

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
September 17, 2019**

The City Council of the City of Gainesville, Texas met in regular session on September 17, 2019 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Jim Goldsworthy, Mayor Pro Tem Tommy Moore, Carolyn Hendricks, Ken Keeler, Keith Clegg, Mary Jo Dollar, Steve Gordon

MEMBERS ABSENT:

STAFF PRESENT: Barry Sullivan, City Manager; Belvin Harris, City Attorney; Kevin Phillips, Chief of Police; J. I. Johnson, Finance Director; Calvin Manuel, Community Development Director; Wayne Twiner, Fire Chief; Melinda Medford, Executive Secretary

OTHERS PRESENT: Delania Raney, Mike Gordon, Sarah Einselen, Stormy Williams, Dale Sissney, Ralph James, Linda Maar, Janice Hill, Carla Bullard, JoAnn Francis, Mickey Francis, Edna Slater, Marilyn Wooldridge, Michael Tubiolo, Patricia Speed, Jeff Langley, Fran Jones, Dean Smith, Tony Dresser (videographer)

CALL TO ORDER

Mayor Jim Goldsworthy called the meeting to order at 6:30 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE

Jeff Langley, First Baptist Church, gave the invocation. Mayor Jim Goldsworthy led the pledge to the flag.

RECOGNITIONS/PROCLAMATIONS

Constitution Week Proclamation

Mayor Goldsworthy read and presented a proclamation naming the week of September 17 – 23, 2019 as Constitution Week. September 17, 2019, marked the two hundred thirty-second anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention. Members of the Daughters of the American Revolution were in attendance to receive the proclamation.

National Medicare Education Week Proclamation

Mayor Goldsworthy read and presented a proclamation naming the week of September 15 – 21, 2019 as National Medicare Education Week. National Medicare Education Week is designed for citizens of Gainesville to learn more about Medicare and help to be prepared for the Medicare Annual Enrollment Period, October 15 – December 7. Patricia Speed, United Health Care, received the proclamation.

CONSENT AGENDA

Council reviewed the Minutes of the regularly scheduled City Council Meeting on September 3, 2019 and approved them as written.

RESOLUTION NO. 09-17-2019 – A RESOLUTION MAKING APPOINTMENTS TO THE BOARD OF APPEALS FOR THE CITY OF GAINESVILLE, TEXAS

CONSIDERATION OF AND ACTION ON A RESOLUTION MAKING APPOINTMENTS TO THE BOARD OF APPEALS FOR THE CITY OF GAINESVILLE, TEXAS

Council approved the appointment of Michael Clarke to the Board of Appeals. Clarke will replace Buster Bezner, who voluntarily removed himself from the board. Clarke will assume the remainder of Bezner's term, expiring October 2020.

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

ORDINANCE NO. 1463-09-2019 - ADOPTING CITY BUDGET FOR FY 2019-2020

CONSIDERATION OF AND ACTION ON THE 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, 2019 THROUGH SEPTEMBER 30, 2020 AND REVISING THE BUDGET FOR OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2019; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING; AND PROVIDING FOR RATIFICATION OF THE PROPERTY TAX INCREASE REFLECTED IN THE FISCAL YEAR 2018-2019 OPERATING BUDGET BY SEPARATE VOTE.

Council adopted the Budget for Fiscal Year 2019-2020 and revised the budget for FY 2018-2019 for the City of Gainesville. Mayor Goldsworthy explained the tedious and time-consuming process of City Manager, Staff, and City Council creating and adopting the budget and commended all on their hard work. The total Revenues for the budget are \$37,331,617 while Expenditures equal \$39,670,223. City Manager Barry Sullivan stated there are no material changes from the proposed budget.

Councilmember Keeler **moved to Suspend the Charter requirement of three readings,** seconded by Councilmember Moore, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent

Councilmember Keeler **moved to Adopt the Ordinance,** seconded by Councilmember Gordon, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

To comply with Local Government Code requiring a separate vote to ratify any increase in property tax revenue, Councilmember Keeler **made a motion to ratify the increase in property tax revenue as reflected in the FY 2019-2020 budget.** The motion was seconded by Councilmember Moore, and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

The adopted City budget document will be posted on the City of Gainesville website www.Gainesville.tx.us under Financial Transparency.

ORDINANCE NO. 1464-09-2019 - SETTING CITY AD VALOREM TAX LEVY FOR FY 2019-2020

CONSIDERATION OF AND ACTION ON THE 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, 2019 THROUGH SEPTEMBER 30, 2020; 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 \$0.696290 per \$100 valuation, with \$0.47929 for General Fund maintenance and support, and \$0.21700 for the Interest and Sinking Fund. The rate is the less than FY 2018-2019. Public hearings were held at two previous meetings; no one spoke in support or opposition.

Councilmember Moore **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Clegg, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent

Mayor Pro Tem Moore motioned, “I move that the property tax rate be increased by the adoption of a tax rate of \$0.69629 (sixty-nine point six, two, nine cents), which is effectively a 1.46 percent increase in the tax rate.” The motion was seconded by Councilmember Clegg, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION NO. 09-17-2019 A - APPROVING FIVE-YEAR CAPITAL IMPROVEMENT PLAN (FY 2020-2024)

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN (FY 2020-2024.)

Council approved the five-year Capital Improvements Plan (CIP) for Fiscal Years 2020 through 2024. The CIP projects future capital expenditures and serves as a planning document for budgeting and planning in future years. The capital improvement program (CIP) shall be used as a planning document for succeeding budget periods. The CIP shall not bind the city council to any commitment of funds for any project or any budget period.

