

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
January 17, 2012**

The City Council of the City of Gainesville, Texas met in regular session on January 17, 2012 at 6:30 p.m. with the following persons in attendance.

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

MEMBERS ABSENT: Councilman Philip Neelley

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

OTHERS PRESENT: Greg Russell, Boyd London, Terry Mallory, Gary Schumacher, Kit Chase, Hollis Parsons

CALL TO ORDER

Mayor Goldsworthy called the meeting to order at 6:30 p.m. Councilman Neelley was absent.

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Hollis Parsons, Tabernacle Baptist Church, gave the invocation. Mayor Goldsworthy led in the pledge to the flag.

REPORTS

Report on 2012 Bond Refunding

Boyd London, Bond Counsel from First Southwest Company, gave a report regarding the sale of City of Gainesville Refunding Bonds, Series 2012. In December 2011, the City Council approved parameters for the refunding of five bond series. London reported that only two of the five bond series that Council approved were beneficial for refunding, because the remaining life of the three other bonds was too short to provide a benefit through refinancing. On the two bonds that were refunded the City received an interest rate of 1.81%, which equates to an overall savings of \$327,908 over a twelve year repayment period, making an average annual savings of \$27,326. City Manager Barry Sullivan said the final savings of \$327,908 on the two bonds is extremely beneficial to the City.

CONSENT AGENDA

Council members reviewed the Minutes of the regular City Council Meeting of January 3, 2012, and approved them as written.

Councilmember Nichols **made the motion to approve the Consent Agenda**, and was seconded by Councilmember Keeler. Motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Neelley).

DISCUSSION REGARDING STREET AND UTILITY MAINTENANCE PROGRAM (SUMP) PACKAGE "C"

Council held discussion of the recommendation of the City Manager and Kimley-Horn and Associates Engineers to remove Star Street improvements from Package C of the Street and

Utility Maintenance Program (SUMP). The funds saved would be retained to help with unexpected costs in future SUMP projects. Sullivan reported that engineers found a drainage issue in the eastern area of Star Street and Commerce Street, discovering that the area is the low point for a 47 acre drainage basin. This was not identified in the 1999 Master Drainage Plan, which was used as the basis for decisions on estimating cost for the SUMP. Engineering design work that would be required for the drainage system in that area will cost \$40,000, while the estimated cost for construction of the drainage system is \$1,278,000. Because these additional costs make the Star Street project a lower cost-benefit (the amount of street being replaced for the amount of money spent on the project), City Staff and Kimley-Horn recommends removing Star Street from Package C and re-ranking and re-prioritizing this project in the SUMP.

Package C SUMP projects as approved by Council in 2011 include improvements to the following roadways and utilities: Dixon (Cummings to Gorham), Church (Dixon to Denton), Star (Commerce to Dixon), and engineering design work (added in October 2011) for Dixon (Broadway to Gorham). The estimated cost for construction in Package C was \$930,000.

Removing Star Street improvements from Package C would reduce construction cost by \$107,800. Dixon (Broadway to Gorham) is estimated to cost \$111,500 including engineering. In conclusion, staff and the engineering firm recommended moving forward to bidding Package C without Star Street, and with the option of reconstructing Dixon (Broadway to Gorham). With no objections to the recommendation, Council advised moving forward with the Staff and engineering recommendation.

RESOLUTION NO. 01-17-2012 – AUTHORIZE PURCHASE OF ONE (1) CAT TRACK LOADER AND ONE (1) ELGIN STREET SWEEPER AND LEASE PURCHASE OF THE EQUIPMENT THROUGH LEASING 2, INC.

A RESOLUTION AUTHORIZING THE PURCHASE OF ONE CAT TRACK LOADER AND ONE ELGIN STREET SWEEPER AND AUTHORIZING A LEASE PURCHASE FOR THE EQUIPMENT THROUGH LEASING 2, INC.

Purchase was authorized for one (1) Catapillar Track Loader and one (1) Elgin Street Sweeper for the Street Department and Stormwater Drainage Division through a lease purchase agreement with Leasing 2, Inc. The track loader is \$248,253 and the street sweeper is \$187,363 through the Buy Board state bid program. The total amount for both pieces of equipment is \$435,616. The City is providing a down payment of \$168,690 from the Stormwater Drainage Fund and the 2008 Certificates of Obligation, and financing the remaining \$266,926 through a two-year lease purchase, with an interest rate of 3.37%. The first payment is due January 5, 2013.

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

RESOLUTION NO. 01-17-2012 A – AUTHORIZE ASSIGNMENT OF EXECUTIVE HANGAR GROUND LEASE AT THE GAINESVILLE MUNICIPAL AIRPORT FROM LEONARD HOFFMAN TO SIERRA MIKE, LLC.

