

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
August 6, 2013**

The City Council of the City of Gainesville, Texas met in regular session on August 6, 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

STAFF PRESENT: Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Dan Parker, Finance Director; Kent Sharp, Executive Director, Gainesville Economic Development Corporation; Steven Fleming, Police Chief

OTHERS PRESENT: Gregg Russell, Keith King, C.J. Durban, Stephanie Davidson, Jimmie Cole, Mary Jo Dollar, Terry Tombaugh, Joe Bob Jones, Morgan Downing, Jeff James, Tony Dresser (Videographer)

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 Jimmie Cole, Eastside Church of the Nazarene, gave the invocation. Mayor Goldsworthy led the pledge to the flag.

RECOGNITIONS/PROCLAMATIONS

811 Safe Digging Day 2013

Mayor Goldsworthy proclaimed August 11, 2013 as Safe Digging Day in recognition of the nationwide 811 Day promoting the Call Before You Dig Program to raise awareness of underground damage prevention and safe digging practices that help to prevent potentially serious or fatal injuries. The proclamation is a reminder to call 811 before digging into the ground. Terry Tombaugh and Joe Bob Jones, Atmos Gas, were present to receive the proclamation.

CONSENT AGENDA

Council reviewed the Minutes of the regular City Council Meeting of July 16, 2013, and the Minutes of July 20, 2013 City Council Budget Workshop Meeting and approved them as written.

RESOLUTION NO. 08-06-2013 – APPOINTMENT TO PARKS BOARD

Brandon Henegar was appointed to the Parks and Recreation Board to a term through March 2015.

RESOLUTION NO. 08-06-2013 A – APPOINTMENTS TO AIRPORT BOARD

Re-appointments to the Airport Board were approved for Ginger Herrmann, Carroll Johnson, Dan Ott, and Earl Russell, to two year terms expiring July 2015.

Councilmember Nichols **moved to approve the Consent Agenda**, and was seconded by Councilmember Keeler. The motion carried by vote of 6 Ayes, 0 Nays, 0 Absent, 1 Vacancy.

DISCUSSION REGARDING A PROPOSED TAX RATE FOR FISCAL YEAR 2013-2014

Council discussed a proposed tax rate of \$0.646000 for Fiscal Year 2013-2014. City Manager Barry Sullivan said the proposed tax rate is the same as the City's effective rate at \$0.64600 this year, which is a decrease from the current year tax rate of \$0.64700. Council is not required to schedule public hearings because the proposed tax rate does not exceed this year's effective tax rate (\$0.64600) or the rollback rate (\$0.770200). Sullivan added that adoption of the \$0.646 tax rate would be the lowest rate the City has had in twelve years.

DISCUSSION REGARDING PUBLIC HEARINGS ON THE PROPOSED 2013 TAX RATE

Because the proposed tax rate does not exceed the effective tax rate (\$0.64600) or the rollback rate (\$0.770200), public hearings on the tax rate are not required. Public hearings on the proposed tax rate were not scheduled.

SCHEDULE DATE FOR PUBLIC HEARING ON PROPOSED BUDGET FOR FY 2013-2014

A public hearing on the proposed budget is required prior to its adoption.

Councilmember Nichols **made a motion to schedule a public hearing on the proposed Fiscal Year 2013-2014 Budget for September 3, 2013 at Gainesville City Hall, 200 South Rusk at 6:30 p.m.** The motion was seconded by Councilmember Clegg, and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 0 Absent, 1 vacancy.

PUBLIC HEARING ON ORDINANCE TO RE-ZONE 142.88 ACRES FROM AGRICULTURE TO INDUSTRIAL (I)

PUBLIC HEARING FOR A REQUEST TO RE-ZONE 142.88 ACRES OF PROPERTY LOCATED IN THE J. SPEARS SURVEY, ABS. 915, J.D. SHARUM SURVEY, ABS. 961, AND THE S. W. HILLIS SURVEY, ABS. 454, FROM AGRICULTURE TO INDUSTRIAL (I). Mayor Goldsworthy read the ordinance caption regarding a request filed by the Gainesville Economic Development Corporation (GEDC) to re-zone 142.88 acres from Agriculture to Industrial (I). City Manager Sullivan described the location of the property, which is owned by the GEDC and recently annexed into the city, and located in the northern portion of the city, south of CR 444 and west of the railroad tracks. Sullivan said the property is ideally situated for industrial use, with quick access to I-35 and proximity to rail service. It is surrounded by agricultural use and unincorporated area. Sullivan recommended approval of the re-zoning as the best use of the land.

