

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
February 3, 2015**

The City Council of the City of Gainesville, Texas met in regular session on February 3, 2015 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; Caitlyn Huddleston, City Secretary; Arleene Loyd, GEDC Director; Kevin Phillips, Police Chief; Julie Smith, Community Services Director; Ron Sellman, Public Services Director; Leah Gore, Human Resources Director.

**OTHERS PRESENT:** Cathy Mounce, Jack Frost, Lennie Sewell, Suzanne Fulton, Terry Shepard, Jane Fulton, Sasha Glanza, Lisa Dritschler, Mike Todd, Dayne Tatum, Michael Allison, Jeff James, Lilton L. Lawson, Dusty Luton, Wayne Twiner, Randy Prestage, Daniel Ramos, David Heller, Regan Gore, Officer Jeffrey Serna, Tony Dresser (Videographer)

**CALL TO ORDER**

Mayor Jim Goldsworthy called the meeting to order at 6:32 p.m.

**INVOCATION & PLEDGE OF ALLEGIANCE**

The Reverend David Gray, Hillcrest Church of Christ, gave the invocation. Mayor Goldsworthy led the pledge to the flag.

**CONSENT AGENDA**

Council reviewed the Minutes of the regular City Council Meeting of January 20, 2015, and approved them as written.

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

**RESOLUTION NO. 02-03-2015 – CALLING FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD BY THE CITY OF GAINESVILLE, TEXAS ON MAY 9, 2015; PROVIDING FOR THE GENERAL ELECTION OF COUNCIL PERSONS FOR WARD 1, WARD 2, WARD 4 AND MAYOR; ADOPTING A VOTING SYSTEM AS APPROVED BY SECRETARY OF STATE; AND DESIGNATING POLLING LOCATIONS FOR EARLY VOTING AND ELECTION DAY**

CONSIDERATION OF AND ACTION ON A RESOLUTION CALLING FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD BY THE CITY OF GAINESVILLE, TEXAS ON MAY 9, 2015; PROVIDING FOR THE GENERAL ELECTION OF COUNCIL PERSONS FOR WARD 1, WARD 2, WARD 4 AND MAYOR; ADOPTING A VOTING SYSTEM AS APPROVED BY SECRETARY OF STATE; AND DESIGNATING POLLING LOCATIONS FOR EARLY VOTING AND ELECTION DAY

Council ordered the annual General Election of Officers for the City to be held on Saturday, May 9, 2015, for the purpose of electing Councilpersons for Ward 1, Ward 2, Ward 4 and Mayor. Early Voting will take place April 27 – May 5 at City Hall, 200 South Rusk Street. Election Day voting on May 9 will take place at the Civic Center.

Councilmember Hendricks **moved for approval of the resolution**, seconded by Councilmember Klegg, the motion carried unanimously.

**RESOLUTION NO. 02-03-2015 A - AWARDDING BID NO. 2014-06 FOR LEASE OF AN AIRPORT HANGAR AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT**

CONSIDERATION OF AND ACTION ON A RESOLUTION AWARDDING BID NO. 2014-06 FOR LEASE OF AN AIRPORT HANGAR AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT

Council awarded Bid 2014-06 to CFDI Aero for a one-year lease of an airport hangar. The City received two bids for the lease, only one was qualified. CFDI Aero will operate a Maintenance, Repair, and Overhaul facility to work on aircraft with a focus towards jet/turboprop airplanes. The lease will be for one year, at \$1,500 per month. Staff recommended the Council approve the proposed lease as the Airport is in a month-to-month agreement with the current resident at \$1,000 per month.

Councilmember Keeler **moved for approval of the resolution**, seconded by Councilmember Clegg, the motion carried unanimously.

**RESOLUTION 02-03-2015 B – AUTHORIZING THE CITY MANAGER, FOR AND ON BEHALF OF THE CITY OF GAINESVILLE, TO EXECUTE AN AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, FOR INDIVIDUAL PROJECT ORDER 2015-01, WASTEWATER TREATMENT PLANT PHASE II IMPROVEMENTS, AND INCREASING THE TOTAL CONTRACT AMOUNT**

CONSIDERATION OF AND ACTION ON 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 INDIVIDUAL PROJECT ORDER 2015-01, WASTEWATER TREATMENT PLANT PHASE II IMPROVEMENTS, AND INCREASING THE TOTAL CONTRACT AMOUNT

Council authorized the City Manager to execute an agreement with Kimley-Horn and Associates for additional engineering services associated with Phase II of the Wastewater Treatment Plant Improvements, and the design of the Sequencing Batch Reactors (SBR) treatment units, SCADA system design and implementation, various connections to the Phase I Improvements and other minor site improvements. Cost for additional services is \$980,000.00.

