

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
December 1, 2015**

The City Council of the City of Gainesville, Texas met in regular session on December 1, 2015 at 6:30 p.m. with the following persons in attendance.

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

STAFF PRESENT: Bill Harris, City Attorney; Caitlyn Huddleston, City Secretary; Dan Parker, Finance Director; Arlene Loyd, Gainesville Economic Development Corporation Executive Director; Kevin Phillips, Chief of Police; Ron Sellman, Public Services Director

OTHERS PRESENT: Fareed Asare, Jayleane Smith, Jayne Sweet, Lucy Sutton, Nikki King, Bernie Gordon, Steve Gordon, Rod Tyler, Dean Smith, Nick Dieter, Ruby Aguilar, Ezzie Aguilar, Blanca Dunn, Megan Gray-Hatfield, Tom Reynolds, Mark Dalton, Nicole Dalton, Tony Dresser (Videographer)

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Mayor Jim Goldsworthy gave the invocation and led the pledge to the flag.

PROCLAMATIONS

Morton Museum as the Gateway to Historic South Gainesville, Texas

Mayor Jim Goldsworthy presented the Cooke County Heritage Society with a proclamation declaring the Morton Museum as the Gateway to Historic South Gainesville, Texas, as it is at the northernmost point of the declared Historic South Gainesville Neighborhood. The Morton Museum promotes the preservation of Cooke County history to all its citizens through education, programming, resources, and accessions. Mayor Goldsworthy thanked Jayleane Smith, Lucy Sutton, and Jayne Sweet, who were on hand to receive the proclamation, for all they do for the community.

CONSENT AGENDA

Council reviewed the Minutes of the regularly scheduled City Council Meeting of November 17, 2015 and approved them as written.

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

RESOLUTION NO. 12-01-2015 – APPROVING REVISION OF THE WATER AND SEWER FEE SCHEDULE FOR CITY OF GAINESVILLE FOR FISCAL YEAR 2015-2016 AND PROVIDING AN EFFECTIVE DATE.

A RESOLUTION APPROVING REVISION OF THE WATER AND SEWER FEE SCHEDULE FOR CITY OF GAINESVILLE FOR FISCAL YEAR 2015-2016 AND PROVIDING AN EFFECTIVE DATE.

Council approved a resolution revising the water and sewer rates of the FY 2015-2016 Fee Schedule. These fees have been adjusted to cover the increased cost of the new water meter system and include a flat after-hours reconnection charge, instead of the overtime rate with a two-hour minimum; a charge for water meter installations; a charge to reduce meter size; eliminates groundwater fees; and changes to the water tap fees based on the actual cost for installation with the new water meter system and the saddle cost. A City of Gainesville University Lean Six Sigma Team analyzed a number of meters available and selected Neptune Meter Technology. The new meters are more reliable and will provide more accurate readings. The fee changes will be effective January 1, 2016. Public Services Director Ron Sellman advised that city crews are waiting on a few parts for the new meters and will be installing the first round of meters in a few weeks.

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

RESOLUTION NO. 12-01-2015 A – APPROVING THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION (GEDC) TO EXTEND THE EMPLOYMENT CONTRACT BETWEEN THE GEDC AND THE GEDC EXECUTIVE DIRECTOR.

A RESOLUTION APPROVING THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION (GEDC) TO EXTEND THE EMPLOYMENT CONTRACT BETWEEN THE GEDC AND THE GEDC EXECUTIVE DIRECTOR.

Council approved actions of the Gainesville Economic Development Corporation (GEDC) to extend the employment contract between the GEDC and Executive Director Arlene Loyd, effective November 16, 2015, for an additional twelve months. The original contract was for a term of 24 months beginning October 1, 2014. The contract will now be in effect until September 30, 2017.

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

PUBLIC HEARING ON AN ORDINANCE PROVIDING FOR THE DESIGNATION OF A 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 SUNDAYS, 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 SATURDAYS AND SUNDAYS; PROVIDING DEFENSES; PROVIDING A PENALTY OF UP TO \$500 FOR EACH VIOLATION.

PUBLIC HEARING ON AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, TEXAS PROVIDING FOR THE DESIGNATION OF A 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 SUNDAYS, 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 SATURDAYS AND SUNDAYS; PROVIDING DEFENSES; PROVIDING A PENALTY OF UP TO \$500 FOR EACH VIOLATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING

PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SUSPENSION OF THE CHARTER REQUIREMENT OF READING ON THREE SEPARATE DAYS; AND MAKING AN OPEN MEETING FINDING.

