

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
February 5, 2013**

The City Council of the City of Gainesville, Texas met in regular session on February 5, 2013 at 6:30 p.m. with the following persons in attendance.

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

**MEMBERS ABSENT:** Ray Nichols

**STAFF PRESENT:** Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Dan Parker, Finance Director; Ron Sellman, Public Services Director; Kent Sharp, Executive Director, GEDC; Tony Dresser, Videographer

**OTHERS PRESENT:** Kit Chase, Jo Ann Mendez, Carolyn Bennett

**CALL TO ORDER**

Mayor Goldsworthy called the meeting to order at 6:30 p.m. with quorum of members present. The absence of Councilman Nichols was noted.

**INVOCATION & PLEDGE OF ALLEGIANCE**

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

**REPORTS**

**Annual Racial Profiling Report**

Captain Kevin Phillips presented the annual Racial Profiling Report on traffic stop data for the Gainesville Police Department for 2012. The Partial Exemption Racial Profiling Report (Tier 1) provides citation and arrest information, and race or ethnicity and the number of searches conducted for all motor vehicle stops, which are recorded by video and audio equipment and electronic citations. Captain Phillips said the report submitted shows a total of 2,170 stops during 2012.

**CONSENT AGENDA**

Council reviewed the Minutes of the regular City Council Meeting of January 15, 2013, and approved them as written.

**RESOLUTION NO. 02-05-2013 - APPOINTMENTS TO MAIN STREET BOARD**

A RESOLUTION MAKING APPOINTMENTS TO THE MAIN STREET BOARD  
Meghan Ortowski, Laine Williams Wolf, and Don Wood were appointed to the Main Street Board, each to terms through December 2015, replacing Barry Otts, Maria Melendez, and Billye Jo Clark.

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

**RESOLUTION NO. 02-05-2013 A – DIRECTING PUBLICATION OF NOTICE OF INTENT TO ISSUE COMBINATION TAX AND SURPLUS REVENUE CERTIFICATES OF OBLIGATION FOR THE CITY’S WATER AND SEWER SYSTEM**

A RESOLUTION DIRECTING THE CITY SECRETARY TO PUBLISH NOTICE OF INTENT TO ISSUE COMBINATION TAX AND SURPLUS REVENUE CERTIFICATES OF OBLIGATION FOR THE PURPOSE OF FUNDING COSTS OF PUBLIC IMPROVEMENTS FOR THE CITY'S WATER AND SEWER SYSTEM.

Resolution was approved directing publication of Notice of Intent to issue Combination Tax and Surplus Revenue Certificates of Obligations, in the maximum principal amount not to exceed \$6,250,000. City Manager Sullivan said the funds will be used principally for construction and renovation improvements, rehabilitation and equipping of the City’s wastewater treatment plant.

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

**ORDINANCE NO. 1309-02-2013 – APPROVING ISSUANCE OF THE “GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE REFUNDING BONDS, SERIES 2013 (CITY OF GAINESVILLE PROJECT)”**

FIRST READING OF AN ORDINANCE TO CONSIDER ALL MATTERS INCIDENT AND RELATED TO THE APPROVING THE ISSUANCE OF THE “GREATER TEXOMA UTILITY AUTHORITY CONTRACT REVENUE REFUNDING BONDS, SERIES 2013 (CITY OF GAINESVILLE PROJECT)”, INCLUDING THE ADOPTION OF AN ORDINANCE PERTAINING THERETO.

Ordinance was adopted approving and authorizing the Greater Texoma Utility Authority (GTUA) to issue Contract Revenue Refunding Bonds, Series 2013, to refinance bonds issued in 2003 (Series 2003A and 2003B). The refunding bonds, in the amount of \$1,610,000 include issuance costs and will provide the City a present value savings of \$171,000 (11%). Sullivan recommended approval of the bonds, and said the general rule of thumb for a refunding is a 3% or better savings is worth the refinancing.

Councilmember Snuggs **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Keeler, the motion carried by vote of 6 Ayes, 0 Nays, 1 absent (Nichols).

Councilmember Snuggs **moved to adopt the ordinance**. The motion was seconded by Councilmember Keeler and carried by vote of 6 Ayes, 0 Nays, 1 absent (Nichols).

