

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
June 17, 2008**

The City Council of the City of Gainesville, Texas met in regular session on June 17, 2008 at 6:30 p.m. with the following persons in attendance:

**MEMBERS PRESENT:** Mayor Pro Tem, Jim Goldsworthy  
Council Members Charles Draper, Carolyn Hendricks, Ray Nichols, Beverly Snuggs, Vince Rippy

**MEMBERS ABSENT:** Mayor Glenn Loch

**STAFF PRESENT:** Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Steven Fleming, Police Chief; Kent Sharp, Executive Director, GEDC

**OTHERS PRESENT:** C. J. Higgins, Jan and Tom Shambo, Merle Currie, Barbara Bloom, Andy Hogue, Kathy Floyd, Stephen Monahan.

**CALL TO ORDER**

Mayor Pro Tem Goldsworthy called the meeting to order at 6:30 p.m. with a quorum of members present.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Reverend Don Yeager, First United Methodist Church, gave the invocation. Mayor Pro Tem Goldsworthy led the pledge to the flag.

**CONSENT AGENDA**

Council reviewed the Minutes of the Regular City Council Meeting of June 3, 2008 and Council Workshop Meeting on June 10, 2008 and approved them as written.

Councilmember Nichols **moved to approve the Consent Agenda**, was seconded by Councilmember Draper, and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Loch).

**RESOLUTION NO. 06-17-2008 – APPROVING ACTION BY THE GEDC TO FUND NCTC FOR EQUIPMENT AND SCHOLARSHIP FUNDS**

A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION TO FUND THE PURCHASE OF EQUIPMENT FOR THE CAREER AND TECHNOLOGY CENTER AT NCTC AND TO PROVIDE SCHOLARSHIP FUNDS.

Second reading of the resolution approving action of the Gainesville Economic Development Corporation to fund a total of \$275,000 to NCTC for the purchase of \$250,000 worth of equipment for the Career and Technology Center and to provide \$25,000 for scholarship funds was approved.

Councilmember Draper **moved to approve**, seconded by Councilmember Rippy. The motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Loch).

**RESOLUTION NO. 06-17-2008 A - APPROVING GEDC FINANCIAL INCENTIVES FOR UPGRADING CR 137**

A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH ADOPTED FINANCIAL INCENTIVES FOR A PROJECT WITH THE CITY OF GAINESVILLE AND COOKE COUNTY FOR UPGRADING CR 137 (NORTH WEAVER) TO A CHIP-SEAL SURFACE.

Second reading of the resolution approving action of the Gainesville Economic Development Corporation to provide \$100,000 in funding for a project with the City of Gainesville and Cooke County for upgrading CR 137 (North Weaver) to a chip-seal surface was approved. The upgrade will reduce dust and make the area suitable for development of an apartment complex. GEDC will not expend the funds until the developer has begun construction of the apartments.

Councilmember Snuggs **moved to approve**, seconded by Councilmember Nichols. The motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Loch).

**RESOLUTION NO. 06-17-2008 B – PARTICIPATION IN HAZARD MITIGATION PLANNING THROUGH TCOG**

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING FOR PARTICIPATION IN HAZARD MITIGATION PLANNING THROUGH THE TEXOMA COUNCIL OF GOVERNMENTS (TCOG).

City participation in Hazard Mitigation Planning through the Texoma Council of Governments (TCOG) was approved. C. J. Durban-Higgins, Assistant Planner at TCOG, said TCOG has received a FEMA grant to provide hazard mitigation planning services for Cooke County and all of its incorporated areas. A planning committee will consist of representatives from the community. The work will result in a comprehensive multi-jurisdictional mitigation plan approved by the State of Texas and FEMA. The completed plan will be submitted to the state in about six months.

Councilmember Nichols **moved to approve**, seconded by Councilmember Hendricks. The motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Loch).

