

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
May 21, 2019**

The City Council of the City of Gainesville, Texas met in regular session on May 21, 2019 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Jim Goldsworthy, Mayor Pro Tem Tommy Moore, Carolyn Hendricks, Ken Keeler, Steve Gordon, Keith Clegg, Mary Jo Dollar

STAFF PRESENT: Barry Sullivan, City Manager; Belvin Harris, City Attorney; Caitlyn Huddleston, City Secretary; Kevin Phillips, Chief of Police; J. I. Johnson, Finance Director; Calvin Manuel, Community Development Director; Ron Sellman, Public Works Director; Wayne Twiner, Fire Chief

OTHERS PRESENT: Delania Raney, Mike Gordon, Ben Hawkins, Jeffrey Stevens, Courtney Stevens, Jake Stevens, Cole Stevens, Jason James, Lynn Huchton, Jo Ann Huchton, John Grussel, Joy Stateson, Mike Todd, Patrick Fain, Billy Burgan, Bill Cifarelli, Judy Cifarelli; Megan Gray-Hatfield Tony Dresser (videographer)

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Jeff Langley, First Baptist Church, gave the invocation. Mayor Jim Goldsworthy led the pledge to the flag.

RECOGNITIONS/PROCLAMATIONS

Employee of the Month, May 2019

Jeffrey Stevens, Division Chief, Training and Fire Prevention was awarded May 2019 Employee of the Month in recognition and appreciation for excellent job performance and dedicated service. Over the last year, Division Chief Jeffrey Stevens has done an exceptional job on and off duty. City Manager Barry Sullivan presented the award, along with a certificate for one paid day of vacation, to Stevens.

Public Works Week, May 19-25, 2019

Mayor Jim Goldsworthy presented the Public Works Department with a proclamation naming May 19-25 as Public Works Week and recognized the services provided in our community by Public Works employees that are an integral part of our citizens every day lives. The health, safety and comfort of this community greatly depends on these facilities and services. A number of employees were in attendance to receive the proclamation. Mayor Goldsworthy expressed his appreciation for the Public Works employees that were present by stating they are seen everywhere, praising their “Johnny-on-the-Spot: work ethic, and always having smiles on their faces. Mayor also stated he hears great stories and greatly appreciates them for all their hard work.

CITIZEN COMMENTS

Frank Lorne, Corinth Baptist Church, 1102 Field St. requested repairs to Field St. Frank asked for a definitive answer as to when the repairs would be made. He stated the flooding on Field St. has been an issue for at least three years. He is constantly approached by his fellow church members, asking for a resolution and he just wants to give the people an answer. Frank understands every site can't be fixed immediately but he reads where other areas of the City are being budgeted and completed that were possibly not an issue before the Field St. issue come to light. He concluded by asking the City respond to him or the church that their request for repair will be taken in to consideration.

CONSENT AGENDA

Council reviewed the Minutes of the regularly scheduled City Council Meeting of May 7, 2019 and approved them as written.

RESOLUTION 05-21-2019 - APPROVE APPOINTMENTS TO THE MEDAL OF HONOR HOST CITY PROGRAM BOARD OF DIRECTORS

FIRST READING CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING APPOINTMENTS TO THE MEDAL OF HONOR HOST CITY PROGRAM BOARD OF DIRECTORS.

Council appointed Gainesville Municipal Airport Director Dave Vinton to the Medal of Honor Host City Board for a two-year term, expiring June 2021. He will replace Rachel Haynes, former Gainesville Police Officer who served as the City's representative. In the bylaws of the Medal of Honor Host City, it states the board shall include a City of Gainesville representative. This appointment will fulfill that requirement.

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

PUBLIC HEARING ON AN ORDINANCE ADOPTING A WATER CONSERVATION AND WATER RESOURCES AND EMERGENCY MANAGEMENT PLAN FOR THE CITY OF GAINESVILLE, TEXAS TO PROMOTE THE RESPONSIBLE USE OF WATER; PROVIDING PENALTIES AND/OR THE DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE.

