



CITY OF GAINESVILLE
NOTICE OF REGULAR CALLED CITY COUNCIL MEETING
Tuesday, March 2, 2010, 6:30 P.M.
MUNICIPAL BUILDING, 200 SOUTH RUSK, GAINESVILLE, TEXAS

Glenn Loch, Mayor

Carolyn Hendricks, Councilmember, Ward 1
Beverly Snuggs, Councilmember, Ward 2
Charles Draper, Councilmember, Ward 3

Jim Goldsworthy, Mayor Pro Tem
Ray Nichols, Councilmember, Ward 5
Vince Rippy, Councilmember, Ward 6

AGENDA

- 1. CALL TO ORDERMayor Glenn Loch**
- 2. INVOCATIONReverend Duke Dowling, Southside Baptist Church**
- 3. PLEDGE TO THE FLAG**
- 4. RECOGNITIONSCity Employee of the Month, February 2010**
- 5. REPORTS**
- 6. CITIZEN COMMENTS**
- 7. CONSENT AGENDA**
A. Minutes of February 16, 2010 Regular City Council Meeting

ITEMS TO BE CONSIDERED

- 8.** Consideration of and action on a Resolution accepting the audit, financial statement and opinion for Fiscal Year ending September 30, 2009, as prepared by Schalk & Smith, Certified Public Accountants, and authorizing the City Secretary to file the audit in accordance with the provisions of Article 1023a, Vernon's Annotated Civil Statutes.
- 9.** Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas, authorizing the City Manager to enter into an agreement with the Gainesville Independent School District (GISD), the North Texas Medical Center (NTMC), and the North Central Texas College (NCTC) to share a polling location in certain voting precincts for the General Election on May 8, 2010.
- 10.** Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas, authorizing an agreement with Cooke County to provide voting machine(s) for the May 2010 General Election and Special Election.
- 11.** Public Hearing on Juvenile Curfew.
- 12.** Consideration of and action on **FIRST READING** of an ordinance reviewing Section 13-56 of the Code of Ordinances of the City of Gainesville, the Juvenile Curfew Ordinance,

and reenacting said section as a new Article III, entitled Juvenile Curfew, providing definitions; making it an offense for persons under the age of 17 years to remain in a public place or an establishment between 11:01 p.m. on Mondays, Tuesdays, Wednesdays and Thursdays and 6:00 a.m. the following day or between 12:01 a.m. and 6:00 a.m. on Fridays, Saturdays and Sundays; providing defenses; providing a penalty of up to \$500 for each violation; providing for repeal of conflicting provisions; providing a severability clause; providing a savings clause; providing for publication; providing an effective date; making an open meeting finding; and providing for suspension of the charter requirement of reading on three separate days.

13. Consideration of and action on SECOND 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 single family two (SF-2) to Restricted Commercial (C1) 5.47 acres in the T. Toby Survey Abstract 1059, City of Gainesville, Cooke County, Texas; 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 amending ordinance 1219-12-2008; the Zoning Ordinance of the City of Gainesville, Texas authorizing the City of Gainesville, Texas, to rezone from Single Family two (SF-2) to General Commercial (C2) the property identified as 205 South Morris 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.
15. Consideration of and action on SECOND 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 (C2) to Outdoor Commercial (C3) the property identified as 2700 East Highway 82; 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.
16. Consideration of and action on SECOND READING of an ordinance repealing in its entirety, the Gainesville Subdivision Ordinance as passed and approved by the City Council, September 4, 1990, together with all amendments thereto and establishing Appendix B to the City of Gainesville's Municipal Code and adopting as said appendix an ordinance establishing and providing for Subdivision Regulations; providing for the repeal of conflicting ordinances; providing for penalties; and providing a savings clause.

EXECUTIVE SESSION 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 _____ a.m./p.m. on _____, 2010.

Sworn to and subscribed before me on this the _____ day of _____, 2010. _____
Kay Lunnon

Notary Public, State of Texas
My Commission expires: _____