Councilmember Dollar **moved for approval of the resolution**, seconded by Councilmember Snuggs, the motion carried unanimously.

**RESOLUTION 02-03-2015 C – APPROVING A VARIANCE FROM THE CITY OF GAINESVILLE FIRE CODE FOR INGRESS/EGRESS RELATED TO THE FINAL PLAT FOR PHASE ONE OF THE BLACK HILL FARM PLANNED DEVELOPMENT, LOTS 1 THROUGH 5, BLOCK C; LOTS 1 – 6, BLOCK E; LOTS 1-12, 18, AND HOA 1X, BLOCK G; AND LOTS 1-19, BLOCK H, AND LOCATED WEST OF BLACKS HILL FARM ROAD; BEING 19.54 ACRES IN THE E.YEAMAN SURVEY, ABSTRACT 228; THE SUBDIVISION ORDINANCE NUMBER 1244-03-2010 OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY OF**

**GAINESVILLE, TEXAS, TO GRANT VARIANCES FROM THE SUBDIVISION REGULATIONS BASED ON PECULIAR CONDITIONS SPECIFIC TO THE SITE THAT RESULT IN UNNECESSARY AND EXTRAORDINARY HARDSHIP; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.**

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING A VARIANCE FROM THE CITY OF GAINESVILLE FIRE CODE FOR INGRESS/EGRESS RELATED TO THE FINAL PLAT FOR PHASE ONE OF THE BLACK HILL FARM PLANNED DEVELOPMENT, LOTS 1 THROUGH 5, BLOCK C; LOTS 1 – 6, BLOCK E; LOTS 1-12, 18, AND HOA 1X, BLOCK G; AND LOTS 1-19, BLOCK H, AND LOCATED WEST OF BLACKS HILL FARM ROAD; BEING 19.54 ACRES IN THE E.YEAMAN SURVEY, ABSTRACT 228; THE SUBDIVISION ORDINANCE NUMBER 1244-03-2010 OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY OF GAINESVILLE, TEXAS, TO GRANT VARIANCES FROM THE SUBDIVISION REGULATIONS BASED ON PECULIAR CONDITIONS SPECIFIC TO THE SITE THAT RESULT IN UNNECESSARY AND EXTRAORDINARY HARDSHIP; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

Council approved a variance for the final plat for Phase One of the Black Hill Farm Planned Development. The variance is from the Fire Code which requires that any development of more than 30 lots have two points of ingress/egress; the submittal shows one access point for 43 lots. The variance was provided because the pre-existing infrastructure created a site condition that makes it difficult to develop the area without a variance. The Gainesville Fire Department has tested their apparatus in the area and recommended approval of the proposed variance.

Councilmember Nichols **moved for approval of the resolution**, seconded by Councilmember Snuggs, the motion carried unanimously.

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

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Council discussed proposal of one-way I-35 service roads from FM 372 to FM 1202. City Manager Barry Sullivan clarified that no recommendation had been made to change the direction of the service roads, but he and the Mayor met with TXDOT to discuss efforts to make the roads safer until a decision is made. TXDOT has set aside funds for additional signage, rumble bars, and other safety measures. TXDOT is hosting a public meeting Thursday, February 5, 2015 in Gainesville regarding the change of the traffic direction of the service roads and expansion and improvements to I-35 and US Hwy 82. Council decided to wait to make a recommendation on the service roads until after the scheduled TXDOT Public Meeting.

**ORDINANCE NO. 1360-02-2015 – AMENDING AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AMENDING APPENDIX A – ZONING, SECTION 3.3.03 ALLOWABLE SPECIAL USES AND CONDITIONS; SECTION 4.1 DEFINITIONS “BEAUTY SALON” OF ARTICLE IV GENERAL DEFINITIONS TO INCLUDE “PERMANENT MAKE-UP” AS A COSMETOLOGY SERVICE AND ADDING THE DEFINITION “PERMANENT COSMETICS” TO THE SAME SECTION; PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE, AND FINDING THE MEETING WAS OPEN TO THE PUBLIC**

