

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
November 18, 2014**

The City Council of the City of Gainesville, Texas met in regular session on November 18, 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; Caitlyn Huddleston, Administrative Assistant; Kevin Phillips, Police Chief; Karen Dixon, Controller.

**OTHERS PRESENT:** Cathy Mounce, Keith King, Mike Hallum, David Parton, Cathy Huddleston, Dillon Asten, Sarah Lloyd, Brandon Ayers, Robert Ayers, Donna Allen, Larry Claxton, Deanna Tucker, Kassia Little, Charlotte Matthews, Kimberly Kennedy, Trey Hardin, Officer Marc Stanwyck, Tony Dresser (Videographer)

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

City Manager Barry Sullivan gave the invocation. Mayor Goldsworthy led the pledge to the flag.

**RECOGNITIONS**

**Employee of the Month, November 2014**

Cathy Huddleston was named November 2014 Employee of the Month and recognized for her outstanding performance, excellent customer service and providing helpful assistance to the Finance Department and other divisions. She has taken ownership of the position, learned quickly and maintained outstanding performance in her job of accounts receivable. She assists in many other areas including audit preparation, fixed asset accounting and accounts payable and also offers assistance to the Customer Service Department and Community Services Department. City Manager Barry Sullivan read and presented the recognition certificate to Huddleston along with a certificate for an additional one day of vacation.

**CITIZEN COMMENTS**

David Parton, 1276 CR 260, spoke to Council about the current ordinance that forbids feeding of stray animals. Mr. Parton stated that ten years ago he found two kittens starving to death after their mother had died, fed them, and has been feeding cats ever since. He said God told him to keep feeding the cats. City Animal Control officer has written him tickets for feeding the animals, which Mr. Parton claims "criminalizes compassion." Mr. Parton requested that Council "decriminalize" feeding stray animals.

**CONSENT AGENDA**

Council reviewed the Minutes of the regular City Council Meeting of November 4, 2014, and approved them as written.

**RESOLUTION NO. 11-18-2014 – APPROVE APPOINTMENT TO BOARD OF APPEALS**

Re-appointment of Jess Cason and Buster Bezner to the Board of Appeals was approved. Their re-appointment is to a term of two years expiring in October 2016.

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

**RESOLUTION NO. 11-18-2014 A – RECOGNIZING THE ANNUAL CHRISTMAS PARADE AND REQUESTING AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR TEMPORARY CLOSURE OF A PORTION OF CALIFORNIA STREET**

CONSIDERATION OF AND ACTION ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, RECOGNIZING THE ANNUAL CHRISTMAS PARADE IN THE CITY OF GAINESVILLE AND REQUESTING TEMPORARY CLOSURE OF A PORTION OF CALIFORNIA STREET IN ACCORDANCE WITH AN AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION.

This resolution recognizes the Annual Chamber of Commerce Christmas Parade and approves a multi-year temporary closure agreement with TXDOT for closure of a portion of California Street (FM 51) for the annual Christmas parade. The agreement with TXDOT is for a five year term, 2014-2018, and will allow the City to handle the parade annually and submit insurance coverage as required by the agreement.

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

**ORDINANCE NO. 1357-11-2014 – PROVIDING FOR CONSTRUCTION SPEED ZONES ON I-35 NORTHBOUND INSIDE THE CITY LIMITS, ESTABLISHING A MAXIMUM SPEED LIMIT OF 65 MPH FROM THE SOUTH CITY LIMITS FROM MILE POST 10.738 TO MILE POST 12.844**

CONSIDERATION OF AND ACTION ON FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL, OF THE CITY OF GAINESVILLE, TEXAS, PROVIDING FOR SPEED ZONES ON I-35 NORTHBOUND INSIDE THE CITY LIMITS, ESTABLISHING A MAXIMUM SPEED LIMIT OF 65 MPH FROM THE SOUTH CITY LIMITS FROM MILE POST 10.738 TO MILE POST 12.844; PROVIDING FOR SEVERABILITY; PROVIDING FOR PENALTY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.

