

**JACKSONVILLE CITY COUNCIL MEETING  
TUESDAY, JULY 13, 2021  
JACKSONVILLE CITY HALL COUNCIL CHAMBERS  
6:00 PM**

**PRESENT:**

Mayor Randy Gorham, Mayor Pro-tem Rob Gowin, Councilman Hubert Robinson, Councilman Tim McRae, Councilwoman Mindy Gellock, City Manager Greg Smith

**CALL TO ORDER:**

Mayor Randy Gorham 6:00 PM

**INVOCATION**

John Atkinson of The People's Church

**PLEDGE OF ALLEGIANCE US & TEXAS  
FLAGS**

Mayor Randy Gorham led everyone in the pledges to United States Flag and the Texas Flag.

**SPECIAL PRESENTATIONS**

JEDCO President, Mr. James Hubbard presented DeLeigh Haley of UT Health with the employer of the month plaque.

**CITIZEN PARTICIPATION**

Mr. Jack Sheridan came forward requesting to place a "tube" to collect retired American flags for proper flag retirement ceremonies at memorial park and hold the retirement ceremonies there.

Ms. Sherry Brown came forward to ask that something be done about the trash trucks leaking fluid on the street.

Ms. Regina Brown came forward to follow up on her request to place a cabin on her property.

**HEAR AND RECEIVE INPUT ON  
MODIFICATIONS TO THE ZONING  
ORDINANCE REGARDING SIGN  
REGULATIONS**

Mayor Randy Gorham opened the hearing at 6:10 PM. No one came forward. Mayor Gorham closed the hearing at 6:10 PM.

**DISCUSS AND CONSIDER WITH POSSIBLE  
ACTION AN ORDINANCE MODIFYING THE  
ZONING ORDINANCE REGARDING SIGN  
REGULATIONS**

City Manager Greg Smith said this ordinance is a result of a several month project, numerous meetings and working with consultant Mark Priestner. Councilwoman Mindy Gellock asked if this could be reviewed in 6 months to see how it is working. City Manager Greg Smith stated yes, but since there is going to be a 60-to-90-day grace period to bring everyone into compliance, he would suggest reviewing it in 9 to 12 months. Councilman Tim McRae made a motion to approve the ordinance modifying the sign ordinance. Second by Councilman Hubert Robinson. All voted "Aye"

**HEAR AND RECEIVE INPUT ON A REQUEST  
FOR A SPECIAL USE PERMIT TO HAVE  
RESIDENCE IN A COMMERCIAL BUILDING  
- 569 N. RAGSDALE**

Mayor Randy Gorham opened the hearing at 6:14 PM. Ms. Wesley Cannon, the applicant, came forward to speak in favor of granting the SUP. Mayor Gorham closed the hearing at 6:14 PM.

**DISCUSS AND CONSIDER WITH POSSIBLE  
ACTION AN ORDINANCE ALLOWING FOR  
SPECIAL USE PERMIT -RESIDENCE IN  
COMMERCIAL ZONE - 569 N. RAGSDALE**

City Manager Greg Smith stated in April the applicant requested that this be tabled until the zoning study was complete. The applicant has now requested a vote on the SUP. Mr. Smith stated staff is recommending denial of the sup due mainly to health safety code. Mayor Pro tem Rob Gowin asked if the SUP could be issued contingent upon the structure meeting all necessary residential requirements. Mr. Smith said it could. Councilman Tim McRae made a motion to approve the SUP contingent upon the applicant complying with all

required residential, health and safety codes. Second by Councilman Hubert Robinson. Mayor Randy Gorham asked Mr. Mark Priestner of Planning Concepts if this SUP met the ordinance. Mr. Priestner came forward and stated that the code states a SUP should be incidental and customary to the zoning. Mr. Priestner stated a residence is not incidental and customary to the commercial zoning. Mayor Pro tem Rob Gowin asked if the applicant should have asked to have the property rezoned residential, and pointed out that neighborhood is a mixture of commercial and residential. Mr. Priestner stated rezoning to a multifamily and the allowing a home-based business would be more appropriate. Councilman Tim McRae stated this property is on the edge of downtown and asked if someone was requesting an SUP for loft above a business wouldn't we approve it? Mr. Priestner stated we probably would. After further discussion Councilman Tim McRae amended his motion to approve the SUP for Ms. Wesley Cannon only not subsequent owners and is contingent upon meeting all building, health and safety codes required for a residence. Second by councilman Hubert Robinson. All voted "Aye"

