

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

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

MEMBERS PRESENT: Mayor Pro Tem Ken Keeler, Brandon Eberhart, Mary Jo Dollar, Carolyn Hendricks.

MEMBERS ABSENT: Mayor Tommy Moore, Michael Hill, and Martin Phillips.

STAFF PRESENT: Barry Sullivan, City Manager; Belvin Harris, City Attorney; Diana Alcala, City Secretary; JI Johnson, Finance Director; Kevin Phillips, Police Chief; Ron Sellman, Public Works Director; Wayne Twiner, Fire Chief; and David Vinton, Airport Manager .

OTHERS PRESENT: Aubrey Eberhart, Mike Gordon, Dennis Wise, Anna Beall, Delania Raney, Judy Smith, and Tony Dresser (Videographer).

CALL TO ORDER

Mayor Pro Tem, Ken Keeler called the meeting to order at 6:30 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE

Darrel McIntyre gave the invocation, Mayor Pro Tem Ken Keeler led the pledge to the flag.

RECOGNITIONS/PROCLAMATIONS

Gainesville Municipal Airport, 2022 General Aviation Airport of the Year Award video presentation.

REPORTS

City Manager, Barry Sullivan discussed the Semi Annual Report on Capital Improvements Plan and Implementation of Impact Fees in the City of Gainesville.

CONSENT AGENDA

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

Councilmember Dollar **moved to approve the Consent Agenda.** The motion was seconded by Councilmember Eberhart and carried by vote of 4 Ayes, 0 Nays, 0 Abstentions, 3 Absent.

RESOLUTION 03-15-2022 – A RESOLUTION ESTABLISHING THE POLICIES AND PROCEDURES FOR GRANTING CHAPTER 380 ECONOMIC DEVELOPMENT.

Resolution establishes the policies and procedures for granting Chapter 380 economic development incentives in the City of Gainesville.

Councilmember Eberhart **moved to approve the Resolution.** The motion was seconded by Councilmember Hendricks and carried by vote of 4 Ayes, 0 Nays, 0 Abstentions, 3 Absent.

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 approving a franchise for Recyclops to provide curbside recycling in Gainesville. This resolution meets the requirements of Section 16 of Gainesville's Code of Ordinances. This section requires Private Solid Waste Haulers, which includes recyclable refuse (Sec. 16-1 and Sec. 16-6), to get a permit and franchise to operate in Gainesville. The permit is required to be turned in with a \$1,000 payment, which Recyclops has provided the City. The ordinance also requires that the private hauler pay a franchise fee (Sec. 16-6.3). The private waste hauler is also required to provide insurance on all equipment used in the collection and disposal in the amount of \$250,000 per person and \$500,000 per occurrence for personal injuries, and \$100,000 for damage to property (Sec. 16-6(c)6). The hauler must name the City as an additionally insured. The hauler is also required to indemnify the City (Sec. 16-6.3(b)).

Councilmember Hendricks **moved to table the Resolution.** The motion was seconded by Councilmember Dollar and carried by vote of 4 Ayes, 0 Nays, 0 Abstentions, 3 Absent.

RESOLUTION 03-15-2022A – A RESOLUTION ACCEPTING THE AUDIT, FINANCIAL STATEMENT AND OPINION FOR FISCAL YEAR ENDING SEPTEMBER 30, 2021, AS PREPARED BY SCHALK & SMITH, CERTIFIED PUBLIC ACCOUNTANTS, AND AUTHORIZING THE CITY SECRETARY TO FILE THE AUDIT IN ACCORDANCE WITH THE PROVISIONS OF LOCAL GOVERNMENT CODE SUBTITLE A CHAPTER 103.

A representative, Judy Smith, from Schalk & Smith presented the 2021 audit.

Councilmember Dollar **moved to approve the Resolution.** The motion was seconded by Councilmember Eberhart and carried by vote of 4 Ayes, 0 Nays, 0 Abstentions, 3 Absent.

DISCUSSION ON THE PURCHASE OF A FIRE ENGINE

The 5 year CIP includes the purchase of a fire engine in FY2023. At this time, it will take 20 months to get the engine. Moreover, costs have increased \$40,000 since the CIP was completed. The truck company has reported that the prices will go up another 7% in May. Reducing certain features/attachments to the engine can reduce the price down to \$687,000. The City can afford to pay cash for the new fire engine with a performance bond vs. paying more with a lease.

EXECUTIVE SESSION

At 7:23 p.m. Mayor Pro Tem Ken Keeler 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 §551.087 Economic Development

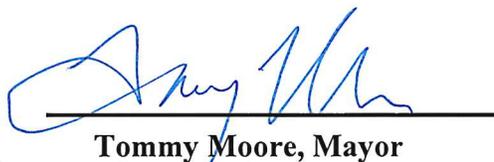
RECONVENE INTO OPEN SESSION

Council reconvened into open session at 7:44 p.m. and Mayor Pro Tem Ken Keeler announced no action was taken during executive session.

With no further business to come before the City Council, the meeting was adjourned at 7:45 p.m.
Respectfully submitted,



Diana Alcala, City Secretary



Tommy Moore, Mayor

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