

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
December 3, 2013**

The City Council of the City of Gainesville, Texas met in regular session on December 3, 2013 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Jim Goldsworthy
Keith Clegg, Mary Jo Dollar, 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; Kevin Phillips, Interim Police Chief; Julie Smith, Community Services Director; Patrick McCage, Parks and Recreation Director; Chris Cypert, Municipal Court Judge; Kent Sharp, GEDC Executive Director

OTHERS PRESENT: Steve Gordon, Nancy Brannon, Bernie Gordon, L. D. Clark, Annette Schmitz, Katy Hootman, Lisa Erlandson, Bob Wartman, Laurie Wartman, Cale Kennedy, Richardo Munoz, Colleen Clark Carri, Keith Carri, Shorty Hale, Sam Calhan, Kasandra Galvan Ortiz, Hollis Parsons, Keith King, Tony Dresser (Videographer)

CALL TO ORDER

Mayor Goldsworthy called the meeting to order at 6:30 p.m. with all members of the Council present.

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend Hollis Parsons, Tabernacle Baptist Church gave the invocation. Mayor Goldsworthy led the pledge to the flag.

RECOGNITIONS

Certificate of Achievement for Excellence in Financial Reporting, FY 2012

City Manager, Barry Sullivan read and presented a Certificate of Achievement to the City of Gainesville for Excellence in Financial Reporting (CAFR) for the fiscal year ended September 30, 2012, which was awarded by the Government Finance Officers Association of the United States and Canada (GFOA). The award is issued to governmental units whose reports (CAFRs) achieve the highest standards in government accounting and financial reporting. Dan Parker, Finance Director, received the award on behalf of the City, and also credited Mary Jarvis, retired City Controller, for her efforts in the achievement. This is the City's 22nd year to achieve this award.

CITIZEN COMMENTS

Lisa Erlandson, spoke in opposition to the proposed ordinance to designate no parking of vehicles in the 1100 block of East Main Street on this meeting agenda. Erlandson said Gainesville is her hometown, although she now lives outside the city limits. She currently owns several commercial properties in Gainesville. Erlandson stated to Council that the need for no parking in the area is premature and she requested that the City wait until after her daughter's new facility (Bosco's) is constructed and operational and then determine the need for the no parking law.

CONSENT AGENDA

Council reviewed the Minutes of the regular City Council Meeting of November 19, 2013, and approved them as written.

Councilmember Keeler **moved to approve the Consent Agenda**, and was seconded by Councilmember Snuggs. The motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION NO. 12-03-2013 - AUTHORIZE AIRPORT GROUND LEASE AGREEMENT WITH GCBS XX, LLC

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF GAINESVILLE TO EXECUTE A GROUND LEASE AGREEMENT WITH GCBX XX, LLC FOR A PRIVATE HANGAR AT THE GAINESVILLE MUNICIPAL AIRPORT.

A ground lease agreement (14,463 sq. ft.) was approved with GCBS XX, LLC at the Gainesville Municipal Airport. The company has agreed to purchase a private hangar from Tomlinson Avionics, which is located on the City property. The resolution approves the ground lease with the City for a primary term of thirty (30) years with two five (5) year extension options, and includes lease rate adjustments (per Consumer Price Index) every five years. GCBS will use the hangar and land to store and work on their private aircraft. The Airport Board and City staff recommended approval of the long term lease.

Councilmember Hendricks moved for **approval of the resolution**, and was seconded by Councilmember Clegg. Motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION NO. 12-03-2013 A- AUTHORIZE CITY MANAGER TO RELEASE LIENS FOR A PROPERTY TO BE SOLD AT SHERIFF'S SALE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE RELEASE OF LIENS AGAINST A PROPERTY TO BE SOLD AT SHERIFF'S SALE

The City Manager was authorized to release two City liens against the property located at 725 Beattie Street in order for the property to be sold at the next Sheriff's sale. The liens were filed in 2008 for demolition of a substandard structure, and for mowing and cleanup. With interest and fees, the liens total over four thousand four hundred dollars. The property is valued at nineteen hundred dollars. The City Manager recommended releasing the liens to facilitate its sale and get the property back on the tax roll.

Councilmember Clegg moved for **approval of the resolution**, and was seconded by Councilmember Keeler. Motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

DISAPPROVED PROPOSED ORDINANCE TO DESIGNATE NO PARKING IN THE 1100 BLOCK OF EAST MAIN STREET, BETWEEN SOUTH MORRIS STREET AND SOUTH GRAND AVENUE

FIRST READING OF AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, DESIGNATING THE 1100 BLOCK OF EAST MAIN STREET, LOCATED BETWEEN SOUTH MORRIS STREET AND SOUTH GRAND AVENUE, AS AN AREA 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.

The proposed ordinance designating no parking of vehicles in the 1100 block of East Main Street, between South Morris and South Grand Avenue was disapproved. During the Citizen Comments portion of the agenda, Lisa Erlandson expressed that the need for no parking in the area is premature. She requested that the City wait until after her daughter's building (Bosco's) is constructed and operational and then determine the need for the no parking law. Groundwork for the new Bosco's facility has begun but is not completed. Mayor Goldsworthy expressed his appreciation for Erlandson's comments and suggested Council could bring the ordinance back if it is later determined to be necessary.

