

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
December 20, 2011**

The City Council of the City of Gainesville, Texas met in regular session on December 20, 2011 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Jim Goldsworthy
Carolyn Hendricks, Ken Keeler, Philip Neelley, Ray Nichols,
Vince Rippey, Beverly Snuggs

STAFF PRESENT: Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Ron Sellman, Public Services Director; Kent Sharp, GEDC Executive Director; Mary Jarvis, Controller

OTHERS PRESENT: Andy Fleck, Brent Jones, Courtney Riley, Kevin Lombardozi, Scott Richardson, Jenny Richardson, Gina Craigie, Heather Pilkington, Kit Chase, Eric Hammer, Barbara Tucker, Pete Shauf

CALL TO ORDER

Mayor Goldsworthy called the meeting to order at 6:30 p.m. All members of the Council were present.

INVOCATION & PLEDGE OF ALLEGIANCE

Councilman Neelley gave the invocation. Mayor Goldsworthy led in the pledge to the flag.

RECOGNITIONS

City Employee of the Month, December 2011

City Manager Barry Sullivan read and presented a certificate to Eric Hammer, recognizing him as Employee of the Month for December 2011. Hammer works in the Wastewater Division of Public Services. The certificate recognized Hammer for outstanding performance, pride and dedication to his job. He was cited for versatility and ready assistance to co-workers.

Certificate of Achievement for Excellence in Financial Reporting, FY 2010

Mayor Goldsworthy read and presented a Certificate of Achievement for Excellence in Financial Reporting (CAFR) for the fiscal year ended September 30, 2010, awarded by the Government Finance Officers Association of the United States and Canada (GFOA) to the City of Gainesville. Mary Jarvis, City Controller, received the award on behalf of the City. The award is presented to governmental units whose reports (CAFRs) achieve the highest standards in government accounting and financial reporting.

CONSENT AGENDA

Council members reviewed the Minutes of the regular City Council Meeting of December 6, 2011, and approved them as written.

RESOLUTION NO. 12-20-2011 – MAKING APPOINTMENTS TO MAIN STREET BOARD

A RESOLUTION MAKING APPOINTMENTS TO THE MAIN STREET BOARD.

Gina Dill and Sue Hundt were re-appointed to the Main Street Board, each to three-year terms expiring December 2014. Debra Beavers was appointed to replace Doris Koesler, who resigned. Beavers' term is for three years expiring December 2014.

RESOLUTION NO. 12-20-2011 A – MAKING APPOINTMENTS TO KEEP GAINESVILLE BEAUTIFUL BOARD

A RESOLUTION MAKING APPOINTMENTS TO THE KEEP GAINESVILLE BEAUTIFUL BOARD.

Phyllis Griffin and Jane Dudley were re-appointed to three year terms on the Keep Gainesville Beautiful Board. Their terms expire December 2014.

Councilmember Nichols **made the motion to approve all items on the Consent Agenda**, and was seconded by Councilmember Keeler. Motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, and 0 Absent.

FIRST READING CONSIDERATION OF RESOLUTION TO APPROVE GEDC FINANCIAL INCENTIVES FOR THE MEDAL OF HONOR PARK

FIRST READING OF A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH APPROVED AN ECONOMIC DEVELOPMENT INCENTIVE FOR THE MEDAL OF HONOR PARK.

First reading was completed on a resolution to approve the decision of the Gainesville Economic Development Corporation in adopting the Medal of Honor Park as an economic development project. The GEDC Board of Directors approved contributory funding in the amount of \$150,000 for the Medal of Honor Park which is planned to be built at 101 South Culberson. GEDC funding is contingent upon the Medal of Honor organization securing an additional \$80,000 in project funds. Medal of Honor spokesman, Scott Richardson, said they want to create a visual gateway that would honor veterans and recipients of the Medal of Honor, and the Medal of Honor monument park in this location would complement the Texas Department of Transportation gateway planned for the north side of California Street at I-35. In accordance with State law, no action was taken by the City Council on first reading consideration. Second reading of the resolution is scheduled for the January 3, 2012 City Council meeting.

RESOLUTION NO. 12-20-2011 B – SUPPORTING MUNICIPAL SETTING DESIGNATION FOR SHERMAN WIRE COMPANY AT 1305 SOUTHLAND DRIVE

A RESOLUTION IN SUPPORT OF SHERMAN WIRE COMPANY TO THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY FOR A MUNICIPAL SETTING DESIGNATION AT AND ABOUT 1305 SOUTHLAND DRIVE, GAINESVILLE, TEXAS.

Council approved a resolution of support for the application by Sherman Wire Company for a Municipal Setting Designation (MSD) from the Texas Commission on Environmental Quality (TCEQ) for the property located at 1305 Southland Drive. Representatives of Sherman Wire Company, Gina Craigie and Kevin Lombardozi, made a presentation requesting the City's support of their application to TCEQ as required. Craigie said Sherman Wire Company has been participating in a voluntary cleanup program at the site since 2007 and is now ready to apply to TCEQ for a MSD, a designation which identifies the property and places restrictions in the deed record, prohibiting use of shallow groundwater and potable water, or drilling a well on the property. There are no restrictions on commercial or industrial use of the surface of the property. TCEQ is the authority that will make final determination to approve or deny the MSD, a process that recognizes and confirms that the public will be protected from potential contaminants in groundwater by enacting legal restrictions on the use of the groundwater.

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

RESOLUTION NO. 12-20-2011 C – AUTHORIZING AMENDMENT TO ZOO CONCESSIONAIRE LEASE AGREEMENT AS REQUESTED BY RB ENTERPRISES

A RESOLUTION AUTHORIZING THE CITY MANAGER, FOR AND ON BEHALF OF THE CITY OF GAINESVILLE, TO AMEND AN AGREEMENT WITH RB ENTERPRISES, REGARDING LEASE OF THE CONCESSION STAND LOCATED INSIDE THE FRANK BUCK ZOO.

A request by RB Enterprises was approved to adjust the monthly lease payment agreement for the concession at the Frank Buck Zoo. Lessee, Barbara Tucker requested to lower the lease payment during the three “off season” months of January, February, and March of 2012. Tucker will make up the difference during the months of April, May, June and July by paying more during those months to meet her total annual lease amount of \$6,000.

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

EXECUTIVE SESSION

At 6:55 p.m. Mayor Goldsworthy announced that Council would convene into Executive Session in compliance with Vernon’s Texas Codes Annotated, Government Code, Chapter 551 (Open Meetings Act), to discuss the following:

- Under Government Code §551.074 Personnel – City Manager’s Evaluation
- Under Government Code §551.072 Real Property

RECONVENE INTO OPEN SESSION

Council reconvened into open session at 7:48 p.m. Mayor Goldsworthy announced no action was taken during executive session.

RESOLUTION NO. 12-20-2011 D - APPROVE EXTENSION OF CITY MANAGER CONTRACT

A RESOLUTION AUTHORIZING THE MAYOR TO EXTEND THE CONTRACT OF EMPLOYMENT OF BARRY SULLIVAN AS CITY MANAGER

Council voted unanimous approval of a one-year extension of Barry Sullivan’s contract as City Manager, including a 3% increase in salary.

Councilmember Nichols **moved to approve the Resolution with a 3% salary increase**. This motion was seconded by Councilmember Snuggs, and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, and 0 Absent.

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 7:48 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Jim Goldsworthy, Mayor