper **motioned to authorize three (3) days of City participation, Saturday, September 1 through Monday, September 3, 2007, and to cap the City contribution at one thousand dollars (\$1000.00).** The motion was seconded by Councilmember Snuggs, and carried by unanimous vote.

**EXECUTIVE SESSION**

Mayor Loch announced at 7:11 p.m. that Council would take a five-minute recess and then adjourn into closed executive session for discussion under Government Code §551.072, Real Property.

**RECONVENE INTO OPEN SESSION**

Council reconvened into open session at 7:18 p.m. and Mayor Loch announced no action was taken during executive session.

**RESOLUTION NO. 08-21-2007 E - REJECTING ALL BIDS FOR BID NO. 2007-5 SALE OF REAL ESTATE.**

A RESOLUTION TO REJECT ALL BIDS RECEIVED FOR BID NO. 2007-5 SALE OF REAL ESTATE.

