

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
September 16, 2014**

The City Council of the City of Gainesville, Texas met in regular session on September 2, 2014 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; Bill Harris, City Attorney; Kay Lunnon, City Secretary; Kevin Phillips, Police Chief; Dan Parker, Finance Director; Ron Sellman, Public Services Director

OTHERS PRESENT: Jeff James, Mike Todd, Darrell McIntyre, Randy Chapman, Carlos Fabrow, Leslie Reed, Drew Satterwhite, Cathy Mounce, Keith King, Tony Dresser (Videographer)

CALL TO ORDER

Mayor Jim Goldsworthy called the meeting to order at 6:30 p.m. All council members were present.

INVOCATION & PLEDGE OF ALLEGIANCE

The Reverend Darrell McIntyre, Westminster Presbyterian Church, gave the invocation. Mayor Goldsworthy led the pledge to the flag.

RECOGNITIONS

Employee of the Month, September 2014

Randy Chapman, equipment operator in the Public Services Department, was named Employee of the Month for September 2014, receiving recognition for his team player performance. The recognition states that Randy fills in for the crew leader role for the department on-call schedule to relieve crew leaders from having to work consecutive weekends. He also assisted the Police Department with installation of the security cameras throughout the City. Chapman was cited as a reliable and dependable employee who goes above and beyond his job duties to assist coworkers and other departments.

CONSENT AGENDA

Council reviewed the Minutes of the regular City Council Meeting of September 2, 2014, and approved them as written.

Councilmember Snuggs **moved to approve the Consent Agenda**, and seconded by Councilmember Keeler, the motion carried unanimously.

ORDINANCE NO. 1352-09-2014 - ADOPTING CITY BUDGET FOR FY 2014-2015

FIRST READING OF AN ORDINANCE ESTABLISHING APPROPRIATIONS FOR THE SUPPORT, MAINTENANCE, BUILDINGS AND IMPROVEMENTS FOR THE CITY OF GAINESVILLE, TEXAS, FOR THE FISCAL YEAR FROM OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015 AND REVISING THE BUDGET FOR OCTOBER 1, 2013 THROUGH SEPTEMBER 30, 2014; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING; AND PROVIDING FOR RATIFICATION OF THE PROPERTY TAX

INCREASE REFLECTED IN THE FISCAL YEAR 2014-2015 OPERATING BUDGET BY SEPARATE VOTE.

The Budget for Fiscal Year 2014-2015 was approved and adopted. City Manager Barry Sullivan said the budget is \$32,697,000 including the General Fund and all other city funds. The General Fund budget is \$14.8M, of which over half will be spent in the public safety areas of police, fire, and emergency management – areas where a great amount of importance is placed. Sullivan thanked the Council and City staff for all their time and work on the budget, to be able to put together a successful document that will help the City reach its goals. The adopted City budget document will be posted on the City of Gainesville website www.Gainesville.tx.us under Financial Transparency.

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

To comply with Local Government Code requiring a separate vote to ratify any increase in property tax revenue, Councilmember Nichols **made a motion to ratify the increase in property tax revenue as reflected in the FY 2014-2015 budget**. The motion was seconded by Councilmember Keeler, and carried by vote of 7 Ayes, 0 Nays, 0 absent.

ORDINANCE NO. 1353-09-2014 - SETTING CITY AD VALOREM TAX LEVY FOR FY 2014-2015

FIRST READING OF AN ORDINANCE LEVYING, ASSESSING AND FIXING THE AD VALOREM TAX RATE FOR THE CITY OF GAINESVILLE, TEXAS GENERAL FUND AND INTEREST AND SINKING FUND FOR THE FISCAL YEAR FROM OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015; APPROPRIATING EACH LEVY FOR THE SPECIFIC PURPOSE; PROVIDING FOR THE ASSESSMENT OF ALL ANNUAL OCCUPATIONAL TAXES PROVIDED BY LAW; REQUIRING PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.

Council adopted and set the ad valorem tax levy for the City of Gainesville at \$0.687822 per \$100 valuation, with \$0.443426 for General Fund maintenance and support, and \$0.244396 for the Interest and Sinking Fund. Sullivan indicated that once the certified tax roll was received, the City was able to lower the tax rate from the advertised proposed rate. He also reminded everyone that the tax increase this year is 100% due to the bond issuance approved by the voters in May.

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

RESOLUTION NO. 09-16-2014 – AUTHORIZING AGREEMENT FOR ENGINEERING SERVICES WITH KIMLEY-HORN AND ASSOCIATES FOR IPO 2014 SUMP BID PACKAGE 1

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 ENGINEERING SERVICES INDIVIDUAL PROJECT ORDER 2014 SUMP, BID PACKAGE 1.

