

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
March 1, 2016**

The City Council of the City of Gainesville, Texas met in regular session on March 1, 2016 at 6:30 p.m. with the following persons in attendance.

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

STAFF PRESENT: Barry Sullivan, City Manager; Caitlyn Huddleston, City Secretary; Kevin Phillips, Chief of Police; Arleene Loyd, Gainesville Economic Development Coordinator; Julie Smith, Community Services Director

OTHERS PRESENT: William Smith, Aaron Wilson, Jeff Weber, Phillip Martin, Nikki King, Elizabeth Bell, Drake Thomas, Mike Todd, Rachel Haynes, Tom Kristof, Tony Dresser (Videographer)

CALL TO ORDER

Mayor Jim Goldsworthy called the meeting to order at 6:30 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Jerry Jones, Whaley United Methodist Church, 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 February 16, 2016 and approved them as written.

RESOLUTION 03-01-2016 – APPROVING APPOINTMENTS TO THE GAINESVILLE MAIN STREET BOARD

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING APPOINTMENTS TO THE GAINESVILLE MAIN STREET BOARD

Council approved the appointments of Barry Otts and Glenn Estes to the Gainesville Main Street Board. Both appointments are for three year terms to expire December 2018.

RESOLUTION 03-01-2016 A – APPROVING APPOINTMENTS TO THE GAINESVILLE PARKS AND RECREATION BOARD

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING APPOINTMENTS TO THE GAINESVILLE PARKS AND RECREATION BOARD

Council approved the reappointments Patty Haayen, Tracy Holman, and Jerry Don Henderson to the Gainesville Parks and Recreation Board for two years, expiring March 2018.

Councilmember Snuggs **moved to approve the Consent Agenda**, seconded by Councilmember Keeler, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

PUBLIC HEARING ON A PROPOSED ORDINANCE GRANTING A SPECIAL USE PERMIT AS REQUESTED BY NORTH GAINESVILLE SOLAR, LLC; ALLOWING FOR A SOLAR FARM TO BE LOCATED ON APPROXIMATELY 38 ACRES BETWEEN NORTH I-35 AND NORTH WEAVER STREET.

PUBLIC HEARING ON A PROPOSED ORDINANCE GRANTING A SPECIAL USE PERMIT AS REQUESTED BY NORTH GAINESVILLE SOLAR, LLC; ALLOWING FOR A SOLAR FARM TO BE LOCATED ON APPROXIMATELY 38 ACRES BETWEEN NORTH I-35 AND NORTH WEAVER STREET; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

Mayor Goldsworthy opened the Public Hearing at 6:32 p.m. and called for public comment on the proposed special use permit.

Aaron Wilson, Cypress Creek Developers, spoke in support of the permit issuance. He explained that currently, the company requesting the permit manages more than 50 times what is proposed in Gainesville. He expressed appreciation for the unique foresight the City of Gainesville had to have a process in place for allowing solar farms and that this was a “breath of fresh air” amongst other cities they’ve worked with.

With no further discussion, Councilmember Snuggs moved to close the Public Hearing, with second by Councilmember Clegg, and the motion carried by vote of 7 Ayes, 0 Nays, and 0 Absent.

The Public Hearing was closed at 6:35 p.m.

ORDINANCE 1383-03-2016 – GRANTING A SPECIAL USE PERMIT AS REQUESTED BY NORTH GAINESVILLE SOLAR, LLC; ALLOWING FOR A SOLAR FARM TO BE LOCATED ON APPROXIMATELY 38 ACRES ZONED INDUSTRIAL BETWEEN NORTH I-35 AND NORTH WEAVER STREET.

FIRST READING CONSIDERATION OF AND ACTION ON AN ORDINANCE GRANTING A SPECIAL USE PERMIT AS REQUESTED BY NORTH GAINESVILLE SOLAR, LLC; ALLOWING FOR A SOLAR FARM TO BE LOCATED ON APPROXIMATELY 38 ACRES ZONED INDUSTRIAL BETWEEN NORTH I-35 AND NORTH WEAVER STREET; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

Council granted a Special Use Permit to North Gainesville Solar, LLC, for the development of a solar farm located between North I-35 and North Weaver Street. There will be no on-site office or other structure; the only traffic generated will be by employees visiting the site once a week or so for routine maintenance. The entire site will be fenced with a security gate. The Planning and Zoning Commission unanimously recommended City Council grant the request. Councilmember Keith Clegg inquired about the term of the permit; City Manager Barry Sullivan explained the permit will expire upon change in ownership of the plant.