Mayor Goldsworthy opened the Public Hearing at 6:37 p.m. and called for public comment on the proposed juvenile curfew ordinance.

With no further discussion, Councilmember Snuggs moved to close the Public Hearing, with second by Councilmember Clegg, and the motion carried by vote of 7 Ayes, 0 Nays, and 0 Absent.

The Public Hearing was closed at 6:37 p.m.

ORDINANCE 1378-12-2015 –PROVIDING FOR A JUVENILE CURFEW, 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 SUNDAYS, 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 SATURDAYS AND SUNDAYS; PROVIDING DEFENSES; PROVIDING A PENALTY OF UP TO \$500 FOR EACH VIOLATION.

CONSIDERATION OF AND ACTION ON FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, TEXAS PROVIDING FOR THE DESIGNATION OF A 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 SUNDAYS, 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 SATURDAYS AND SUNDAYS; PROVIDING DEFENSES; PROVIDING A PENALTY OF UP TO \$500 FOR EACH VIOLATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SUSPENSION OF THE CHARTER REQUIREMENT OF READING ON THREE SEPARATE DAYS; AND MAKING AN OPEN MEETING FINDING.

Council adopted a juvenile curfew ordinance to help keep City of Gainesville children and streets safe. The ordinance makes 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 Sundays, 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 Saturdays and Sundays. The curfew provides a proactive stance to assist in the maintenance of a safe community by deterring juvenile victimization and delinquency. Mayor Goldsworthy noted that there have been no events prompting the renewal, but that state law requires that cities review these types of ordinances on a periodic basis.

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

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

PUBLIC HEARING ON AN ORDINANCE GRANTING A SPECIAL USE PERMIT AS REQUESTED BY MARK AND NICOLE DALTON FOR THE OPERATION OF A BED AND BREAKFAST AT 1306 E CALIFORNIA STREET.

PUBLIC HEARING ON AN ORDINANCE GRANTING A SPECIAL USE PERMIT AS REQUESTED BY MARK AND NICOLE DALTON, ALLOWING FOR THE OPERATION OF A BED AND BREAKFAST AT 1306 E CALIFORNIA STREET; PROVIDING STIPULATIONS; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING. Mayor Goldsworthy opened the Public Hearing at 6:40 p.m. and called for public comment on the proposed special use permit.

Bernie and Steve Gordon, 1403 E California, voiced support for the proposed Bed and Breakfast. They live in the neighborhood and believe it would be an asset and enhancement to the area.

Nicole Dalton, 1306 E California, also voiced support for the Special Use Permit. She stated that it would be a great place for Gainesville.

With no further discussion, Councilmember Snuggs moved to close the Public Hearing, with second by Councilmember Clegg, and the motion carried by vote of 7 Ayes, 0 Nays, and 0 Absent.

The Public Hearing was closed at 6:42 p.m.

ORDINANCE 1379-12-2015 – GRANTING A SPECIAL USE PERMIT AS REQUESTED BY MARK AND NICOLE DALTON, FOR A BED AND BREAKFAST AT 1306 E CALIFORNIA STREET.

CONSIDERATION OF AND ACTION ON FIRST READING OF AN ORDINANCE GRANTING A SPECIAL USE PERMIT AS REQUESTED BY MARK AND NICOLE DALTON, ALLOWING FOR THE OPERATION OF A BED AND BREAKFAST AT 1306 E CALIFORNIA STREET; PROVIDING STIPULATIONS; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

Council granted a Bed and Breakfast Special Use Permit (SUP) for 1306 E. California Street to Mark and Nicole Dalton. The SUP was requested by the homeowners. The Planning and Zoning Commission held a public hearing at which time only the property owner spoke for the SUP. The Commission voted to recommend granting the SUP. A public hearing was held at City Council prior to adoption. Stipulations in the ordinance provide that the SUP will be revoked upon sale or lease of the property.

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

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

After adoption, Mayor Goldsworthy expressed well wishes for the Bed and Breakfast and thanked the Dalton's for their investment in Gainesville.

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 6:43 p.m. Respectfully submitted,

Caitlyn Huddleston, City Secretary

Jim Goldsworthy, Mayor

