

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
October 7, 2014**

The City Council of the City of Gainesville, Texas met in regular session on October 7, 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; Arleene Loyd, Executive Director, GEDC

OTHERS PRESENT: Cathy Mounce, Keith King, David Hart, Brad Meeks, Chad Bayer, Lauren Bayer, Mike Todd, 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

City Manager Barry Sullivan gave the invocation. Mayor Goldsworthy led the pledge to the flag.

RECOGNITIONS

Star of North Texas

Mayor Goldsworthy read a certificate of recognition and presented Star of North Texas medallions to Brad Meeks and Greg Hart for their efforts in organizing the first “History Alive Weekend” in Gainesville, September 26-27, 2014, which featured restored vintage military vehicles, static displays, and battle re-enactment. Meeks and Hart have also created a local Military Vehicle Preservation Association (MVPA) chapter, based in Gainesville. The Star of North Texas award expresses appreciation for their efforts that complement our community and its patriotic programs.

CONSENT AGENDA

Council reviewed the Minutes of the regular City Council Meeting of September 16, 2014, and approved them as written.

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

RESOLUTION NO. 10-07-2014 – AUTHORIZE LOCAL AGREEMENT WITH COOKE COUNTY DISTRICT ATTORNEY FOR DISPOSITION OF ASSETS SEIZURES AND FORFEITURES

A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF GAINESVILLE, TEXAS TO ENTER INTO A LOCAL AGREEMENT WITH THE COOKE

COUNTY DISTRICT ATTORNEY’S OFFICE FOR DISPOSITION OF ASSET SEIZURES AND FORFEITURES.

Local agreement was approved with the Cooke County District Attorney’s Office for disposition of Gainesville Police Department (GPD) asset seizures and forfeiture items. The City Manager is authorized to execute the agreement, which provides for disposition of currency, property, guns, vehicles, and real property acquired by the GPD through seizures and forfeitures.

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. 10-07-2014 A – APPROVE PARTIAL ASSIGNMENT OF EXISTING TAX ABATEMENT WITH SES HOLDINGS, LLC TO ARC IN REINVESTMENT ZONE 15 OF THE CITY OF GAINESVILLE

A RESOLUTION APPROVING PARTIAL ASSIGNMENT OF TAX ABATEMENT PURSUANT TO AN AGREEMENT BY AND BETWEEN THE CITY OF GAINESVILLE, TEXAS, NORTH CENTRAL TEXAS COLLEGE, NORTH TEXAS MEDICAL CENTER, THE COUNTY OF COOKE, AND SES HOLDINGS, LLC/B-29 PROPERTIES, LLC, PROVIDING FOR AD VALOREM TAX ABATEMENT TO ARC GBLMESA001, LLC (“ARC”) WITHIN THE ESTABLISHED REINVESTMENT ZONE 15 OF THE CITY OF GAINESVILLE; AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS ON BEHALF OF THE CITY, FOR THE CONSIDERATION AND ON THE TERMS AND CONDITIONS STATED THEREIN; AND PROVIDING AN EFFECTIVE DATE.

The request by SES Holdings, LLC was approved for partial assignment of their existing tax abatement agreement regarding property located in Reinvestment Zone 15 in the City of Gainesville. The resolution approves SES Holding’s re-assignment of real property tax liabilities as described in the tax abatement agreement, from Mesa Real Estate Partners to ARC GBLMESA001, LLC (ARC). SES Holdings notified the City that Mesa has sold the land and buildings to ARC. With Council approval of this assignment, ARC is liable for the Real Property taxes, and SES Holdings is liable for the Personal Property taxes in Reinvestment Zone Number 15. The partial assignment agreement does not have any effect on compliance requirements related to the performance criteria sections of the original Abatement Agreement. Parties to the tax abatement agreement are City of Gainesville, North Central Texas College, North Texas Medical Center, Cooke County, and SES Holdings, LLC/B-29 Properties, LLC.

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

ORDINANCE NO. 1354-10-2014 – ESTABLISHING SPEED ZONES ON FM 1202 INSIDE THE CITY LIMITS OF GAINESVILLE, 55 MPH FROM THE WEST CITY LIMITS, MILE POST 2.182 TO MILE POST 2.426; AND 40 MPH FROM MILE POST 2.426 TO MILE POST 2.843

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, PROVIDING FOR SPEED ZONES ON FM 1202 INSIDE THE CITY LIMITS, ESTABLISHING A MAXIMUM SPEED LIMIT OF 55 MPH FROM THE WEST CITY LIMITS FROM MILE POST 2.182 TO MILE POST 2.426, AND A MAXIMUM SPEED LIMIT OF 40 MPH FROM MILE POST 2.426 TO 2.843; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.

Speed zones on FM 1202 inside the city limits of Gainesville were approved and adopted in concurrence with the recommendation of the Texas Department of Transportation (TXDOT). The ordinance establishes a speed of 55 MPH from the west City Limits at mile post 2.182 to mile post 2.426; and a speed of 40 MPH from mile post 2.426 to mile post 2.843.

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

ORDINANCE NO. 1355-10-2014 – DESIGNATING ONE-WAY ONLY TRAFFIC FLOW TO THE NORTH IN THE 300 AND 400 BLOCKS OF NORTH RED RIVER STREET

FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, TEXAS PROVIDING FOR THE DESIGNATION OF THE 300 AND 400 BLOCK OF NORTH RED RIVER STREET AS A ONE-WAY STREET WITH TRAFFIC FLOW TO THE NORTH; PROVIDING FOR THE ERECTION OF SIGNS; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR PUBLICATION; PROVIDING FOR SUSPENSION OF THE CHARTER PROVISION REQUIREMENT OF READING ON THREE SEPARATE OCCASIONS; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.

Council approved and adopted an ordinance designating one-way only vehicle traffic to the north in the 300-400 blocks of North Red River Street, to assist with traffic flow around the new location of the Cooke County Boys and Girls Club. Gainesville Police Department and City Staff believe traffic pattern will benefit the residents of the area as well the Boys & Girls Club.

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

EXECUTIVE SESSION

At 6:43 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
- Under Government Code §551.074 Personnel – City Secretary
- Under Government Code §551.087 Economic Development

RECONVENE INTO OPEN SESSION

Council reconvened into open session at 7:25 p.m. and Mayor Goldsworthy announced no action was taken during executive session.

RESOLUTION NO. 10-07-2014 B – AUTHORIZE GEDC TO ENTER CONTRACT FOR SALE OF REAL ESTATE PROPERTY AT I-35 AND CALIFORNIA STREET (FORMER WATER SHOP PROPERTY)

A RESOLUTION AUTHORIZING THE BOARD OF DIRECTORS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION TO ENTER INTO A CONTRACT FOR SALE OF REAL ESTATE PROPERTY LOCATED AT I-35 AND CALIFORNIA STREET (ALSO KNOWN AS THE OLD WATER SHOP PROPERTY).

The Board of Directors of the Gainesville Economic Development Corporation received approval to enter into a contract for sale of the former City water shop property, located at I-35 and California Street, to Rib Crib for \$900,000. The contract stipulates that Rib Crib can develop the property with up to three restaurants.

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

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 7:26 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Jim Goldsworthy, Mayor