**CONSENT AGENDA - ITEMS UNDER CONSENT AGENDA REQUIRE LITTLE OR NO DELIBERATIONS BY COUNCIL. APPROVAL OF CONSENT AGENDA AUTHORIZES THE CITY MANAGER OR HIS DESIGNEES TO PROCEED WITH CONCLUSION OF EACH ITEM IN ACCORDANCE WITH STAFF RECOMMENDATION**

Councilwoman Mindy Gellock made a motion to approve consent agenda. Second by Councilman Hubert Robinson. All voted "Aye"

**MINUTE APPROVAL JUNE 8, 2021 REGULAR COUNCIL MEETING; JUNE 28 SPECIAL COUNCIL MEETING, JULY 2, 2021 SPECIAL COUNCIL MEETING: JULY 8, 2021 AGENDA WORKSHOP**

**APPROVE THE SALE OF SURPLUS EQUIPMENT, FURNITURE AND FIXTURES**

**DISCUSS AND CONSIDER WITH POSSIBLE ACTION APPROVING THE APPRAISAL DISTRICT BUDGET**

City Manager Greg Smith explained to council submittal of this budget to all taxing entities is required of the appraisal district and staff is recommending approval. Councilman Hubert Robinson made a motion to approve the budget. Second by Mayor Pro tem Rob Gowin. All voted "Aye"

**DISCUSS AND CONSIDER WITH POSSIBLE ACTION GRANTING UTILITY EASEMENTS UNDER LAKE JACKSONVILLE**

City Manager Greg Smith stated the easements are to come into compliance with a new state law requiring power lines of lakes to be minimum height or be run underground. Oncor is electing to run the lines underground. Councilman Tim McRae made a motion to approve the easements. Second by Mayor Pro tem Rob Gowin. All voted "Aye"

**DISCUSS AND CONSIDER WITH POSSIBLE ACTION APPROVAL OF REVISED HOTEL OCCUPANCY TAX GRANT GUIDELINES AND APPLICATION**

City Manager Greg Smith said this policy has been updated since the agenda workshop to include a co-opting provision. Mr. Smith stated the Bull Bash this year will be funded under the old policy. Councilwoman Mindy Gellock made a motion to

approve the guidelines. Second by Councilman Tim McRae. All voted "Aye"

**DISCUSS AND CONSIDER WITH POSSIBLE ACTION A REIMBURSEMENT RESOLUTION**

City Manger Greg Smith said this for the potential debt service the city is considering to repair streets and allows the city to reimburse itself up to \$500,000 if we do go out for debt service. Mayor Pro tem Rob Gowin made a motion to approve the resolution. Second by Councilwoman Mindy Gellock. All voted "Aye"

**DISCUSS AND CONSIDER WITH POSSIBLE ACTION ENTERING INTO A TENDER AGREEMENT WITH FCCI INSURANCE COMPANY, SURETY FOR CHEROKEE PAINTING & SANDBLASTING, INC. AGREEING TO ITS PROPOSAL TO SUBSTITUTE GM ROBERTS INC., D/B/A CORROSION ELIMINATORS AS COMPLETION CONTRACTOR FOR COMPLETION OF WORK UNDER CONTRACT DATED JULY 15, 2020 FOR CONSTRUCTION WORK ON A PROJECT KNOWN AS THE WATER TREATMENT PLANT CLEARWELL REHABILITATION WHEREIN FCCI SHALL PAY THE DIFFERENCE BETWEEN THE UNPAID BALANCE OF THE ORIGINAL CONTRACT AND THE COST OF COMPLETION OF WORK**

City Manager Greg Smith said this and the next item are dealing with the same issue and allows the city to go against the first contractor's bond to complete the clearwater rehab project. Motion by Mayor Pro tem Rob Gowin to pass the resolution. Second by Councilwoman Mindy Gellock. Recorded vote below.

