

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
March 19, 2019**

The City Council of the City of Gainesville, Texas met in regular session on March 19, 2019 at 6:30 p.m. with the following persons in attendance.

**MEMBERS PRESENT:** Carolyn Hendricks, Ken Keeler, Mary Jo Dollar, Steve Gordon, Tommy Moore

**MEMBERS ABSENT:** Mayor Jim Goldsworthy, Mayor Pro Tem Keith Clegg

**STAFF PRESENT:** Barry Sullivan, City Manager; Caitlyn Huddleston, City Secretary; Belvin Harris, City Attorney; Kevin Phillips, Chief of Police; J. I. Johnson, Finance Director; Ron Sellman, Public Works Director, Arleene Loyd, Gainesville Economic Development Corporation Director

**OTHERS PRESENT:** Mike Gordon, Dr. Des Stewart, Brandon Ayers, Dean Smith, Judy Smith, Jerry Tucker, Delania Raney, Megan Gray-Hatfield, Tony Dresser (Videographer)

**CALL TO ORDER**

Council Member Tommy Moore called the meeting to order at 6:30 p.m.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Barry Sullivan, City Manager, gave the invocation. Council Member Tommy Moore led the pledge to the flag.

**RECOGNITIONS**

**Employee of the Month, March 2019**

Police Officer Shawn LaSalle was awarded March 2019 Employee of the Month n recognition and appreciation for excellent job performance and dedicated service. Recently, Gainesville Police Department responded to a call for service for a weapons offense. At the scene, a suspect barricaded himself in a vehicle and was displaying suicidal intentions. Officer LaSalle was able to de-escalate the situation by engaging the suspect in conversation for several hours. Officer LaSalle was able to take and handle the role of negotiator, despite not having formal training in negotiations, and remained calm, helping to dissipate the suspect’s anxiety levels during the highly volatile situation. City Manager Barry Sullivan presented the award, along with a certificate for one paid day of vacation, to LaSalle.

**REPORTS**

**Gainesville’s Commitment to Financial Transparency Article featured in TML Publication “Texas Town and City” March 2019 Edition, Barry Sullivan, City Manager**

Barry Sullivan reported on the City’s recent feature in the Texas Municipal League’s (TML) “Texas Town and City” March publication, focusing on Gainesville’s commitment to financial transparency. The City was approached by TML earlier in the year to write a story for their

publication about the importance the City places on being good stewards of the public's money and making the information readily available to taxpayers. Sullivan explained that the "Transparency" icon on the homepage of the City's website ([www.gainesville.tx.us](http://www.gainesville.tx.us)) directs the public to view adopted budgets, CAFR's, statistics and graphs, as well as contracts, economic development incentives, and a record of every check written, including the paid to and the amount, each month, among other items as required by the Texas State Comptroller's office.

The Comptroller initiated a Transparency Stars program to recognize local governments for going above and beyond in their transparency efforts by providing clear and meaningful financial information by posting financial documents in the areas of traditional finances, contracts and procurement, economic development, public pensions and debt obligations through summaries, visualizations, and downloadable data. The City of Gainesville was the fifth public entity to receive all five stars and is the smallest city to receive all five stars.

**Water Tower Completed and Painting of Water Tower, Ron Sellman, Public Works Director**  
Ron Sellman, Public Works Director, provided an update on the newly constructed Gateway Elevated Storage Tank and gave information on the current work being performed on the Clements Street Water Tower. The Gateway Tank is a 250,000 gallon elevated storage tank in the upper pressure plain of the City of Gainesville and will provide service at the Gateway Industrial Park and Gainesville Municipal Airport, as well as serve as a backup when other tanks need to be serviced. The tank at Clements Street and Highway 82 is undergoing routine maintenance. The tank is being sandblasted and painted as part of its regular service. Sellman also discussed the contracts the City enters into for maintenance of its water tanks.

### **CONSENT AGENDA**

Council reviewed the Minutes of the regularly scheduled City Council Meeting of March 5, 2019 and approved them as written.

#### **RESOLUTION 03-19-2019 – APPROVE THE CONSUMPTION OF ALCOHOL AT THE GAINESVILLE MUNICIPAL AIRPORT BY THE GAINESVILLE FLYERS CLUB DURING THEIR ANNUAL FUNDRAISER EVENT ON MAY 4, 2019.**

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING THE CONSUMPTION OF ALCOHOL AT THE GAINESVILLE MUNICIPAL AIRPORT BY THE GAINESVILLE FLYERS CLUB DURING THEIR ANNUAL FUNDRAISER EVENT ON MAY 4, 2019.