PUBLIC HEARING ON AN ORDINANCE ADOPTING A WATER CONSERVATION AND WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN FOR THE CITY OF GAINESVILLE, TEXAS TO PROMOTE THE RESPONSIBLE USE OF WATER AND TO PROVIDE FOR PENALITES AND/OR THE DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE WATER CONSERVATION AND DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE, AND MAKING AN OPEN MEETING FINDING.

Mayor Goldsworthy opened the public hearing at 6:39 p.m. and called for public comment on the Water Conservation Plan.

No one came forward to speak either for or against the Water Conservation Plan. The public hearing was closed at 6:39 p.m.

Councilmember Moore **moved to close the public hearing**, seconded by Councilmember Clegg, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

ORDINANCE 1457-05-2019 - ADOPTING A WATER CONSERVATION AND WATER RESOURCES AND EMERGENCY MANAGEMENT PLAN FOR THE CITY OF GAINESVILLE, TEXAS TO PROMOTE THE RESPONSIBLE USE OF WATER; PROVIDING PENALTIES AND/OR THE DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE.

CONSIDERATION OF AND ACTION ON THE FIRST READING OF AN ORDINANCE ADOPTING A WATER CONSERVATION AND WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN FOR THE CITY OF GAINESVILLE, TEXAS TO PROMOTE THE RESPONSIBLE USE OF WATER AND TO PROVIDE FOR PENALITES AND/OR THE DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE WATER CONSERVATION AND DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE, AND MAKING AN OPEN MEETING FINDING.

Council adopted a five-year Water Conservation and Water Resources and Emergency Management Plan for the City of Gainesville, superseding all previously adopted plans. The Plan is updated and meets State requirements. City Manager Barry Sullivan said the Plan is required to be updated and approved every five years. Changes from the previous plan include citation of the 2015 International Plumbing Code and schedule for change out of water meters from 15 to 20 years, per warranty. Barry Sullivan added the City will test meters beyond 5% inaccuracy and any that don't exceed the standard will be replaced. The plan will be posted to the City's website and incorporated into the City Code of Ordinances.

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

Councilmember Moore **moved to Adopt the Ordinance**, seconded by Councilmember Keeler, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

PUBLIC HEARING ON AN ORDINANCE AUTHORIZING THE REZONE FROM SINGLE FAMILY TWO DISTRICT (SF-2) ZONING TO MODERATE DENSITY MULTIFAMILY RESIDENTIAL DISTRICT (MF-1) ZONING OF 11.011 ACRES NORTH OF EAST HWY 82 AND TO THE EAST OF JUSTICE CENTER BLVD, (PID 6974), AS REQUESTED BY DAVID MANN AND NANCY ROWLAND.

PUBLIC HEARING ON AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE FROM SINGLE FAMILY TWO DISTRICT (SF-2) ZONING TO MODERATE DENSITY MULTIFAMILY RESIDENTIAL DISTRICT (MF-1) ZONING OF 11.011 ACRES NORTH OF EAST HWY 82 AND TO THE EAST OF JUSTICE CENTER BLVD, (PID 6974), AS REQUESTED BY DAVID MANN AND NANCY ROWLAND; PROVIDING FOR AN 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.

Mayor Goldsworthy opened the public hearing at 6:42 p.m. and called for public comment on the Rezoning.

One person came forward to speak either for or against the Rezoning, Bill Cifarelli of 1909 Floral Dr. Gainesville, TX. Mr. Cifarelli spoke in regards to concerns of increased traffic on neighboring roads to the rezoned area once developed. He fears with the amount of traffic the neighborhood incurred after the I-35 service road re-vamp, the rezoning will increase the traffic flow that much more.

