

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
August 3, 2010**

The City Council of the City of Gainesville, Texas met in regular session on August 3, 2010 at 6:30 p.m. in accordance with the posted agenda and with the following persons in attendance:

MEMBERS PRESENT: Mayor Glenn Loch,
Council Members Carolyn Hendricks, Philip Neelley, Ray Nichols,
Vince Rippey, Beverly Snuggs

MEMBERS ABSENT: Jim Goldsworthy

STAFF PRESENT: Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Dan Parker, Finance Director; Kent Sharp, Executive Director, GEDC; Steven Fleming, Police Chief

OTHERS PRESENT: Bob Jutton, Don Yeager, Dee Blanton, Kit Chase, Lindsay Lorenz.

CALL TO ORDER

Mayor Loch called the meeting to order at 6:30 p.m. with a quorum of Council members present. He noted the absence of Councilman Goldsworthy.

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend Don Yeager, First United Methodist Church, gave the invocation. Mayor Loch led the pledge to the flag.

CONSENT AGENDA

MINUTES OF JULY 20, 2010 REGULAR COUNCIL MEETING

Council reviewed the Minutes of the City Council Meeting of July 20, 2010 and approved them as written.

RESOLUTION NO. 08-03-2010- APPOINTMENT TO GEDC BOARD OF DIRECTORS

Charles Draper was appointed as Ex Officio to the Gainesville Economic Development Board of Directors, to a two-year term that expires August 2012

Councilmember Nichols moved to **approve the items on the Consent Agenda**, and was seconded by Councilmember Snuggs. Motion carried by vote of 6 Ayes, 0 Nays, 1 Absent (Goldsworthy).

ITEMS TO BE CONSIDERED

DISCUSSION ON A PROPOSED TAX RATE FOR THE CITY OF GAINESVILLE FOR FISCAL YEAR 2010-2011

Council discussed a proposed tax rate of \$0.64700 per \$100 value, which is the same tax rate as for the current year. The City Manager said the proposed budget was developed to meet the current year tax rate, and added that if the current tax rate is adopted the City will actually

receive \$142,000 less in revenue next year. By holding the tax rate the same, the City is lowering its overall budget and tightening its belt to deal with the current economic situation.

DISCUSSION REGARDING PUBLIC HEARING DATE(S) FOR THE PROPOSED 2010 TAX RATE

Mayor announced that public hearings are not required for the proposed tax rate Council is considering, because the proposed rate does not exceed the effective tax rate (\$0.6681) or the rollback rate (\$0.7952). Sullivan added that Council can consider a tax rate up to the effective tax rate (\$0.6681) without holding public hearings prior to voting on the tax levy. Public Hearing dates were not scheduled.

RESOLUTION NO. 08-03-2010 A – APPROVING GEDC ADOPTION OF 2010-2011 GEDC BUDGET

A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF GAINESVILLE, WHICH VOTED TO ADOPT THE 2010-2011 GEDC BUDGET.

Kent Sharp reviewed the Gainesville Economic Development Corporation 2010-2011 budget adopted on July 19. The budget forecasts revenues in the amount of \$1,023,069 and expenditures and project commitments in the amount of \$653,733. The resolution is for Council approval of GEDC adoption of their budget.

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

RESOLUTION NO. 08-03-2010 B - AUTHORIZE SECTION 125 PLAN FOR CITY EMPLOYEES

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY OF GAINESVILLE, TEXAS, AN ADOPTION AGREEMENT FOR SECTION 125 PREMIUM ONLY PLAN.

Renewal of the Section 125 premium only plan for City employees was approved. The plan allows employees to have certain insurance premiums and health savings account contributions deducted from their pay on a pre-tax basis. The plan also is a savings to the City in FICA taxes.

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

ORDINANCE NO. 1254-08-2010 – PROHIBITING USE, PURCHASE, POSSESSION, AND SALE OF SYNTHETIC CANNABINOID AND SALVIA DIVINORUM SOLD UNDER SUCH NAMES AS “SPICE”, “GENIE”, “DASCENTS”, “ZOHAI”, “SAGE”, “K-2”, AND “KO-KNOCK-OUT 2”

FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES, CHAPTER 8, BY ADDING ARTICLE III, ILLEGAL SMOKING PRODUCTS, TO PROHIBIT THE USE, PURCHASE, POSSESSION, AND SALE OF THE SYNTHETIC CANNABINOID KNOWN OR SOLD UNDER SUCH NAMES AS “SPICE”, “GENIE”, “DASCENTS”, “ZOHAI”, “SAGE”, “K-2”, AND “KO-KNOCK-OUT 2” FOR PUBLIC HEALTH PURPOSES; 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.

