

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
May 17, 2011**

The City Council of the City of Gainesville, Texas met in regular session on May 17, 2011 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Glenn Loch
Jim Goldsworthy, Carolyn Hendricks, Ken Keeler, Philip Neelley,
Ray Nichols, Vince Rippy, Beverly Snuggs

STAFF PRESENT: Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Dan Parker, Finance Director; Steven Fleming, Police Chief; Leah Gore, Human Resources Director; John Noblitt, Community Services Director

OTHERS PRESENT: Jennifer Goldsworthy, Hunter, Jacob, Tyler, & Cooper Goldsworthy, Amanda Neelley, Charlie, Max, & Olivia Neelley, Tammy Gilbreath, Kim Noblitt, Justin Noblitt, Jocelyn Sanchez, Maria Melendez, Lynzee Loch, Kit Chase, Heather Pilkington, Scott & Jenny Richardson, David Jones, Boy Scout Troup 670, Faisal Reza, Darin Allred, Angel Walker, Jeremy and Tasha Anderson, Aliene Bodboldt, Brett Bodboldt, Mary Onugha, Arthur L. Warren, Bobby Balthrop, Larry Downe, David Peters, Jody Henry, Patrick McCage, David Garner, Earl Williams, Susan Yetter, David Hughes

CALL TO ORDER

Mayor Glenn Loch called the meeting to order at 6:30 p.m. All members of the Council were present.

INVOCATION & PLEDGE OF ALLEGIANCE

Father Victor Cruz, Saint Mary's Catholic Church gave the invocation. Mayor Loch led in the pledge to the flag.

SWEARING IN OF ELECTED OFFICIALS

Municipal Court Judge, Chris Cypert, administered the Oath of Office to each newly elected official: Jim Goldsworthy, Mayor, Carolyn Hendricks, Councilmember Ward 1, Beverly Snuggs, Councilmember Ward 2, Philip Neelley, Councilmember Ward 3, and Ken Keeler, Councilmember Ward 4.

As Mayor Loch stepped down from the dais, Goldsworthy expressed on behalf of the City of Gainesville and citizens and members of the City Council, their respect and appreciation to him for his sixteen years of service to the community.

Goldsworthy took a moment to recognize and call his wife Jennifer forward, presenting her with roses in celebration of their 25th wedding anniversary, which is today.

ELECTION OF MAYOR PRO TEM

Mayor Goldsworthy called for nominations for Mayor Pro Tem for the next Council year. Councilmember Snuggs nominated Ray Nichols, and Councilmember Neelley seconded the

nomination. Goldsworthy asked for any other nominations. Receiving no other nominations and with no further discussion, Nichols was elected Mayor Pro Tem by a vote of 6 Ayes, 0 Nays, 1 Abstention (Nichols), and 0 Absent.

RECOGNITIONS/PROCLAMATIONS

Recognition of efforts of the City of Gainesville Safety Advisory Committee/Accident Review Board

Mayor Goldsworthy called forward the members of the City's Safety Advisory Committee/Accident Review Board. He read and presented a Certificate of Recognition to the committee for their work in reducing Worker's Compensation losses for the City over a five-year period. Committee members present and receiving recognition are Leah Gore, Bobby Balthrop, Larry Downe, David Peters, Jody Henry, Patrick McCage, David Garner, Earl Williams, Susan Yetter, David Hughes.

May 2011 City Employee of the Month

Barry Sullivan read and presented a Certificate of Recognition to Public Safety Dispatcher, Cynthia Walker, naming her as City Employee of the Month for May 2011. Walker was recognized for her professional and calm handling of a structure fire call, providing assistance to fire department personnel that helped to save the structure from total loss. In addition, Walker received a certificate redeemable for one day off with pay.

CONSENT AGENDA

Council reviewed the Minutes of the regular City Council Meeting of May 3, 2011 and the May 7, 2011 Budget Workshop meeting and approved them as written.

RESOLUTION NO. 05-17-2011 – APPROVE APPOINTMENTS TO BUILDING AND STANDARDS COMMISSION

A RESOLUTION MAKING APPOINTMENTS TO THE BUILDING AND STANDARDS COMMISSION.

Re-appointments were approved for Jock Conner, John Hendrik, Robbie Baugh, and Michael Blake (as Alternate) to the Building and Standards Commission, to terms through May 2013. Jess Cason was approved and moved from alternate member to regular board member, replacing Raymond Root who resigned due to moving his residency out of town. Cason's appointment is through May 2012.

RESOLUTION NO. 05-17-2011 A – NOMINATING RON SELLMAN TO THE NORTH TEXAS GROUNDWATER CONTROL DISTRICT BOARD OF DIRECTORS

A RESOLUTION NOMINATING RON SELLMAN TO THE NORTH TEXAS GROUNDWATER CONTROL DISTRICT BOARD OF DIRECTORS.

Ron Sellman was nominated as representative of the largest municipal groundwater producer in Cooke County, for appointment to the North Texas Groundwater Control District Board of Directors, for a four-year period expiring June 1, 2015. The City's nominations are submitted to the Cooke County Commissioners for appointment. The North Texas Groundwater Conservation District encompasses Collin, Cooke and Denton Counties, and is governed by a board of nine directors (3 directors per County).

Councilmember Nichols **moved to approve the Consent Agenda**, and was seconded by Councilmember Rippey. Motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, and 0 Absent.

PUBLIC HEARING ON AN ORDINANCE FOR A SPECIFIC USE PERMIT AT 312 HILLSIDE FOR THE OPERATION OF AN IN HOME CHILDCARE BUSINESS

Mayor Goldsworthy called on City Manager Barry Sullivan to present the information regarding this request for a Specific Use Permit. Sullivan stated current zoning allows for use of the property as requested, for operation of an in home childcare business. The Planning and Zoning Commission unanimously recommended approval of a five-year SUP with stipulation that the permit be immediately revoked upon sale of property, rental of property to a third party, or failure to pay annual permit fee established by City Council in the annual fee schedule.

Mayor opened the Public Hearing at 6:48 p.m. and called for comments either for or against the Specific Use Permit. No person came forward to speak either for or against the ordinance.

With no further discussion, Councilmember Snuggs **moved to close the Public Hearing**, and was seconded by Councilmember Keeler, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, and 0 Absent. The Public Hearing was closed at 6:49 p.m.

ORDINANCE 1272-05-2011 – GRANTING A SPECIAL USE PERMIT TO TYLER YARBROUGH FOR AN IN HOME CHILDCARE BUSINESS AT 312 HILLSIDE DRIVE

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 ISSUE A SPECIAL USE PERMIT AS REQUESTED BY TYLER YARBROUGH ALLOWING FOR IN HOME CHILDCARE AT 312 HILLSIDE DRIVE; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

With no further discussion, Council considered and adopted Ordinance on first reading, granting a five-year Special Use Permit (SUP), as so stipulated, to Tyler Yarbrough for an in home childcare business at 312 Hillside Drive.

Councilmember Snuggs **moved to suspend the Charter**, and was seconded by Councilmember Rippey. The motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, and 0 Absent.

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

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 6:50 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Jim Goldsworthy, Mayor