

**JACKSONVILLE CITY COUNCIL MEETING
TUESDAY, MAY 10, 2022
JACKSONVILLE CITY HALL COUNCIL CHAMBERS
315 S. RAGSDALE
6:00 PM**

Meeting Items

**5:15 PM CLOSED EXECUTIVE SESSION CITY HALL
CONFERENCE ROOM-PER OPEN MEETINGS ACT-PER
TEXAS GOVERNMENT CODE SECTION:**

551.071 CONSULT CITY ATTORNEY

551.072 REAL PROPERTY

CALL TO ORDER

Mayor Randy Gorham 6:00 PM

**Present: Mayor Randy Gorham, Mayor Pro tem Rob
Gowin, Councilman Hubert Robinson, Councilman Tim
McRae, Councilwoman Mindy Gellock**

INVOCATION

**Mr. Dale Jamerson of St. John's United Methodist Church
gave the invocation.**

PLEDGE OF ALLEGIANCE US & TEXAS FLAGS

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

SPECIAL PRESENTATIONS –

**EMPLOYER OF THE MONTH PRESENTED BY JEDCO
PRESIDENT SHANE PACE - BROOKSHIRE BROTHERS**

**JEDCO President Shane Pace presented Brookshire
Brothers' store manager with the employer of the month
plaque.**

**PROCLAMATION EMS WEEK PRESENTED BY MAYOR
RANDY GORHAM**

**Mayor Randy Gorham read the proclamation and presented
it to several members of the Jacksonville Fire Department.**

**PROCLAMATION MOTORCYCLE SAFETY
AWARENESS MONTH PRESENTED BY MAYOR
RANDY GORHAM**

**Mayor Randy Gorham presented several members of
motorcycle clubs with the motorcycle safety awareness
month proclamation.**

**PROCLAMATION FOR POLICE WEEK PRESENTED BY
MAYOR RANDY GORHAM**

**Mayor Randy Gorham presented several members of the
Jacksonville Police Department with a police week
proclamation.**

**PROCLAMATION FOR NATIONAL SKILLED NURSING
CARE WEEK PRESENTED BY MAYOR RANDY
GORHAM**

**Mayor Randy Gorham presented Ms. Peaches Bush, of
Legacy Assisted Living, with the skilled nursing care week
proclamation.**

**PROCLAMATION NATIONAL PUBLIC WORKS WEEK
PRESENTED BY RANDY GORHAM**

**Mayor Randy Gorham presented Community and Public
Services Director, Randall Chandler, with the public works
week proclamation.**

**POLICE AWARD PRESENTED BY POLICE CHIEF JOE
WILLIAMS**

**Police Chief Joe Williams presented Sergeant Dina Wilde
and Corporal Cody Rodriguez with a life-saving award for
their efforts in providing CPR to a heart attack victim. In
addition, Chief Williams presented Corporal Ronnie
Clayborne with a life-saving award for his life-saving
assistance at the scene of a motorcycle wreck.**

CITIZEN PARTICIPATION

**Ms. Shae Whitaker came forward to update the council
regarding the Cherokee County Health Department on their
efforts in assuring those in need are receiving the cancer
screenings they need.**

**A) PUBLIC HEARING TO HEAR AND RECEIVE
INFORMATION ON MID-YEAR BUDGET
ADJUSTMENT. B) DISCUSS AND CONSIDER WITH
POSSIBLE ACTION AN ORDINANCE APPROVING THE
BUDGET AMENDMENTS AS PRESENTED BY STAFF**

**Finance Director Roxanna Briley came forward to review the
mid-year budget adjustments with the council. Mayor
Randy Gorham opened the public hearing at 6:27 pm. No
one came forward to speak on the matter. Mayor Gorham
closed the meeting at 6:27 pm. Councilwoman Mindy
Gellock made a motion to approve the ordinance making the
mid-year budget adjustments. Second, by Councilman
Hubert Robinson. All voted "Aye"**

**A) PUBLIC HEARING TO HEAR AND RECEIVE
INFORMATION REGARDING A REQUESTED SPECIAL
USE PERMIT AT 225 S. MAIN FOR A FOOD TRUCK
PARK. B) DISCUSS AND CONSIDER WITH POSSIBLE
ACTION AN ORDINANCE GRANTING SAID SUP**

