

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
February 15, 2022**

The City Council of the City of Gainesville, Texas met in regular session February 15, 2022 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Tommy Moore, Mayor Pro Tem Ken Keeler, Brandon Eberhart, Michael Hill, Mary Jo Dollar, Carolyn Hendricks, Martin Phillips.

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; Polly Boone, Solid Waste Director.

OTHERS PRESENT: Delania Raney, Anna Beall, Aubrey Eberhart, Nancy Brannon, Paula Moore, Dustin Stiffler, Tony Dresser (Videographer).

CALL TO ORDER

Mayor Tommy Moore called the meeting to order at 6:30 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Tommy Moore gave the invocation and led the pledge to the flag.

CONSENT AGENDA

Council reviewed the Minutes of the City Council Meeting on February 1, 2022 and approved them as written.

PROCLAMATIONS

Mayor Tommy Moore presented the Mattie Bell Stanford and Stanford House Month Proclamation to Nancy Brannon, Director of the Stanford House.

REPORTS

Police Chief Kevin Phillips presented the annual Racial Profiling Report to Council.

RESOLUTION 02-15-2022 – A RESOLUTION OF THE CITY COUNCIL APPROVING THE SALE OF ALCOHOL AT THE GAINESVILLE FARMER’S MARKET DURING SUMMER SOUNDS CONCERT SERIES.

This Resolution allows the sale of alcohol at the Farmer’s Market during the Summer Sounds Concert Series expected to be held on May 27, June 24, and July 29, 2022.

RESOLUTION 02-15-2022A – A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF

GAINESVILLE WHICH APPROVED EXTENSION OF THE EMPLOYMENT CONTRACT BETWEEN THE GEDC AND THE GEDC EXECUTIVE DIRECTOR.

This Resolution extends the employment contract between the Gainesville Economic Development Corporation and the GEDC Executive Director, Audrey Schroyer.

RESOLUTION 02-15-2022B – A RESOLUTION OF THE CITY OF GAINESVILLE, TEXAS AUTHORIZING THE CITY MANAGER TO SIGN THE ENDO/PAR TEXAS STATE-WIDE OPIOID SETTLEMENT AGREEMENT AND SETTLEMENT TERM SHEET.

This Resolution authorizes the City Manager to sign the Endo/Par Texas State-wide Opioid Settlement Agreement and Settlement Term Sheet. This agreement sets forth the principal terms and conditions of a settlement agreement between and among the State of Texas, all Texas Participating Subdivisions, and Endo/Par to resolve opioid-related claims against Endo/Par.

Councilmember Hill **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.

PUBLIC HEARING ON A RESOLUTION GRANTING A FRANCHISE TO RECYCLOPS, ITS SUCCESSORS AND ASSIGNS, TO MAINTAIN AND OPERATE A NON-EXCLUSIVE PRIVATE HAULER CURBSIDE RECYCLING SERVICE; PRESCRIBING CONDITIONS FOR THE OCCUPANCY OF THE PUBLIC RIGHTS-OF-WAY BY GRANTEE; REQUIRING INSURANCE AND INDEMNIFICATION OF CITY BY GRANTEE; PROVIDING FOR PAYMENT OF A FRANCHISE FEE BY GRANTEE TO CITY; PRESCRIBING RECORD-KEEPING AND ACCOUNTING REQUIREMENTS; PROVIDING FOR A TERM OF THE FRANCHISE GRANTED HEREIN; AND PROVIDING FOR OTHER RELATED MATTERS.

Mayor Tommy Moore opened the public hearing at 6:39 p.m. and called for public comment on the Ordinance.

No one came forward to speak on the Agenda Item.

Councilmember Keeler **moved to close the public hearing,** seconded by Councilmember Eberhart, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

The public hearing was closed at 6:41 p.m.

A RESOLUTION GRANTING A FRANCHISE TO RECYCLOPS, ITS SUCCESSORS AND ASSIGNS, TO MAINTAIN AND OPERATE A NON-EXCLUSIVE PRIVATE HAULER CURBSIDE RECYCLING SERVICE; PRESCRIBING CONDITIONS FOR THE OCCUPANCY OF THE PUBLIC RIGHTS-OF-WAY BY GRANTEE; REQUIRING INSURANCE AND INDEMNIFICATION OF CITY BY GRANTEE; PROVIDING FOR PAYMENT OF A FRANCHISE FEE BY GRANTEE TO CITY; PRESCRIBING RECORD-KEEPING AND ACCOUNTING REQUIREMENTS; PROVIDING FOR A TERM OF THE FRANCHISE GRANTED HEREIN; AND PROVIDING FOR OTHER RELATED MATTERS.