**SECOND READING APPROVAL OF ORDINANCE TO REZONE 38.633 ACRES IN SARAH SMITH SURVEY ABSTRACT 913 FROM AGRICULTURE (A) TO COMMERCIAL (C)**

SECOND READING OF AN ORDINANCE AMENDING ORDINANCE 25-2-71; 101A-8-76; 154-12-79; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AUTHORIZING THE CITY OF GAINESVILLE, TEXAS, TO REZONE FROM AGRICULTURE (A) TO COMMERCIAL (C), 38.633 ACRES IN THE SARAH SMITH SURVEY ABSTRACT 913, COOKE COUNTY, TEXAS; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF GAINESVILLE; PROVIDING FOR STIPULATIONS; PROVIDING FOR PUBLICATION; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SUSPENSION OF THE CHARTER REQUIREMENT OF READING THE ORDINANCE ON THREE SEPARATE OCCASIONS; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

Second reading of an ordinance to rezone 38.633 acres from Agriculture (A) to Commercial (C) was approved. Leadership Properties has requested the re-zoning to allow for development of an apartment complex at 4316 North I-35. Sullivan stated the project is located adjacent to CR 137. The developer requested a third reading of the ordinance.

Councilmember Draper **moved to approve second reading of the ordinance**, seconded by Councilmember Snuggs. The motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Loch).

**ORDINANCE NO. 1205-06-2008 PARKING ORDINANCE AMENDMENTS**

AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AMENDING CHAPTER 11 – MOTOR VEHICLES AND TRAFFIC OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, ARTICLE V - STOPPING, STANDING, PARKING - SECTION 11-66 DEFINITIONS, SECTION 11-67 OWNER’S RESPONSIBILITY, SECTION 11-68 TIME LIMIT FOR STANDING OF UNATTENDED VEHICLE, SECTION 11-69 PROHIBITED GENERALLY, SECTION 11-70 SPECIAL TEMPORARY PARKING PERMITS, SECTION 11-71 STOP INTERSECTIONS, SECTION 11-72 MARKING OF PARKING SPACES, TIME LIMIT AND PROHIBITED AREAS, SECTION 11-73 ANGLE PARKING, SECTION 11-74 STANDING BACKED TO CURB, SECTION 11-75 DESIGNATION OF LOADING ZONES, SECTION 11-76 IMPOUNDMENT OF VEHICLES, DELETING SECTIONS 11-77 THROUGH SECTION 11-83 PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF CONFLICT ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE, AND FINDING THE MEETING WAS OPEN TO THE PUBLIC.

City Manager Barry Sullivan reviewed the changes to the ordinance in first and second readings. Following discussion of safety concerns, section 11-69 (b)(5) of the ordinance was changed to require that recreational equipment shall not be parked within twenty feet of the back edge of the curb or within twenty feet of the edge of the improved surface on a street that does not have a curb.

Councilmember Snuggs **moved to adopt the ordinance including the change to Section 11-69 (b) (5) as discussed**, and was seconded by Councilmember Draper. The motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Loch).

**FIRST READING FOR AMENDMENTS TO MOSS LAKE ORDINANCE**

FIRST READING OF AN ORDINANCE AMENDING THE CITY OF GAINESVILLE CODE OF ORDINANCES, CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS, ARTICLE VI ACTIVITIES UPON MOSS LAKE PROPERTIES; AMENDING SECTION 5-236 CONSTRUCTION OF FIXED STRUCTURES; AMENDING SECTION 5-238 FLOATING FACILITIES; SECTION 5-240 PRIVATE USE OF LAKE WATER; SECTION 5-250 BOATS GENERALLY; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.

Sullivan said the amendments are necessary due to increased development and activity at Moss Lake. The City now has a new boat for patrolling Moss Lake. The ordinance requires that all dock owners provide the City with contact information as well as the specifications on their docks. Docks cannot extend over fifty feet into or toward the lake. Current non-permitted docks that are at least 50% complete are grandfathered. The annual dock fee is to keep the owner’s contact and insurance information current with the city. The permit fee for construction of a boat dock is increased to \$100. The annual dock fee is increased to \$50. Liability insurance coverage is required - \$300,000 for dock owners, \$300,000 for boat owners. An annual boat permit fee of \$35 is required for each boat placed, used, or operated on the waters of the lake. Sullivan said he would be meeting with the Moss Lake homeowners association in August.

Councilmember Draper **moved for approval of first reading.** The motion was seconded by Councilmember Snuggs and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Loch).

**EXECUTIVE SESSION**

The City Council did not convene into executive session.

**ADJOURN**

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

/S/  
**Jim Goldsworthy, Mayor Pro Tem**

Attest:

/S/  
**Kay Lunnon, City Secretary**