An engineering services agreement was approved with Kimley-Horn and Associates for Individual Project Order 2014 SUMP, Bid Package 1, in the Street and Utility Maintenance Program (SUMP). The Engineering services contract (\$571,500), which will be paid from the 2014 General Obligation Bond Fund, is for design work for SUMP Projects: 1) Scott (Dixon to Railroad); 2) Broadway (Grand to Fair, excluding the Broadway/Grand Intersection); 3) Lindsay

(California to Tennie); and 4) Church (Denton to Lindsay). Jeff James, P.E., Kimley-Horn and Associates, presented an updated SUMP report for 2010 through 2014, showing the four year progress of the city-wide SUMP Program streets and utility projects completed, under construction, and proposed, and also the crack seal projects.

Councilmember Hendricks **moved to approve the resolution.** The motion was seconded by Councilmember Keeler and carried by vote of 7 Ayes, 0 Nays, 0 Absent.

RESOLUTION NO. 09-16-2014 A – APPROVING CHANGE ORDER NO. 1 TO CONTRACT WITH LYNN VESSELS CONSTRUCTION FOR SUMP PACKAGES D, E & F

A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH LYNN VESSELS CONSTRUCTION, LLC FOR CONSTRUCTION PROJECTS IN STREET AND UTILITY MAINTENANCE PROGRAM (SUMP) PACKAGES “D, E & F”.

Change Order No. 1 was approved, increasing the contract with Lynn Vessels Construction in amount of \$195,737.24 for SUMP packages D, E & F. The change order adds paving of two additional streets into the contract, Luther Lane and Summerfield Addition, for the same unit prices for materials that the contractor is providing in SUMP Packages D, E & F, thus saving the City significant money and time bidding the jobs. The City Manager reported that concrete prices had dramatically increased and Vessels is willing to do the work in the change order at the same unit price they bid for packages D, E & F. The change order will be paid from the 2014 Assigned Fund (\$80,000); 2014 Water and Sewer Fund (Waste Water Collection) (\$24,000); and 2014 General Fund (Streets) (\$91,737.24). The City budgeted in the current FY 2014 to replace street sections and some utilities for Church Street, Luther Lane and Summerfield Addition. Church Street will now be moved to next year to be completed with Lindsay Street because of the utility connections that impact both streets. The D, E & F Projects include MLK Blvd (Culberson to IH-35 frontage); Red River Street (Main to Church); Broadway Street (Fair to California).

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

RESOLUTION NO. 09-16-2014 B - APPROVING FIVE-YEAR BUDGET MODEL (FY 2015-2019) FOR CITY OF GAINESVILLE

A RESOLUTION APPROVING A FIVE-YEAR BUDGET MODEL (FY 2015 – 2019) FOR CITY OF GAINESVILLE.

The five-year budget model presented by the City Manager for Fiscal Years 2015-2019 was approved. The budget model is a planning tool that helps council and staff to anticipate financial impacts of current decisions on future budgets. The Five-Year Capital Improvement Program has been incorporated into this Five-Year Budget Model. The City Council is not bound to any commitment of funds for any project or budget period, nor is the five-year budget a goal for future spending.

Councilmember Nichols **moved to approve the resolution.** The motion was seconded by Councilmember Keeler and carried by vote of 7 Ayes, 0 Nays, 0 Absent.

RESOLUTION NO. 09-16-2014 C - APPROVING FIVE-YEAR CAPITAL IMPROVEMENT PLAN (FY 2015-2019)

A RESOLUTION APPROVING THE CITY OF GAINESVILLE FIVE-YEAR CAPITAL IMPROVEMENT PLAN (FY 2015 – 2019).

The five-year Capital Improvements Plan (CIP) for Fiscal Years 2015 through 2019 was approved. The CIP projects future capital expenditures and serves as a planning document for budgeting and planning in future years. The plan establishes capital expenditures for the city’s five-year budget. The document does not bind the City Council to any commitment of funds for any project or any budget period.

Councilmember Snuggs **moved to approve the resolution.** The motion was seconded by Councilmember Dollar and carried by vote of 7 Ayes, 0 Nays, 0 Absent.

RESOLUTION NO. 09-16-2014 D- APPROVE AGREEMENTS WITH AGENCIES RECEIVING HOTEL/MOTEL OCCUPANCY TAX REVENUES IN FY 2014-2015 BUDGET

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH EACH OF THE AGENCIES RECEIVING HOTEL/MOTEL OCCUPANCY TAX PURSUANT TO CHAPTER 351 OF THE PROPERTY TAX CODE; APPROPRIATING CERTAIN AMOUNTS FROM SAID HOTEL/MOTEL FUND; AND AUTHORIZING PAYMENT ON THE TERMS AND CONDITIONS CONTAINED THEREIN.

