

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
August 19, 2014**

The City Council of the City of Gainesville, Texas met in regular session on August 19, 2014 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Jim Goldsworthy
Keith Clegg, Mary Jo Dollar, Carolyn Hendricks, Ken Keeler, Ray Nichols, Beverly Snuggs

STAFF PRESENT: Barry Sullivan, City Manager; Bill Harris, City Attorney; Kay Lunnon, City Secretary; Kevin Phillips, Police Chief; Dan Parker, Finance Director; Lynette Pettigrew, Main Street Director; Julie Smith, Community Services Director

OTHERS PRESENT: Rev. Don Yeager, Michael Todd, Renada Henderson, Ramona Tyler, Faisal Reza, Rod Tyler, Keith King, Tony Dresser (Videographer)

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Reverend Don Yeager, First United Methodist Church, gave the invocation. Mayor Goldsworthy led the pledge to the flag.

CONSENT AGENDA

Council reviewed the Minutes of the regular City Council Meeting of August 5, 2014, and approved them as written.

Councilmember Keeler **moved to approve the Consent Agenda**, and was seconded by Councilmember Snuggs. The motion carried unanimously.

FIRST PUBLIC HEARING ON PROPOSED TAX RATE OF \$0.690890 PER \$100 VALUATION FOR CITY OF GAINESVILLE FOR FY 2014-2015

FIRST PUBLIC HEARING ON THE PROPOSED TAX RATE OF \$0.690890 PER \$100 VALUATION FOR CITY OF GAINESVILLE FOR THE FISCAL YEAR 2014-2015.

Mayor Goldsworthy opened the Public Hearing at 6:33 p.m. and called for public comment regarding the proposed tax rate of \$0.690890 per \$100 valuation. No one came forward to speak either for or against the proposed tax rate. With no further discussion, Councilmember Clegg moved to close the Public Hearing. The motion was seconded by Councilmember Keeler, and carried by vote of 7 Ayes, 0 Nays, 0 absent. The Public Hearing was closed at 6:33 p.m. Mayor Goldsworthy made the announcement that the City Council will vote to set the tax rate at their regularly scheduled meeting on September 16, at 6:30 p.m. in the Municipal Building, Council Chambers, at 200 South Rusk Street.

RESOLUTION NO. 08-19-2014 – APPROVING SALE OF ALCOHOL IN THE 100-200 BLOCKS OF COMMERCE DURING DEPOT DAY ON OCTOBER 11, 2014

CONSIDERATION OF AND ACTION ON A RESOLUTION OF THE CITY COUNCIL APPROVING THE SALE OF ALCOHOL IN THE 100 & 200 BLOCKS OF COMMERCE

STREET BY THE CITY OF GAINESVILLE MAIN STREET PROGRAM DURING DEPOT DAY ON OCTOBER 11, 2014.

The Depot Day Festival on October 11, 2014 was officially recognized and the Gainesville Main Street Program was approved to sell alcohol during the festival in the 100 and 200 blocks of Commerce Street. The 28th Annual Depot Day Festival will take place on Saturday only in the downtown area and includes a large car show, arts and crafts show, children's activities in the Kidz Zone, festival foods, and live entertainment. Concessions including alcohol will be sold for fund raising purposes by Gainesville Main Street on Saturday from 10:00 a.m. until 6:00 p.m. The perimeter of the entire festival will be from Weaver St. to Denton Street to Elm Street to Pecan Street. Depot Day events will end at 5:00 p.m. on Saturday.

Councilmember Hendricks **moved to approve the resolution.** The motion was seconded by Councilmember Dollar and carried by vote of 7 Ayes, 0 Nays, 0 Absent.

FIRST READING CONSIDERATION OF GEDC ADOPTION OF THE COOKE COUNTY FAIR ASSOCIATION AS AN ECONOMIC DEVELOPMENT PROJECT AND APPROVED FUNDING

FIRST READING OF A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH APPROVED THE COOKE COUNTY FAIR ASSOCIATION AS AN ECONOMIC DEVELOPMENT PROJECT AND APPROVED FUNDING.