**City Manager James Hubbard reviewed the ordinance with
council and the requirements found in the ordinance as well
as items that may be taken into consideration when deciding
to grant an SUP for a food truck park. Mr. Hubbard
informed council the P&Z board had voted down a motion to**

grant the SUP. Mayor Randy Gorham asked the applicant, Ms. Whitney Graham, if she would like to make a presentation to council. Ms. Graham came forward to outline her vision for the location and the history of her snow cone truck. Mayor Randy Gorham opened the public hearing at 6:39 pm. Majin Torres came forward to speak against granting the SUP request. Mr. Torres said there are rules in place and they should be enforced. Ms. Susan Conrad came forward to speak in favor of granting the SUP. Mr. Jesse Woodsen of Neighbor's Coffee came forward to speak against granting the SUP. Mr. Woodsen said that with the need for parking downtown, he feels there are better uses for the lot other than as a food truck park. Mr. Rocky Bronson came forward and pointed out Jacksonville has had a parking problem downtown for thirty years. Mr. Bronsen voiced his support of Ms. Graham as well as his support for approval of the SUP.

6:45 pm, Mayor Randy Gorham requested a recess into executive session per the open meetings act per the Texas Government Code Section 551.071 Consultation with Attorneys.

7:22 pm reconvene from executive session for any action if necessary.

City Attorney Brett Brewer then informed everyone he had met with the applicant's attorney earlier in the day. During that meeting, it was proposed that the SUP may be granted based upon several conditions. Mr. Brewer then listed the conditions as follows:

1. Purchase of parking lot within 60 days.
2. Purchase of a strip of land behind Neighbors Coffee.
3. Re-plat full property as one lot within 150 days.
4. ADA compliant restrooms along with a certificate of occupancy for the use of the restrooms in the building, the former location of Sadlers, before opening the snow cone mobile food truck for the season.
5. Improving parking lot including resurfacing and re-striping - plans are to be approved by City staff.
6. Final completion of all of the above within 180 days.
7. Open for season once a certificate of occupancy is issued after city inspection of restrooms to ensure compliance.
8. The trailer is not to be on site during the off-season, i.e. after Labor Day until March 15.
9. Limited to one trailer, the same being Super Snow.
10. At least four public parking spaces must be included in the lot.
11. The city will waive expiration of the special use permit upon sale of the parking lot to Graham.

Mayor Randy Gorham then closed the public hearing at 7:26 pm. Mayor Pro tem Rob Gowin made a motion to approve the SUP contingent upon the items Mr. Brewer just read being fulfilled by the applicant. Second, by Councilman Tim McRae. All voted "Aye"

A) PUBLIC HEARING TO HEAR AND RECEIVE INFORMATION REGARDING A REQUESTED SPECIAL USE PERMIT AT 501 LARISSA FOR A FOOD TRUCK PARK. B) DISCUSS AND CONSIDER WITH POSSIBLE ACTION AN ORDINANCE GRANTING SAID SUP

City Manager James Hubbard reviewed the request with council members and informed them P&Z is recommending approval. Mayor Randy Gorham opened the public hearing at 7:27 pm. No one came forward. Mayor Randy Gorham closed the hearing at 7:27 pm. Mayor Randy Gorham asked where the mini-mart was located in relationship to the building shown on the screen. City Manager James Hubbard stated that it is approximately 3 parcels to the right of the buildings shown on the screen. Councilman Tim McRae made a motion to approve the SUP with the stipulation it only host one truck. . Second, by Mayor Pro tem Rob Gowin. 4 voted "Aye". Councilwoman Mindy Gellock voted "Nay". Passes 4-1

A) HEAR AND RECIEVE INFORMATION ON A REQUESTED SPECIAL USE PERMIT FOR AN ELECTRONIC SIGN AT THE CHEROKEE COUNTY STOCK SHOW AND EXPOSITION, 611 SE LOOP 456, CITY OF JACKSONVILLE. B) DISCUSS AND

City Manager James Hubbard said this request was to install a digital reader board at 611 S.E. Loop 456, the site of the show barn. Mr. Hubbard said P&Z unanimously approved the request. Mayor Randy Gorham opened the public hearing at 7:31 pm. No one came forward. The hearing was