Mayor opened the public hearing and called for public comment at 6:38 p.m. No speakers came forward to present either for against the proposed annexation. There being no public comment and no further discussion, Councilmember Snuggs **moved to close the Public Hearing**, seconded by Councilmember Keeler. Motion carried by vote of 6 Ayes, 0 Nays, 0 Absent, 1 vacancy. The Public Hearing was closed at 6:39 p.m.

ORDINANCE NO. 1323-08-2013 - APPROVE RE-ZONING 142.88 ACRES FROM AGRICULTURE TO INDUSTRIAL (I)

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 AGRICULTURE TO INDUSTRIAL (I) THE ENTIRETY OF THE PROPERTIES IDENTIFIED AS J. SPEARS SURVEY, ABSTRACT 915, J.D. SHARUM SURVEY, ABSTRACT 961, AND THE S. W. HILLIS SURVEY, ABSTRACT 454, COOKE COUNTY, TEXAS; 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.

Ordinance was adopted on first reading to approve the re-zoning of 142.88 acres owned by the Gainesville Economic Development Corporation (GEDC) and recently annexed into the City. The GEDC purchased the property to establish an industrial park and requested the zoning district change to allow for industrial use. The property is located in the northern portion of the city, south of CR 444 and west of the railroad tracks, and is surrounded by agricultural use and unincorporated area. Sullivan recommended approval of the re-zoning as the best use of the land, and stated the property is ideally situated for industrial use, with quick access to I-35 and proximity to rail service.

Councilmember Clegg **moved to suspend Charter requirement of three readings of the Ordinance**, seconded by Councilmember Snuggs, and the motion carried by vote of 6 Ayes, 0 Nays, 0 Absent, 1 Vacancy.

Councilmember Clegg **moved to adopt the Ordinance**, seconded by Councilmember Snuggs, and the motion carried by vote of 6 Ayes, 0 Nays, 0 Absent, 1 Vacancy.

RESOLUTION NO. 08-06-2013 B – AUTHORIZE INTERLOCAL AGREEMENT WITH TEXOMA COUNCIL OF GOVERNMENTS (TCOG) FOR E9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES

A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF GAINESVILLE, TEXAS TO ENTER INTO AN INTERLOCAL AGREEMENT WITH TEXOMA COUNCIL OF GOVERNMENTS (TCOG) FOR E9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES.

A two-year Public Safety Answering Point (PSAP) Interlocal agreement between the Texoma Council of Governments and the City of Gainesville for provision of 9-1-1 service was approved. Under the agreement, the City of Gainesville maintains the equipment provided by the TCOG and operates the 9-1-1- Dispatch Center located at 201 Santa Fe Street in compliance with state regulations.

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

RESOLUTION NO. 08-06-2013 C – APPOINTING MARY JO DOLLAR TO THE CITY COUNCIL TO REPRESENT WARD 6

A RESOLUTION APPOINTING A COUNCIL MEMBER FOR WARD 6 ON THE GAINESVILLE CITY COUNCIL, SAID APPOINTEE TO HOLD OFFICE UNTIL THE GENERAL ELECTION OF CITY OFFICERS ON MAY 10, 2014.

Mayor announced that two applications had been received for the vacant Ward 6 position, from Mary Jo Dollar and Nancy Carlton. Both applicants meet requirements for the position per City Charter.

Councilmember Clegg made a motion to **appoint Mary Jo Dollar to serve as the Ward 6 City Council member**. The motion was seconded by Councilmember Keeler and carried by vote of 6 Ayes, 0 Nays, 0 absent, 1 Vacancy.

