

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
May 1, 2012**

The City Council of the City of Gainesville, Texas met in regular session on May 1, 2012 at 6:30 p.m. with the following persons in attendance.

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

MEMBERS ABSENT: Phillip Neelley

STAFF PRESENT: Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Bill Harris, City Attorney; Dan Parker, Finance Director; Steven Fleming, Police Chief; Kent Sharp, GEDC Executive Director

OTHERS PRESENT: Sasha Hilliard, Dale Ruble, Allen Phillips, Shawna Powell, Sally Page, Joe Conner, Steven Simms, Lois Essenburg, Angie Hare, John Hare, Scott Richardson, Paula Moore, Rickey Nichols, Gary Alexander, Gary Cox, Ray Fletcher, Lynette Pettigrew, Alanna Williams, Ben Willingham, Cliff Yow, Don Pettigrew, Mike McHorse, Elaine McHorse, Jenny Richardson, Tom Schad, Pam Schad, Mandy Davis, Blake Davis, Bobby Balthrop, Jason Botcher, Roy Brewer, Dennis Brewer, Cori Bruce, Kelli Hedley, Sarah Palacio, Jordan Dietz, Juan Najera, Greg Russell, Kit Chase

CALL TO ORDER

Mayor Goldsworthy called the meeting to order at 6:30 p.m. with a quorum of members present. Councilman Neelley was absent.

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend Robert Kelley gave the invocation. Mayor Goldsworthy led in the pledge to the flag.

PROCLAMATIONS/ RECOGNITIONS

Mayor Goldsworthy read and presented the following proclamations:

Motorcycle Safety & Awareness Month, May 2012

Urging increased safety and awareness for Motorcycle Safety. The proclamation was presented to Sasha Hilliard and Dale Ruble, from the Survivors United Motorcycle Club.

National Travel and Tourism Week, May 5-13, 2012

Recognizing the economic benefits of the travel industry. The proclamation was presented to Allen W. Phillips and Shawna Powell, Texas Travel Information Center, Gainesville.

Jones Hope Wooten World Premiere Day, May 10, 2012

Recognizing Butterfield Stage hosting, and First State Bank sponsoring, the World Premiere stage production of Rex's Exes, a play written by famous playwrights Jones Hope Wooten and encouraging citizens to attend local community theater. The Proclamation was presented to Sally Page, Director and Joe Conner, representing Butterfield Stage.

Cooke County United Way Day of Caring, May 11, 2012

Announcing the third annual volunteer clean up event organized by the Cooke County United Way. Community volunteers are encouraged to participate in the event on May 11, 2012. The proclamation was received by Steven Simms and Lois Essenburg, Committee Chairs, and Angie Hare, Executive Director of Cooke County United Way.

Star of North Texas Award

Mayor presented individual "Star of North Texas" certificates and medallions to the organizers of the 2012 Medal of Honor Host City Program for their outstanding efforts in development and coordination of the 2012 Medal of Honor Host City Program events and activities. Recipients named to receive the Star of North Texas Award are: Scott Richardson, Karen Cook, Paula Moore, Rickey Nichols, Gary Alexander, Gary Cox, Ray Fletcher, Lynette Pettigrew, Alanna Williams, Ben Willingham, Cliff Yow, Don Pettigrew, Mike McHorse, Elaine McHorse, Tom Schad, Pam Schad, Mandy Davis, Blake Davis, Jenny Richardson, Ron Sellman, Sr., Mickey Sellman, Bobby Balthrop, and Jason Botcher.

REPORTS

City Manager Barry Sullivan updated Council on the status of the Atmos Rate Case. Atmos Energy Corporation, Mid-Tex Division, requested a rate increase of 13.6% to become effective March 6, 2012, but the increase was suspended for ninety days to allow the Atmos Cities Steering Committee (ACSC) to review and determine reasonable rates. Gainesville is a member city of ACSC. Sullivan reported that legal counsel for ACSC has been negotiating a settlement for the rate case, but at this time no deal has been reached. Atmos has extended its effective date until June 11, 2012. ACSC says the rate increase is not justifiable. If a settlement cannot be reached, then a resolution to deny the rate change will be presented to the City Council. Atmos would then have to appeal the denial to the Railroad Commission.

CITIZEN COMMENTS

Mr. Juan Najera requested Council consideration of waiving the tent set-up fee for non-profit organizations. Najera said his church wants to have a tent revival, but the tent fee of \$100 a day is prohibitive.

CONSENT AGENDA

Council reviewed Minutes of the regular City Council Meeting of April 17, 2012, and approved them as written.

Councilmember Nichols **moved to approve the Consent Agenda**, and was seconded by Councilmember Snuggs. Motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Neelley).

PUBLIC HEARING ON A PROPOSED ORDINANCE TO RE-ZONE 1610 BONNER ROAD FROM MULTI-FAMILY 2 (MF-2) TO MULTI-FAMILY 1(MF-1)

Mayor Goldsworthy announced the proposed ordinance and opened the Public Hearing at 6:47 p.m. for public comment. No one came forward to speak either for or against the proposed rezoning.

With no further discussion, Councilmember Snuggs **moved to close the Public Hearing**, seconded by Councilmember Keeler. Motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Neelley). The Public Hearing was closed at 6:48 p.m.

FIRST READING APPROVAL OF ORDINANCE TO RE-ZONE 1610 BONNER ROAD FROM MULTI-FAMILY 2 (MF-2) TO MULTI-FAMILY 1(MF-1)

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.

First reading was approved for an ordinance to re-zone 1610 Bonner Road from Multi-family 2 (MF-2) to Multi-Family 1 (MF-1). The applicant is requesting the zoning district change in order to construct a duplex on the property. The lot is small and cannot reasonably be used for an apartment complex of five or more units as required under the high density MF-2 zoning. The City Manager recommended for the zoning change, stating the proposed use makes sense and the low density MF-1 zoning is transitional between the Single Family 2 (SF-2) and Multi-Family 2 (MF 2) zoning districts abutting the property. There are currently four duplexes in the neighborhood. Second reading of the ordinance will be held at the regular Council meeting on May 15, 2012.

Councilmember Rippy **moved to approve first reading of the ordinance.** The motion was seconded by Councilmember Keeler and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Neelley).

EXECUTIVE SESSION

At 6:50 p.m. Mayor 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 §551.087 Economic Development

RECONVENE INTO OPEN SESSION

Council reconvened into open session at 7:19 p.m. Mayor 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 7:19 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Jim Goldsworthy, Mayor