Mayor Goldsworthy thanked the requesting group for their investment in our community.

Councilmember Clegg **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Dollar, the motion carried by vote of 7 Ayes, 0 Nays, and 0 Absent.

Councilmember Clegg **moved to adopt the ordinance**. The motion was seconded by Councilmember Dollar and carried by vote of 7 Ayes, 0 Nays, and 0 Absent.

RESOLUTION 03-01-2016 B – APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION (GEDC) WHICH APPROVED THE

WORKFORCE SOLUTIONS TEXOMA MATCHING GRANT FOR HIGH WAGE, HIGH SKILL JOB TRAINING AT NORTH CENTRAL TEXAS COLLEGE (NCTC).

CONSIDERATION OF AND ACTION ON THE SECOND READING OF A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION (GEDC) WHICH APPROVED THE WORKFORCE SOLUTIONS TEXOMA MATCHING GRANT FOR HIGH WAGE, HIGH SKILL JOB TRAINING AT NORTH CENTRAL TEXAS COLLEGE (NCTC).

Council approved a \$75,000 grant from GEDC to the NCTC Health Sciences Simulation Department. This is a matching grant funded by the Texas Workforce Commission through Texoma Workforce Development Board. The net benefit to NCTC is \$150,000. This funds a cutting edge program in Gainesville, located in the new health sciences building, that will bring students in from the other campuses. It will also be a demonstration lab for other teaching institutions to learn about simulation technology. First reading consideration was held at the February 16, 2016 council meeting.

Councilmember Dollar **moved to approve the resolution.** The motion was seconded by Councilmember Keeler and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION 03-01-2016 C – AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF GAINESVILLE, TEXAS, THE CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT WITH CLEAR CREEK RETAIL, LLC.

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF GAINESVILLE, TEXAS, THE CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT WITH CLEAR CREEK RETAIL, LLC.

Council authorized the Mayor to sign the Chapter 380 Economic Development Agreement with Clear Creek Retail, LLC, to provide hauling and disposal services for the foundation of the 12 Oaks Inn and the adjacent restaurant located at Interstate 35 and US Highway 82. The Clear Creek Retail, LLC is planning to re-subdivide the property and develop a commercial corner with several different businesses that might include restaurants, retail stores, hotels, and office spaces. City Manager Barry Sullivan explained that this resolution supports the City's goals to improve the visual appearance of the City and to create a safe and prepared City, both with the objective to demolish 50 substandard structures, and to promote economic development and a diversified economy.

Councilmember Nichols **moved to approve the resolution.** The motion was seconded by Councilmember Keeler and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

ORDINANCE 1384-03-2016 – AMENDING CODE OF ORDINANCES, SECTION 13-9 DISCHARGING FIREARMS.

FIRST READING CONSIDERATION OF AND ACTION ON AN ORDINANCE AMENDING CODE OF ORDINANCES, SECTION 13-9 DISCHARGING FIREARMS; PROVIDING FOR PENALTY NOT TO EXCEED \$500; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVING FOR AN EFFECTIVE DATE AND FINDING THAT THE MEETING WAS OPEN TO THE PUBLIC.

Council voted to amend city code to exempt indoor shooting ranges that meet all city, state, and federal laws and regulations from having to apply for a permit to discharge firearms inside the facility. City Manager Barry Sullivan explained that there is an indoor shooting range interested in locating in the City of Gainesville. Currently, the impression of City Staff is that the permit to discharge firearms is intended for a onetime event. A section was also added to allow for appeals of permits denied by the City Manager to be heard before the City Council.

Councilmember Snuggs **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Clegg, the motion carried by vote of 7 Ayes, 0 Nays, and 0 Absent.

Councilmember Snuggs **moved to adopt the ordinance**. The motion was seconded by Councilmember Clegg and carried by vote of 7 Ayes, 0 Nays, and 0 Absent.

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 7:09 p.m. and Mayor Jim Goldsworthy announced no action was taken during executive session.

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 7:09 p.m.

Respectfully submitted,

Caitlyn Huddleston, City Secretary

Jim Goldsworthy, Mayor