

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
November 7, 2006
6:30 P.M.**

The City Council of the City of Gainesville, Texas met in regular session on November 7, 2006 at 6:30 p.m. with the following persons in attendance:

MEMBERS PRESENT: Mayor Glenn Loch
Council Members Charles Draper, Jim Goldsworthy, Carolyn Hendricks, Vince Rippey, Beverly Snuggs, Woody Williams

STAFF PRESENT: Mike Land, City Manager; Kay Lunnon, City Secretary; Dan Parker, Finance Director, Kent Sharp, GEDC Executive Director, Roy Lewis, Building Official, John Noblitt, Planning Technician; Bill Harris, City Attorney

VISITORS PRESENT: Kathy Floyd, Andy Hogue

CALL TO ORDER

Mayor Loch called the meeting to order. A quorum of members was present.

INVOCATION & PLEDGE OF ALLEGIANCE

Councilman Charles Draper gave the invocation. Mayor Loch led in the pledge to the flag.

CONSENT AGENDA

Council reviewed the Minutes of the October 17, 2006 Regular City Council Meeting.

Councilmember Rippey **moved to approve the Consent Agenda**, and was seconded by Councilmember Snuggs. Motion carried unanimously.

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippey, Snuggs, and Williams.

Nays: None.

ITEMS CONSIDERED

RESOLUTIONS

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF GAINESVILLE WHICH ADOPTED THE ENHANCED POWDER COATINGS EXPANSION PROJECT AS AN ECONOMIC DEVELOPMENT PROJECT ELIGIBLE FOR FUNDING AND AUTHORIZED FINANCIAL INCENTIVES TO ENHANCED POWDER COATING, LLC.

Kent Sharp, Executive Director of the GEDC, said Enhanced Powder Coatings requested financial assistance from GEDC for job creation in Phase Four of their expansion project. The GEDC Board of Directors approved the project as qualified for financial incentives of up to \$3,500 per job for creation of thirty-two new job positions. The financial incentives are to be paid out to the company on a quarterly basis over a three-year period, upon verification and documentation of salary and range for each new position, and verification of employment for

ninety continuous days, in accordance with GEDC financial incentives guidelines. Council approval is requested.

Councilmember Goldsworthy made the **motion to approve the Resolution**, and was seconded by Councilmember Draper. Motion carried unanimously.

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippey, Snuggs, and Williams.

Nays: None.

ORDINANCES

PUBLIC HEARING ON SPECIFIC USE PERMIT FOR A CHILDCARE FACILITY AT 1109 MAGNOLIA STREET

The Mayor announced the public hearing at 6:38 p.m. and called for comments either for or against the permit.

No person came forward to speak either for or against the permit requested by Sharon Prestage.

Councilmember Snuggs **moved to close the Public Hearing**, seconded by Councilmember Williams. The Public Hearing closed at 6:39 p.m. by vote of:

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippey, Snuggs, and Williams

Nays: None.

ORDINANCE NO. 1159-11-2006 – SPECIFIC USE PERMIT FOR SHARON PRESTAGE AT 1109 MAGNOLIA STREET

AN ORDINANCE AMENDING ORDINANCE NO. 25-2-71; 101A-8-76; 154-12-79; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, TO RENEW A SPECIFIC USE PERMIT, AS REQUESTED BY SHARON PRESTAGE FOR A CHILD CARE FACILITY IN A REGISTERED FAMILY HOME LOCATED AT 1109 MAGNOLIA STREET; MAKING FINDINGS OF FACT; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF GAINESVILLE; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SUSPENSION OF THE CITY CHARTER REQUIREMENT OF READING ON THREE SEPARATE OCCASIONS.

City Manager Mike Land said the permit renewal for Sharon Prestage was approved and recommended by the Planning and Zoning Commission on October 10, 2006, after all required notices and open hearing requirements were met. John Noblitt, Planning Technician, added that Mrs. Prestage has been a registered facility for several years. She is currently in compliance with all other city ordinances, has filed application and paid her fee in accordance with the conditions of her current Specific Use Permit.

Councilmember Draper **moved for Suspension of Charter**, and was seconded by Councilmember Goldsworthy. Motion carried:

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippey, Snuggs, and Williams

Nays: None

Councilmember Rippey **moved to adopt the Ordinance**, was seconded by Councilmember Snuggs, and adopted by unanimous vote:

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippey, Snuggs, and Williams

Nays: None

PUBLIC HEARING ON SPECIFIC USE PERMIT FOR A CHILDCARE FACILITY AT 1702 HARRIS STREET

The Mayor announced the public hearing at 6:40 p.m. and called for comments either for or against the permit.

