

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
January 15, 2019**

The City Council of the City of Gainesville, Texas met in regular session on January 15, 2019 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

MEMBERS ABSENT: Steve Gordon, Tommy Moore

STAFF PRESENT: Barry Sullivan, City Manager; Caitlyn Huddleston, City Secretary; Kevin Phillips, Chief of Police; J. I. Johnson, Finance Director; Arleene Loyd, Gainesville Economic Development Corporation Director

OTHERS PRESENT: John Fleming, Sharron Acker, Lucy Sutton, Bekki Jones, John Shiffer, Jenny Shiffer, Nancy Nelson, Mike Gordon, Shawn Hull, Dean Smith, Rod Tyler, Delania Raney, 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

Phil Larson, Solum Community, 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 December 18, 2018 and approved them as written.

Councilmember Clegg **moved to approve the consent agenda**, seconded by Councilmember Keeler, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Gordon, Moore).

PUBLIC HEARING ON AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE FROM MULTI-FAMILY LOW DENSITY DISTRICT (MF-1) TO GENERAL COMMERCIAL (C-2) FROM BREWER LANE TO MILL STREET AND RESTRICTED COMMERCIAL DISTRICT (C-1) FROM MILL STREET TO CULBERSON STREET FOR A TOTAL OF 3.26 ACRES COMPRISING THE FORMER BNSF RAILROAD RIGHT-OF-WAY PARCEL #139055.

PUBLIC HEARING ON AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE FROM MULTI-FAMILY LOW DENSITY DISTRICT (MF-1) TO GENERAL COMMERCIAL (C-2) FROM BREWER LANE TO MILL STREET AND RESTRICTED COMMERCIAL DISTRICT (C-1) FROM MILL STREET TO CULBERSON STREET FOR A

TOTAL OF 3.26 ACRES COMPRISING THE FORMER BNSF RAILROAD RIGHT-OF-WAY PARCEL #139055.

Mayor Goldsworthy opened the public hearing at 6:33 p.m. and called for public comment on the rezoning.

No one came forward to speak either for or against the ordinance. The public hearing was closed at 6:34 p.m.

Councilmember Keeler **moved to close the public hearing**, seconded by Councilmember Dollar, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Gordon, Moore).

ORDINANCE 1450-01-2019 – AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE FROM MULTI-FAMILY LOW DENSITY DISTRICT (MF-1) TO GENERAL COMMERCIAL (C-2) FROM BREWER LANE TO MILL STREET AND RESTRICTED COMMERCIAL DISTRICT (C-1) FROM MILL STREET TO CULBERSON STREET FOR A TOTAL OF 3.26 ACRES COMPRISING THE FORMER BNSF RAILROAD RIGHT-OF-WAY PARCEL #139055.

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 MULTI-FAMILY LOW DENSITY DISTRICT (MF-1) TO GENERAL COMMERCIAL (C-2) FROM BREWER LANE TO MILL STREET AND RESTRICTED COMMERCIAL DISTRICT (C-1) FROM MILL STREET TO CULBERSON STREET FOR A TOTAL OF 3.26 ACRES COMPRISING THE FORMER BNSF RAILROAD RIGHT-OF-WAY PARCEL #139055; 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 voted to rezone the abandoned BNSF railroad right-of-way owned by the Gainesville Economic Development Corporation from Multi-Family Low Density (MF-1) to General Commercial (C-2). The property spans from Brewer Lane to Mill Street and Mill Street to Culberson Street for a total of 3.26 acres. The zoning will match the surrounding commercial area. The Planning and Zoning Commission unanimously recommended City Council approve the rezoning request.

Councilmember Dollar **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Keeler, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Gordon, Moore).

Councilmember Dollar **moved to Adopt the Ordinance**, seconded by Councilmember Keeler, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Gordon, Moore).

PUBLIC HEARING ON AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE FROM MULTI-FAMILY LOW DENSITY DISTRICT (MF-1) TO RESTRICTED COMMERCIAL (C-1) THE .9606 ACRES LOCATED AT 1305 NORTH CULBERSON STREET (PARCEL #6978).

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 REZONE FROM MULTI-FAMILY LOW DENSITY

DISTRICT (MF-1) TO RESTRICTED COMMERCIAL (C-1) THE .9606 ACRES LOCATED AT 1305 NORTH CULBERSON (PARCEL #6978); 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 6:36 p.m. and called for public comment on the rezoning.