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

RESOLUTION NO. 09-17-2019 B - APPROVING FIVE-YEAR BUDGET MODEL (FY 2020-2024) FOR CITY OF GAINESVILLE

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING FIVE-YEAR BUDGET MODEL (FY 2020-2024) FOR CITY OF GAINESVILLE

Approved the Five (5) Year Budget. The Five (5) Year Budget should be viewed as a model to help council and staff anticipate the impact of current decisions on future budgets. When Council and staff want to make changes in operations, including but not limited to personnel changes, benefit changes, capital expenditures, and debt service payments, these changes should be applied to the model in order to determine the consequence of the decision in the coming five (5) years. The Five (5) Year Budget does not bind the City Council to any commitment of funds for any project or budget period. Moreover, this budget should not be viewed as a goal for future spending.

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

RESOLUTION NO. 09-17-2019 C - APPROVE AGREEMENTS WITH AGENCIES RECEIVING HOTEL/MOTEL OCCUPANCY TAX REVENUES IN FY 2019-2020 BUDGET

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING AGREEMENTS WITH AGENCIES RECEIVING HOTEL/MOTEL OCCUPANCY TAX REVENUES IN FY 2019-2020 BUDGET

Council approved annual tourism and promotion contracts for each of the agencies to receive anticipated Hotel/Motel Occupancy Tax revenues in the FY 2019-2020 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.

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

RESOLUTION NO. 09-17-2019 D - APPROVE ANNUAL FEE SCHEDULE FOR FISCAL YEAR 2019-2020

CONSIDERATION OF AND ACTION ON A RESOLUTION TO APPROVE THE ANNUAL FEE SCHEDULE FOR FISCAL YEAR 2019-2020

Council approved the annual schedule of fees for City services for Fiscal Year 2019-2020. The adopted rates are effective October 1, 2019. Airport hangar fees are increasing by \$5 per month. Cemetery fees are increasing between \$15 to \$50 for services. Solid Waste fees are increasing by 3%. Water fees are increasing by 2% (no change for sewer). Drainage fees are increasing by 3%.

Councilmember Keith Clegg recommended increasing the Noah's Ark Fee from \$1.00 to \$2.00 to accommodate Noah's Ark with the increase in animal intake they have had in recent years.

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

The newly adopted fee schedule will be posted on the City website www.gainesville.tx.us under the link to Fee Schedule.

RESOLUTION NO. 09-17-2019 E - RESOLUTION APPROVING THE FORM OF RESOLUTION AUTHORIZING THE ISSUANCE OF TEXOMA AREA SOLID WASTE AUTHORITY REGIONAL SOLID WASTE DISPOSAL CONTRACT REVENUE REFUNDING BONDS, SERIES 2019; ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF THE BONDS; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT

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Council approved the TASWA solid waste disposal contract refunding bonds. The Mayor commended TASWA for running efficiently. Refinancing the bonds will save \$872,000. City Manager Barry Sullivan noted that with the current trending of the bond market now is the time to refinance.

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

RESOLUTION NO. 09-17-2019 F - RESOLUTION DECLARING CERTAIN ITEMS OF FIRE DEPARTMENT EQUIPMENT PRESENTLY IN THE POSSESSION OF THE CITY OF GAINESVILLE TO BE SURPLUS AND AUTHORIZING THE CITY MANAGER TO SELL THE SURPLUS EQUIPMENT TO GORDONVILLE VOLUNTEER FIRE DEPARTMENT IN THE AMOUNT OF \$5000.00

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Council approved the sale of 10 (ten) MSA M7 SCBA, that are currently no longer being used by the department, to Gordonville Volunteer Fire Department for the amount of \$5000.00. Fire Chief Wayne Twiner said a Lean Project proved it is cheaper to buy new fire masks than it would be to refurbish what they have. Twiner noted that both Gainesville Fire Department and Gordonville VFD will benefit from this sale.

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

EXECUTIVE SESSION

At 6:46 p.m. Mayor Jim 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 §551.072 Real Property
- Under Government Code §551.087 Economic Development

RECONVENE INTO OPEN SESSION

Council reconvened into open session at 7:31 p.m. and Mayor Jim Goldsworthy announced no action was taken during executive session.

RESOLUTION NO. 09-17-2019 G - AUTHORIZING THE CITY MANAGER FOR AND ON BEHALF OF THE CITY OF GAINESVILLE, TO EXECUTE AN AGREEMENT WITH EIKON CONSULTING GROUP, LLC FOR CONSULTING SERVICES FOR UPGRADING AND REBUILDING THE TRANSFER STATION AT 601 I-35, GAINESVILLE, TEXAS

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE CITY MANAGER FOR AND ON BEHALF OF THE CITY OF GAINESVILLE, TO EXECUTE AN AGREEMENT WITH EIKON CONSULTING GROUP, LLC FOR CONSULTING SERVICES FOR UPGRADING AND REBUILDING THE TRANSFER STATION AT 601 I-35, GAINESVILLE, TEXAS

Council approved a contract with Eikon to provide professional engineering and architectural services for designing the solid waste transfer station at 601 I-35. Eikon was originally awarded the RFQ on April 17, 2018. The most cost effective place for the transfer station is the current location. Eikon will design the facility then apply for permits thru TCEQ. Once permits are approved, the City will be able to build the facility.

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

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 7:34 p.m.
Respectfully submitted,

Melinda Medford, Executive Secretary

Jim Goldsworthy, Mayor