RESOLUTION NO. 08-06-2013 D – AUTHORIZE AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES FOR INDIVIDUAL PROJECT ORDER 2013-3, WASTEWATER TREATMENT PLANT PHASE I IMPROVEMENTS

A RESOLUTION AUTHORIZING THE CITY MANAGER, FOR AND ON BEHALF OF THE CITY OF GAINESVILLE, TO EXECUTE AN AGREEMENT WITH KIMLEY-HORN AND

ASSOCIATES FOR IMPLEMENTATION OF INDIVIDUAL PROJECT ORDER 2013-3, WASTEWATER TREATMENT PLANT PHASE I IMPROVEMENTS.

Agreement for engineering services was authorized with Kimley-Horn and Associates, Inc. for implementation of Wastewater Treatment Plant, Phase I Improvements. This project consists of professional engineering services associated with the Wastewater Treatment Plant Master Plan, December 2012, for Phase I improvements to the City's existing Wastewater Treatment Plant, in order to meet Texas Commission on Environmental Quality (TCEQ) regulation changes effective in 2013. The total estimated cost for the engineering contract is \$587,000.

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

FIRST READING CONSIDERATION OF GEDC ADOPTION OF TEXAS JUVENILE JUSTICE DEPARTMENT AS AN ECONOMIC DEVELOPMENT PROJECT AND APPROVING A FUNDING INCENTIVE

FIRST READING OF A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF GAINESVILLE WHICH APPROVED AN ECONOMIC DEVELOPMENT INCENTIVE FOR THE TEXAS JUVENILE JUSTICE DEPARTMENT FOR RELOCATION ASSISTANCE FOR UP TO THIRTY (30) EMPLOYEES WHO ARE TRANSFERRING TO THE GAINESVILLE STATE SCHOOL. (PER STATE LAW, COUNCIL TAKES NO ACTION ON FIRST READING)

Council completed first reading of the Gainesville Economic Development Corporation Board's adoption of the Texas Juvenile Justice Department (TJJD) as an economic development project and a funding incentive of up to \$60,000 for relocation assistance for up to thirty (30) employees at \$2,000 per employee who are transferring to the Gainesville State School. To be eligible, transferring TJJD employees must meet residency and employment requirements according to the GEDC agreement. Sullivan explained that a TJJD facility location is being closed by the state and this incentive is to show our support for the Gainesville facility and to encourage the state to keep the facility open. Sullivan expressed on behalf of the City it's appreciation of the Gainesville State School as a local employer and the training opportunities they provide the students; and for the many local volunteers and support the community provides to the school. As required by state law, no action was taken by Council on first reading of the resolution. Second reading consideration will be at the next regularly scheduled meeting of the City Council on August 20, 2013.

FIRST READING CONSIDERATION OF GEDC ADOPTION OF VALEW AS AN ECONOMIC DEVELOPMENT PROJECT AND APPROVING A FUNDING INCENTIVE

FIRST READING OF A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF GAINESVILLE WHICH APPROVED VALEW AS AN ECONOMIC DEVELOPMENT PROJECT AND APPROVING AN INCENTIVE OF \$350,000.00 WHICH INCLUDES THE TRANSFER OF FIFTEEN (15) ACRES IN THE NEW INDUSTRIAL PARK AT NO COST TO VALEW (\$150,000.00 VALUE) AND AN ADDITIONAL INCENTIVE OF \$5,000.00 PER ELIGIBLE EMPLOYEE FOR UP TO FORTY (40) EMPLOYEES NOT TO EXCEED \$200,000.00 FOR EMPLOYEE CASH INCENTIVES. (PER STATE LAW, COUNCIL TAKES NO ACTION ON FIRST READING)

Council completed first reading of the Gainesville Economic Development Corporation Board's adoption of Valew as an economic development project and a funding incentive in the amount of \$350,000, which includes the transfer of 15 acres in the new industrial park (valued at \$150,000) at no cost to Valew, and cash incentive of \$5,000.00 per eligible employee for up to 40 employees not to exceed \$200,000. GEDC Executive Director, Kent Sharp, said Valew plans three phases of construction over a four year time frame, and to provide up to 250 jobs. Valew is a California-based manufacturer. As required by state law, no action was taken by Council on

first reading of the resolution. Second reading consideration will be at the next regularly scheduled meeting of the City Council on August 20, 2013.

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 6:55 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Jim Goldsworthy, Mayor