

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
January 15, 2013**

The City Council of the City of Gainesville, Texas met in regular session on January 15, 2013 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; Dan Parker, Finance Director; Steven Fleming, Police Chief; Ron Sellman, Public Services Director; Kent Sharp, Executive Director, GEDC; Tony Dresser, Videographer

OTHERS PRESENT: Kit Chase, Jeff Serna, Jason James, Janson Bewley, Kevin Phillips, David Peters, Jeffrey Stevens, Jason Henry, H. Alan Bryan, Bob Ayers, Rhonda Serna, Cori Wilkinson, Cody Wilkinson, Cadence Serna, Todd Hollar, Polly Boone, Bobby Balthrop, Cody Gilbert (Troop 265), Vickie Marriett (Troop 265), Craig Evins

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

Pastor Mark Wascom, Gainesville Bible Church, gave the invocation. Mayor Goldsworthy led in the pledge to the flag.

RECOGNITIONS/PROCLAMATIONS

City Employee of the Month, January 2013

City Manager Barry Sullivan read and presented Employee of the Month certificate to Corporal Jeff Serna of the Gainesville Police Department, recognizing his achievement in completing and graduating Salutatorian of his class at the School of Police Supervision for American and International Law, while also working full-time as Police Corporal for the City of Gainesville.

CONSENT AGENDA

Council reviewed the Minutes of the regular City Council Meeting of December 18, 2013, and approved them as written.

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

RESOLUTION NO. 01-15-2013 - APPROVE CITY INVESTMENT POLICY FOR CURRENT FISCAL YEAR

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE APPROVING THE INVESTMENT POLICIES PROVIDED BY AND RECOMMENDED BY THE CITY STAFF

The City's Investment Policy for the current fiscal year was presented for annual review and approval by Council in accordance with state and local code.

Councilmember Clegg **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. 01-15-2013 A - AUTHORIZE CONTRACT WITH CALDWELL COUNTY CHEVROLET FOR PURCHASE OF THREE (3) POLICE PATROL VEHICLES

A RESOLUTION AUTHORIZING A CONTRACT WITH CALDWELL COUNTRY CHEVROLET THROUGH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE BUYBOARD FOR THE PURCHASE OF THREE (3) POLICE PATROL VEHICLES.

Purchase of three (3) new police patrol vehicles from Caldwell Country Chevrolet received approval as recommended by city staff. The purchase is budgeted in the current fiscal year and will be made through the Government Purchasing Cooperative BuyBoard at a cost per unit of \$26,271.

Councilmember Hendricks **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.

ORDINANCE NO. 1307-01-2013 - ESTABLISHING MAXIMUM SPEED LIMIT OF 60 MILES PER HOUR ON US HIGHWAY 82, EAST OF FM 3092 TO THE EASTERN CITY LIMITS

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL, OF THE CITY OF GAINESVILLE, TEXAS, PROVIDING FOR A MAXIMUM SPEED LIMIT OF 60 MILES PER HOUR ON U.S. HIGHWAY 82, EAST OF FM 3092 TO THE EASTERN CITY LIMITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.

Ordinance was adopted establishing a maximum speed limit of sixty (60) miles per hour on US Highway 82, east of FM 3092 to the eastern city limits. The ordinance concurs with the recommendation by the Texas Department of Transportation (TXDOT), which conducted a speed zone study indicating the need to raise the speed limit from the currently posted speed of 55 mph. The new increased speed begins just east of Radio Hill Road (at milepost 22.841) and extends to the eastern city limits (milepost 24.130), a distance of 1.289 miles inside the Gainesville city limits. TXDOT Area Engineer, Mike Hallum, said it could be next year before the new speed limit actually goes into effect, allowing for time for the Transportation Commission to approve it and for completion of the bridge construction projects in the same area.

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

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

RESOLUTION NO. 01-15-2013 B – AUTHORIZING BRANDON AYERS, DBA AYERS AVIATION TO CONDUCT FLIGHT TRAINING AT GAINESVILLE MUNICIPAL AIRPORT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TX, AUTHORIZING BRANDON AYERS, DBA AYERS AVIATION TO CONDUCT FLIGHT TRAINING AT THE GAINESVILLE MUNICIPAL AIRPORT.

Brandon Ayers, dba Ayers Aviation, received approval to operate a flight training business at the Gainesville Municipal Airport. Mr. Ayers currently leases two T-hangars on the field, and plans to lease office space to conduct his flight training business. Ayers is required to maintain insurance coverage as required by the City. City Manager Barry Sullivan said the flight training would encourage fuel sales and increase the activity at the airport. City Staff and the Airport Advisory Board recommended for Council approval.