Council approved the Gainesville Flyers Club's request to serve and consume alcohol at the Gainesville Municipal Airport during their annual fundraiser event. Gainesville Flyers Club is holding their fourth annual Crawfish Boil Fundraiser event on Saturday, May 4, 2019. The area is to be supervised by event staff. The Airport Board recommended approval. All proceeds of the event are to benefit the Gainesville Flyers, a non-profit organization.

Councilmember Keeler **moved to approve the consent agenda**, seconded by Councilmember Dollar, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Goldsworthy, Clegg).

#### **RESOLUTION 03-19-2019 A – ACCEPTING THE AUDIT, FINANCIAL STATEMENT, AND OPINION FOR FISCAL YEAR ENDING SEPTEMBER 30, 2018, AS PREPARED BY SCHALK & SMITH, CERTIFIED PUBLIC ACCOUNTANTS, AND AUTHORIZING**

**THE CITY SECRETARY TO FILE THE AUDIT IN ACCORDANCE WITH THE PROVISIONS OF LOCAL GOVERNMENT CODE, SUBTITLE A, CHAPTER 103.**

CONSIDERATION OF AND ACTION ON A RESOLUTION ACCEPTING THE AUDIT, FINANCIAL STATEMENT, AND OPINION FOR FISCAL YEAR ENDING SEPTEMBER 30, 2018, AS PREPARED BY SCHALK & SMITH, CERTIFIED PUBLIC ACCOUNTANTS, AND AUTHORIZING THE CITY SECRETARY TO FILE THE AUDIT IN ACCORDANCE WITH THE PROVISIONS OF LOCAL GOVERNMENT CODE, SUBTITLE A, CHAPTER 103.

Council voted to accept the annual audit for Fiscal Year ending September 30, 2018, as prepared by the accounting firm of Schalk & Smith, Certified Public Accountants, which provided an unqualified opinion on the financial statements. An “unqualified opinion” is the highest level opinion that can be provided by an auditor.

Judy Smith highlighted several sections of the audit. Specifically, Smith addressed the new requirement for entities to recognize the supplemental death benefit provided to families’ of employees who pass away while employed. This accounts for \$600,704 for the City of Gainesville. Smith noted that for other public entities, like school districts, this liability may cause them to have a negative fund balance, but the City of Gainesville was able to maintain and increase their net position. Smith also pointed out that \$1,751,000 was moved to the Assigned Fund – City Manager Barry Sullivan clarified that the Assigned Fund moneys are used for large projects, like the new Aquatic Center built several years ago, and provide enough cash so the City does not have to go out for bond. Sullivan further commented that the “news story” was that the City investment more in capital for qualify of life.

City Council and City Manager Barry Sullivan commended staff for their hard work towards completing the audit.

Councilmember Keeler **moved to approve the resolution**, seconded by Councilmember Gordon, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Goldsworthy, Clegg).

**RESOLUTION 03-19-2019 B – AUTHORIZING THE MAYOR TO EXECUTE A GROUND LEASE AGREEMENT WITH STREET PROPERTIES, LTD FOR PRIVATE HANGAR DEVELOPMENT AT THE GAINESVILLE MUNICIPAL AIRPORT.**

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A GROUND LEASE AGREEMENT WITH STREET PROPERTIES, LTD FOR PRIVATE HANGAR DEVELOPMENT AT THE GAINESVILLE MUNICIPAL AIRPORT.

Council approved and authorized a ground lease with Street Properties, LTD. for the purpose of constructing a hangar at the Gainesville Municipal Airport. Street Properties will use the hangar and land to house private aircrafts. The standard lease will be for a thirty year term, with two potential five year extensions if agreed upon by both parties.

Councilmember Hendricks **moved to approve the resolution**, seconded by Councilmember Gordon, the motion carried by vote of 75 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Goldsworthy, Clegg).

**RESOLUTION 03-19-2019 C – AUTHORIZING THE DECLARATION OF CITY OF GAINESVILLE POLICE DEPARTMENT EQUIPMENT, TWO L-3 MOBILE VIDEO SYSTEMS AND ACCESSORIES, AS SURPLUS SO THEY CAN BE TRANSFERRED TO THE CITY OF SHERMAN POLICE DEPARTMENT.**

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE DECLARATION OF CITY OF GAINESVILLE POLICE DEPARTMENT EQUIPMENT, TWO L-3 MOBILE VIDEO SYSTEMS AND ACCESSORIES, AS SURPLUS SO THEY CAN BE TRANSFERRED TO THE CITY OF SHERMAN POLICE DEPARTMENT.

Council approved the declaration of Police Department mobile video systems and accessories as surplus and transferring the equipment to Sherman Police Department. The video system is currently not in use and was replaced in April 2018 with a new system. The Sherman Police Department currently uses the L-3 system.

Councilmember Gordon **moved to approve the resolution**, seconded by Councilmember Keeler, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Goldsworthy, Clegg).