Tabled a Resolution to approve a Franchise for Recyclops to provide curbside recycling in Gainesville. This item will be considered for a vote at a later City Council Meeting.

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

RESOLUTION 02-15-2022C – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO SIGN AN AGREEMENT WITH AUI TO BEGIN PHASE II OF THE GAINESVILLE TRANSFER STATION.

This Resolution authorizes the City Manager to sign an agreement with AUI to do a Builder-at-Risk Contract for Phase II of the Gainesville Transfer Station. AUI will work with engineers to develop cost savings on the final construction plans. The company will then go through the bid process for subcontractors at that time. The City and AUI will have to agree on the final price for construction at that time.

Councilmember Hill **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 02-15-2022D – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, APPROVING A BID FROM J&L CONSTRUCTION FOR THE INSTALLATION OF WATER AND SEWER INFRASTRUCTURE.

This Resolution approves a bid from J&L Construction for \$430,166. The contract includes abandoning the Cole Lift Station, while adding 664 feet of 10 inch to 12 inch sewer pipe. The job also calls for replacing around 300 feet of 6 inch of sewer pipe on Cherry Street. The final project in this contract is the installation of a water valve on Hillcrest. The work will be completed within 95 days of the start of construction. The sewer improvements will decrease the City's issues with inflow and infiltration, while the water valve replacement will improve fire flow.

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

PUBLIC HEARING ON AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY OF GAINESVILLE, TEXAS, TO CREATE A HEIGHT OVERLAY ZONE ON PLUS OR MINUS 147 ACRES, LEGALLY DESCRIBED AS GATEWAY INDUSTRIAL PARK ADDITION; TO PERMIT BUILDING HEIGHTS OF EIGHTY FEET AND BUIDINGS TALLER THAN EIGHTY FEET ONLY WITH PRIOR CITY COUNCIL APPROVAL; PROVIDING FOR AMENDEMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF GAINESVILLE, TEXAS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A SEVERABILITY CLAUSE; AND MAKING AN OPEN MEETING FINDING.

Mayor Tommy Moore opened the public hearing at 6:59 p.m. and called for public comment on the Ordinance.

No one came forward to speak on the Agenda Item.

Councilmember Hendricks **moved to close the public hearing**, seconded by Councilmember Keeler, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

The public hearing was closed at 7:00 p.m.

ORDINANCE 1508-02-2022 – AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY OF GAINESVILLE, TEXAS, TO CREATE A HEIGHT OVERLAY ZONE ON PLUS OR MINUS 147 ACRES, LEGALLY DESCRIBED AS GATEWAY INDUSTRIAL PARK ADDITION; TO PERMIT BUILDING HEIGHTS OF EIGHTY FEET AND BUIDINGS TALLER THAN EIGHTY FEET ONLY WITH PRIOR CITY COUNCIL APPROVAL; PROVIDING FOR AMENDEMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF GAINESVILLE, TEXAS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR A SEVERABILITY CLAUSE; AND MAKING AN OPEN MEETING FINDING.

This Ordinance approved the proposed zoning district overlay that will encompass the Gateway Industrial Park Addition (plus or minus 147 acres) with an underlying Industrial (I) zone. The height overlay district will allow building heights up to eighty (80) feet and appurtenances (silos, vents, etc.) up to one hundred fifty (150) feet in height. On a case by case basis, City Council may approve building heights greater than eighty (80) feet and appurtenances greater than one hundred fifty (150) feet in height. In no case, may a building or appurtenance interfere with air traffic at the airport.

Councilmember Hill **moved to suspend the Charter.** The motion was seconded by Councilmember Dollar and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

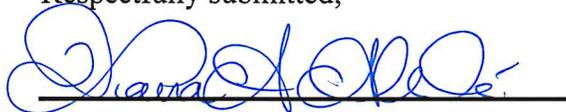
Councilmember Keeler **moved to approve the Ordinance.** The motion was seconded by Councilmember Eberhart and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION 02-15-2022E – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, APPROVING THE PURCHASE OF METRONFARNIER WATER METERS.

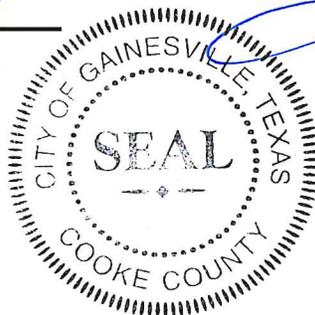
This Resolution approves the purchase of 700 MetronFarnier Water Meters at a cost of \$245,270. The meters have allowed customers to see detailed water consumption reports and allowed the City to reduce the number of meter readers.

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

With no further business to come before the City Council, the meeting was adjourned at 7:08 p.m.
Respectfully submitted,



Diana Alcalá, City Secretary



Tommy Moore, Mayor