

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
October 2, 2012**

The City Council of the City of Gainesville, Texas met in regular session on October 2, 2012 at 6:30 p.m. with the following persons in attendance.

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

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

OTHERS PRESENT: Kit Chase, Greg Russell, William Carter, Ron Melugin, Steve Schmitz, Rod Tyler, Dee Blanton, Dave Estes, Robin Rose, Linda Williams, Marilyn Wooldridge, Guy George, Cindy Bryant, Kelly Fiore-Watson, James and Barbara Barnett, Bradley and Lynda Southworth, Charles Brown, Scott McMahan, Gordon Smith, Bernie Gordon, Steve Gordon, Dwayne and Sue Clement, Mitzie Underwood, Parker Yarbrough

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

Reverend James Egan, First Baptist Church, gave the invocation. Mayor Goldsworthy led in the pledge to the flag.

CITIZEN COMMENTS

Rod Tyler spoke to Council about Locke Field and stated he is not opposed to new apartments in Gainesville, but he is opposed apartments located at Locke Field. Tyler requested council to consider keeping Locke Field property for expansion of the Civic Center or other purposes.

Linda Williams, 635 South Denton, read a letter to the Council from the Historic South Gainesville Neighborhood Association opposing the lease and construction of apartments at Locke Field.

Greg Rohmer stated he owns several rental properties in Gainesville and expressed that Gainesville cannot support high market value apartments.

Kent Sharp, Executive Director of the Gainesville Economic Development Corporation, said he has received letters from local manufacturers and industries, downtown business owners, school and hospital officials supporting the proposed lease and use of Locke Field.

Ron Melugin, read and presented to the City Council a resolution of the Cooke County Historical Commission promoting preservation of Locke Field and a plea to the City Council to save its historic covered grandstand.

Kelly Fiore-Watson, 632 South Denton, expressed her personal commitment to living in Gainesville and support for economic development of Gainesville and the proposed lease and use of Locke Field.

Dave Estes, 633 South Denton, cited the RV park along I-35 as an unsightly appearance of Gainesville from the highway and stated that apartments in Locke Field would present the same view of the city. Estes said the Locke Field acreage is prime real estate and the proposed lease is not a good deal for the city.

Joe Wallace spoke in favor of apartments at Locke Field and said Gainesville needs market value housing. Wallace requested council to move Gainesville forward.

Sue Hundt, realtor, questioned that the proposed apartments would attract upper elite professionals to live in Gainesville, especially in such close proximity of WinStar Casino and their housing development.

Steve Schmitz, realtor, spoke in support of the project and the location and said Gainesville needs market value apartments. Schmitz requested Council to accept the proposed lease of Locke Field.

Bob Smith, resident at 3055 FM 902 and owner of Bob Smith Coachworks, said Gainesville needs apartments, but he recommended finding another location. He suggested apartments at Locke Field may not hold their value over the long run. Smith said the Locke Field location would be good for a convention center or arena.

Tommy James, 626 South Denton, spoke as President of the Gainesville Economic Development Corporation, and read a letter from local industries supporting Gainesville's need for market value apartments and stating a recurring theme of difficulty in finding suitable housing for their employees. James said the community loses economic benefits to other cities.

Parker Yarbrough, realtor, said two of his real estate properties have had offers for construction of apartments but have failed due to lack of demographics to support the proposals. Yarbrough urged Council not to place apartments at Locke Field.

CONSENT AGENDA

Council reviewed the Minutes of the City Council Workshop on September 18, 2012, and the Minutes of the regular City Council Meeting of September 18, 2012 and approved them as written.

Councilmember Snuggs **moved to approve all items on the Consent Agenda**, and was seconded by Councilmember Clegg. Motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, and 0 Absent.

RESOLUTION NO. 10-02-2012 – AUTHORIZE CHANGE ORDER NO. 1 TO SUMP PKG C, INCREASING THE TOTAL CONTRACT AMOUNT

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR SUMP PACKAGE C FOR PAVEMENT RECONSTRUCTION AT THE INTERSECTION OF BROADWAY STREET AND DIXON STREET.

