

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
June 18, 2013**

The City Council of the City of Gainesville, Texas met in regular session on June 18, 2013 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Pro Tem Ray Nichols
Keith Clegg, Carolyn Hendricks, Ken Keeler, Beverly Snuggs

MEMBERS ABSENT: Mayor Jim Goldsworthy

STAFF PRESENT: Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Dan Parker, Finance Director

OTHERS PRESENT: Ben Willingham (Videographer), Gregg Russell, Tiffany Robledo, Vickie Robertson, Galene Morris, Geraldine B. Williams, David Wiener, Dean Patterson, Lydia Ansley, Jan Fox, Sally Page, Rebecca Lawson, Nancy O'Dell, Ron Strebeck, Phil King, Charlie Uselton, Deanna Tucker, Larry Claxton, Carla Waters, Charles Waters, Joe Conner, Steven Perez, Bryan Moore, Phil Schenk, Pam Johnson, Marilyn Miller, Donna Allen, Jennifer Keeling, Cale Kennedy

CALL TO ORDER

Mayor Pro Tem Nichols called the meeting to order at 6:30 p.m. Mayor Goldsworthy was noted as absent.

INVOCATION & PLEDGE OF ALLEGIANCE

City Manager Barry Sullivan gave the invocation. Mayor Pro Tem Nichols led the pledge to the flag.

REPORTS

Court Appointed Special Advocates (CASA)

Executive Director Vickie Robertson, made a presentation and request for \$10,000 in funding for CASA for fiscal year 2013-2014. CASA volunteers advocate for abused or neglected children who are in the child protective services system. A video of a completed CASA case was viewed. Robertson said the number of cases has increased over the past year and they are at maximum capacity and they are seeking additional advocate volunteers.

Cooke County Arts Council

Sally Page, Cooke County Arts Council, gave a brief summary of the activities of the organizations in the Arts Council and made a funding request of \$4,955 for the fiscal year budget 2013-2014. The funding supports Arts Council organizations including: Cooke County Orchestra/Gainesville Swing Orchestra, North Central Texas Chorale, and Gainesville Area Visual Arts Association (GAVA). The City Manager reminded Council that funding for the Arts Council utilizes Hotel Motel Tax Occupancy Revenues which are specifically designated for use by the arts.

Noah's Ark

Dr. Shelly Gomulak, described the services provided by Noah's Ark animal shelter and requested funding for fiscal year 2013-2014 in the amount of \$50,000 in addition to the current

monthly payment from the City of \$1,100 for animal control and payment for City water and sewer utilities. Gomulak praised the work of the City's Animal Control Officer in getting stray animals off the streets, and stated that two thirds of the animals taken in at Noah's Ark are picked up by animal control.

CONSENT AGENDA

Council reviewed the Minutes of the regular City Council Meeting of June 4, 2013, and approved them as written.

Councilmember Keeler **moved to approve the Consent Agenda.** Seconded by Councilmember Snuggs, the motion carried by vote of 5 Ayes, 0 Nays, 1 absent (Goldsworthy), 1 vacancy.

RESOLUTION NO. 06-18-2013 – APPROVING LEONARD PARK SWIMMING POOL FEE SCHEDULE AMENDMENTS FOR CURRENT FISCAL YEAR

A RESOLUTION APPROVING REVISION OF THE LEONARD PARK SWIMMING POOL FEE SCHEDULE FOR CITY OF GAINESVILLE FOR FISCAL YEAR 2012-2013 AND PROVIDING AN EFFECTIVE DATE.

City Manager Barry Sullivan presented and recommended revisions to the current year fee schedule for the Leonard Park swimming pool. With the new swimming pool anticipated to open the first week of July, revision of the pool fees were necessary to reflect the new attractions and activities to be offered. The revised fees are effective immediately.

Councilmember Snuggs **moved to approve the Resolution,** and was seconded by Councilmember Clegg. Motion carried by vote of 5 Ayes, 0 Nays, 1 Absent (Goldsworthy), 1 Vacancy.

