



CITY OF GAINESVILLE
NOTICE OF REGULAR CALLED CITY COUNCIL MEETING
Tuesday, May 15, 2012, 6:30 P.M.
MUNICIPAL BUILDING, 200 SOUTH RUSK, GAINESVILLE, TEXAS

Jim Goldsworthy, Mayor

Carolyn Hendricks, Councilmember, Ward 1
Beverly Snuggs, Councilmember, Ward 2
Philip Neelley, Councilmember, Ward 3

Ray Nichols, Mayor Pro Tem
Ken Keeler, Councilmember, Ward 4
Vince Rippy, Councilmember, Ward 6

AGENDA

- 1. CALL TO ORDERMayor Pro Tem, Ray Nichols**
- 2. INVOCATIONReverend Garry Way, Cornerstone Baptist Church**
- 3. PLEDGE TO THE FLAG**
4. Consideration of and action on a letter from Phillip Neelley regarding his election as City Council Member, Ward 3.
- 5. SWEARING IN OF ELECTED OFFICIALS... Judge John Morris, Cooke County Court at Law**
Ray Nichols, Council Ward 5
Vince Rippy, Council Ward 6
Christopher F. Cypert, Municipal Judge
- 6. ELECTION OF MAYOR PRO TEM**
- 7. PROCLAMATIONS/RECOGNITIONS**
National Law Enforcement Week, May 13-19, 2012
City Employee of the Month, May 2012
- 8. REPORTS**
Cohen Scholarship Award
- 9. CITIZEN COMMENTS**
- 10. CONSENT AGENDA**
A. Minutes of May 1, 2012 Regular City Council Meeting
B. Appointment to Main Street Board

ITEMS TO BE CONSIDERED

- 11. Consideration of and action on a Resolution of the City Council of the City of Gainesville declaring a vacancy on the City Council.**

12. Consideration of and action on a Resolution authorizing the City Manager, for and on behalf of the City of Gainesville, to execute an agreement with Kimley-Horn and Associates for implementation of Individual Project Order 2012-2, Bid Package D, of the Street and Utility Maintenance Program for the City of Gainesville.
13. Consideration of and action on a Resolution of the City of Gainesville denying Atmos Energy Corp., Mid-Tex Division's ("Atmos Mid-Tex") requested rate change; requiring the company to reimburse the city's reasonable ratemaking expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and ACSC's legal counsel.
14. Consideration of and action on SECOND 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 multi-family high density (MF-2) to multi-family low density (MF-1) the property identified as 1610 Bonner Road; 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.
15. Consideration of and action on FIRST READING of an Ordinance of the City of Gainesville amending the Code of Ordinances, Chapter 9, Article VIII Pawnbrokers and Other Dealers, Section 9-327 Definitions "Secondhand Dealer" and Section 9-329 Defenses; providing for publication; providing an effective date; and making an open meeting finding.
16. Consideration of and action on FIRST READING of an Ordinance of the City of Gainesville, Texas amending Appendix A - Zoning of the Code of Ordinances of the City of Gainesville, Article III - Use of Land or Premise, Section 3.1.13 Industrial District defined, Section 3.4.02 General Provisions for All Districts, Section 3.4.04 Commercial and Industrial Provisions, providing for severability, providing for repeal of conflicting ordinances, providing for an effective date, and finding the meeting was open to the public.
17. Consider all matters incident and related to the issuance and sale of "City of Gainesville, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2012", including the adoption of an ordinance authorizing the issuance of such certificates of obligation.

EXECUTIVE SESSION

Adjourn into closed or executive session in compliance with Vernon's Texas Codes Annotated, Government Code, Chapter 551 (Open Meetings Act), to discuss the following:

Under Government Code §551.087 Economic Development

RECONVENE INTO OPEN SESSION

ADJOURN _____ p.m.

At any time during the meeting and in compliance with the Texas Open Meetings Act, Chapter 551, Government Code, Vernon's Texas Codes, Annotated, the City Council may meet in executive session on any of the above agenda items for consultation concerning attorney-client matters (§551.071); deliberation regarding real property (§551.072); deliberation regarding prospective gift (§551.073); personnel matters (§551.074); deliberation regarding security devices (§551.076); and deliberation regarding economic development negotiations (§551.087). Any subject discussed in executive session may be subject to action during the open meeting.

- i. *Citizen comments will be limited to persons who have registered with the City Secretary in advance, except by majority vote of the City Council. In accordance with the Open Meetings Act, the Council will hear comments of public interest, but any discussion shall be limited to placing the item on a future agenda for consideration.*
- ii. *Items on the Consent Agenda will be voted on in one motion unless request is made for separate discussion and approved by the City Council.*
- iii. *In order to be fair to all persons who have items on the agenda or interest in one or more of the items, the Council may impose time limitations on speakers in Public Hearings. Applicants must limit presentations to 5 minutes. The Mayor may impose other time constraints at his discretion, depending on other prevailing factors. Speakers will be notified by the Mayor Pro Tem when their time has expired.*
- iv. *The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act.*
- v. *The Council reserves the right to suspend the Charter and adopt any ordinance without three readings.*
- vi. *Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at (940) 668-4500 two working days prior to the meeting so that appropriate arrangements can be made.*

I, Kay Lunnon, City Secretary, posted this Agenda on the official City of Gainesville bulletin board in the Municipal Building, 200 S. Rusk Street, Gainesville, Texas 76240, which is accessible to the public twenty-four hours each day at _____ a.m./p.m. on _____, 2012.

Kay Lunnon

Sworn to and subscribed before me on this the _____ day of _____, 2012.

Notary Public, State of Texas
My Commission expires: _____