

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
August 4, 2015**

The City Council of the City of Gainesville, Texas met in regular session on August 4, 2015 at 6:30 p.m. with the following persons in attendance.

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

**STAFF PRESENT:** Barry Sullivan, City Manager; Bill Harris, City Attorney; Caitlyn Huddleston, City Secretary; Julie Smith, Community Services Director; Dan Parker, Finance Director; Kevin Phillips, Police Chief; Arleene Loyd, GEDC Director.

**OTHERS PRESENT:** Kelly Fiore-Watson, Cathy Mounce, Nikki King, C. J. Durbin-Higgins, Beth Eggar, Murl Jackson Grigsby, Linda Flowers, Evelyn Patton, James Lewis, Linda Lewis, Mary Onugha, Evelyn Williams, Arthur Warren, Gertie Calhoun, John Hambrecht, Tony Dresser (Videographer).

**CALL TO ORDER**

Mayor Jim Goldsworthy called the meeting to order at 6:30 p.m.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Kelly Fiore-Watson, Youth Minister at Whaley United Methodist Church, gave the invocation. Mayor Goldsworthy led the pledge to the flag.

**PROCLAMATIONS**

**Old Mount Olive Baptist Church Day, 135 Year Anniversary**

Mayor Goldsworthy read and presented a proclamation declaring August 9, 2015 to be Old Mount Olive Baptist Church Day, in honor of its 135<sup>th</sup> anniversary. Mayor Goldsworthy recounted the church's history and congratulated them on their rich, spiritual past. Several members of the church were on hand to accept the proclamation.

**CONSENT AGENDA**

Council reviewed the Minutes of the Budget Workshop City Council Meeting of July 18, 2015 and regular City Council Meeting of July 21, 2015 and approved them as written.

**RESOLUTION NO. 08-04-2015 – APPROVE APPOINTMENTS TO THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION BOARD**

Reappointed Ray Nichols, Beverly Snuggs, Ryan Morris, and Judge Jason Brinkley (Ex-Officio) to the Gainesville Economic Development Corporation Board to terms expiring August 2017.

Councilmember Dollar **moved to approve the Consent Agenda**, seconded by Councilmember Keeler, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

**RECORD VOTE TO CONSIDER A PROPOSED TAX RATE FOR FY 2016**

CONSIDERATION AND ACTION ON A PROPOSED TAX RATE FOR THE CITY OF GAINESVILLE FOR FISCAL YEAR 2015-2016.

Voted to consider a Tax Rate of \$0.697822 for the City of Gainesville for Fiscal Year 2015-2016. State law requires a record vote on the proposed tax rate if the rate exceeds the rollback rate (\$0.75560) or the effective rate (\$0.68770).

Councilmember Nichols **made a motion to consider a tax rate of \$0.697822 per \$100 of property value for Fiscal Year 2015-2016**. The motion was seconded by Councilmember Snuggs and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, and 0 Absent.

**SCHEDULED TWO PUBLIC HEARING DATES ON PROPOSED 2016 TAX RATE**

CONSIDERATION OF AND ACTION ON SETTING PUBLIC HEARING DATE(S) FOR THE PROPOSED 2016 TAX RATE.

Scheduled dates for two public hearings (as required by State law) on the proposed 2016 tax rate, to be held on August 18 and September 1, 2015, at Gainesville City Hall, 200 South Rusk Street at 6:30 p.m.

Councilmember Dollar **made a motion to schedule public hearings on the proposed tax rate for August 18, 2015 and September 1, 2015, to be held at Gainesville City Hall, 200 South Rusk at 6:30 p.m.** The motion was seconded by Councilmember Clegg, and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

**SCHEDULED DATE FOR PUBLIC HEARING ON PROPOSED BUDGET FOR FY 2015-2016**

CONSIDERATION OF AND ACTION ON SETTING THE PUBLIC HEARING DATE FOR THE PROPOSED 2015-2016 BUDGET.

Scheduled September 1, 2015 as the date for a Public Hearing on the Proposed FY 2015-2016 Budget to be held at Gainesville City Hall, 200 South Rusk Street at 6:30 p.m.

