

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
March 4, 2008**

The City Council of the City of Gainesville, Texas met in regular session on March 4, 2008 at 6:30 p.m. with the following persons in attendance:

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

MEMBERS ABSENT: Charles Draper

STAFF PRESENT: Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Steve Fleming, Interim Police Chief; John Noblitt, Planning Technician; Patrick McCage, Parks Supervisor, Kent Sharp, GEDC Executive Director;

OTHERS PRESENT: Lennie Sewell, Rebekah Sewell, Stephen Monahan, Kathy Floyd, Steve Porter, Jay Porter, Jason Beck

CALL TO ORDER

Mayor Loch called the meeting to order with a quorum of members present. The absence of Councilmember Draper was noted.

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Eddie Chennault, Temple Baptist Church, gave the invocation. Mayor Loch led the pledge to the flag.

Mayor Loch recognized and introduced Jay Porter, a local Boy Scout.

REPORTS

Interim Police Chief Steve Fleming presented the annual report on contact data for the Gainesville Police Department. Fleming said the department collects more data than is required by law.

CITIZEN COMMENTS

Lennie Sewell showed slides of various obstructions in Pecan Creek that block the water flow. Her photos were taken from Garnett Street north to Myrtle Street. Sewell wanted to encourage Council and the City to make the clean-up of Pecan Creek a priority.

CONSENT AGENDA

Council reviewed the Minutes of the Joint Workshop held on February 12, 2008, between the City Council and the Parks Board, and the Minutes of the Regular City Council Meeting of February 19, 2008, and approved them both as written.

Councilmember Snuggs **moved to approve**, and was seconded by Councilmember Williams. The motion carried by a vote of 6 Ayes: 0 Nays, and 1 absent: Draper.

RESOLUTION NO. 03-04-2008 - SUPPORTING THE NORTHERN FLYER ALLIANCE AND EXTENDING AMTRAK SERVICE BETWEEN OKLAHOMA CITY AND KANSAS CITY.

A RESOLUTION SUPPORTING THE NORTHERN FLYER ALLIANCE AND EXTENDING AMTRAK SERVICE BETWEEN OKLAHOMA CITY AND KANSAS CITY.

The resolution endorses the efforts of the Northern Flyer Alliance in Kansas to extend existing Amtrak passenger rail service to Kansas City from the Dallas-Fort Worth area, and shows Gainesville's support for the project as a city along the Amtrak route. City Manager, Barry Sullivan recommended approval of the resolution, stating the Amtrak brings many visitors to our city.

Councilmember Goldsworthy **moved to approve**, and was seconded by Councilmember Snuggs. The motion carried by a vote of 6 Ayes: 0 Nays, and 1 absent: Draper.

ORDINANCE NO. 1196-03-2008 - PROHIBITING REGISTERED SEX OFFENDERS FROM RESIDING WITHIN 2,000 FEET OF PREMISES WHERE CHILDREN GATHER

AN ORDINANCE OF CITY OF GAINESVILLE, TEXAS, AMENDING THE CITY OF GAINESVILLE CODE OF ORDINANCES BY ADDING ARTICLE V, ENTITLED "REGISTERED SEX OFFENDERS", TO CHAPTER 13, TO PROHIBIT CERTAIN DESIGNATED PERSONS FROM RESIDING WITHIN 2,000 FEET OF PREMISES WHERE CHILDREN GATHER; PROVIDING DEFINITIONS; PROVIDING OFFENSES; PROVIDING EVIDENTIARY MATTERS AND MEASUREMENTS AND ADOPTING A MAP OF LOCATIONS; PROVIDING THAT A CULPABLE MENTAL STATE IS NOT REQUIRED FOR COMMITTING AN OFFENSE; PROVIDING AFFIRMATIVE DEFENSES; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS; PROVIDING A SAVINGS AND REPEALER CLAUSE; PROVIDING SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was presented for third reading with the distance boundary set at 2,000 feet around each identified premise where children gather. Maps were presented showing the identified facilities, including schools, childcare, public parks and playgrounds, video arcades and youth centers and indicating distance boundaries at 1,000 feet, 1500 feet, and 2,000 feet for Council's decision.

With no further discussion, Councilmember Goldsworthy **moved to adopt the ordinance as presented**. The motion was seconded by Councilmember Rippy and carried by a vote of 6 Ayes: 0 Nays, and 1 absent: Draper.

ORDINANCE NO. 1197-03-2008 - DESIGNATING THE INTERSECTIONS OF ELM STREET AND DIXON STREET AND ELM STREET AND COMMERCE STREET AS FOUR-WAY STOP INTERSECTIONS TO BE CONTROLLED BY STOP SIGNS

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, DESIGNATING THE INTERSECTIONS OF ELM STREET AND DIXON STREET AND ELM STREET AND COMMERCE STREET IN THE CITY OF GAINESVILLE, TEXAS, AS FOUR-WAY STOP INTERSECTIONS, TO BE CONTROLLED BY STOP SIGNS; AUTHORIZING THE ERECTION OF SIGNS AT THE INTERSECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR REPEAL OF