PUBLIC HEARING ON AN ORDINANCE TO RENAME WEBER DRIVE TO ZODIAC DRIVE, BETWEEN U.S. HIGHWAY 82 AND COLORADO DRIVE

Mayor Pro Tem Nichols read the ordinance caption, opened the public hearing and called for public comment at 6:52 p.m. No one came forward to speak either for against the proposed street name change.

There being no speakers and with no further discussion, Councilmember Hendricks **moved to close the Public Hearing,** seconded by Councilmember Clegg. Motion carried by vote of 5 Ayes, 0 Nays, 1 absent (Goldsworthy), 1 vacancy. The Public Hearing was closed at 6:53 p.m.

ORDINANCE NO. 1319-06-2013 – APPROVING RE-NAMING OF A PORTION OF WEBER DRIVE TO ZODIAC DRIVE, FROM U.S. HIGHWAY 82 TO COLORADO DRIVE, AT THE GAINESVILLE MUNICIPAL AIRPORT

FIRST READING AN ORDINANCE PROVIDING FOR THE RENAMING OF A STREET KNOWN AS WEBER DRIVE TO ZODIAC DRIVE, LOCATED BETWEEN U.S. HIGHWAY 82 AND COLORADO DRIVE; PROVIDING FOR PLACEMENT OF STREET SIGNS; PROVIDING FOR AMENDMENT OF THE OFFICIAL CITY LIMITS MAP AND THE CITY ZONING MAP; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETING FINDING.

A portion of Weber Drive at the Gainesville Municipal Airport was approved by the Council to be re-named as Zodiac Drive. The newly named Zodiac Drive starts at U. S. Highway 82 and runs north to Colorado Drive. Zodiac Seats U.S. (formerly Weber Aircraft) requested the name change to reflect their new official company name. City of Gainesville and Zodiac Seats U.S. are the only property owners affected by the change in street name. City Manager Barry Sullivan said the City views the renaming as a positive for the local company and also an opportunity for the City to resolve the issue of having two streets named Weber Drive. The

remaining portion of Weber Drive, from Colorado Drive north to Kansas Avenue, will retain the name Weber Drive.

Councilmember Clegg **moved to suspend Charter requirement of three readings of the Ordinance**, and was seconded by Councilmember Snuggs, and the motion carried by vote of 5 Ayes, 0 Nays, 1 Absent (Goldsworthy), 1 Vacancy.

Councilmember Clegg **moved to adopt the Ordinance**, and was seconded by Councilmember Snuggs, and the motion carried by vote of 5 Ayes, 0 Nays, 1 Absent (Goldsworthy), 1 Vacancy.

RESOLUTION NO. 06-18-2013 A – AUTHORIZE FIRE DEPARTMENT PURCHASE OF A FERRARA LADDER TRUCK

A RESOLUTION AUTHORIZING EXPENDITURES FOR PURCHASE OF ONE (1) FERRARA 107 FOOT LADDER TRUCK FOR THE FIRE DEPARTMENT.

The Fire Department received approval to purchase a new ladder truck and trade in the current ladder truck for credit toward the purchase. The purchase is through the local government co-op, HGAC Buy, in the amount of \$749,500 and payment will be made from current fiscal year budgeted funds.

Councilmember Hendricks **moved to approve the Resolution**, and was seconded by Councilmember Keeler. Motion carried by vote of 5 Ayes, 0 Nays, 1 Absent (Goldsworthy), 1 Vacancy.

RESOLUTION NO. 06-18-2013 B – APPROVE CONTRACT WITH COOKE COUNTY APPRAISAL DISTRICT FOR ASSESSMENT AND COLLECTION OF TAXES

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE COOKE COUNTY APPRAISAL DISTRICT PROVIDING FOR THE ASSESSMENT AND COLLECTION OF TAXES AND PAYMENT OF FEES FOR SUCH SERVICES

A contract was approved with the Cooke County Appraisal District (CCAD) for appraisal and collection services for a two-year period beginning January 1, 2014 and ending December 31, 2015. Mayor Pro Tem Nichols recognized and thanked Councilmember Snuggs for her representation on the CCAD Board of Directors.

