

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
June 17, 2014**

The City Council of the City of Gainesville, Texas met in regular session on June 3, 2014 at 6:30 p.m. with the following persons in attendance.

**MEMBERS PRESENT:** Mayor Pro Tem Ray Nichols  
Keith Clegg, Mary Jo Dollar, Carolyn Hendricks, Ken Keeler,  
Beverly Snuggs

**MEMBERS ABSENT:** Mayor Jim Goldsworthy

**STAFF PRESENT:** Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Kevin Phillips, Police Chief; Julie Smith, Community Services Director

**OTHERS PRESENT:** Mark Brazelton, Stan Lone, Christopher McLaughlin, Richard Martin, Sean Cannon, Emily Cannon (TWU student), John and Angie Hare, Rod Tyler, Cathy Mounce, Keith King, Stephen Salas, Ben Willingham (Videographer)

**CALL TO ORDER**

Mayor Pro Tem Ray Nichols called the meeting to order at 6:30 p.m. with a quorum of members present. Mayor Goldsworthy was out of town on business.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Reverend John Hare, First Presbyterian Church, gave the invocation. Mayor Pro Tem Nichols lead in the pledge to the flag.

**RECOGNITIONS**

**Employee of the Month, June 2014**

Heather Neighbors, Police Department Communications Operator, was named Employee of the Month for June 2014, to recognition and appreciation of her outstanding public service during a recent incident. Neighbors was cited for her calm professionalism in handling incoming calls and dispatching for multiple incidents occurring simultaneously on April 4, 2014. As Employee of the Month, Neighbors also received a certificate for one day of paid vacation. City Manager Barry Sullivan read and presented the certificates to Neighbors.

**CONSENT AGENDA**

Council reviewed the Minutes of the regular City Council Meeting of June 3, 2014, and approved them as written.

Councilmember Clegg **moved to approve the Minutes**, and was seconded by Councilmember Keeler. The motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Goldsworthy).

**RESOLUTION NO. 06-17-2014 – APPROVE MEMO OF UNDERSTANDING WITH NORTH CENTRAL TEXAS COLLEGE POLICE DEPARTMENT FOR USE OF GAINESVILLE POLICE DEPARTMENT RADIO FREQUENCIES**

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A MEMORANDUM OF UNDERSTANDING BETWEEN THE GAINESVILLE POLICE DEPARTMENT AND THE NORTH CENTRAL TEXAS COLLEGE POLICE DEPARTMENT WHICH PROVIDES GUIDELINES FOR COOPERATIVE EFFORTS BETWEEN THE DEPARTMENTS.

Council authorized a Memorandum of Understanding between the Gainesville Police Department (GPD) and the North Central Texas College Police Department (NCTC) that allows the NCTC Police Department use of City of Gainesville radio frequencies in order to communicate directly with GPD during certain types of incidents. City staff recommended the agreement establishing operating guidelines for the cooperative efforts between the two departments.

Councilmember Hendricks **moved to adopt the resolution.** The motion was seconded by Councilmember Clegg and carried by vote of 6 Ayes, 0 Nays, 1 Absent.

**RESOLUTION NO. 06-17-2014 A – ENGINEERING SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR PHASE 2 IMPROVEMENTS AT THE WASTEWATER TREATMENT PLANT**

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 2014-1, WASTEWATER TREATMENT PLANT PHASE II IMPROVEMENTS.

The City Manager was authorized to execute an agreement for engineering services with Kimley-Horn and Associates, Inc. for work associated with Phase 2 improvements of the Wastewater Treatment Plant. Phase 2 will include design of the Sequencing Batch Reactors (SBR) treatment units, SCADA system design and implementation, various connections to the Phase 1 improvements and other minor site improvements. This contract is for approximately 30% of the preliminary design work that is required for coordination with Phase 1 improvements. The remainder of design work will be performed under future contracts. The contract will be paid with funds from the 2013 Certificates of Obligation.

Councilmember Keeler **moved to adopt the resolution.** The motion was seconded by Councilmember Dollar and carried by vote of 6 Ayes, 0 Nays, 1 Absent.

**RESOLUTION NO. 06-17-2014 B – AWARDING BID 2014-2 TO NORTEX COMMUNICATIONS FOR FIBER OPTIC BACKBONE PROJECT**

A RESOLUTION AWARDING BID NO. 2014-02 TO NORTEX COMMUNICATIONS FOR THE FIBER OPTIC BACKBONE PROJECT FOR CITY OF GAINESVILLE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT.

Bid 2014-2 for implementation of the Fiber Optic Backbone Project for the City of Gainesville was awarded to Nortex Communications. The City received three proposals in response to the advertised Request for Proposals. The City requested twelve (12) fibers in a ring formation (a minimum 1500 feet apart) that connects the Public Safety Building, Civic Center, Public/Community Services Building and City Hall, and for the provider to maintain (locate lines and fix breaks) the fiber optic system for a minimum of twenty years. The City also requested that companies propose additional projects that would benefit the community with additional communication connectivity.