CONSIDERATION OF AND ACTION ON THIRD READING OF AN ORDINANCE OF THE CITY COUNCIL, OF THE CITY OF GAINESVILLE, TEXAS, AMENDING AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AMENDING APPENDIX A – ZONING, SECTION 3.3.03 ALLOWABLE SPECIAL USES AND CONDITIONS; SECTION 4.1 DEFINITIONS “BEAUTY SALON” OF ARTICLE IV GENERAL DEFINITIONS TO INCLUDE “PERMANENT MAKE-UP” AS A COSMETOLOGY SERVICE AND ADDING THE DEFINITION “PERMANENT COSMETICS” TO THE SAME SECTION; PROVIDING FOR SEVERABILITY, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR AN EFFECTIVE DATE, AND FINDING THE MEETING WAS OPEN TO THE PUBLIC

Council approved third reading consideration and adoption of an ordinance to amend Appendix A – Zoning, Section 4.1 Definitions “Beauty Salon” of Article IV General Definitions to include “Permanent Make-Up” as a cosmetology service, adding the definition “Permanent Cosmetics” to the same section. This ordinance requires a special use permit for tattoo parlors and piercing studios. Per Council recommendation, the SUP is limited to zones C-2 (General Commercial District), C-3 (Outdoor Commercial District), and I (Industrial District), and, not within a 500 feet of a church, public or private elementary or secondary school, boundary of a residential district, or a public park adjacent to a residential district/use.

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

**ORDINANCE NO. 1361-02-2015 – AMENDING THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, BY AMENDING CHAPTER 5, ARTICLE III, DIVISION 3 “SUBSTANDARD BUILDINGS” AND DIVISION 5, “BUILDING AND STANDARDS COMMISSION” BY AMENDING SECTIONS 5-111, 5-143 AND 5-145 BY PROVIDING PROVISIONS FOR DETERMINING SUBSTANDARD BUILDINGS; PROVIDING FOR THE POWERS AND DUTIES OF THE BUILDING AND STANDARDS COMMISSION THAT ARE CONSISTENT WITH STATE LAW AND PROVIDING PROVISIONS REGARDING NOTICE OF HEARING BEFORE THE BUILDING AND STANDARDS COMMISSION; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE**

CONSIDERATION OF AND ACTION ON THIRD READING OF AN ORDINANCE OF THE CITY COUNCIL, OF THE CITY OF GAINESVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, BY AMENDING CHAPTER 5, ARTICLE III, DIVISION 3 “SUBSTANDARD BUILDINGS” AND DIVISION 5, “BUILDING AND STANDARDS COMMISSION” BY AMENDING SECTIONS 5-111, 5-143 AND 5-145 BY PROVIDING PROVISIONS FOR DETERMINING SUBSTANDARD BUILDINGS; PROVIDING FOR THE POWERS AND DUTIES OF THE BUILDING AND STANDARDS COMMISSION THAT ARE CONSISTENT WITH STATE LAW AND PROVIDING PROVISIONS REGARDING NOTICE OF HEARING BEFORE THE BUILDING AND STANDARDS COMMISSION; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE

Adopted an ordinance amending the Code of Ordinances of the City of Gainesville, by Amending Chapter 5, Article III, Division 3 “Substandard Buildings” and Division 5, “Building and Standards Commission” by amending Sections 5-111, 5-143 and 5-145 by providing

provisions for determining substandard buildings; providing for a penalty of fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and providing an effective date. This ordinance includes simple changes and better defines substandard buildings. The proposed ordinance included the same bullet item as two separate items.

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

Councilmember Snuggs **moved to adopt the ordinance, contingent upon deletion of item (d) of Chapter 5, Article III, Division 3, Section 5-111, Subsection (a), (13) Structural Hazards**. The motion was seconded by Councilmember Clegg and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

**CONSIDERATION OF FIRST READING OF AN ORDINANCE ESTABLISHING GUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENT IN A REINVESTMENT ZONE CREATED WITHIN THE CITY OF GAINESVILLE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETING FINDING.**

CONSIDERATION OF FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL, OF THE CITY OF GAINESVILLE, TEXAS, ESTABLISHING GUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENT IN A REINVESTMENT ZONE CREATED WITHIN THE CITY OF GAINESVILLE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETING FINDING

Council approved first reading consideration of an ordinance establishing the guidelines for providing tax abatements in the City of Gainesville. The City is working towards economic development.

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

**ADJOURN**

With no further business to come before the City Council, the meeting was adjourned at 6:51 p.m.

Respectfully submitted,

**Caitlyn Huddleston, City Secretary**

**Jim Goldsworthy, Mayor**