No person came forward to speak either for or against the permit requested by Bonnie Schumacher.

Councilmember Goldsworthy **moved to close the Public Hearing**, seconded by Councilmember Draper. The Public Hearing was closed at 6:41 p.m. by unanimous vote:
Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippy, Snuggs, and Williams
Nays: None.

ORDINANCE NO. 1160-11-2006 – SPECIFIC USE PERMIT FOR BONNIE SCHUMACHER AT 1702 HARRIS STREET

AN ORDINANCE AMENDING ORDINANCE NO. 25-2-71; 101A-8-76; 154-12-79; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, TO RENEW A SPECIFIC USE PERMIT, AS REQUESTED BY BONNIE SCHUMACHER FOR A CHILD CARE FACILITY IN A REGISTERED FAMILY HOME LOCATED AT 1702 HARRIS STREET; MAKING FINDINGS OF FACT; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF GAINESVILLE; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR SUSPENSION OF THE CITY CHARTER REQUIREMENT OF READING ON THREE SEPARATE OCCASIONS.

Noblitt reported the permit renewal for Bonnie Schumacher was approved and recommended by the Planning and Zoning Commission on October 10, 2006, after all required notices and open hearing requirements were met. In accordance with the conditions of her current Specific Use Permit, Mrs. Schumacher has filed application and paid her fee, and is currently in compliance with all other city ordinances.

Councilmember Goldsworthy **moved to Suspend the Charter**, and was seconded by Councilmember Snuggs. The motion carried:
Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippy, Snuggs, and Williams
Nays: None

Councilmember Goldsworthy **moved to adopt the Ordinance**, seconded by Councilmember Draper. The motion carried by unanimous vote:
Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippy, Snuggs, and Williams
Nays: None

ORDINANCE NO. 1161-11-2006 – ADOPTING HISTORIC BUILDING CODES

AN ORDINANCE AMENDING ARTICLE I, SECTION 5-2, SUBSECTION 3406 OF THE CITY OF GAINESVILLE CODE OF ORDINANCES RELATING TO THE CONSTRUCTION, REPAIR, ALTERATION, ADDITION, RESTORATION OR RENOVATION OF STRUCTURES OR BUILDINGS OF A HISTORIC NATURE; ADOPTING HISTORIC BUILDING CODES; PROVIDING FOR ENFORCEMENT AND FOR PENALTIES OF UP TO \$2,000.00 PER DAY; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; AND REPEALING CODES OR ORDINANCES IN CONFLICT WITH THE AMENDMENTS STATED HEREIN; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR AN OPEN MEETING FINDING; AND PROVIDING FOR

SUSPENSION OF THE CITY CHARTER REQUIREMENT OF READING ON THREE SEPARATE OCCASIONS.

Roy Lewis, Building Official, explained that when the 2003 Building Code was adopted, the 2000 Code was deleted, and the Historic Building Codes were also deleted. This ordinance re-adopts Historic Building Codes as Appendix Z to the Building Code with language specifying that it is to be carried forward with each newly adopted version of the Building Code. The Historic Building Codes are amended in accordance with the 2003 Building Codes and relate to the construction, repair, alteration, addition, movement, restoration or renovation of existing structures or buildings over fifty years old in the historic district, which consists primarily of the “CA” Central Area Zoning District. The approval process for permits is defined, which is, that permits are to be filed with the Building Official, reviewed and recommended by the Main Street Advisory Board, and final decision is to be made by the Planning and Zoning Commission.

Councilmember Goldsworthy **moved for Suspension of Charter**, and was seconded by Councilmember Williams. The motion carried:

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippey, Snuggs, and Williams

Nays: None

Councilmember Goldsworthy **moved to adopt the Ordinance**, seconded by Councilmember Draper. The motion carried by the following votes:

Ayes: Draper, Goldsworthy, Hendricks, Loch, Rippey, Snuggs, and Williams

Nays: None

EXECUTIVE SESSION

Council did not convene into executive session.

CITY MANAGER’S COMMENTS

Land reminded everyone that the dedication of the WWII Camp Howze monument is to be held on Saturday, November 11, at 3:00 p.m, at the TXDOT Travel Information Center on North I-35. The City will sponsor the annual Veteran’s Day Celebration at 5:30 p.m. in Leonard Park at the Veteran’s War Memorial.

MAYOR’S COMMENTS

Mayor Loch also invited and encouraged everyone to attend the WWII monument dedication and the Veteran’s Day Celebration on Saturday.

ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 6:47 p.m.

Glenn Loch, Mayor

Attest:

Kay Lunnon, City Secretary