

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
March 19, 2013**

The City Council of the City of Gainesville, Texas met in regular session on March 19, 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,
Beverly Snuggs

MEMBERS ABSENT: Vince Rippy

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

OTHERS PRESENT: Gregg Russell, Kit Chase, Gene Brown, Rod Tyler, Tim Hitchcock, Mark Hitchcock, Boyd London, Dan Culver

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend David Gray, Hillcrest Church of Christ, gave the invocation. Mayor Goldsworthy led in the pledge to the flag.

RECOGNITIONS/PROCLAMATIONS

City Employee of the Month, March 2013

City Manager Barry Sullivan read and presented the March 2013 Employee of the Month certificate to Zoo employee, David Phillips. Phillips received recognition for his work ethic, construction and mechanical skills, and strong commitment to zoo operations and co-workers, thus making him a valuable addition to the Zoo team. Phillips recently completed construction of a new exhibit, showcasing his construction knowledge and skills and his ability to manage temporary workers, to complete the project on schedule. As Employee of the Month, Phillips also received one additional day of paid vacation.

REPORT ON CITY DEMOLITION PROGRAM

John Noblitt, Community Development Director, and Ron Sellman, Public Services Director, made reports on substandard structure demolitions in the City. Noblitt reported 27 voluntary demolitions booked, 11 of which to date have already been demolished by City crews (Public Services Department) or by a third party contractor for salvage. Another 37 structures are currently in code review or on schedule for hearings in April, May, and June before the Building and Standards Commission. Councilmember Snuggs expressed her appreciation for the program and said she is especially pleased to see the recycling and salvage efforts, which saves the City money and saves the landfill.

Sellman reported completion of the demolition of the former Gainesville Middle School facility on North Denton Street. Over 13,000 tons of material were removed from the site and hauled to the landfill, and 4,000 tons of material were recycled. Sellman said the work performed by City crews saved nearly \$224,000 on the project which he estimated would have cost over \$300,000 in landfill fees. Sellman said the City paid \$68,500 for landfill fees. Councilmember Nichols praised the performance of all the City workers and cited the project as a good example of a totally cooperative effort that benefits the community. He said now the community has 3.65 acres of cleared property for the future location of the Boys and Girls Club.

CONSENT AGENDA

Council reviewed the Minutes of the regular City Council Meeting of March 5, 2013, and approved them as written.

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

ORDINANCE NO. 1310-03-2013 - AUTHORIZE ISSUANCE AND SALE OF COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2013

CONSIDER ALL MATTERS INCIDENT AND RELATED TO THE ISSUANCE AND SALE OF THE CITY OF GAINESVILLE, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2013, INCLUDING THE ADOPTION OF AN ORDINANCE AUTHORIZING THE ISSUANCE OF SUCH CERTIFICATES, APPROVING AN OFFICIAL STATEMENT, A PAYING AGENT/REGISTRAR AGREEMENT AND AN ENGAGEMENT LETTER OF BOND COUNSEL.

Council authorized issuance and sale of \$6 million in bonds for twenty years at an interest rate of 2.597%. Boyd London, First Southwest, said the bonds were sold through competitive bids early Tuesday morning. He said the City's bond ratings (Standard and Poors A+/stable; Moody's Investors Service A1) reflect a very strong financial position, and he praised the City's work in building its reserves over the last several years, accumulating fund balance and spending capital generated from current revenues. Bond proceeds will to be used for construction and renovation improvements, rehabilitation and equipping of the City's wastewater treatment plant and other water and sewer projects.

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

Councilmember Nichols **made the motion to adopt an ordinance authorizing issuance and sale of the City of Gainesville, Texas Combination Tax and Revenue Certificates of Obligation, Series 2013 and approving all matters incident thereto**. This motion was seconded by Councilmember Clegg, and the motion carried by vote of 6 Ayes, 0 Nays, 1 absent (Rippy).

RESOLUTION NO. 03-19-2013 - AUTHORIZE GTUA TO CONTRACT FOR EXPANSION AND IMPROVEMENTS TO THE GAINESVILLE WATER TREATMENT PLANT

A RESOLUTION AUTHORIZING THE GREATER TEXOMA UTILITY AUTHORITY (GTUA) TO EXECUTE A CONTRACT FOR EXPANSION AND IMPROVEMENTS TO THE GAINESVILLE WATER TREATMENT PLANT.

Greater Texoma Utility Authority (GTUA) was authorized to execute a contract on behalf of the City with Harrison, Walker, and Harper in the amount of \$2,164,951.60 for expansion and improvements for the Moss Lake Water Treatment Plant. Bid alternatives 2, 3, and 4 were not awarded at this time on recommendation from City staff and HDR Engineering, who believe these items can be rebid for a savings of \$200,000 or more, based on other bids received during this process. Sullivan said this bid came in under the estimated budget for the project.

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 (Rippy).