Council approved Change Order No. 1, an increase to the total contract amount, to the contract with Lynn Vessels Construction for SUMP Package C. Option B (\$77,681.50) was selected to pour a recessed concrete pavement and relay the bricks in the intersection of Dixon Street and Broadway Street. This will stabilize the brick street in this area of the intersection. The original contract did not include work at this intersection. City Manager Sullivan stated that pavement on Dixon Street north of the intersection to Cummings Street will be brushed concrete with a brick crosswalk.

Councilmember Clegg **moved to approve the Resolution with selection of Option B.** The motion was seconded by Councilmember Nichols and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, and 0 Absent.

FIRST READING ON GEDC ACTIONS FOR A REVENUE SHARING AGREEMENT WITH COMPLETE ENERGY SERVICES – WELL SERVICES

FIRST READING CONSIDERATION OF RESOLUTION OF THE CITY COUNCIL APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH VOTED TO APPROVE A REVENUE SHARING AGREEMENT WITH COMPLETE ENERGY SERVICES – WELL SERVICES.

First reading was completed of a resolution to approve decision of the Gainesville Economic Development Corporation for a revenue sharing agreement between the GEDC and Complete Energy Services – Well Services. The agreement is in consideration of Complete maintaining its manufacturing, procurement and sales function and other potential activities of operations in Gainesville. Under the sales tax rebate agreement, the GEDC would share (rebate) 50% of the 4B local economic development sales tax (0.25%) generated by Complete, over and above an initial excluded amount. Per State law, the GEDC projects receive two readings by the City Council prior to approval. Second reading of the resolution is scheduled for the October 16, 2012 City Council meeting.

RESOLUTION NO. 10-02-2012 A – FINDING AND DETERMINING USE OF 9.14 ACRES OF LAND AND CONVERTING FOR COMMERCIAL OR OTHER REASONABLE USE PURPOSE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, CONSISTENT WITH CHAPTER 26 OF THE TEXAS PARKS AND WILDLIFE CODE FINDING AND DETERMINING THAT THE APPROXIMATELY 398,138.40 SQUARE FEET OR 9.14 ACRES OF LAND, SITUATED IN THE B.F. CARPENTER SURVEY, ABSTRACT NO. 228, CITY OF GAINESVILLE, COOKE COUNTY, TEXAS, AND AS MORE FULLY DESCRIBED AND OR DEPICTED IN *EXHIBIT A* OF THIS RESOLUTION, MAY BE CONVERTED FROM PUBLIC PARK USES AND USED FOR COMMERCIAL OR OTHER REASONABLE PURPOSES AS DETERMINED BY CITY COUNCIL; FINDING THERE IS NO FEASIBLE AND PRUDENT ALTERNATIVE TO THE USE OR TAKING OF SUCH PARKLAND; FINDING THE COMMERCIAL OR OTHER REASONABLE PURPOSES INCLUDES ALL REASONABLE PLANNING TO MINIMIZE HARM TO SAID PARKLAND RESULTING FROM THE USE OR TAKING; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

Council unanimously approved a resolution removing the parkland status from the 9.14 acres known as Locke Field, and finding that the City of Gainesville has met requirements under the

Texas Parks and Wildlife Code to convert the use of the land from public park purposes to commercial or other reasonable purpose.

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

EXECUTIVE SESSION

At 7:55 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 §551.071 Attorney-Client matters
Under Government Code §551.072 Real Property
Under Government Code §551.087 Economic Development

RECONVENE INTO OPEN SESSION

At 8:30 p.m. Council completed its Executive Session and Mayor Goldsworthy reconvened the meeting into open session, announcing that no action was taken during executive session.

ORDINANCE NO. 1302-10-2012 – ADOPTING TAX ABATEMENT GUIDELINES AND CRITERIA

FIRST READING OF AN ORDINANCE ESTABLISHING GUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENT IN A REINVESTMENT ZONE CREATED WITHIN THE CITY OF GAINESVILLE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETING FINDING.

Ordinance was adopted establishing guidelines for granting tax abatement in the City of Gainesville.

Councilmember Clegg **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Rippy, the motion carried by vote of 7 Ayes, 0 Nays, 0 absent.

Councilmember Keeler **moved to adopt the ordinance**. The motion was seconded by Councilmember Nichols and carried by vote of 7 Ayes, 0 Nays, 0 absent.

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,

/S/ _____
Kay Lunnon, City Secretary

/S/ _____
Jim Goldsworthy, Mayor