First reading was completed by City Council on the Gainesville Economic Development Corporation adoption of the Cooke County Fair Association (CCFA) as an economic development project and approval of funding in the amount of \$42,874. CCFA requested the funding for installation of bleachers at their exhibition facility on West Highway 82. GEDC agreed to fund one third of the amount requested. Per state law, no action was taken by Council on first reading of the resolution. Second reading consideration will be held September 2, 2014 at the next regularly scheduled meeting of the City Council.

FIRST READING CONSIDERATION OF GEDC ADOPTION OF WINDSOR AS AN ECONOMIC DEVELOPMENT PROJECT AND APPROVED FUNDING

FIRST READING OF A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION WHICH APPROVED FUNDING OF THE WINDSOR MOVIE PROJECT.

First reading was completed by the City Council on the Gainesville Economic Development Corporation's adoption of Windsor as an economic development project and approval of funding in the amount of \$10,000. The GEDC Board stipulated the funds will only be paid to Cooke County vendors for invoices generated in connection with goods and/or services rendered in the making of the movie in Gainesville. No action was taken by Council on first reading of the resolution. Second reading consideration will be at the next regularly scheduled City Council meeting on September 2, 2014.

PUBLIC HEARING ON AN ORDINANCE TO REZONE THE ENTIRETY OF TWO TRACTS COMPRISING A TOTAL OF APPROXIMATELY 154 ACRES MORE SPECIFICALLY DESCRIBED IN ATTACHED SURVEYS, APPENDIX A1 AND APPENDIX A2, FROM AGRICULTURAL DISTRICT (A), SINGLE-FAMILY TWO DISTRICT (SF-2), AND MULTI-FAMILY RESIDENTIAL TWO DISTRICT (MF-2) TO A PLANNED DEVELOPMENT DISTRICT (PD)

Mayor Goldsworthy read the ordinance caption, opened the public hearing, and called for public comment at 6:37 p.m. regarding a proposed ordinance re-zoning the entirety of two tracts comprising approximately 154 acres, from Agricultural (A), Single Family Two (SF-2), and Multi-Family Residential Two (MF-2) to a Planned Development District (PD) as requested by the property owner.

Developer Michael Todd, McClintock Homes, LLC, spoke for the re-zoning and also presented on the specific uses he intends to include in the proposed development. No one else came forward to speak either for or against the re-zoning. 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 absent. The Public Hearing was closed at 6:43 p.m.

ORDINANCE NO. 1350-08-2014 – REZONING THE ENTIRETY OF TWO TRACTS COMPRISING A TOTAL OF APPROXIMATELY 154 ACRES MORE SPECIFICALLY DESCRIBED IN ATTACHED SURVEYS, APPENDIX A1 AND APPENDIX A2, FROM AGRICULTURAL DISTRICT (A), SINGLE-FAMILY TWO DISTRICT (SF-2), AND MULTI-FAMILY RESIDENTIAL TWO DISTRICT (MF-2) TO A PLANNED DEVELOPMENT DISTRICT (PD)

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 AGRICULTURAL DISTRICT (A), SINGLE-FAMILY TWO DISTRICT (SF-2), AND MULTI-FAMILY RESIDENTIAL TWO DISTRICT (MF-2) TO A PLANNED DEVELOPMENT DISTRICT (PD) THE ENTIRETY OF TWO TRACTS COMPRISING A TOTAL OF APPROXIMATELY 154 ACRES MORE SPECIFICALLY DESCRIBED IN THE TWO SURVEYS ATTACHED AS APPENDIX A1 AND APPENDIX A2; 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.

Ordinance was approved and adopted on first reading for the re-zoning of approximately 154 acres, from Agricultural (A), Single-Family Two (SF-2) and Multi-Family Residential Two (MF-2) to a Planned Development District (PD) as requested by the property owner. The re-zoned area is bordered by Blacks Hill Road on the west and the Elm Fork of the Trinity River on the east. Developer Michael Todd, McClintock Homes, LLC, presented a concept drawing of the proposed “Black Hill Farm Planned Development “.

