

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
April 7, 2009**

The City Council of the City of Gainesville, Texas met in regular session on April 7, 2009 at 6:30 p.m. with the following persons in attendance:

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

STAFF PRESENT: Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Steven Fleming, Police Chief; Lynette Pettigrew, Main Street Director; Kent Sharp, GEDC Executive Director

OTHERS PRESENT: Virgil Musick, Frank Mahnich, Sally Page, Sonia Markle, Monica Lamb, Dee Blanton, Tamera Broyles, Jennifer Johnson-Spence, Mike O-Rourke, Dick Sparkman, Frank J. Pieczynski, Bill Hoagland, Bob Kalina, Rod Tyler, Paula Winters, Jim Robertson, Shelley Richey

CALL TO ORDER

Mayor Loch called the meeting to order at 6:30 p.m. with all members present. City Attorney Bill Harris arrived during the meeting in progress.

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend Darrell McIntyre, Westminster Presbyterian Church, gave the invocation. Mayor Loch led the pledge to the flag.

REPORTS

Tamera Broyles, Executive Director of Butterfield Stage, reviewed the current status of the Butterfield Stage Playhouse facility, stating that maintenance improvements are necessary to preserve the structure and would also provide for its expanded use and efficiency. Cost for the proposed improvements total Three hundred eleven thousand, three hundred forty dollars (\$311,340.00). Broyles presented the elements of the project, which include replacement of central heating and air conditioning system, new windows and doors, electrical system, plumbing, and interior and exterior repairs. The project could be completed in four phases, with completion of all improvements in October 2011. Broyles requested Council's consideration to move forward on the project. City Manager, Barry Sullivan, added that the facility is owned by the City of Gainesville and partnered with Butterfield Stage Players for use of the building. Broyles added that the project would qualify for use of Hotel-Motel Tax revenues.

Virgil Musick, Executive Director of the Cooke County Planning Association, gave Council members a copy of a report of the Cooke County Planning Association public meeting on March 5, 2009. Musick said report comments on the needs for infrastructure improvements in Cooke County in the next twenty years.

CONSENT AGENDA

MINUTES OF MARCH 17, 2009 REGULAR COUNCIL MEETING

Council reviewed the Minutes of the City Council Meeting of March 17, 2009 and approved them as written.

RESOLUTION NO. 04-07-2009 – MAKING APPOINTMENTS TO PARKS AND RECREATION BOARD

Barry Hunter, Brad Herr, Robbie Baugh, and Doug Wade were re-appointed to the Parks and Recreation to two-year terms expiring March 2011.

RESOLUTION NO. 04-07-2009 A – MAKING APPOINTMENTS TO ZONING APPEALS BOARD

Jan Russell and Van Knight (as alternate member) were appointed to the Zoning Appeals Board to terms expiring October 2011. Re-appointments were approved for Merle Currie and Terry Herrmann to terms expiring October 2011. Linda Ritchey, Jess Cason, and Lyn Sanches (as alternate member) were re-appointed to terms expiring October 2010.

RESOLUTION NO. 04-07-2009 B – MAKING APPOINTMENTS TO PLANNING AND ZONING COMMISSION

Bill Williams and Lynn Monden were re-appointed to the Planning and Zoning Commission to terms expiring April 2011. Marcus Parkhill and Teresa McElreath were appointed to terms expiring April 2011.

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

RESOLUTION NO. 04-07-2009 C - COUNCIL APPROVAL OF ACTIONS OF GEDC APPROVING FINANCING FOR THE EXPANSION OF THE CIVIC CENTER

SECOND READING OF A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH APPROVED FINANCING FOR THE CIVIC CENTER PROJECT FOR AN AMOUNT NOT TO EXCEED \$650,000.00 CONTINGENT ON CITY OF GAINESVILLE APPROVING REIMBURSEMENT OF THE PROCEEDS FROM THE PROCEEDS FROM THE SALE OF EXISTING 0.434 ACRES IN THE B.F. CARPENTER SURVEY ABSTRACT 228 CITY OF GAINESVILLE, COOKE COUNTY, TEXAS AT A PRICE AGREEABLE TO BOTH THE GEDC AND THE CITY OF GAINESVILLE AND FURTHER CONTINGENT ON GAINESVILLE CHAMBER TRANSFERRING LEASE TO NEW FACILITY.

