

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
February 18, 2014**

The City Council of the City of Gainesville, Texas met in regular session on February 18, 2014 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Jim Goldsworthy
Keith Clegg, Mary Jo Dollar, Carolyn Hendricks, Ken Keeler,
Beverly Snuggs

MEMBERS ABSENT: Councilman Ray Nichols

STAFF PRESENT: Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Dan Parker, Finance Director; Kevin Phillips, Interim Police Chief; Julie Smith, Community Development Director

OTHERS PRESENT: Reverend David Gray, Byron Berry, Matt Huss, Brent Godshaw, Wally Cox, Ward Rabb, Keith King, Cathy Mounce, Tony Dresser (Videographer)

CALL TO ORDER

Mayor Jim Goldsworthy called the meeting to order at 6:30 p.m. with a quorum of members present. The absence of Councilman Nichols was noted.

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend David Gray, Hillcrest Church of Christ, gave the invocation. Mayor Goldsworthy led the pledge to the flag.

RECOGNITIONS

Star of North Texas Award

Mayor Goldsworthy read a certificate of recognition and presented the Star of North Texas medallion to Molded Fiber Glass Company (MFG) for their voluntary service and repair to Engine 3 for the Gainesville Fire Department. MFG made necessary repairs to the water tank and saved the City both time and money. Because of their efforts, Engine 3 was out of operation for only a very short time. The certificate expresses the City's utmost appreciation of MFG for giving of their time and service to benefit Gainesville and the community. MFG representatives, Matt Huss and Brent Godshaw, attended the meeting to receive the award on behalf of their company.

REPORTS

Interim Police Chief, Kevin Phillips presented the annual Racial Profiling Report on traffic stop data for the Gainesville Police Department for 2013. Phillips said the report submitted shows no inconsistencies with department policy on racial profiling.

CONSENT AGENDA

Council reviewed the Minutes of the regular City Council Meeting of February 4, 2014, and approved them as written.

Councilmember Clegg **moved to the Minutes on the Consent Agenda**, and was seconded by Councilmember Snuggs. The motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Nichols).

PUBLIC HEARING ON A PROPOSED ORDINANCE TO RE-ZONE FROM GENERAL COMMERCIAL (C-2) TO OUTDOOR COMMERCIAL (C-3), THE PROPERTY IDENTIFIED AS 811 EAST HIGHWAY 82 AS REQUESTED BY THE APPLICANT.

Mayor Goldsworthy read the ordinance caption, opened the public hearing, and called for public comment at 6:34 p.m. regarding a proposed ordinance to re-zone the property identified as 811 East Highway 82 from General Commercial (C-2) to Outdoor Commercial (C-3).

No one came forward to speak either for or against the proposed ordinance. There being no further discussion, Councilmember Snuggs **moved to close the Public Hearing**, seconded by Councilmember Keeler. Motion carried by vote of 6 Ayes, 0 Nays, 1 Absent. The Public Hearing was closed at 6:35 p.m.

ORDINANCE NO. 1333-02-2014 - APPROVING A ZONING DISTRICT CHANGE FROM GENERAL COMMERCIAL (C-2) TO OUTDOOR COMMERCIAL (C-3) FOR THE PROPERTY IDENTIFIED AS 811 EAST HIGHWAY 82.

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 GENERAL COMMERCIAL (C-2) TO OUTDOOR COMMERCIAL (C-3) THE ENTIRETY OF THE PROPERTY IDENTIFIED AS 811 EAST HIGHWAY 82; PROVIDING FOR 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.

Ordinance was approved and adopted for a zoning district change for the property identified as 811 East Highway 82 from General Commercial (C-2) to Outdoor Commercial (C-3). The applicant requested the re-zoning to allow for outdoor sales as potential uses of the property. Barry Sullivan, City Manager, said in most cases City staff would not recommend for the re-zoning in this area, but in this case the property is located almost entirely in the floodplain, which causes difficulty for development. Sullivan recommended approval of the C-3 zoning, and said City staff and the Planning and Zoning Commission feel it provides for the best use of this property, however approval of the re-zoning should not set a precedent for future C-3 rezones in the area. Sullivan said neither the City nor the Planning and Zoning Commission have received comments in opposition to the proposed zoning change.

Councilmember Clegg **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Keeler, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 absent (Nichols).