The proposed “Black Hill Farm Planned Development”, is a mixed-use subdivision that will include a mixture of housing opportunities (single family homes, apartments, town homes), retail commercial (a general store and a hospitality inn with associated cottages), and an agricultural area. Planning and Zoning Commission recommended for approval of the proposed development district with amendments as follows: 1) There be no more than 50 small (5,000 square-foot) lots; and 2) Apartment buildings to be no more than four floors and no taller than 50 feet; and 3) Commercial (non-hospitality) uses to be restricted to those typically associated with and supporting subdivisions such as grocery stores (including alcohol sales), day cares, beauty shops, and eateries but not any use requiring outdoor sales nor any gasoline sales; and 4) For commercial uses, each side shall be 80% masonry; and 5) For cabins, rustic material would be permitted but not metal siding; and 6) The first floor of the Hospitality Inn shall have 80% masonry on each side. Julie Smith, Community Services Director, reviewed the concerns and consideration by the Planning and Zoning Commission in making their recommendation to Council.

During discussion with the Council and the developer, City Manager Barry Sullivan emphasized the development is totally market rate housing, not subsidized housing. The development must be constructed within the City’s guidelines, and any major changes to the plan would have to be approved by the Planning and Zoning Commission and the City Council.

The project is to be built in phases, each phase requiring plat approval. The subdivision will be an HOA (homeowner association) with recorded deed restrictions. Todd said they are not seeking City maintenance in the plat. Todd estimated a timeline for beginning construction on the single family residences to be about ninety days following approval of the plat. He indicated they are currently working on the financing for the multifamily units, which he thinks will take nine to twelve months. Regarding the long term impact to fire service, Sullivan stated City response time is presently adequate and the subdivision would not immediately require planning for another fire station.

The initial phase of development utilizes existing infrastructure in place, the streets have no curb and gutter. Sullivan said the developer will be required to test and prove these streets meet city specifications. Water and sewer lines will also have to be tested and proven in good shape so that the City does not have immediate maintenance on them. Streets, utilities, ingress and egress, will have to meet city specifications and such details will be addressed during approvals of the preliminary and final plats.

With Council approval of the re-zoning, the next step for the developer is to submit a preliminary plat to Planning and Zoning Commission for approval, and then a final plat for each phase of construction. The final plat will be reviewed by the City's Engineer and then submitted to the Planning and Zoning Commission for approval. Following approval of the final plat, building permits can be issued and construction may begin.

Councilmember Clegg **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Nichols, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 absent.

Councilmember Clegg **moved to adopt the ordinance** This motion was seconded by Councilmember Nichols and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 absent.

RESOLUTION NO. 08-19-2014 A – APPROVING THE COOKE COUNTY APPRAISAL DISTRICT (CCAD) FY 2014-2015 BUDGET

CONSIDERATION OF AND ACTION ON A RESOLUTION TO APPROVE OR DENY THE PROPOSED COOKE COUNTY APPRAISAL DISTRICT 2014-2015 BUDGET.

Approved the Cooke County Appraisal District Budget for fiscal year 2014-2015 for assessment and collection of ad valorem taxes. The City of Gainesville's portion is a combined total of \$123,390 for appraisals and collections. Councilmember Snuggs, who also serves on the CCAD Board of Directors, said CCAD worked hard to present a tight budget, and added that the CCAD is running smoothly and is managed well.

Councilmember Nichols **moved to approve the resolution**. The motion was seconded by Councilmember Keeler and carried by vote of 7 Ayes, 0 Nays, 0 Absent.

FIRST READING CONSIDERATION OF GEDC ISSUANCE OF \$2,500,000 IN SERIES 2014 BONDS FOR GAINESVILLE INDUSTRIAL PARK INFRASTRUCTURE

FIRST READING OF RESOLUTION BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS APPROVING THE ISSUANCE OF BONDS BY THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION, INC. AND MAKING CERTAIN FINDINGS RELATED THERETO.

Council completed first reading of the Gainesville Economic Development Corporation's action to issue bonds in the amount of \$2,500,000 which will be used for infrastructure improvements, including public roadways, water, sewer and wastewater facilities, and other necessary public

infrastructure improvements at the new 142 acre Gainesville Industrial Park located north and east of the Gainesville Municipal Airport. City Manager pointed out that the City has no obligation for the bonds, and the bonds are the sole obligation of the GEDC. Second reading consideration will be held at the next regularly scheduled meeting of the City Council on September 2, 2014.

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 7:19 p.m.

Respectfully submitted,

/S/
Kay Lunnon, City Secretary

/S/
Jim Goldsworthy, Mayor