Per state law, this is the second reading of the resolution by the City Council to consider approval of GEDC expenditures. Kent Sharp stated that the GEDC Board approved financing the Civic Center expansion project in an amount not to exceed \$650,000.00 for addition of office space at the Civic Center to house the GEDC and Chamber of Commerce. Sharp said the approved funding is for the additional office space and for replacement of the Civic Center roof. GEDC financing of the project is contingent upon the City approving reimbursement of proceeds from the sale of the 0.434 acres current Chamber location to the GEDC as partial payment for financing the expansion project, and further contingent upon approving the Gainesville Chamber transferring their lease to a new facility.

Councilmember Goldsworthy moved to **approve the Resolution**, and was seconded by Councilmember Draper. Motion carried by vote of 6 Ayes, 1 Nay (Rippy).

RESOLUTION NO. 04-07-2009 D - AWARDED BID FOR EXPANSION OF CIVIC CENTER

A RESOLUTION AWARDING BID NO. 2009-5 FOR EXPANSION OF THE CIVIC CENTER.

Barry Sullivan recommended approval of the bid by Aitken and Moore of Gainesville, for expansion of the Civic Center to add office space for the GEDC and Chamber of Commerce, in the amount of \$600,000 plus \$38,500 for replacement of the Civic Center roof. The project is to be completed in 220 calendar days from the notice to proceed. The City owns the Civic Center and the GEDC has approved to provide financing for the project with contingencies as approved by the City Council for reimbursement to GEDC. Councilman Rippey expressed disapproval of investing taxpayer dollars for this project during the current state of the economy. Rippey said he does not fault the need for the project, just the timing of the expenditure, and he cannot justify a vote of approval for the project at this time.

Councilmember Goldsworthy moved to **approve the Resolution**, and was seconded by Councilmember Nichols. Motion carried by vote of 6 Ayes, 1 Nay (Rippey).

RESOLUTION NO. 04-07-2009 E - AUTHORIZING AND RATIFYING SALE OF PROPERTIES CONVEYED TO THE CITY OF GAINESVILLE THROUGH SHERIFF'S DEED

A RESOLUTION AUTHORIZING AND RATIFYING SALE OF PROPERTIES CONVEYED TO THE CITY OF GAINESVILLE THROUGH SHERIFF'S DEED.

Attorney Jim Robertson stated that Council authorization and ratification was needed to approve the sale of properties that were conveyed to the City through Sheriff's deed pursuant to judgments of the Cooke County District Court. The properties were offered for sale at public auction but did not receive a sufficient bid as set by law. As Trustee, the City must authorize a re-offering of the properties for less than the full amount owed. Several of the properties are located in the floodplain and have been purchased by the City as part of the Pecan Creek Flood Damage Reduction project.

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

RESOLUTION NO. 04-07-2009 F - APPOINTING THE PRESIDING JUDGE AND ALTERNATE JUDGE FOR THE GENERAL ELECTION TO BE HELD MAY 9, 2009 AND ESTABLISHING THE RATE OF PAY FOR ELECTION WORKERS

A RESOLUTION APPOINTING THE PRESIDING JUDGE AND ALTERNATE JUDGE FOR THE GENERAL ELECTION TO BE HELD MAY 9, 2009 AND ESTABLISHING THE RATE OF PAY FOR ELECTION WORKERS.

The resolution appoints Jane Dudley as Presiding Judge and Ruth Schlaudroff as Alternate Judge for the City of Gainesville General Election to be held May 9, 2009. The rate of pay for election workers is established at \$10 per hour for the Presiding and Alternate Judge and \$8 per hour for election workers.

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

RESOLUTION NO. 04-07-2009 G - APPROVING TRIPLE T AMUSEMENTS FOR SPRING FLING APRIL 30 - MAY 3, 2009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE APPROVING THE RECREATIONAL USE OF LEONARD PARK BY TRIPLE "T" AMUSEMENTS TO BE

