

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
May 4, 2021**

The City Council of the City of Gainesville, Texas met in regular session on May 4, 2021 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, Brandon Eberhart, Michael Hill, Mary Jo Dollar.

MEMBERS ABSENT: None

STAFF PRESENT: Barry Sullivan, City Manager; Belvin Harris, City Attorney; Diana Alcala, City Secretary; J.I. Johnson, Finance Director; Kevin Phillips, Police Chief; Morgan Tobias, Chamber Director; David Vinton, Airport Director; Audrey Schroyer, GEDC Executive Director; Christopher Cypert, Municipal Judge.

OTHERS PRESENT: Mike Gordon, Paula Moore, Michael Williams, Aubrey Eberhart, Kelly Cain, Connor Tobias, Frank Lorne, Delania Raney, Tony Dresser (videographer).

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Michael Williams gave the invocation. Mayor Jim Goldsworthy led the pledge to the flag.

RESOLUTION 05-04-2021 - A RESOLUTION AND ORDER CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL AND SPECIAL ELECTION HELD MAY 1, 2021.

A RESOLUTION AND ORDER CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL AND SPECIAL ELECTION HELD MAY 1, 2021.

This Resolution canvasses the results from the May 1, 2021 General and Special Election and declares Tommy Moore as the new Mayor, Brandon Eberhart as Councilmember for Ward 2, and approves the abandonment of Sesquicentennial Park. A total of 470 votes were cast for Tommy Moore and 90 votes were cast for Angela Williams. 14 votes were cast for Justin Thompson and 62 votes were cast for Brandon Eberhart in Ward 2. The question authorizing the City to abandon Sesquicentennial Park for the purpose of building a fire station had 401 votes for the approval and 143 votes against the authorization. The canvassed results include a provisional ballot that was cast on Election Day, adding one vote to Tommy Moore and one vote to approve the Sesquicentennial Park abandonment from the unofficial results posted on Election Day.

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.

OATH OF OFFICE TO NEWLY ELECTED OFFICIALS

Municipal Judge Christopher Cypert administered the Oath of Office to newly elected City officials: Tommy Moore, Mayor; Carolyn Hendricks, Ward 1; Brandon Eberhart, Ward 2; and Ken Keeler, Ward 4. Tommy Moore presented Jim Goldsworthy with a plaque and thanked him for his years of service to the City.

Tommy Moore being elected Mayor now leaves 6 people on Council and will reflect in the following actions:

ELECTION OF MAYOR PRO TEM

Councilmember Ken Keeler was nominated and elected by Councilmembers to serve as Mayor Pro Tem for the next Council year, May 2021 to May 2022.

Councilmember Eberhart nominated Ken Keeler for Mayor Pro Tem, and Councilmember Dollar seconded the nomination. Nominations ceased and Mayor Pro Tem was elected by vote of 6 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

CITIZEN COMMENTS

Fred Eichenberger came forward to speak in opposition of allowing wireless fencing in city limits.

CONSENT AGENDA

Council reviewed the Minutes of the City Council Meeting on April 20, 2021 and approved them as written.

RESOLUTION 05-04-2021A - A RESOLUTION OF THE CITY OF GAINESVILLE, TX, AUTHORIZING THE MAYOR OF THE CITY OF GAINESVILLE TO EXECUTE A GROUND LEASE AGREEMENT WITH KOELBL AVIATION, LLC. FOR A PRIVATE HANGAR AT THE GAINESVILLE MUNICIPAL AIRPORT.

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

Approved a Resolution authorizing the Mayor to execute a ground lease agreement with Koelbl Aviation, LLC. for a private hangar at the Gainesville Municipal Airport. The term of the ground lease will be for a primary thirty (30) year term with two potential five (5) year extensions if agreed upon by both parties. The lease rate will be twenty (20) cents per square foot per year with CPI adjustments every five (5) years.

RESOLUTION 05-04-2021B - A RESOLUTION OF THE CITY COUNCIL APPROVING THE SALE OF ALCOHOL AT THE GAINESVILLE FARMER'S MARKET DURING SUMMER SOUNDS CONCERT SERIES.

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Approved a Resolution authorizing the sale of alcohol at the Gainesville Farmer's Market during the Summer Sounds Concert Series, expected to be held on May 28, June 25, and July 30, 2021. If any concert is required to be rescheduled, this Resolution approves the change of date for Alcohol sales as long as the updated Public Assembly Application is approved by the City.

Councilmember Keeler **moved to approve the Consent Agenda.** The motion was seconded by Councilmember Eberhart and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION 05-04-2021C - A RESOLUTION OF THE CITY OF GAINESVILLE, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH OCSC; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

A RESOLUTION OF THE CITY OF GAINESVILLE, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED.

Approved a resolution denying Oncor's application for a rate increase.

Councilmember Dollar **moved to approve the Resolution.** The motion was seconded by Councilmember Hill and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION 05-04-2021D - A RESOLUTION ADOPTING A PUBLIC IMPROVEMENT DISTRICT POLICY FOR THE CITY OF GAINESVILLE, TEXAS.

This resolution approves a policy and guidelines for Public Improvement Districts (PIDs) in Gainesville. This policy outlines such things as petition requirement, information to property owners, and determination of annual service and assessment plans and budget. It addresses City administration issues, which are in addition to requirements of state law (Chapter 372 of the Local Government Code). Further, the City reserves the right to consider PID applications on a case-by-case basis.

Councilmember Keeler **moved to approve the Resolution.** The motion was seconded by Councilmember Hill and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION 05-04-2021E - A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH P3 WORKS FOR THE CREATION AND MANAGEMENT OF PUBLIC IMPROVEMENT DISTRICTS.

This resolution authorizes the City Manager to sign a contract with P3 Works. This company specializes in creating and managing special districts for cities, counties, and management districts. Mary Petty will be our main contact with P3 Works.

Councilmember Dollar **moved to approve the Resolution.** The motion was seconded by Councilmember Hendricks and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

EXECUTIVE SESSION

At 6:56 p.m. Mayor Moore 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 §551.087 Economic Development

RECONVENE INTO OPEN SESSION

Council reconvened into open session at 7:36 p.m. and Mayor Moore announced no action was taken during executive session.

With no further business to come before the City Council, the meeting was adjourned at 7:36 p.m.
Respectfully submitted,



Diana Alcala, City Secretary



Tommy Moore, Mayor