CONSIDER WITH POSSIBLE ACTION AN ORDINANCE GRANTING SAID SUP	closed at 7:31 pm. Mayor Pro tem Rob Gowin made a motion to approve the SUP. Second, by Councilman Tim McRae. 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	Councilman Tim McRae made a motion to approve the consent agenda. Second, by Councilman Hubert Robinson. All voted "Aye"
MINUTES APPROVAL - MINUTES APRIL 12, 2022 REGULAR COUNCIL MEETING; MAY 5, 2022 AGENDA WORKSHOP	
RE-APPOINT JUDGE PAUL MASCOT AS MUNICIPAL COURT JUDGE	
ANY ACTION OUT OF EXECUTIVE SESSION IF NECESSARY	The only action out of executive session occurred during the item regarding the SUP request at 225 S. Main St.
DISCUSS AND CONSIDER WITH POSSIBLE ACTION A RESOLUTION CANVASSING THE MAY 7, 2022 SPECIAL AND MUNICIPAL ELECTIONS	City Manager James Hubbard told council Mayor Pro tem Rob Gowin received 70 votes, and Councilwoman Mindy Gellock received 44 votes. Both were unopposed. Mr. Hubbard said proposition "A" passed with 184 "for" votes to 107 "no" votes. Councilwoman Mindy Gellock made a motion to approve the resolution canvassing the May 7, 2022 municipal and special elections. Second, by Mayor Pro tem Rob Gowin. All voted "Aye".
DISCUSS AND CONSIDER WITH POSSIBLE ACTION AN ORDINANCE SETTING THE UTILITY DISCONNECT POLICY	City Manager James Hubbard told council the staff is recommending two changes to the policy: the amount of penalty that is charged and the length of time before service is turned off. Councilman Tim McRae made a motion to approve the ordinance. Second, by Councilman Hubert Robinson. All voted "Aye".
DISCUSS AND CONSIDER WITH POSSIBLE ACTION AN ORDINANCE REGARDING EXCESSIVE BARKING	City Manager James Hubbard told council the current ordinance only applies to animals who are running loose. This ordinance addresses animals that are contained. Mr. Hubbard then read the body of the ordinance to council. Mayor Pro tem Rob Gowin made a motion to approve the ordinance. Second, by Councilman Tim McRae. 4 voted "Aye". Councilman Hubert Robinson voted "Nay". Passes 4-1
DISCUSS AND CONSIDER WITH POSSIBLE ACTION APPROVING A CONTRACT WITH NEWGEN FOR UTILITY RATE STUDY	City Manager James Hubbard told council the city has a history of working with Newgen. Mr. Hubbard said the study is necessary to assure the utility rates are providing the necessary revenue to meet the necessary infrastructure needs of Jacksonville. Mayor Pro tem Rob Gowin made a motion to approve the agreement. Second, by Councilman Tim McRae. All voted "Aye"
DISCUSS AND CONSIDER WITH POSSIBLE ACTION AWARDDING THE CONTRACT FOR UTILITY SYSTEM ANNUAL SUPPLY CONTRACT	City Manager James Hubbard told council that staff had gone out to bid for a supply contract. Mr. Hubbard said Core and Main were the only bidders. Mr. Hubbard said staff is recommending awarding the contract to Core and Main. Councilwoman Mindy Gellock made a motion to award the contract to Core and Main. Second, by Councilman Hubert Robinson. All voted "Aye".
DISCUSS AND CONSIDER WITH POSSIBLE ACTION APPROVING NEW AMBULANCE FEES	City Manager James Hubbard said that Emergicon is the billing company for the EMS and they are recommending a new fee schedule. Mr. Hubbard reviewed the fee schedule with the council. Councilman Tim McRae made a motion to approve the new fee structure. Second, by Councilwoman Mindy Gellock. All voted "Aye".
DISCUSS AND CONSIDER WITH POSSIBLE ACTION A SUPPLEMENTAL ENVIROMENTAL PROJECT WORKORDER WITH STOKES AND ASSOCIATES	City Manager James Hubbard told council this is the design work for the project near Sunnydale Apartments and is a supplement to the TWDB loan estimated at \$5.7 million. Mayor Pro tem Rob Gowin made a motion to approve the work order. Second, by Councilman Tim McRae. All voted "Aye".
OPEN FORUM FOR MAYOR AND COUNCIL	None

City Manager James Hubbard told everyone the Police Memorial Ceremony is Tuesday at 9:00 am. He thanked the fire department for their quick response to the Green Trails apartment fire. Mr. Hubbard reminded everyone the time capsule opening is Wednesday, May 11, 2022 at 11am. He thanked everyone for their help with the cleanup the previous weekend.

ADJOURN

7: 48 pm

Randy Gorham, Mayor
City of Jacksonville

Greg Lowe, City Secretary