

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
June 2, 2009**

The City Council of the City of Gainesville, Texas met in regular session on June 2, 2009 at 6:30 p.m. with the following persons in attendance:

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

MEMBERS ABSENT: Mayor Glenn Loch

STAFF PRESENT: Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Steven Fleming, Police Chief; Dan Parker, Finance Director; Lynette Pettigrew, Main Street Director

OTHERS PRESENT: Natalia Jones, Kit Chase, Dee Blanton, Mary Onugha, Tim Green, Jody Henry, Larry Lewis, Hubert Wright

CALL TO ORDER

Mayor Pro Tem Goldsworthy called the meeting to order at 6:30 p.m. with a quorum of members present. The absence of Mayor Glenn Loch was noted.

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend Hubert Wright, First Baptist Church, gave the invocation. Mayor Pro Tem Goldsworthy led the pledge to the flag.

PRESENTATIONS/PROCLAMATIONS

Fire Marshal Jody Henry was recognized by U. S. Congressman Michael C. Burgess for his persistent efforts in solving the arson case involving the Cooke County Courthouse in February 2006. Congressman Burgess read his "Extension of Remarks" honoring the efforts of the Fire Marshal John J. "Jody" Henry into the Congressional Record of proceedings of the 111th United States Congress, First Session, on June 2, 2009. The commendation was presented to Henry by the Congressman's Staff Assistant, David Lehde.

Henry also received the "Elliott Ness Award" presented by Kelton Thornton of the Bureau of Alcohol, Tobacco, Firearms and Explosives. The award recognizes Henry for his ongoing professionalism, dedication and perseverance in the criminal investigation of the Cooke County Courthouse arson case.

Mayor Pro Tem Goldsworthy read and presented a Proclamation declaring June 19 and 20, 2009 as Booker T. Washington Alumni Days in the City of Gainesville. Gayleth Lawrence received the proclamation on behalf of the Booker T. Washington Alumni.

MINUTES OF MAY 19, 2009 REGULAR COUNCIL MEETING

Council reviewed the Minutes of the City Council Meeting of May 19, 2009 and approved them as written.

Councilmember Snuggs moved to **approve the Minutes**, and was seconded by Councilmember Draper. Motion carried by vote of 6 Ayes, 0 Nays, 1 absent (Loch).

RESOLUTION NO. 06-02-2009 – AUTHORIZING OFFER TO PURCHASE REAL ESTATE PROPERTIES AS PART OF THE PECAN CREEK FLOOD DAMAGE REDUCTION PROJECT.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO MAKE OFFER TO PURCHASE REAL ESTATE PROPERTIES AS PART OF THE PECAN CREEK LOCAL FLOOD DAMAGE REDUCTION PROJECT.

The City Manager was authorized to make offers to three property owners to purchase real estate properties and easements as part of the Pecan Creek Flood Project. Property appraisals were completed by Merit Appraisals and approved by the Corps of Engineers for acquisition. Purchase offers are based on the appraised value for each parcel. The total appraised value for the three parcels is \$33,150.

Councilmember Nichols moved to **approve the Resolution**, and was seconded by Councilmember Rippy. Motion carried by vote of 6 Ayes, 0 Nays, 1 absent (Loch).

RESOLUTION NO. 06-02-2009 A – AUTHORIZE SALE OF PROPERTIES CONVEYED TO CITY THROUGH SHERIFF'S DEED

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

The resolution authorizes re-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 on May 5, but did not receive a sufficient bid as set by law. As Trustee, the City must first authorize any re-offering of the properties for sale to the highest bidder even if the bid is for less than the full amount owed.

Councilmember Snuggs moved to **approve the Resolution**, and was seconded by Councilmember Nichols. Motion carried by vote of 6 Ayes, 0 Nays, 1 absent (Loch).

RESOLUTION NO. 06-02-2009 B – AUTHORIZE EASEMENT TO ONCOR ELECTRIC DELIVERY ACROSS AIRPORT PROPERTY ALONG FM 1201

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN EASEMENT CONVEYING EASEMENT TO ONCOR ELECTRIC DELIVERY COMPANY FOR ELECTRIC SUPPLY AND COMMUNICATIONS FACILITIES ON AIRPORT PROPERTY ALONG FM 1201.

City Manager Sullivan said Oncor Electric Delivery needs additional easement to their existing easement at the airport along FM 1201 to allow construction of a new feeder line that crosses FM 1201 from CR 451 and traverses northward along FM 1201 to Oncor's Sivells Bend substation. The feeder will replace the feeder that currently services the City water plant located off FM 1202. Oncor plans for the upgrade to enhance reliability and allow for easy repair and maintenance access.

Councilmember Hendricks moved to **approve the Resolution**, and was seconded by Councilmember Nichols. Motion carried by vote of 6 Ayes, 0 Nays, 1 absent (Loch).

RESOLUTION NO. 06-02-2009 C – APPROVE SUMMERTIME AMUSEMENTS AT 1311 GRAND AVENUE JUNE 11-13, 2009 WITH PERCENTAGE OF PROCEEDS TO DASH

A RESOLUTION APPROVING THE RECREATIONAL USE OF 1311 GRAND AVENUE PARKING LOT BY SUMMERTIME AMUSEMENTS ON JUNE 11 THROUGH JUNE 13, 2009.

Recreational use of the 1311 Grand Avenue parking lot by Summertime Amusements for a carnival June 11 through June 13, 2009, was approved with the stipulation that Summertime