**RESOLUTION NO. 02-05-2013 B - CALLING A GENERAL ELECTION AND SPECIAL ELECTION FOR MAY 11, 2013 FOR ELECTION OF OFFICERS OF THE CITY OF GAINESVILLE**

A RESOLUTION CALLING FOR THE GENERAL MUNICIPAL ELECTION AND A SPECIAL MUNICIPAL ELECTION TO BE HELD BY THE CITY OF GAINESVILLE, TEXAS ON MAY 11, 2013; PROVIDING FOR THE GENERAL ELECTION OF COUNCILPERSONS FOR WARD 1, WARD 2, WARD 4 AND MAYOR, AND THE SPECIAL ELECTION OF A COUNCILPERSON FOR WARD 3; ADOPTING A VOTING

SYSTEM AS APPROVED BY SECRETARY OF STATE; AND DESIGNATING POLLING LOCATIONS FOR EARLY VOTING AND ELECTION DAY.

Council ordered the annual General Election of Officers for the City to be held on uniform election date, Saturday, May 11, 2013, for the purpose of electing Councilpersons for Ward 1, Ward 2, Ward 4 and Mayor. A Special Election was also ordered to elect a Ward 3 Councilperson to complete an unexpired term. The Ward 3 position was appointed by the Council in June 2012 after the elected official moved outside the Ward. City Charter requires that a position filled by appointment be placed on the ballot at the next annual election of officers. Candidates may file for office during the filing period January 30 through March 1. Early Voting will take place April 29 – May 7 at City Hall, 200 South Rusk Street. Election Day voting on May 11 will take place at the Civic Center.

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

**FIRST READING CONSIDERATION OF GEDC ACTIONS APPROVING A REVENUE SHARING AGREEMENT WITH TURNER FOREST CORPORATION**

FIRST READING OF A RESOLUTION OF THE CITY COUNCIL APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH VOTED TO APPROVE A REVENUE SHARING AGREEMENT WITH TURNER FOREST INDUSTRIES.

Council completed first reading of the Gainesville Economic Development Corporation Board's approval of a revenue sharing agreement between the GEDC and Turner Forest Industries (TFI). TFI is a Texas-based wholesale lumber, plywood, and rough-framing materials supplier. GEDC Executive Director, Kent Sharp, said TFI owner John V. Turner requested to participate in the GEDC sales tax rebate program and to relocate a sales office from Lewisville to Gainesville so that sales tax collected by TFI would benefit the City of Gainesville. For TFI's type of industry, sales tax is calculated at the place where the order is taken. The agreement provides for a rebate of fifty percent (50%) of the one quarter percent (0.25%) local 4B sales tax directly generated from qualifying sales paid to GEDC. No action was taken on this first reading, per State law. Second reading consideration by the City Council will be at the next regularly scheduled meeting on February 19, 2013.

**FIRST READING CONSIDERATION OF GEDC ACTIONS APPROVING A MATCHING GRANT INCREASE FOR THE MEDAL OF HONOR PARK**

FIRST READING OF A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH APPROVED A MATCHING GRANT INCREASE FOR THE MEDAL OF HONOR PARK.

First reading was completed on the Gainesville Economic Development Corporation Board's approval of increasing the amount of a matching grant for the Medal of Honor Park. The increase to be paid by GEDC will match dollar for dollar up to a maximum of \$60,000 on funds raised by the Medal of Honor Society from this date forward. In January 2012, GEDC pledged \$150,000 for the park. Mayor Goldsworthy praised the new park as a "glorious project" that citizens will be proud of and it will be located at the "front door" of the city on I-35 and California Street. He expressed appreciation to the GEDC for their support of the project. No action was taken by Council on this first of two readings required under State law. Second reading consideration by the City Council will be at the next regularly scheduled meeting on February 19, 2013.

**RESOLUTION NO. 02-05-2013 C – APPROVING ACTIONS OF GEDC PURCHASE OF APPROXIMATELY 140 ACRES OF LAND LOCATED SOUTH OF FM 1202 AND CR 444**

A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF GAINESVILLE, WHICH VOTED TO APPROVE PURCHASE OF APPROXIMATELY 140 ACRES LOCATED SOUTH OF FM 1202 AND CR 444.

Approved action taken by the Gainesville Economic Development Corporation on January 28, 2013, in purchasing approximately 140 acres of land located south of FM 1202 and CR 444. Executive Director Kent Sharp said the property is planned to be used for an industrial park, and with the Burlington Northern Santa Fe Railway along the eastern boundary, there is a possibility of rail service for the site. The property is located entirely in the Gainesville Independent School District. Sharp said the GEDC intends to request voluntarily annexation of the property into the City of Gainesville.

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

**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 6:46 p.m.

Respectfully submitted,

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

/S/  
**Jim Goldsworthy, Mayor**