No one came forward to speak either for or against the ordinance. The public hearing was closed at 6:37 p.m.

Councilmember Hendricks **moved to close the public hearing**, seconded by Councilmember Clegg, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Gordon, Moore).

ORDINANCE 1451-01-2019 – AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE FROM MULTI-FAMILY LOW DENSITY DISTRICT (MF-1) TO RESTRICTED COMMERCIAL (C-1) THE .9606 ACRES LOCATED AT 1305 NORTH CULBERSON STREET (PARCEL #6978).

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 MULTI-FAMILY LOW DENSITY DISTRICT (MF-1) TO RESTRICTED COMMERCIAL (C-1) THE .9606 ACRES LOCATED AT 1305 NORTH CULBERSON (PARCEL #6978); 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 property at 1305 North Culberson Street from MF-1 to C-1. Board members and volunteers for VISTO (Volunteers in Service to Others) cheered as the Council announced approval, as the site is being considered for their relocation. The Planning and Zoning Commission unanimously recommended City Council approve the rezoning request.

Councilmember Clegg **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Keeler, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Gordon, Moore).

Councilmember Clegg **moved to Adopt the Ordinance**, seconded by Councilmember Keeler, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Gordon, Moore).

RESOLUTION 01-15-2019 – AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE FIRST BAPTIST CHURCH GAINESVILLE, TEXAS FOR THE PARTIAL PAYMENT FOR THE ABATEMENT OF DEMOLITION OF A BUILDING LOCATED AT THE NORTHEAST CORNER OF EAST ELM STREET AND NORTH RUSK STREET.

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE FIRST BAPTIST CHURCH GAINESVILLE, TEXAS FOR THE PARTIAL PAYMENT FOR THE ABATEMENT OF DEMOLITION OF A BUILDING LOCATED AT THE NORTHEAST CORNER OF EAST ELM STREET AND NORTH RUSK STREET.

Council authorized the Mayor to execute an agreement to help the First Baptist Church with the cost to demolish the building on the Church's property located at the Northeast corner of East Elm Street and North Rusk Street. In return, the Church will allow public parking on the west parking lot (on the west side of Red River Street) except on Wednesday evenings and Sundays and special church events which will require 3 days notice to the City.

The Church will be responsible for 25% of the payment of the cost up to \$30,000 and the City will pay the rest. The City may select a different demolition company if it can lower the cost of the project.

Councilmember Hendricks **moved to approve the resolution**, seconded by Councilmember Clegg, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Gordon, Moore).

RESOLUTION 01-15-2019 A – REVIEWING AND APPROVING THE INVESTMENT POLICY FOR 2019.

CONSIDERATION OF AND ACTION ON A RESOLUTION REVIEWING AND APPROVING THE INVESTMENT POLICY FOR 2019.

Council approved the Investment Policy for 2019. The policy was approved with no substantial changes to content from the previous year's policy – the only changes were grammatical. The City is required by the state and by local code to have an investment policy and to review the policy on an annual basis, approving any changes or modifications. The policy will be available on the City's website.

Councilmember Keeler **moved to approve the resolution**, seconded by Councilmember Dollar, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Gordon, Moore).

EXECUTIVE SESSION

At 6:40 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 §551.072 Real Property
- Under Government Code §551.087 Economic Development

RECONVENE INTO OPEN SESSION

Council reconvened into open session at 6:54 p.m. and Mayor Jim Goldsworthy announced no action was taken during executive session.

FIRST READING CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT ON BEHALF OF THE CITY OF GAINESVILLE FOR PURCHASE OF REAL ESTATE PROPERTY AT THE NW CORNER OF FM 3092 AND O'NEAL STREET.

FIRST READING CONSIDERATION OF A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT ON BEHALF OF THE CITY OF GAINESVILLE FOR PURCHASE OF REAL ESTATE PROPERTY AT THE NW CORNER OF FM 3092 AND O'NEAL STREET.

Council approved allowing the City Manager to execute a contract for the purchase of real estate at the Northwest Corner of FM 3092 and O'Neal Street.

Councilmember Keeler **moved to approve the resolution**, seconded by Councilmember Clegg, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Gordon, Moore).

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 6:55 p.m.
Respectfully submitted,

Caitlyn Huddleston, City Secretary

Jim Goldsworthy, Mayor