Nortex Communications proposed installation of 288 fibers (of which 12 will belong to the City) in a ring configuration that would cover the main business corridors in the city that includes California Street, Grand Avenue and US 82, for \$400,000. Nortex will complete line locates for the City and maintain the system for a minimum of twenty years. The City can extend the maintenance agreement at no cost for five-year periods after the initial twenty years until the

fibers reach the end of their life. Nortex was the only company to provide the minimum requirements for the proposal, and their proposal allows the City to include the Zoo and Transfer Station into the network for an extra fee of \$26,500. City Manager Barry Sullivan recommended award of the contract to Nortex Communications, and Council approved the total contract to include the Zoo and Transfer Station. Sullivan praised the City Council for their foresight in this public-private partnership which will not only help the City, but also provide an economic development benefit for current and future businesses.

Councilmember Snuggs **moved to adopt the resolution.** The motion was seconded by Councilmember Clegg and carried by vote of 6 Ayes, 0 Nays, 1 Absent.

**PUBLIC HEARING ON AN ORDINANCE TO REZONE FROM GENERAL COMMERCIAL (C-2) TO CENTRAL AREA DISTRICT (CA) THE ENTIRETY OF THE PROPERTY IDENTIFIED AS 401 WEST CALIFORNIA**

Mayor Pro Tem Nichols read the ordinance caption, opened the public hearing, and called for public comment at 6:48 p.m. regarding a proposed ordinance to re-zone the entirety of the property identified as 401 West California from General Commercial (C-2) to Central Area District (CA).

Stan Lone, architect for the property owner, expressed he is excited about developing the property and requested Council to approve the re-zoning. No other person came forward to speak for or against the re-zoning.

Councilmember Keeler **moved to close the Public Hearing,** and was seconded by Councilmember Dollar. Motion carried by vote of 6 Ayes, 0 Nays, 1 Absent. The Public Hearing was closed at 6:49 p.m.

**APPROVED FIRST READING OF A PROPOSED ORDINANCE TO RE-ZONE 401 WEST CALIFORNIA FROM (C-2) GENERAL COMMERCIAL TO (CA) CENTRAL AREA DISTRICT**

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 CENTRAL AREA DISTRICT (CA) THE ENTIRETY OF THE PROPERTY IDENTIFIED AS 401 WEST CALIFORNIA; 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.

The proposed ordinance to re-zone 0.1722 acres addressed as 401 West California from General Commercial (C-2) to Central Area District (CA) received first reading approval. The property (formerly a used-car lot) is located on the northwest corner of California and Weaver Streets and fronts on California Street. Community Services Director Julie Smith said the zoning change would encourage commercial development consistent with those uses found in Gainesville's historic downtown, including mixed use development with residential lofts, and would consequently enhance the central area district while extending the downtown feel further west. Smith said the Planning and Zoning Commission voted unanimous approval of the rezoning request, but additionally requested City Staff to initiate a process to revisit Central Area zoning as well as zoning along California, Broadway, and Grand (east of I-35 and south of Highway 82) for appropriate zoning of these corridors, given the many uses General Commercial allows and the desire to enhance and support the historic downtown. Second reading consideration of this ordinance will be held at the next regular City Council meeting on July 1, 2014.

Councilmember Snuggs **moved to approve first reading of the ordinance.** The motion was seconded by Councilmember Clegg and carried by vote of 6 Ayes, 0 Nays, 1 Absent.

**APPROVED FIRST READING OF A PROPOSED ORDINANCE AMENDING THE SIGN CODE FOR OFF PREMISE SIGNS IN CHAPTER 5 SECTIONS 169 AND 171**

FIRST READING OF AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 5, ARTICLE IV SIGNS, SECTION 5-169 SIGNS REQUIRING A SPECIAL PERMIT OR CONDITIONS OF USE, AND SECTION 5-171 OFF-PREMISES SIGN REGULATIONS; PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE, AND FINDING THE MEETING WAS OPEN TO THE PUBLIC.

First reading was approved for an ordinance amending the sign code relating to off-premises signs (billboards) in City Code, Chapter 5. The amendment removes an unclear clause regarding approval by Planning and Zoning for billboard permits (Section 169(j)); and also updates zoning classifications (in Section 171) to reflect Zoning Districts adopted in 2008 where these signs are allowed to be placed. The Planning and Zoning Commission recommended approval of the proposed amendments. Second reading consideration of this ordinance will be held at the next regular City Council meeting on July 1, 2014.

Councilmember Snuggs **moved to approve first reading of the ordinance.** The motion was seconded by Councilmember Keeler and carried by vote of 6 Ayes, 0 Nays, 1 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 7:01 p.m.

Respectfully submitted,

/S/  
**Kay Lunnon, City Secretary**

/S/  
**Ray Nichols, Mayor Pro Tem**