Councilmember Keeler **moved to approve the Resolution**, and was seconded by Councilmember Clegg. Motion carried by vote of 5 Ayes, 0 Nays, 1 Absent (Goldsworthy), 1 Vacancy.

ORDINANCE NO. 1320-06-2013 - AMENDING ZONING CODE APPENDIX A

SECOND READING OF AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AMENDING APPENDIX A-ZONING OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, ARTICLE 1 – GENERAL PROVISIONS, SECTION 1.6 - EFFECT OF THE ORDINANCE, ARTICLE III - USE OF LAND OR PREMISE, SECTION 3.1.07 - MF-2 HIGH DENSITY MULTIFAMILY DISTRICT DEFINED, SECTION 3.1.09 – CA CENTRAL AREA DISTRICT DEFINED, SECTION 3.1.10 – C1 RESTRICTED COMMERCIAL DISTRICT DEFINED, SECTION 3.1.11 – C2 GENERAL COMMERCIAL DISTRICT DEFINED, SECTION 3.1.12 - C3 OUTDOOR COMMERCIAL DISTRICT DEFINED, SECTION 3.4 - ACCESSORY USES AND STRUCTURES, SECTION 3.5 - SCREENING WALLS AND FENCES, PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE, AND FINDING THE MEETING WAS OPEN TO THE PUBLIC.

Amendments to the Zoning Code, Appendix A, were approved and adopted on second reading. The adopted ordinance incorporated all changes requested by Council during first reading of the ordinance on June 4. The final ordinance as adopted includes:

- Masonry requirement of 80 percent coverage of each side of the first floor of all residential structures, excluding doors and windows. The definition of masonry was not changed.
- Minimum living area requirements for apartments in multifamily residential districts – 650 square feet for a one bedroom unit, with limitation that one bedroom apartments may comprise a maximum of 50% of the total number of units; 925 square feet for a two bedroom unit; 1100 square feet for a three bedroom unit; additional 100 square feet for each bedroom over three.
- Accessory buildings or structures constructed or placed within the MF-2 High Density Multifamily Residential Districts must mimic the architectural style of the principle structure including rooflines, pitch, construction materials and colors. For developments with garages for 25% of the units, accessory carports may be constructed of metal, including the awning.
- Snow Cone Stands are allowed in the CA Central Area District and the C1 Restricted Commercial District from April 1 through September 30. Definition of a Snow Cone Stand is provided.
- Mobile vending units are allowed to conduct business only in the C3 Outdoor Commercial District, and must meet provisions for allowable signage and restriction that only one vendor may occupy a single or group of lots under common ownership.
- Fencing material. Aluminum and metal solid panel fencing allowed only in the Industrial (I) Zoning Districts. Fences that are not required as screening under the provisions of the ordinance are to be constructed of a) permanent, solid masonry material; b) treated or decay-resistant wood fencing material; c) vinyl fencing material. Decorative rail aluminum or wrought iron required in the Heritage Preservation Overlay District only.

Councilmember Clegg **moved to suspend the Charter requirement of three readings**, and was seconded by Councilmember Snuggs. The motion carried by vote of 5 Ayes, 0 Nays, 1 Absent (Goldsworthy), 1 Vacancy.

Councilmember Clegg **moved to adopt the Ordinance**, and was seconded by Councilmember Snuggs, and the motion carried by vote of 5 Ayes, 0 Nays, 1 Absent (Goldsworthy), 1 Vacancy.

EXECUTIVE SESSION

Council did not convene into Executive Session.

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 7:04 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Ray Nichols, Mayor Pro Tem