Councilmember Clegg **moved to adopt the ordinance**. The motion was seconded by Councilmember Keeler and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 absent (Nichols).

RESOLUTION 02-18-2014 - CALLING A GENERAL ELECTION FOR MAY 10, 2014 FOR ELECTION OF OFFICERS OF THE CITY OF GAINESVILLE

A RESOLUTION CALLING FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD BY THE CITY OF GAINESVILLE, TEXAS ON MAY 10, 2014; PROVIDING FOR THE GENERAL ELECTION OF COUNCIL PERSONS FOR WARD 3, WARD 5, WARD 6 AND MUNICIPAL JUDGE; ADOPTING A VOTING SYSTEM AS APPROVED BY SECRETARY OF STATE; AND DESIGNATING POLLING LOCATIONS FOR EARLY VOTING AND ELECTION DAY.

The General Election of City Officers was ordered to be held on Saturday, May 10, 2014, for the purpose of electing Councilpersons for Ward 3, Ward 5, Ward 6 and Municipal Judge. Early Voting will take place April 28 – May 6 at City Hall, 200 South Rusk Street. Election Day voting on May 10 will take place at the Civic Center.

Councilmember Hendricks moved for **approval of the resolution**, and was seconded by Councilmember Keeler. Motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Nichols).

RESOLUTION 02-18-2014 A – APPOINTING ELECTION OFFICIALS FOR THE MAY 10, 2014 GENERAL ELECTION

A RESOLUTION APPOINTING THE PRESIDING JUDGE AND ALTERNATE JUDGE FOR THE GENERAL ELECTION TO BE HELD MAY 10, 2014 AND ESTABLISHING THE RATE OF PAY FOR ELECTION WORKERS.

Resolution was approved for appointment of election officials for the General Election ordered to be held on May 10, 2014. On Election Day, May 10, 2014, Charles Woolfolk will serve as Presiding Judge, and Jane Dudley will serve as Alternate Judge at the combined polling location at the Civic Center. Early voting clerks are Kay Lunnon, City Secretary, and Caitlyn Huddleston, as Deputy Clerk.

Councilmember Clegg moved for **approval of the resolution**, and was seconded by Councilmember Snuggs. Motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent.

ORDINANCE NO. 1334-02-2014 – CALLING FOR A BOND ELECTION TO BE HELD ON MAY 10, 2014

AN ORDINANCE CALLING A BOND ELECTION IN THE CITY OF GAINESVILLE ON MAY 10, 2014.

Council adopted an Ordinance calling for a Bond Election to be held in the City of Gainesville on May 10, 2014. The Bond Proposition will permit City voters to vote either “FOR” or “AGAINST” issuance of \$10 million in bonds to be used for street and road improvements and related infrastructure. Sullivan said the tax impact analysis anticipates a 4.5 percent interest rate for the twenty year \$10 million bond issuance. The City tax rate is estimated to have a maximum increase of \$0.069, while the average increase to support the bonds is \$0.0511, during the twenty-year life of the bonds. A Fact Sheet regarding the Bond Proposition is posted on the City’s website www.gainesville.tx.us. The Fact Sheet will also be available at City facilities and offices.

Councilmember Snuggs moved to **Suspend the Charter requirement of three readings**, seconded by Councilmember Keeler, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 absent (Nichols).

Councilmember Snuggs moved to **adopt the ordinance**. The motion was seconded by Councilmember Keeler and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 absent (Nichols).

RESOLUTION 02-18-2014 B – PROVIDING FOR ADMINISTRATION OF THE BOND ELECTION ON MAY 10, 2014

A RESOLUTION PROVIDING FOR THE ADMINISTRATION OF THE MAY 10, 2014 BOND ELECTION.

Resolution was approved for publication of the Bond Election to be held on May 10, 2014, and appointment of election officials for Early Voting and Election Day. Early Voting will take place April 28 – May 6 at City Hall, 200 South Rusk Street. Election Day voting on May 10 will take place at the Civic Center. Charles Woolfolk will serve as Presiding Judge, and Jane Dudley will serve as Alternate Judge at the combined polling location at the Civic Center. Early voting clerks are Kay Lunnon, City Secretary, and Caitlyn Huddleston, as Deputy Clerk.

Councilmember Snuggs moved for **approval of the resolution**, and was seconded by Councilmember Dollar. Motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Nichols).

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 6:40 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Jim Goldsworthy, Mayor