Councilmember Hendricks **moved to close the public hearing**, seconded by Councilmember Moore, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

ORDINANCE 1458-05-2019 - AUTHORIZING THE REZONE FROM SINGLE FAMILY TWO DISTRICT (SF-2) ZONING TO MODERATE DENSITY MULTIFAMILY RESIDENTIAL DISTRICT (MF-1) ZONING OF 11.011 ACRES NORTH OF EAST HWY 82 AND TO THE EAST OF JUSTICE CENTER BLVD, (PID 6974), AS REQUESTED BY DAVID MANN AND NANCY ROWLAND.

CONSIDERATION OF AND ACTION ON THE FIRST READING OF AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE FROM SINGLE FAMILY TWO DISTRICT (SF-2) ZONING TO MODERATE DENSITY MULTIFAMILY RESIDENTIAL DISTRICT (MF-1) ZONING OF 11.011 ACRES NORTH OF EAST HWY 82 AND TO THE EAST OF JUSTICE CENTER BLVD, (PID 6974), AS REQUESTED BY DAVID MANN AND NANCY ROWLAND; PROVIDING FOR AN 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. Council adopted an ordinance rezoning plus or minus 11.011 acres of land to the North of West Highway 82 and to the East of Justice Center Road from C-3, Outdoor Commercial zoning and SF-2, Single Family Two District zoning to MF-1, Moderate Density Multifamily Residential zoning, as requested by David Mann and Nancy Rowland. Community Development Director Calvin Manuel voiced staff support for the rezoning as it creates a zoning buffer to the adjoining properties. Manuel explained the uses for each zone, as well. He advised concerns regarding points of access, the pond and others will addressed during platting.

The Planning and Zoning Commission unanimously recommended approval of the zoning request. City Staff explained the allowed uses for MF-1 and voiced support for the rezoning as it creates a zoning buffer to the adjoining properties.

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

Councilmember Keeler **moved to Adopt the Ordinance**, seconded by Councilmember Moore, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION 05-21-2019 A - AUTHORIZING THE MAYOR TO EXECUTE AN ABANDONMENT OF EASEMENT LOCATED IN THE VINTAGE SQUARE ADDITION TO THE CITY OF GAINESVILLE, TEXAS.

FIRST READING CONSIDERATION OF AND ACTION ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF GAINESVILLE, TEXAS INSTRUMENT

ABANDONING AN EASEMENT LOCATED IN VINTAGE SQUARE ADDITION TO THE CITY OF GAINESVILLE, TEXAS.

Council abandoned a sanitary sewer easement located in the Vintage Square addition. The easement was noted to be abandoned when the final plat was filed in September 2006. No records exist of the abandonment and the developer, Riverside Home Builders, asked that the City formally abandon the easement. Public Works has confirmed that the easement is no longer needed as the sewer lines have been diverted to the street.

Councilmember Clegg **moved to approve the Resolution**, seconded by Councilmember Moore, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, and 0 Absent.

RESOLUTION 05-21-2019 B - GRANTING APPROVAL OF THE COOKE COUNTY LIBRARY'S REQUEST TO PROVIDE ANGLE PARKING ALONG PECAN AND MAIN STREETS.

FIRST READING CONSIDERATION OF AND ACTION ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, GRANTING APPROVAL OF THE COOKE COUNTY LIBRARY'S REQUEST TO PROVIDE ANGLE PARKING ALONG PECAN AND MAIN STREETS.

Council approved the Cooke County Library's request to construct head-in (angle) parking on Pecan and Main Streets at their facility, located at 200 S Weaver. City Manager Barry Sullivan advised this will add ten parking spaces downtown, including four handicap accessible spaces. The spaces will be built on the current lawn of the library. Councilmember Keith Clegg noted that the traffic flow on these streets is not very heavy, to which Sullivan added that the close proximity to downtown Gainesville will hopefully keep drivers alert to the this type of parking and the backing of vehicles into the street.

Councilmember Keeler **moved to approve the Resolution**, seconded by Councilmember Gordon, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, and 0 Absent

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 6:54 p.m.
Respectfully submitted,

Caitlyn Huddleston, City Secretary

Jim Goldsworthy, Mayor