- Mayor Randy Gorham "Aye"
- Mayor Pro-tem Rob Gowin "Aye"
- Councilman Hubert Robinson "Aye"
- Councilman Tim McRae "Aye"
- Councilwoman Mindy Gellock "Aye"

**AUTHORIZE THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AND FOR CITY MANAGER TO EXECUTE A COMPLETION CONTRACT WITH GM ROBERTS, INC. D/B/A CORROSION ELIMINATORS AS COMPLETION CONTRACTOR USING STANDARD ENGINEERS JOINT CONTRACT DOCUMENTS COMMITTEE (EJCDC) FORM WHEREBY COMPLETION CONTRACTOR SHALL COMPLETE CONSTRUCTION WORK ON A PROJECT KNOWN AS THE WATER TREATMENT PLANT CLEARWELL REHABILITATION**

Councilman Tim McRae made a motion authorize the negotiation and execution of completion contract. Second by Mayor Randy Gorham. Recorded vote below.

- Mayor Randy Gorham "Aye"
- Mayor Pro-tem Rob Gowin "Aye"
- Councilman Hubert Robinson "Aye"
- Councilman Tim McRae "Aye"
- Councilwoman Mindy Gellock "Aye"

**DISCUSS AND CONSIDER WITH POSSIBLE ACTION THE GUM CREEK WATER SUPPLY CONTRACT EXTENSION**

City Manager Greg Smith requested to take this to executive session as shown on agenda.

**CITY MANAGER REPORT**

City Manager Greg Smith stated Tomato Fest was a success and thanked all the employees for their help. He told everyone there is a vaccination clinic for those ages 12-17 tomorrow at Jacksonville Public Library from 10AM to 3PM. Splash day with the fire dept. is Saturday July 24 11AM to 1PM.

**OPEN FORUM FOR MAYOR AND COUNCIL**

None

**CLOSED EXECUTIVE SESSION CITY HALL CONFERENCE ROOM-PER OPEN MEETINGS ACT-PER TEXAS GOVERNMENT CODE SECTION:**

6:42 PM

551.071 CONSULTATION WITH ATTORNEYS - POSSIBLE LITIGATION

551.072 REAL PROPERTY

RECONVENE TO OPEN SESSION FOR ANY  
ACTION IF NECESSARY

7:44PM City Manager stated in regards to Item #17 (Gum Creek Water Supply Contract Extension) the city has heard from Gum Creek regarding their plans. Mr. Smith clarified we are talking about two different contracts those being the regulatory water and the wet water. Mr. Smith stressed the City of Jacksonville will always sell wet water to Gum Creek Water Supply through an on-demand contract, without question. He stated the issue at hand is the regulatory water to meet the TCEQ requirements for their capacity. Mr. Smith said Gum Creek has said they are in the process of drilling a test well. Mr. Smith then requested a motion that the City of Jacksonville accept the extension contract and take it to December 31, 2021, therefore giving Gum Creek 60 days past their stated completion time for the test well and if the well is successful the spirit of the contract extension will have been met if the test well is not successful the city will not consider the negotiations to have been in the spirit of the contract extension. Councilwoman Mindy Gellock made a motion to make December 31, 2021 as the contract end date for the Gum Creek Water Supply. Second by Mayor Pro tem Rob Gowin. All voted "Aye"


Mr. Smith then requested authorization to spend up to \$20,000 partnering with JEDCO to into a real estate contract and execute all due diligence to possibly purchase the old Travis Clinic on the loop. Councilman Tim McRae made a motion to authorize the city manager to spend up to \$20,000 partnering with JEDCO to pursue the purchase the old Travis Clinic on the loop. Second by Mayor Pro tem Rob Gowin. All voted "Aye"

ADJOURN:

7:48 PM

ATTEST:

  
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Greg Lowe, City Secretary

  
\_\_\_\_\_  
Randy Gorham, Mayor  
City of Jacksonville