



CITY OF GAINESVILLE
NOTICE OF REGULAR CALLED CITY COUNCIL MEETING
Tuesday, February 16, 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 Rippey, Councilmember, Ward 6

AGENDA

- 1. CALL TO ORDERMayor Glenn Loch**
- 2. INVOCATIONPastor Phillip Helms, Eastside Church of Nazarine**
- 3. PLEDGE TO THE FLAG**
- 4. RECOGNITIONSCity Employee of the Month, February 2010**
- 5. REPORTS.....GEDC annual report, Kent Sharp**
.....Solid Waste fully automated system
- 6. CITIZEN COMMENTS**
- 7. CONSENT AGENDA**
 - A. Minutes of February 2, 2010 Regular City Council Meeting
 - B. Appointment to Main Street Board

ITEMS TO BE CONSIDERED

- 8. Consideration of and action on a Resolution awarding Bid No. 2010-1 for replacement of windows on the Butterfield Stage facility at 201 South Denton Street.**
- 9. Public Hearing on a request to rezone the property identified as 1410 O'Neal Street and 1016 Ritchey Street from Single-Family 2 (SF-2) to General Commercial (C-2), as submitted by Tom Kristof.**
- 10. Consideration of and action on 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 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.**

11. Public Hearing on a request to rezone the property identified as 205 South Morris from Single-Family 2 (SF-2) to General Commercial (C-2), as submitted by Darren Rogers.
12. Consideration of and action on 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 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.
13. Public Hearing on a request to rezone the property identified as 2700 East Highway 82 from General Commercial (C-2) to Outdoor Commercial (C-3), as submitted by James F. Wood.
14. Consideration of and action on 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 (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.
15. Public Hearing on proposed Subdivision Regulations Ordinance.
16. Consideration of and action on FIRST READNIG 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.
17. Consideration of and action on SECOND READING of an ordinance of the City Council of the City of Gainesville, TX, repealing Article I "In General" and Article II "Service Charges" of Chapter 16 "Solid Waste"; Chapter 16 "Solid Waste" Article I "In General" and Article II "Service Charges"; providing for penalties; repeal of conflicting ordinances; providing for severability; providing an effective date; and providing for an open meeting finding.
18. Consideration of and action on FIRST READING of an Ordinance granting a franchise to Cooke County Electric Cooperative Association, its Successors and assigns, to erect, maintain and operate an electric system in the City of Gainesville, Texas, and to use and occupy the public rights-of-way therein for its electric system; prescribing conditions for the occupancy of the public rights-of-way by grantee; requiring insurance and indemnification of city by grantee; providing for payment of a franchise fee by grantee to city; prescribing record-keeping and accounting requirements; providing for a term of the franchise granted herein; providing for other related matters; and providing for suspension of the city charter requiring reading on three separate dates.

19. Consideration of and action on a Resolution calling for an election to be held in the City of Gainesville, Texas on Saturday, May 8, 2010, for the purpose of submitting to the citizens and voters of the city of Gainesville, Texas certain questions as to whether certain City real property may be leased and/or sold by the City; making provision for the conduct of said election; providing that said certain questions submitted to the voters be placed on the same ballot as the heretofore called regular municipal election on the same date; designating the polling location for the election and early voting.

EXECUTIVE SESSION

Adjourn into closed or executive session in compliance with Vernon’s Texas Codes Annotated, Government Code, Chapter 551 (Open Meetings Act), to discuss the following:

- Under Government Code §551.072 Real Property
- Under Government Code §551.071 Consultation with Attorney

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: _____