Councilmember Hendricks **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. 01-15-2013 C – APPROVING GEDC DECISION TO PAY ANNUAL LEASE FOR WEBER AIRCRAFT LLC PARKING LOT FOR NEXT FIVE YEARS

SECOND READING OF A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH APPROVED EXPENDITURE FOR PAYMENT OF YEARLY LEASE FOR WEBER AIRCRAFT, LLC PARKING LOT IN THE AMOUNT OF \$9700.00 PER YEAR FOR THE NEXT 5 YEARS.

Council approved decision of the Board of Directors of the Gainesville Economic Development Corporation to pay the annual lease for the Weber Aircraft, LLC parking lot that was constructed to accommodate their expanded workforce. The GEDC approved to pay the annual lease in the amount of ninety-seven hundred dollars (\$9700.00) per year for the next five (5) years.

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

RESOLUTION NO. 01-15-2013 D – APPROVING GEDC ACTIONS EXTENDING THE EMPLOYMENT CONTRACT WITH THE GEDC EXECUTIVE DIRECTOR

A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH APPROVED EXTENSION OF THE CONTRACT BETWEEN THE GEDC AND THE GEDC EXECUTIVE DIRECTOR.

Council approved action of the Board of Directors of the Gainesville Economic Development Corporation, extending the employment contract with the Executive Director, Kent Sharp, for an additional twenty-four months, effective October 1, 2012.

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.

ORDINANCE NO. 1308-01-2013 – DESIGNATING NO PARKING ZONE ON PORTIONS OF NORTH WEAVER STREET AND SANTA FE STREET

FIRST READING OF AN ORDINANCE DESIGNATING PORTIONS OF NORTH WEAVER STREET AND SANTA FE STREET WHERE THE PARKING OF VEHICLES WILL BE PROHIBITED; PROVIDING FOR THE ERECTION OF SIGNS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.

Ordinance was approved and adopted designating No Parking Zones as recommended by Gainesville Police Department on portions of the 1600 block of North Weaver Street and the 300

block of Santa Fe Street. Chief Fleming said the zones are needed for pedestrian and motorist safety and access from Highway 82 and will still allow large trucks to be able to unload merchandise at businesses in the area, and for customer parking. He said parked vehicles in these areas are causing the large trucks to park in the traffic lane which then block a large portion of the roadway. The No Parking Zones were approved for the 1600 block of North Weaver on the east side of the street; and in the 300 block of Santa Fe Street on the south side of the street. Signage will be installed by the City in the areas designated as No Parking.

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

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

RESOLUTION NO. 01-15-2013 E – APPROVING ASSIGNMENT OF ECONOMIC DEVELOPMENT REVENUE SHARING AGREEMENT TO SYNERGY ENERGY HOLDINGS, LLC AND BELL SUPPLY COMPANY, LLC.

A RESOLUTION APPROVING ASSIGNMENT OF AN ECONOMIC DEVELOPMENT REVENUE SHARING AGREEMENT BY AND BETWEEN THE CITY OF GAINESVILLE, TEXAS, AND SES HOLDINGS, LLC, TO SYNERGY ENERGY HOLDINGS, LLC AND BELL SUPPLY COMPANY, LLC; AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS ON BEHALF OF THE CITY.

Assignment was approved for the sales tax revenue sharing agreement between the City of Gainesville and SES Holdings, LLC to Synergy Energy Holdings, LLC and Bell Supply Company, LLC. The original sales tax revenue sharing agreement was approved in September 2008 between the City and Select Energy Service, LLC and Affiliates (Bell Supply Company, LLC was a wholly owned subsidiary affiliate). In January 2009, the agreement was assigned to SES Holdings, LLC because Select Energy Services, LLC and Bell Supply Company, LLC became wholly owned affiliates of SES Holdings, LLC. Synergy Energy Holdings recently acquired all interest in Bell Supply. Assignment of the agreement does not affect the terms or conditions of the original agreement.

Councilmember Rippy **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.

DISCUSSION

DISCUSSION REGARDING FINANCING THE GAINESVILLE WASTEWATER TREATMENT PLANT UPGRADE AND WATER TOWER INSTALLATION.

City Manager Barry Sullivan reviewed with Council the recommended action from City staff and engineers Kimley-Horn and Associates, Inc. for upgrades to the wastewater treatment plant and installation of a new water tower in the upper pressure plain. The improvements are needed in order to meet Texas Commission on Environmental Quality (TCEQ) regulation changes effective in 2013 and beyond. At a previous workshop Council concurred with the recommended option from the Wastewater Treatment Plant Master Plan of December 2012 calling for the upgrades in two phases (Phase One \$5,279,000 and Phase Two \$10,615,000). The City Manager recommended starting Phase One during FY 2013 by procuring financing through Certificates of Obligation Bonds utilizing the City's General Fund Bond rating. He recommended that the City work on completing Phase One of the Wastewater Treatment Plant upgrades and then turn its attention to the water tower. No formal action was taken by Council. The City Manager received Council's consent to proceed with procuring the financing per his recommendation.

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 7:00 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Jim Goldsworthy, Mayor