Annual tourism and promotion contracts were approved for each of the agencies to receive anticipated Hotel/Motel Occupancy Tax revenues in the FY 2014-2015 Budget. The agencies are: Butterfield Stage Players, Cooke County Arts Council, Cooke County Heritage Society/Morton Museum, Cooke County Heritage Society/Santa Fe Depot Museum, and Gainesville Area Chamber of Commerce. Sullivan emphasized that these agency contracts are paid only if the City receives the occupancy tax revenues as projected.

Councilmember Hendricks **moved to approve the resolution.** The motion was seconded by Councilmember Clegg and carried by vote of 7 Ayes, 0 Nays, 0 Absent.

RESOLUTION NO. 09-16-2014 E - APPROVE ANNUAL FEE SCHEDULE FOR FISCAL YEAR 2014-2015

A RESOLUTION UPDATING AND APPROVING THE ANNUAL FEE SCHEDULE FOR CITY OF GAINESVILLE SERVICES FOR FISCAL YEAR 2014-2015 AND PROVIDING AN EFFECTIVE DATE.

The annual schedule of fees for City services for Fiscal Year 2014-2015 was approved. The adopted rates are effective October 1, 2014. There are few changes from the current year. Frank Buck Zoo Behind the Scenes Tour fee will increase from \$95 (maximum of 10 people) to \$175; some never used Civic Center fees have been removed from the schedule, e.g. Outside rate (for use of parking lots or grounds), Commercial rental of main room of the Civic Center (will now be charged at the non-commercial regular rate), and Convention use (for use of entire facility). Adult softball registration costs have been decreased, but teams must directly pay for their umpires. Water, Sewer and Solid Waste rates are unchanged. The newly adopted fee schedule will be posted on the City website www.gainesville.tx.us under the link to Fee Schedule.

Councilmember Nichols **moved to approve the resolution.** The motion was seconded by Councilmember Keeler and carried by vote of 7 Ayes, 0 Nays, 0 Absent.

RESOLUTION NO. 09-16-2014 F - AUTHORIZING THE GREATER TEXOMA UTILITY AUTHORITY TO EXECUTE CHANGE ORDER NO. 2 TO THE CONTRACT WITH HARRISON, WALKER & HARPER FOR THE GAINESVILLE WATER TREATMENT PLANT PROJECT.

A RESOLUTION AUTHORIZING THE GREATER TEXOMA UTILITY AUTHORITY TO EXECUTE CHANGE ORDER NO. 2 TO THE CONTRACT WITH HARRISON, WALKER & HARPER FOR THE GAINESVILLE WATER TREATMENT PLANT PROJECT.

Greater Texoma Utility Authority (GTUA) was authorized by the City Council to execute Change Order No. 2 to the contract with Harrison, Walker & Harper for expansion and improvements to the Moss Lake Water Treatment plant. A master agreement between the GTUA and the City of Gainesville requires approval of the change order by both parties before it becomes effective. The Change increases the contract \$122,310.22 and incorporates six Change Proposal Requests (CPR) that resolve several small issues. HDR Engineering and City Staff recommended approval of the Change Order. Sullivan reported the City has the money in the budget and the project is still under budget, including this change order.

Councilmember Dollar **moved to approve the resolution.** The motion was seconded by Councilmember Snuggs and carried by vote of 7 Ayes, 0 Nays, 0 Absent.

RESOLUTION NO. 09-16-2014 G – APPROVING GEDC EMPLOYMENT AGREEMENT WITH ARLEENE LOYD AS EXECUTIVE DIRECTOR

A RESOLUTION APPROVING ACTIONS OF THE GEDC TO EXECUTE AN EMPLOYMENT AGREEMENT WITH ARLEENE LOYD AS EXECUTIVE DIRECTOR OF THE GEDC WITH ALL COSTS TO BE PAID BY GEDC.

Action of the Board of Directors of the Gainesville Economic Development Corporation was approved in extending an employment agreement to Arlene Loyd for the position as Executive Director. Mayor reported the GEDC Board has met and gone through the interview process and has selected Ms. Loyd for the position.

Councilmember Nichols **moved to approve the resolution.** The motion was seconded by Councilmember Snuggs and carried by vote of 7 Ayes, 0 Nays, 0 Absent.

EXECUTIVE SESSION

At 7:07 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 §551.071 Attorney-client matters
- Under Government Code §551.072 Real Property

RECONVENE INTO OPEN SESSION

Council reconvened into open session at 7:53 p.m. and 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 7:53 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Jim Goldsworthy, Mayor