

MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
August 21, 2018

The City Council of the City of Gainesville, Texas met in regular session on August 21, 2018 at 6:30 p.m. with the following persons in attendance.

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

STAFF PRESENT: Barry Sullivan, City Manager; Bill Harris, City Attorney; Caitlyn Huddleston, City Secretary; Kevin Phillips, Chief of Police; J. I. Johnson, Finance Director; Arleene Loyd, Gainesville Economic Development Corporation Executive Director; Julie Smith, Community Development Director; Dusty Luton, Fairview Cemetery Sexton; Wayne Twiner, Fire Chief

OTHERS PRESENT: Mike Gordon, Delania Raney, Dean Smith, Doug Smithson, Tom Reynolds, Stephanie Davidson, Megan Gray-Hatfield, Tony Dresser (Videographer)

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

City Manager Barry Sullivan gave the invocation. Mayor Jim Goldsworthy led the pledge to the flag.

CONSENT AGENDA

Council reviewed the Minutes of the regularly scheduled City Council Meeting of August 7, 2018 and the workshop City Council Meeting of August 7, 2018 and approved them as written.

RESOLUTION 08-21-2018 – APPOINTING KEN KEELER TO TEXOMA COUNCIL OF GOVERNMENTS GOVERNING BODY.

CONSIDERATION OF AND ACTION ON A RESOLUTION APPOINTING KEN KEELER TO TEXOMA COUNCIL OF GOVERNMENTS GOVERNING BODY.

Council appointed Councilman Ken Keeler to the Texoma Council of Governments Governing Body. The term runs with the incumbency of the elected official.

RESOLUTION 08-21-2018 A – APPOINTING KEN KEELER TO MEALS ON WHEELS OF TEXOMA BOARD.

CONSIDERATION OF AND ACTION ON A RESOLUTION APPOINTING KEN KEELER TO MEALS ON WHEELS OF TEXOMA BOARD OF DIRECTORS.

Council appointed Councilman Ken Keeler to the Meals on Wheels of Texoma Board of Directors. The term runs with the incumbency of the elected official.

Councilmember Clegg **moved to approve the consent agenda**, seconded by Councilmember Gordon, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

CONSIDERATION OF AND ACTION ON SETTING REVISED PUBLIC HEARING DATE(S) FOR THE PROPOSED 2018 TAX RATE.

CONSIDERATION OF AND ACTION ON SETTING REVISED PUBLIC HEARING DATE(S) FOR THE PROPOSED 2018 TAX RATE.

Council scheduled revised dates for two public hearings on the proposed 2018 tax rate, to be held on August 28 and September 4, 2018 at Gainesville City Hall, 200 South Rusk Street at 6:30 p.m. Publication of the original hearing dates was not made in the Gainesville Daily Register in time to conduct the first hearing on August 21st.

Cooke County Appraisal District Chief Appraiser Doug Smithson apologized for mistakenly not including the publication as an attachment in his request sent to the Gainesville Daily Register.

Councilmember Keeler **made a motion to schedule public hearings on the proposed tax rate for August 28 and September 4, 2018, to be held at Gainesville City Hall, 200 South Rusk at 6:30 p.m.** The motion was seconded by Councilmember Moore, and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION 08-21-2018 B – APPROVING THE PROPOSED COOKE COUNTY APPRAISAL DISTRICT 2018-2019 BUDGET.

CONSIDERATION OF AND ACTION ON A RESOLUTIN APPROVING OR DENYING THE PROPOSED COOKE COUNTY APPRAISAL DISTRICT 2018-2019 BUDGET.

Council approved the Cooke County Appraisal District budget for 2018-2019 for assessment and collection of ad valorem taxes. City Manager Barry Sullivan advised the City had funds budgeted to pay their portion, a combined total of \$173,548.54 for appraisals and collections. Cooke County Appraisal District Chief Appraiser Doug Smithson was present to discuss expected property values over the next few years, potential legislation changes, and staff changes at the appraisal district offices.

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

RESOLUTION 08-21-2018 C – AUTHORIZING CHANGE ORDERS NO. 6 AND NO. 7 TO THE CONTRACT WITH SCHMOLDT CONSTRUCTION FOR THE FARMERS MARKET IMPROVEMENTS PROJECT.

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING CHANGE ORDERS NO. 6 AND NO. 7 TO THE CONTRACT WITH SCHMOLDT CONSTRUCTION FOR THE FARMERS MARKET IMPROVEMENTS PROJECT.

Council approved replacing a sanitary sewer main and adding valves to the water lines in the area of the Farmers Market. Funding will be included in the FY 2019 Water and Sewer Fund budget, with no impact to rates.

Staff reviewed the pros and cons of making the changes now with the engineer and contractor and it was determined this is the most cost-effective time to complete the water and sewer infrastructure improvements.

Councilmember Clegg **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 08-21-2018 D – AUTHORIZING THE PURCHASE OF AN EXCAVATOR FOR FAIRVIEW CEMETERY.

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE PURCHASE OF AN EXCAVATOR FOR FAIRVIEW CEMETERY.