Councilmember Dollar **made a motion to schedule a public hearing on the proposed Fiscal Year 2015-2016 Budget for September 1, 2015 at Gainesville City Hall, 200 South Rusk at 6:30 p.m.** The motion was seconded by Councilmember Keeler, and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

**PUBLIC HEARING ON AN ORDINANCE AMENDING APPENDIX A-ZONING, SECTION 3.3.03 ALLOWABLE SPECIAL USES AND CONDITIONS TO ADDRESS SOLAR FARMS; SECTION 4.1 DEFINITIONS, ADDING THE DEFINITION “SOLAR FARM”**

Mayor Goldsworthy read the ordinance caption, opened the public hearing, and called for public comment at 6:37 p.m. regarding amending Appendix A – Zoning, Section 3.3.03 Allowable Special Uses and Conditions to address solar farms and Section 4.1 Definitions, adding the definition “solar farm.”

No one came forward to speak either for or against the amendments. With no further discussion, Councilmember Nichols moved to close the Public Hearing and was seconded by

Councilmember Snuggs. The motion carried by vote of 7 Ayes, 0 Nays, 0 absent. The Public Hearing was closed at 6:37 p.m.

**ORDINANCE 1369-08-2015 – AMENDING APPENDIX A-ZONING, SECTION 3.3.03 ALLOWABLE SPECIAL USES AND CONDITIONS TO ADDRESS SOLAR FARMS; SECTION 4.1 DEFINITIONS, ADDING THE DEFINITION “SOLAR FARM”; 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.**

AN ORDINANCE AMENDING APPENDIX A-ZONING, SECTION 3.3.03 ALLOWABLE SPECIAL USES AND CONDITIONS TO ADDRESS SOLAR FARMS; SECTION 4.1 DEFINITIONS, ADDING THE DEFINITION “SOLAR FARM”; 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

Council adopted an ordinance that amends Appendix A – Zoning, Section 3.3.03 Allowable Special Uses and Conditions to address Solar Farms; Section 4.1 Definitions. Recently, the City of Gainesville has received several requests to locate solar farms inside the City limits. Staff’s recommendation to the Planning and Zoning Commission suggested requiring a Special Use Permit (SUP) for solar farms. City Manager Barry Sullivan explained that there are not currently any areas within the city zoned for solar farms. Current codes allow for solar panels on rooftops, but recent inquiries involve much larger operations. Any amount exceeding ½ acre or 50% of the property on which the farm is located and transmission of the power offsite constitutes a “solar farm”. SUP’s must be approved by both the Planning and Zoning Commission and the City Council before they can be issued.

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

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

**RESOLUTION NO. 08-04-2015 A – AUTHORIZING THE MAYOR AND GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION BOARD PRESIDENT TO SIGN A DEVELOPMENT AGREEMENT WITH THE RIB CRIB BBQ, INC.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TX, AUTHORIZING THE MAYOR AND GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION BOARD PRESIDENT TO SIGN A DEVELOPMENT AGREEMENT WITH THE RIB CRIB BBQ, INC.

Council approved a resolution that authorizes the Mayor and Gainesville Economic Development Corporation (GEDC) to sign a development agreement with Rib Crib BBQ, Inc. The City Council authorized the GEDC to sell the old water shop property at the corner of I-35 and California Street in October 2014. This development agreement includes stipulations on grading and draining, responsibility determination for possible future environmental issues at the site, and provisions for storage and use of equipment on nearby parkland.

Councilmember Clegg **moved for approval of the resolution**, seconded by Councilmember Snuggs, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

**RESOLUTION NO. 08-04-2015 B – AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH TEXOMA COUNCIL OF GOVERNMENTS (TCOG) FOR E 9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TX, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH TEXOMA COUNCIL OF GOVERNMENTS (TCOG) FOR E 9-1-1 PUBLIC SAFETY ANSWERING POINT SERVICES.

Council approved a resolution that authorizes the City Manager to execute an agreement between the Texoma Council of Governments (TCOG) and the City of Gainesville. The agreement sets out the responsibilities of both parties in the provision of 9-1-1 service. City Manager Barry Sullivan noted that the city currently has a great partnership with TCOG.

Councilmember Hendricks **moved for approval of the resolution**, seconded by Councilmember Clegg, the motion 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 6:45 p.m.

Respectfully submitted,

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**Caitlyn Huddleston, City Secretary**

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**Jim Goldsworthy, Mayor**