**RESOLUTION 03-19-2019 D – AUTHORIZING THE MAYOR TO EXECUTE THE CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT WITH HIS CHICKEN KNEST, LLC.**

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE CHAPTER 380 ECONOMIC DEVELOPMENT AGREEMENT WITH HIS CHICKEN KNEST, LLC.

Council authorized the Mayor to sign the Economic Development Agreement with His Chicken KNEST, LLC, to provide help to demolish three buildings at 1206 N Grand Ave. The removal of the structures should make the land more likely to development with a commercial business, and supports the City's goal to promote beautification and economic development.

Councilmember Gordon **moved to approve the resolution**, seconded by Councilmember Keeler, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Goldsworthy, Clegg).

**RESOLUTION 03-19-2019 E – AWARDING BID NO. 2019-01 FOR THE DEMOLITION OF THE FORMER BOYS AND GIRLS CLUB FACILITY AT 315 W HIRD, GAINESVILLE, TEXAS.**

CONSIDERATION OF AND ACTION ON A RESOLUTION AWARDING BID NO. 2019-01 FOR THE DEMOLITION OF THE FORMER BOYS AND GIRLS CLUB FACILITY AT 315 W HIRD, GAINESVILLE, TEXAS.

Council awarded the contract for demolition of the former Boys and Girls Club facility at 315 W Hird to Midwest Dozer. Due to the low bid amount, the City will require the contractor to provide a performance bond. Midwest Dozer will also have to provide liability insurance and workers compensation insurance. The City received eight bids in response to the request for quotations. Notice must be given to the Texas Commission on Environmental Quality ten days prior to work beginning on the demolition.

Councilmember Keeler **moved to approve the resolution**, seconded by Councilmember Dollar, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Goldsworthy, Clegg).

**PUBLIC HEARING ON AN ORDINANCE AMENDING THE CITY OF GAINESVILLE, TEXAS MUNICIPAL ZONING CODE TO CLARIFY THE DEFINITION OF EXTERIOR INSULATION AND FINISH SYSTEM (EIFS) AND WHAT MATERIALS AND FINISHES ARE PERMITTED UNDER THAT DEFINITION.**

PUBLIC HEARING ON AN ORDINANCE AMENDING THE CITY OF GAINESVILLE, TEXAS MUNICIPAL ZONING CODE TO CLARIFY THE DEFINITION OF EXTERIOR INSULATION AND FINISH SYSTEM (EIFS) AND WHAT MATERIALS AND FINISHES ARE PERMITTED UNDER THAT DEFINITION.

Council member Tommy Moore opened the public hearing at 7:14 p.m. and called for public comment on the amendment.

No one came forward to speak either for or against the ordinance.

Councilmember Hendricks **moved to close the public hearing**, seconded by Councilmember Gordon, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Goldsworthy, Clegg).

The public hearing was closed at 7:15 p.m.

**ORDINANCE 1453-03-2019 – AMENDING THE CITY OF GAINESVILLE, TEXAS APPENDIX A. ZONING CODE, ARTICLE 4.1 DEFINITIONS FOR MASONRY TO PROVIDE CLARITY AS TO WHAT EXTERIOR FINISHES ARE PERMITTED; AMENDING ARTICLE 3.1.13 H. I INDUSTRIAL DISTRICT TO CORRESPOND WITH THE NEW MASONRY DEFINITION.**

CONSIDERATION OF AND ACTION ON THE FIRST READING OF AN ORDINANCE AMENDING THE CITY OF GAINESVILLE, TEXAS APPENDIX A. ZONING CODE, ARTICLE 4.1 DEFINITIONS FOR MASONRY TO PROVIDE CLARITY AS TO WHAT EXTERIOR FINISHES ARE PERMITTED; AMENDING ARTICLE 3.1.13 H. I INDUSTRIAL DISTRICT TO CORRESPOND WITH THE NEW MASONRY DEFINITION.

Council amended the zoning ordinance to update the definition for masonry to provide clarity on what exterior finishes are permitted. There has been some difficulty in Staff’s and developers’ ability to define what materials are or are not allowed per this definition for construction purposes. The ordinance also amended the Industrial District use of land or premises section, found in the zoning ordinance, to correspond with the new masonry definition.

Councilmember Keeler **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Gordon, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Goldsworthy, Clegg).

Councilmember Keeler **moved to Adopt the Ordinance**, seconded by Councilmember Gordon, the motion carried by vote of 5 Ayes, 0 Nays, 0 Abstentions, 2 Absent (Goldsworthy, Clegg).

**ADJOURN**

With no further business to come before the City Council, the meeting was adjourned at 7:21 p.m. Respectfully submitted,

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**Caitlyn Huddleston, City Secretary  
Member**

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**Tommy Moore, Council  
Member**