Councilmember Clegg **motioned for disapproval of the ordinance.** The motion was seconded by Councilmember Dollar and carried by vote of 7 Ayes, 0 Nays, 0 absent.

RESOLUTION NO. 12-03-2013 B – APPROVE PLACEMENT OF A MONUMENT OF THE GREAT HANGING IN GEORGIA DAVIS BASS PARK

A RESOLUTION TO APPROVE PLACEMENT OF A MONUMENT OF "THE GREAT HANGING" IN THE GEORGIA DAVIS BASS PARK.

Council granted permission for a group of area residents to place a monument in the Georgia Davis Bass Park in recognition of "The Great Hanging" which took place in Gainesville in October 1862. Mayor said the verbiage for the inscriptions was agreed on back in 1999 for the project which was not done. The approved resolution stipulates the City is not required to maintain the monument and can have it removed from the location if it becomes dilapidated or a danger to the public. Members of the Great Hanging Monument Committee making the request include Nancy Brannon, Steve Gordon, Colleen Clark Carri, L. D. Clark, Bob Davis, Richard McCaslin, Ona B. Reed, and Dick Sparkman.

Councilmember Clegg moved for **approval of the resolution,** and was seconded by Councilmember Snuggs. Motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION NO. 12-03-2013 C – APPROVING AND AUTHORIZING THE GEDC TO BORROW UP TO TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000.00) FOR INFRASTRUCTURE IMPROVEMENTS FOR THE GAINESVILLE INDUSTRIAL PARK

A RESOLUTION APPROVING AND AUTHORIZING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF GAINESVILLE, TO BORROW UP TO TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000.00) FOR INFRASTRUCTURE IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO ROADWAYS, WATER, SEWER, WASTE WATER AND OTHER NECESSARY IMPROVEMENTS, TO BE LOCATED ON THE NEW 142 ACRE GAINESVILLE INDUSTRIAL PARK, AS WELL AS PROFESSIONAL FEES AND ENGINEERING SERVICES ASSOCIATED WITH THIS PROJECT.

Council approved and authorized actions of the Gainesville Economic Development Corporation to borrow up to two million five hundred thousand dollars (\$2,500,000.00) for infrastructure improvements at the new 142 acre Gainesville Industrial Park. The improvements include roadways, water, sewer, waste water and other necessary improvements, as well as professional fees and associated engineering services for Phase I of the industrial park. Kent Sharp, Executive Director of the GEDC, said the board initially approved \$1.5 million for the project, however engineering design work has revealed the need for additional sewer work, a lift station and other ancillary expenses. Sharp said they will borrow only the amount needed.

Councilmember Nichols moved for **approval of the resolution**, and was seconded by Councilmember Keeler. Motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION NO. 12-03-2013 D – APPROVING GEDC ACTIONS FOR A GIFT AGREEMENT WITH GAINESVILLE INDEPENDENT SCHOOL DISTRICT FOR PURCHASE AND CONSTRUCTION OF TWO BILLBOARDS

A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF GAINESVILLE, WHICH VOTED TO APPROVE A GIFT AGREEMENT WITH GAINESVILLE INDEPENDENT SCHOOL DISTRICT FOR THE PURCHASE AND CONSTRUCTION OF TWO BILLBOARDS.

Action of the GEDC was approved for a Gift Agreement with the GISD for purchase and construction of two billboards for advertising and promoting the City of Gainesville and the GISD. The agreement allows for the GEDC and the Chamber of Commerce to advertise on two faces of the billboards and the GISD on two faces. The billboards will be installed on GISD property located adjacent to I-35, and can only be used to advertise school, city or zoo information.

Councilmember Clegg moved for **approval of the resolution**, and was seconded by Councilmember Keeler. Motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION NO. 12-03-2013 E – APPROVE REQUEST FOR FEDERAL ACTION ON AN APPOINTMENT TO THE FEDERAL JUDICIAL VACANCY IN THE SHERMAN DIVISION

CONSIDERATION OF AND ACTION ON A RESOLUTION REQUESTING FEDERAL ACTION ON AN APPOINTMENT TO THE FEDERAL JUDICIAL VACANCY IN THE SHERMAN DIVISION OF THE EASTERN DISTRICT OF TEXAS SITTING AT SHERMAN.

A resolution was approved by the City of Gainesville requesting Federal action for a federal judicial court nominee for the Sherman Division of the Eastern District of Texas sitting at Sherman, Texas. The judicial position has been vacant for seven years since the retirement of the last permanent resident judge in November 2006. The resolution requests cooperative action by our President, our Senators, and our Congressional Representatives to fill the vacant position

Councilmember Snuggs moved for **approval of the resolution**, and was seconded by Councilmember Keeler. Motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

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 6:49 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Jim Goldsworthy, Mayor