A RESOLUTION AUTHORIZING THE CITY MANAGER, FOR AND ON BEHALF OF THE CITY OF GAINESVILLE, TO EXECUTE ASSIGNMENT AND ASSUMPTION OF THE EXECUTIVE HANGAR GROUND LEASE AT THE GAINESVILLE MUNICIPAL AIRPORT FROM LEONARD HOFFMAN TO SIERRA MIKE, L.L.C.

Council approved assignment of the executive hangar ground lease at the Gainesville Municipal Airport from Leonard Hoffman to Sierra Mike, L.L.C. as requested by owner, Leonard Hoffman. Hoffman has created a limited liability company and requested to transfer his lease to the new company. The lease will carry the same terms and conditions as the original and amended lease.

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

RESOLUTION NO. 01-17-2012 B - AUTHORIZE ASSIGNMENT OF T-HANGAR GROUND LEASE AT THE GAINESVILLE MUNICIPAL AIRPORT FROM LEONARD HOFFMAN TO HOFFMAN HANGARS, LLC.

A RESOLUTION AUTHORIZING THE CITY MANAGER, FOR AND ON BEHALF OF THE CITY OF GAINESVILLE, TO EXECUTE ASSIGNMENT AND ASSUMPTION OF THE T-HANGAR GROUND LEASE AT THE GAINESVILLE MUNICIPAL AIRPORT FROM LEONARD HOFFMAN TO HOFFMAN HANGARS, L.L.C.

Assignment of the T-hangar ground lease at the Gainesville Municipal Airport was approved from Leonard Hoffman to Hoffman Hangars, L.L.C. as requested by owner, Leonard Hoffman. Hoffman has created a limited liability company and requested to transfer this lease to the new company. The lease will carry the same terms and conditions as the original and amended lease.

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

PUBLIC HEARING ON A PROPOSED ZONING DISTRICT CHANGE TO REZONE 10 ACRES IDENTIFIED AS 3074 HARRIS STREET FROM SINGLE FAMILY TWO (SF-2) TO AGRICULTURE (A).

Mayor Goldsworthy opened the Public Hearing at 6:47 p.m. and called for public comment for or against the proposed zoning district change.

No person came forward to speak either for or against the proposed re-zoning, and with no further discussion, Councilmember Snuggs moved to close the Public Hearing. Her motion was seconded by Councilmember Nichols, and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Neelley). The Public Hearing was closed at 6:48 p.m.

FIRST READING APPROVAL OF ORDINANCE TO REZONE TEN (10) ACRES IDENTIFIED AS 3074 HARRIS STREET FROM SINGLE FAMILY TWO (SF-2) TO AGRICULTURE (A)

FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AUTHORIZING THE CITY OF GAINESVILLE, TEXAS, TO REZONE FROM SINGLE FAMILY TWO (SF-2) TO AGRICULTURE (A) 10 ACRES IDENTIFIED AS 3074 HARRIS STREET; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF GAINESVILLE; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

Council considered and approved first reading of an ordinance to rezone ten (10) acres identified as 3074 Harris Street from Single Family Two (SF-2) to Agriculture (A). Sullivan reported that the Planning and Zoning Commission recommended denial of this re-zoning based on their concerns that 1) the request is not a substantial change from the zoning request submitted two months earlier; 2) the request may be considered as spot zoning; 3) the request is principally based upon financial considerations rather than true hardship; and 4) the request is not consistent with the City's Comprehensive Land Use Plan. City Staff recommends approval of the re-zoning, stating: 1) that the request is a substantial change from the earlier request because the ten acres is less than 10% of acreage included in the original request; 2) the amount of acreage, location, and nature of the stated hardship alleviate concerns regarding spot zoning issues; 3) the

applicant requests the zoning change so that the property might be used in a manner consistent with surrounding properties; and that 4) the rezoning would not negatively impact the long-range land use plan. Agriculture is a less restrictive zoning that allows for metal accessory structures such as barns, storage buildings, and other secondary structures normally associated with agricultural uses. The 10 acre tract is adjacent to the municipal boundary on the south; is set among like properties and not easily viewed from adjacent right-of-ways, and so poses limited aesthetic impact to surrounding properties. No one came forward to speak for or against the rezoning. Second reading of this ordinance will be scheduled for the February 7, 2012 City Council meeting.

Councilmember Rippy **moved to approve first reading of the ordinance.** The motion was seconded by Councilmember Snuggs and carried by vote of 6 Ayes, 0 Nays, 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 was adjourned at 6:57 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Jim Goldsworthy, Mayor