

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
January 18, 2011**

The regularly scheduled meeting of the City Council to be held on January 4, 2011 was cancelled due to no items for the agenda.

The City Council of the City of Gainesville, Texas met in regular session on January 18, 2011 at 6:30 p.m. with the following persons in attendance.

**MEMBERS PRESENT:** Mayor Glenn Loch  
Council Members Jim Goldsworthy, Carolyn Hendricks, Ray Nichols, Vince Rippy, Beverly Snuggs

**MEMBERS ABSENT:** Council Member Philip Neelley

**STAFF PRESENT:** Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Dan Parker, Finance Director; Steve Fleming, Police Chief; Ron Sellman, Public Services Director; Susan Kleven, Zoo Director

**OTHERS PRESENT:** Gary Schumacher, John and Angie Hare, Karen Cook, Nancy Moore, George Grounds, Louise Mahnich, Kevin Brown, Joseph Sepko, Kit Chase, Delania Trigg, Jenny Richardson, Sandra Currie, Marcus Lundy

**CALL TO ORDER**

Mayor Loch called the meeting to order at 6:30 p.m., noting the absence of Councilman Neelley.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Reverend John Hare, First Presbyterian Church, gave the invocation. Mayor Loch led the pledge to the flag.

**RECOGNITIONS**

Gary Schumacher was recognized as City Employee of the Month for January 2011. Barry Sullivan read and presented a certificate recognizing Schumacher's dedication to serving citizens of Gainesville, and specifically for clearing debris out a drainage area during continuing rainfall in order to alleviate flooding on a city street. Schumacher also received a certificate for one day of paid vacation.

**REPORTS**

Karen Cook, President of the Zoological Society, presented a check in the amount of \$50,000 to the City on behalf of the Gainesville Zoological Society to defray costs of debt incurred by the City for the 2004 expansion improvements at the Frank Buck Zoo. Cook expressed her appreciation for the Zoological Board of Directors, Zoo Director, Susan Kleven and her staff, for their support and efforts in raising these funds. Cook also noted the passing of Zoological Board Member, Alan Ritchey, whom she said, along with his wife, has been an ardent supporter of the Frank Buck Zoo.

## **CONSENT AGENDA**

Council reviewed the Minutes of the regular City Council Meeting of December 21, 2010 and approved them as written.

## **RESOLUTION NO. 01-18-2011 – APPOINTMENTS TO MAIN STREET BOARD**

Doris Koesler was appointed to the Main Street Board to complete the unexpired term of Greg Hillis. Paige Davidson, Randy Harper, and Johnny Leftwich were approved for re-appointment to the Board to terms expiring December 2013.

Councilmember Snuggs **moved to approve the items on the Consent Agenda**, and was seconded by Councilmember Goldsworthy. Motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Neelley).

## **RESOLUTION NO. 01-18-2011 A – APPROVING GEDC ECONOMIC DEVELOPMENT INCENTIVES FOR ORTEQ ENERGY TECHNOLOGIES**

SECOND READING OF A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH APPROVED ECONOMIC DEVELOPMENT INCENTIVES FOR ORTEQ ENERGY TECHNOLOGIES

On second reading of the resolution, Council approved the Gainesville Economic Development Corporation's designation of Orteq Energy Technologies as an Economic Development Project, including a proposed transfer of approximately fourteen acres of real property at the airport as an economic development incentive for Orteq. Transfer of the fourteen acres is solely contingent upon the City Council's approval of a real estate transaction that transfers the property from the City to the GEDC in exchange for twenty acres currently owned by the GEDC at the airport to be deeded back to the City. The City is also to be conveyed a utility easement from Orteq across the entire southern boundary of their real property contiguous to U. S. Highway 82 that is currently owned and/or leased by Orteq Energy Technologies or its affiliates. The real estate exchange transaction will be presented for consideration at a future Council meeting.

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

## **RESOLUTION NO. 01-18-2011 B – SUPPORTING COMMUNITY PARKS OF GAINESVILLE, INC. EXPANSION OF THE CHILDREN'S PLAYGROUND IN LEONARD PARK**

A resolution was approved recognizing the Children's Playground Expansion Project in Leonard Park scheduled for March 8-12, 2011. Councilman Goldsworthy said the project has received fantastic response from the community and he described the project as an incredible opportunity for citizens to volunteer and come out and see the strength of our community. He said the project is being fully funded through donations from individuals and businesses, and not from City funds. A non-profit organization, Community Parks of Gainesville, Inc., is raising all the monies and recruiting volunteer labor and services for the project. The expansion will double the play space of the existing playground, which was built in 1999. Goldsworthy said the playground is a great complement to Gainesville, Leonard Park, and the Frank Buck Zoo, for visitors and citizens alike.

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

**PUBLIC HEARING ON PROPOSED ORDINANCE TO GRANT A NON-EXCLUSIVE FRANCHISE TO LIQUID ENVIRONMENTAL SOLUTIONS FOR WASTE HAULING**

Mayor Loch announced the Public Hearing at 6:51 p.m. Sullivan provided details regarding the franchise request from Liquid Environmental Solutions for collection and recycling food waste from commercial or industrial customers in Gainesville. Sullivan said the company would not be in competition with the City, because the City does not currently provide this service.

Mayor Loch called for public comment regarding the proposed franchise. No person came forward to speak either for or against granting the franchise. With no further discussion, Councilmember Snuggs **moved to close the Public Hearing**, and was seconded by Councilmember Goldsworthy. Motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent. The Public Hearing was closed at 6:55 p.m.

**ORDINANCE NO. 1265-01-2011 - GRANTING NON-EXCLUSIVE FRANCHISE TO LIQUID ENVIRONMENTAL SOLUTIONS FOR WASTE HAULING SERVICE TO CERTAIN COMMERCIAL OR INDUSTRIAL CUSTOMERS AS PERMITTED BY THE CITY OF GAINESVILLE**

The City Manager recommended approval of granting a franchise to Liquid Environmental Solutions (LES), stating the City does not offer food waste recycling or composting, and thus the service provided by LES would not be in conflict with the waste collection services provided by the City. He said the service LES provides is an environmentally friendly way to recycle or compost spoiled food products and there would be no negative impact on the citizens of Gainesville. The franchise granted by the City is non-exclusive, and LES would provide waste hauling service to certain commercial or industrial customers, as permitted by the City, for recycling or composting purposes only, and allows no landfilling. The City franchise requires LES to pay the City a franchise fee at a rate of 5% of its collections from its customers inside the City limits. Their current customer is WalMart.

Councilmember Snuggs **moved to suspend the Charter requirement of three readings** and was seconded by Councilmember Rippy. Motion carried by vote of 6 Ayes, 0 Nays, 0 Abstention, and 1 Absent (Neelley).

Councilmember Goldsworthy **moved to adopt the ordinance**. The motion was seconded by Councilmember Nichols and carried by vote of 6 Ayes, 0 Nays, 0 Abstention, and 1 Absent (Neelley).

**EXECUTIVE SESSION**

Council did not convene into Executive Session.

**ADJOURN**

With no further business to come before the City Council, the meeting adjourned at 6:58 p.m.

Respectfully submitted,

/S/  
**Kay Lunnon, City Secretary**

/S/  
**Glenn Loch, Mayor**