



**CITY OF GAINESVILLE**  
**NOTICE OF REGULAR CALLED CITY COUNCIL MEETING**  
**Tuesday, April 16, 2013, 6:30 P.M.**  
**MUNICIPAL BUILDING, 200 SOUTH RUSK, GAINESVILLE, TEXAS**

*Jim Goldsworthy, Mayor*

*Carolyn Hendricks, Councilmember, Ward 1*  
*Beverly Snuggs, Councilmember, Ward 2*  
*Keith Clegg, Councilmember, Ward 3*

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

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**AGENDA**

- 1. CALL TO ORDER .....Mayor Jim Goldsworthy**
- 2. INVOCATION .....Reverend Robert Kelly**
- 3. PLEDGE TO THE FLAG**
- 4. RECOGNITIONS/PROCLAMATIONS**  
**City Employee of the Month, April 2013**  
**National Public Safety Telecommunications Week, April 07 – 13, 2013**  
**Recognition Tom Carson, Cooke County Historical Commission and Hughes Tune**  
**VFW Post 1922**
- 5. REPORTS**
- 6. CITIZEN COMMENTS**
- 7. CONSENT AGENDA**
  - A. Approve Minutes of April 2, 2013 Workshop Meeting
  - B. Approve Minutes of April 2, 2013 City Council Meeting
  - C. Appointment to Texoma Council of Governments Board of Directors
  - D. Appointment to Meals on Wheels of Texoma
  - E. Authorize City Representatives for transactions with TexPool accounts
- 8. Consideration of and action on a Resolution authorizing addition of five names of Cooke County veterans to the Leonard Park War Memorial and payment therefor.**
- 9. Consideration of and action on a Resolution of the City Council approving the sale of alcohol in the 100 block of South Commerce Street by the City of Gainesville Main Street Program during Summer Sounds Concert Series May 31, June 28, and July 26, 2013.**
- 10. Public Hearing on an Ordinance to rezone from Restricted Commercial (C-1) to Single-family Two (SF-2) the entirety of the properties identified as 1219, 1221, and 1223 South Clements Street.**

11. Consideration of and action on 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 rezone from Restricted Commercial (C-1) to Single-family Two (SF-2) the entirety of the properties identified as 1219, 1221, and 1223 South Clements Street; 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.
12. Public Hearing on an Ordinance to rezone from General Commercial (C-2) to Multi-family Low Density (MF-1) the property identified as 1427 Throckmorton Street.
13. Consideration of and action on 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 rezone from General Commercial (C-2) to Multi-family Low Density (MF-1) the property identified as 1427 Throckmorton Street; 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.
14. Consideration of and action on SECOND READING of an ordinance of the City of Gainesville, Texas amending Chapter 8 of the Code of Ordinances, establishing Article IV Smoking Regulations; providing for control and regulation of smoking in public places; providing for penalty not to exceed \$2000 for each offense; providing for severability; providing for publication and an effective date; and providing an open meetings finding.
15. Consideration of and action on SECOND READING of an ordinance of the City of Gainesville, Texas amending Chapter 5- Buildings and Building Regulations Article I - Building Standards of the Code of Ordinances of the City of Gainesville, providing for severability, providing for repeal of conflicting ordinances, providing for an effective date, and finding the meeting was open to the public.
16. Consideration of and action on a Resolution authorizing the City Manager of the City Gainesville to issue to Texas CES, Inc. a license to drill a non production well for training purposes within the city limits of Gainesville.

#### **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 §551.071 Attorney Client Matters
- Under Government Code §551.072 Real Property

#### **RECONVENE INTO OPEN SESSION**

#### **ADJOURN**

*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.*

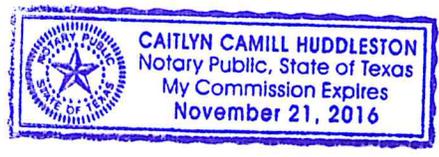
- i. Citizen comments will be limited to persons who have registered with the City Secretary in advance, except by majority vote of the City Council. In accordance with the Open Meetings Act, the Council will hear comments of public interest, but any discussion shall be limited to placing the item on 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

3:45 a.m./p.m. on April 12, 2013. Kay Lunnon

Sworn to and subscribed before me on this the 12 day of April, 2013. Kay Lunnon

Caityl Camill Huddleston  
Notary Public, State of Texas



My Commission expires: Nov. 21, 2016