Speed zones on I-35 northbound lanes inside the city limits of Gainesville were approved and adopted in concurrence with the recommendation of the Texas Department of Transportation (TXDOT). The ordinance establishes a speed of 65 MPH from the south City Limits at mile post 10.738 to mile post 12.844 during construction of the Elm Fork Trinity River Bridge.

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

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

**DISCUSSION REGARDING I-35 TWO-WAY SERVICE ROADS**  
DISCUSSION REGARDING I-35 TWO-WAY SERVICE ROADS

TXDOT Engineer Mike Hallum lead a discussion on changing I-35 service roads that are currently two-way to one-way. The City does not establish the flow of traffic, but can request the change from the state. Councilmembers expressed their concern for safety, but also voiced that the change may inconvenience some businesses and create challenges. Residents and businesses who would be affected by the change are encouraged to provide input and will be sent a notice informing them of a public hearing to be held at the December 2, 2014 City Council Meeting.

No action was taken on this item.

**RESOLUTION NO. 11-18-2014 B – APPROVE ANIMAL SHELTER FUNDING AGREEMENT FOR FY 2014-2015 WITH NOAH’S ARK**

CONSIDERATION OF AND ACTION ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE APPROVING AN ANIMAL SHELTER AGREEMENT WITH NOAH’S ARK FOR ADDITIONAL FUNDING FOR OPERATION OF THE ANIMAL SHELTER DURING FY 2014-2015.

An animal shelter agreement was approved with Noah’s Ark for distribution of the \$50,000 in additional funding the City budgeted in FY 2014-2015 for operation of the animal shelter. The agreement provides that the City will pay Noah’s Ark \$100 per animal that it takes to the shelter between October 1, 2014 and September 30, 2015, with the funding cap set at \$50,000. When the cap is reached, Noah’s Ark will continue receiving animals at the shelter from the City. This funding agreement does not impact the existing shelter operation and maintenance agreement between Noah’s Ark and the City of Gainesville, in which the City provides utility payments for the shelter. This agreement renews automatically for each fiscal year with the same terms and conditions unless terminated by either party.

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

**RESOLUTION NO. 11-18-2014 C – AUTHORIZE PURCHASE OF JCB BACKHOE MODEL 3CX 14 4WD FOR CEMETERY DEPARTMENT**

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE PURCHASE OF A JCB BACKHOE MODEL 3CX 14 4WD FOR THE CEMETERY DEPARTMENT.

Cemetery Department received authorization approval to purchase a JCB Backhoe Model 3CX 14 4WD through the Buy Board Purchasing Program. The purchase will be made from Cemetery funds budgeted (\$38,500) and from the assigned fund (\$29,468). The resolution authorizes purchase of the backhoe in the total amount \$67,968.02. Councilmember Snuggs recommended approval of the cash purchase rather than financing it.

Councilmember Snuggs **moved to approve the resolution for cash purchase.** The motion was seconded by Councilmember Clegg and carried by vote of 7 Ayes, 0 Nays, 0 Absent.

**RESOLUTION NO. 11-18-2014 D – APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A GROUND LEASE AGREEMENT WITH AYERS AVIATION, LLC FOR THE PURPOSES OF CONSTRUCTING A PRIVATE HANGER AT THE GAINESVILLE MUNICIPAL AIRPORT**

CONSIDERATION OF AND ACTION ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TX, AUTHORIZING THE MAYOR OF THE CITY OF GAINESVILLE TO EXECUTE A GROUND LEASE AGREEMENT WITH AYERS AVIATION, LLC FOR THE PURPOSE OF CONSTRUCTING A PRIVATE HANGAR AT THE GAINESVILLE MUNICIPAL AIRPORT.

A ground lease with Ayers Aviation, LLC was authorized and approved for construction of a private hanger at the Gainesville Municipal Airport. Ayers Aviation, LLC will use the hangar for their flight school and to store and work on the company's private aircraft. The ground lease with the City will be for a primary term of thirty (30) years, with two five (5) year options to extend if agreed upon by both parties

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

**ADJOURN**

With no further business to come before the City Council, the meeting was adjourned at 6:53 p.m.

Respectfully submitted,

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**Kay Lunnon, City Secretary**

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**Jim Goldsworthy, Mayor**