RESOLUTION NO. 03-19-2013 A - AUTHORIZE GTUA TO CONTRACT FOR NORTHWEST WATER DISTRIBUTION SYSTEM IMPROVEMENTS

A RESOLUTION AUTHORIZING THE GREATER TEXOMA UTILITY AUTHORITY (GTUA) TO EXECUTE A CONTRACT FOR NORTHWEST WATER DISTRIBUTION SYSTEM IMPROVEMENTS ON BEHALF OF THE CITY OF GAINESVILLE.

Greater Texoma Utility Authority (GTUA) was authorized to execute a contract on behalf of the City with S & J Construction in the amount of \$3,006,641.39 for improvements to the Northwest Water Distribution System. Sullivan said the bid came in under the estimated budget for the project, which consists of installing new water lines from the Moss Lake Treatment plant and along the west side of the municipal airport. The estimated completion of the project is December 2013.

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

RESOLUTION NO. 03-19-2013 B - APPROVAL OF GEDC ACTIONS ADOPTING THE GISD NEW BASEBALL FIELD AS AN ECONOMIC DEVELOPMENT PROJECT AND APPROVING FUNDING INCENTIVE

SECOND READING ON A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH VOTED TO APPROVE THE GAINESVILLE INDEPENDENT SCHOOL DISTRICT'S NEW BASEBALL FIELD AS AN ECONOMIC DEVELOPMENT PROJECT AND TO APPROVE FUNDING AN INCENTIVE IN THE AMOUNT OF \$200,000.

Council approved Gainesville Economic Development Corporation's (GEDC) adoption of the Gainesville Independent School District's new baseball field as an economic development project and approval of incentive funding in the amount of \$200,000.

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

ORDINANCE NO. 1311-03-2013 - CANCELLING THE GENERAL ELECTION CALLED FOR MAY 11, 2013; FINDING THAT ALL CANDIDATES ARE UNOPPOSED; AND DECLARING THE RESULTS OF THE ELECTION

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS RECEIVING THE CERTIFICATION OF THE CITY SECRETARY RELATING TO THE REGULAR GENERAL ELECTION AND THE SPECIAL ELECTION

CALLED FOR MAY 11, 2013; FINDING THAT THE CANDIDATES WHO HAVE FILED FOR A PLACE ON THE BALLOT ARE UNOPPOSED; DECLARING THE RESULTS OF THE ELECTION; FINDING AND DETERMINING THE MEETING AT WHICH THIS ORDINANCE IS PASSED TO BE OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND SUSPENDING THE CHARTER REQUIREMENT OF THREE SEPARATE READINGS AND MAKING AN OPEN MEETING FINDING.

Approved cancellation of the General Election and Special Election called for May 11, 2013 due to all candidates for office being unopposed, and with no propositions on the ballot. The City Secretary certified that all positions to be elected in the General Election and the position to be elected in the Special Election each received one applicant only. The ordinance makes the finding that the candidates for Council positions for Wards 1, 2, 3, 4 and Mayor are unopposed; cancels the election and declares Carolyn Hendricks, Beverly Snuggs, Keith Clegg, Ken Keeler and Jim Goldsworthy elected to two-year terms that will begin with their oath of office which will be administered at the regularly scheduled City Council meeting on May 21.

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

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

RESOLUTION NO. 03-19-2013 C - AUTHORIZE RELEASE OF LIEN ON PROPERTY TO BE SOLD AT SHERIFF'S SALE

A RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE CITY MANAGER TO EXECUTE RELEASE OF LIEN AGAINST A PROPERTY TO BE SOLD AT SHERIFF'S SALE.

Authorized release of a City lien on the property located at 610 Railroad Avenue to enable it to be sold at Sheriff's sale in October. Sullivan said the amount of the lien is more than the value of the property and recommended approval of the release to facilitate getting the property back on the tax roll.

Councilmember Clegg **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.

DISCUSSION REGARDING POSSIBLE SMOKING ORDINANCE

Council held discussion of aspects of regulating smoking in the community. Council members individually expressed that they would like to have non-smoking areas in the city and directed the City Manager to draft an ordinance for their consideration. Mayor Goldsworthy said citizen input on this subject is appreciated and encouraged citizens to contact their council member.

DISCUSSION ON POSSIBLE ORDINANCE AMENDING BUILDING CODE SECTION FOR MOVING BUILDINGS

Council discussed possible amendment to the City's building codes for permitting and enforcement requirements for moving houses or structures inside the city or into the city. Mayor Goldsworthy emphasized that quality housing is the goal. Mayor said he will meet with the City Manager and the Community Services Director to develop an ordinance for Council's consideration.

EXECUTIVE SESSION

At 7:11 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 §551.087 Economic Development

RECONVENE INTO OPEN SESSION

Council reconvened into open session at 7:41 p.m. Mayor Goldsworthy announced no action was taken during executive session.

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 7:41 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Jim Goldsworthy, Mayor