Council voted to authorize the purchase of an excavator for Fairview Cemetery. The current excavator is eleven years old, has had major repairs this year and is currently out of service. The cost for repairs is \$9,000.00. The new excavator will come with a 1 year, unlimited hours warranty. The old unit will be traded in for a value of \$11,800, bringing the final purchase price of the new machine to \$47,850.00. Funds are available in the revised FY 2018 budget.

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

RESOLUTION 08-21-2018 E – ADOPTING THE COOKE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN.

CONSIDERATION OF AND ACTION ON A RESOLUTION ADOPTING THE COOKE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN.

Council approved the adoption of the Cooke County Multi-Jurisdictional Hazard Mitigation Plan, focused on the county, incorporated jurisdictions, public education systems, and unincorporated areas. Local governments are required to have a FEMA-approved local hazard mitigation plan in order to be eligible to receive federal funding through FEMA’s Hazard Mitigation Grant Program.

Councilmember Moore **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 08-21-2018 F – AUTHORIZING THE FIRE CHIEF TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF DENISON, TEXAS FOR THE UTILIZATION OF DONATED DIVE EQUIPMENT FOR WATER RESCUE CAPABILITIES.

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE FIRE CHIEF TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF DENISON, TEXAS FOR THE UTILIZATION OF DONATED DIVE EQUIPMENT FOR WATER RESCUE CAPABILITIES. AUTHORIZING THE FIRE CHIEF TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF DENISON, TEXAS FOR THE UTILIZATION OF DONATED DIVE EQUIPMENT FOR WATER RESCUE CAPABILITIES.

Council approved Chief Wayne Twiner entering into a Memorandum of Understanding with Denison Police Department for donated dive equipment in exchange for incident response involving rescue or recovery in the City of Gainesville. Currently, Gainesville Fire Rescue trained personnel are in Administration and interest with operation personnel is declining. Costs due to maintenance and training requirements continue to rise at an unsustainable rate.

City Manager Barry Sullivan clarified that Gainesville Fire Rescue will maintain its Swiftwater Rescue Team, which actually rescues people from moving water. The Dive Team’s general purpose is to recover bodies and evidence, but does not normally make rescues.

Councilmember Keeler **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.

PUBLIC HEARING ON THE REZONING OF PARCELS #145578 AND #27071 FROM AGRICULTURE TO INDUSTRIAL.

CONSIDERATION OF AND ACTION ON THE FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY OF GAINESVILLE, TEXAS, TO REZONE FROM AGRICULTURE (A) TO INDUSTRIAL (I) THE 29.216 ACRES ALONG AND EAST OF THE RAILROAD AND NORTH OF LOADMASTER CIRCLE INVOLVING PARCELS #145578 AND #27071; PROVIDING FOR AN AMENDMENT OF THE OFFICIAL

ZONING MAP OF THE CITY OF GAINESVILLE; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING. Mayor Goldsworthy opened the public hearing at 6:44 p.m. regarding rezoning.

No one came forward to speak in support or opposition of the plan. With no further comments, Councilmember Hendricks **moved to close the public hearing at 6:44 p.m.**, seconded by Councilmember Moore, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

ORDINANCE 1435-08-2018 – REZONING FROM AGRICULTURE (A) TO INDUSTRIAL (I) THE 29.216 ACRES ALONG AND EAST OF THE RAILROAD AND NORTH OF LOADMASTER CIRCLE INVOLVING PARCELS #145578 AND #27071; PROVIDING FOR AN AMENDMENT TO THE OFFICIAL ZONING MAP OF THE CITY OF GAINESVILLE.

CONSIDERATION OF AND ACTION ON THE FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY OF GAINESVILLE, TEXAS, TO REZONE FROM AGRICULTURE (A) TO INDUSTRIAL (I) THE 29.216 ACRES ALONG AND EAST OF THE RAILROAD AND NORTH OF LOADMASTER CIRCLE INVOLVING PARCELS #145578 AND #27071; PROVIDING FOR AN AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF GAINESVILLE; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING. Council rezoned the area to the north of Building Materials Corporation of America (BMCA, commonly known as GAF), per the request of BMCA and the Gainesville Economic Development Corporation (GEDC), from Agriculture (A) to Industrial (I). The area currently occupied by BMCA is also zoned I. Council previously approved the GEDC’s action to sell 9.216 acres to BMCA for expansion of the GAF plant. City Manager Barry Sullivan explained the area is adjacent to the Gateway Industrial Park.

The Planning and Zoning Commission met on August 14, 2018 to consider the rezoning and unanimously recommended Council approve the rezoning.

Councilmember Clegg **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Gordon, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

Councilmember Clegg **moved to Adopt the Ordinance**, seconded by Councilmember Gordon, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

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 §551.071 Attorney Privilege
- Under Government Code §551.072 Real Property

RECONVENE INTO OPEN SESSION

Council reconvened into open session at 7:03 p.m. and Mayor Jim Goldsworthy announced no action was taken during executive session.

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 7:03 p.m.

Respectfully submitted,

Caitlyn Huddleston, City Secretary

Jim Goldsworthy, Mayor