

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
July 6, 2010**

The City Council of the City of Gainesville, Texas met in regular session on July 6, 2010 at 6:30 p.m. in accordance with the posted agenda and with the following persons in attendance:

**MEMBERS PRESENT:** Mayor Pro Tem Jim Goldsworthy  
Council Members Carolyn Hendricks, Ray Nichols, Vince Rippy,  
Beverly Snuggs

**MEMBERS ABSENT:** Mayor Glenn Loch

**STAFF PRESENT:** Barry Sullivan, City Manager; Kay Lunnon, City Secretary; Dan Parker, Finance Director;

**OTHERS PRESENT:** Tamera Broyles, Kit Chase, Dick and Patty Haayen, Frank and Louise Mahnich, Philip Neelley, Ed Hinkle, Karen Cook, Lindsay Lorenz, Pam Robinson

**CALL TO ORDER**

Mayor Pro Tem Goldsworthy called the meeting to order at 6:30 p.m. A quorum of members was present. The absence of Mayor Loch was noted.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Reverend Hubert Wright, First Baptist Church, gave the invocation. Mayor Pro Tem Goldsworthy led the pledge to the flag.

**REPORTS**

Ron Sellman, Public Services Director, made a presentation on the 2009 Annual Drinking Water Quality Report, which he called the “ingredient label” for the City’s water. It is also called the Consumer Confidence Report and has been mailed to all City Water Customers. Sellman said the City water supply has been issued a rating of “Superior” by the Texas Commission on Environmental Quality (TCEQ) for quality exceeding minimum standards for a public water supply. Sellman and his staff were commended for their efforts in maintaining this high standard for the city and citizens of Gainesville.

Tamera Broyles, Executive Director of Butterfield Stage Players, gave an update to Council on the recently completed renovations and improvements of the Butterfield Stage building, stating that the windows have been installed and electrical and HVAC upgrades completed. She said volunteers renovated the basement area into performance space, so the building now has two performance spaces. Broyles credited their advertising for the theatre that brings people to Gainesville to eat and shop, and stated that the majority of their season ticket holders come from outside the city of Gainesville. Broyles thanked the Council for their funding support and requested continued funding in the City’s fiscal year 2010-2011 budget.

## **CITIZEN COMMENTS**

Ed Hinkle addressed Council regarding the proposed animal control ordinance, which he said is a good ordinance. Hinkle asked Council to give serious consideration regarding the issue of tethering. His opinion is that tethering is not cruel or inhumane because it does provide exercise space for the animal, is affordable containment, and prevents the animal from running at large. Hinkle stated that neglect is the main problem with any kind of containment, but tethering itself is a very good way to contain a dog. He also cautioned that removing control of cats from the ordinance will only add to existing animal control problems. Mr. Hinkle stated that he is a past President of the Grayson County Humane Society, a certified animal cruelty investigator, and holds credentials as a judge for international dog shows.

## **CONSENT AGENDA**

### **MINUTES OF JUNE 15, 2010 REGULAR COUNCIL MEETING**

Council reviewed the Minutes of the City Council Meeting of June 15, 2010 and approved them as written.

Councilmember Nichols moved to **approve the items on the Consent Agenda**, and was seconded by Councilmember Snuggs. Motion carried by vote of 5 Ayes, 0 Nays, 1 Absent, 1 Vacancy.

### **RESOLUTION NO. 07-06-2010 – APPROVING SALE OF ALCOHOL IN FRANK BUCK ZOO BY ZOOLOGICAL SOCIETY DURING SPLASH DAY EVENT ON JULY 10, 2010**

A RESOLUTION OF THE CITY COUNCIL REGARDING THE SALE OF ALCOHOL IN THE FRANK BUCK ZOO LOCATED AT 1000 WEST CALIFORNIA STREET BY THE FRANK BUCK ZOOLOGICAL SOCIETY DURING SPLASH DAY EVENT ON JULY 10, 2010.

Karen Cook, President of the Frank Buck Zoological Society, said the Society plans a fundraising event inside the Zoo on July 10, and requests Council approval for sale of alcohol during the event. Alcohol sales and consumption would be allowed to occur only in the Zoo area between the hours of 10:00 a.m. and 11:00 p.m. The Zoological Society has provided the required liability insurance to the City.

Councilmember Snuggs moved to **approve the Resolution**, and was seconded by Councilmember Rippy. Motion carried by vote of 5 Ayes, 0 Nays, 1 absent, 1 Vacancy.

### **ORDINANCE NO. 1250-07-2010 – ADOPTING NEW ANIMAL CONTROL REGULATIONS**

AN ORDINANCE REPEALING CHAPTER 3 OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, ESTABLISHING AN ANIMAL CONTROL ORDINANCE FOR 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 MAKING AN OPEN MEETING FINDING.

A new Animal Control Ordinance was adopted as presented on third reading, repealing Chapter 3 of the Code of Ordinances and establishing new regulations for animal control. City Manager Sullivan said the ordinance was revised after Council's second reading, and includes provisions making it unlawful to keep a dog on a permanent restraint including leads, cords, chains, or ropes. This does not apply to use of temporary restraints through use of a leash. Definition of a leash was added to the ordinance. Sullivan said the restriction for cats is included in the ordinance presented and he recommended that regulation is needed for cats that are strays or cause problems for neighbors or that are trapped and picked up by Animal Control. Sullivan

