

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
June 18, 2019**

The City Council of the City of Gainesville, Texas met in regular session on June 18, 2019 at 6:30 p.m. with the following persons in attendance.

**MEMBERS PRESENT:** Mayor Jim Goldsworthy, Carolyn Hendricks, Ken Keeler, Steve Gordon, Keith Clegg, Mary Jo Dollar

**MEMBERS ABSENT:** Mayor Pro Tem Tommy Moore

**STAFF PRESENT:** Barry Sullivan, City Manager; Caitlyn Huddleston, City Secretary; Kevin Phillips, Chief of Police; J. I. Johnson, Finance Director; Calvin Manuel, Community Development Director; Polly Boone, Solid Waste Director; Arleene Loyd, GEDC Director; Melinda Medford, Executive Secretary

**OTHERS PRESENT:** Delania Raney, Mike Gordon, Megan Gray-Hatfield, Bobby Claytor, Joe Conner, Joe O'Dell, Bret Newton, Alice Gruber, Jim Robertson, Jim Myrick, Larry Stewart, Alanna Williams, John Angus, Larry Eberhart, Dean Smith, John Walterscheid, Shirley Cawyer, Diana Leggett, Patrick Montie, Jo Houle, Tony Dresser (videographer)

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

Larry Eberhart, Family Life Church, gave the invocation. Mayor Jim Goldsworthy led the pledge to the flag.

**RECOGNITIONS/PROCLAMATIONS**

**Employee of the Month, June 2019**

Bobby Claytor, Heavy Equipment Operator with the Solid Waste Division, was awarded June 2019 Employee of the Month in recognition and appreciation for hard work and dedication to the Solid Waste operations of the City of Gainesville. City Manager Barry Sullivan presented the award to Claytor.

**CONSENT AGENDA**

Council reviewed the Minutes of the regularly scheduled City Council Meeting on June 4, 2019 and approved them as written.

**RESOLUTION 06-18-2019 – APPROVING APPOINTMENTS TO THE GAINESVILLE MUNICIPAL AIRPORT ADVISORY BOARD**

CONSIDERATION OF AND ACTION ON A RESOLUTION MAKING APPOINTMENTS TO THE AIRPORT ADVISORY BOARD.

Council voted to reappoint Brandon Ayers, Jason Snuggs and Carroll Johnson. To the Gainesville Municipal Airport Advisory Board and appoint Joe Bland to replace Earl Russell, who has served on the board since 1983. All terms expire July 2021.

Councilmember Clegg **moved to approve the consent agenda**, seconded by Councilmember Gordon, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Moore).

**RESOLUTION 06-18-2019 A – CANCELLING THE REGULAR COUNCIL MEETING OF JULY 2, 2019.**

CONSIDERATION OF AND ACTION ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS TO CANCEL THE REGULAR COUNCIL MEETING OF JULY 2, 2019.

Council voted to cancel the first July council meeting, as it falls the week of the Independence Day holiday and there are no items to be presented for council consideration.

Councilmember Clegg **moved to approve the consent agenda**, seconded by Councilmember Gordon, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Moore).

**RESOLUTION 06-18-2019 B – DECLARING CERTAIN EQUIPMENT TO BE SURPLUS; FINDING THAT THE ITEMS MAY BEST BE SOLD AUCTION OVER THE INTERNET; AND DIRECTING THE DEPARTMENT DIRECTOR TO SELL THEM ACCORDINGLY, DEPOSITING THE PROCEEDS OF SALE INTO THE FUND THAT PROVIDED THE FUNDING.**

CONSIDERATION OF AND ACTION ON A RESOLUTION DECLARING CERTAIN EQUIPMENT TO BE SURPLUS; FINDING THAT THE ITEMS MAY BEST BE SOLD AUCTION OVER THE INTERNET; AND DIRECTING THE DEPARTMENT DIRECTOR TO SELL THEM ACCORDINGLY, DEPOSITING THE PROCEEDS OF SALE INTO THE FUND THAT PROVIDED THE FUNDING.

Council declared certain City equipment to be surplus and approved sale of the surplus property through auction over the internet. City departments compiled a list of equipment that is obsolete and of no use to the city and recommended sale of the equipment. Funds generated from sales of equipment will go back to the fund that provided for purchase of the equipment. The City Manager listed examples of surplus items such as vehicles, file cabinets and miscellaneous items that are no longer useful. The City must declare a surplus auction per local and state law.

Councilmember Keeler **moved to approve the Resolution**, seconded by Councilmember Hendricks, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, and 1 Absent (Moore).

**PUBLIC HEARING ON AN ORDINANCE GRANTING A SPECIAL USE PERMIT AS REQUESTED BY PENTEX ENERGY; ALLOWING FOR A SOLAR FARM TO BE LOCATED ON 16.129 ACRES NORTHEAST OF THE GAINESVILLE MUNICIPAL AIRPORT, PID 5705.**

PUBLIC HEARING ON AN ORDINANCE GRANTING A SPECIAL USE PERMIT AS REQUESTED BY PENTEX ENERGY; ALLOWING FOR A SOLAR FARM TO BE LOCATED ON 16.129 ACRES, LOCATED NORTHEAST OF THE GAINESVILLE MUNICIPAL AIRPORT, PID 5705; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE 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 special use permit.

No one came forward to speak either for or against the special use permit. The public hearing was closed at 6:38 p.m.

Councilmember Dollar **moved to close the public hearing**, seconded by Councilmember Keeler, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

**ORDINANCE 1459-06-2019 – GRANTING A SPECIAL USE PERMIT AS REQUESTED BY PENTEX ENERGY; ALLOWING FOR A SOLAR FARM TO BE LOCATED ON 16.129 ACRES NORTHEAST OF THE GAINESVILLE MUNICIPAL AIRPORT, PID 5705.**

CONSIDERATION OF AND ACTION ON THE FIRST READING OF AN ORDINANCE GRANTING A SPECIAL USE PERMIT AS REQUESTED BY PENTEX ENERGY; ALLOWING FOR A SOLAR FARM TO BE LOCATED ON 16.129 ACRES, LOCATED NORTHEAST OF THE GAINESVILLE MUNICIPAL AIRPORT, PID 5705; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

Council granted a Special Use Permit to PenTex Energy for the development of a solar farm located on +/- 16.129 acres to the Northeast of the Gainesville Municipal Airport. There will be no on-site office or other structure; the only traffic generated will be by employees visiting the site once a week or so for routine maintenance. The entire site will be fenced with a security gate. Calvin Manuel addressed the council stating the Planning and Zoning Commission unanimously recommended City Council grant the request.

John Walterscheid, Energy Management Advisor, Pentex Energy, clarified that underbrush near the boundary of the site will be removed but all taller trees will remain to create a park-like feel in response to Councilmember Keith Clegg's inquiry.

Councilmember Keeler **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Clegg, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

Councilmember Keeler **moved to Adopt the Ordinance**, seconded by Councilmember Clegg, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

**RESOLUTION NO. 06-18-2019 C - AUTHORIZING THE REPLACEMENT OF A BILLBOARD SIGN LOCATED AT 2720 SOUTH I-35 GAINESVILLE, TEXAS TO BE RELOCATED WITH A VARIANCE TO THE OFF PREMISE SIGN SETBACK REQUIREMENTS DUE TO THE EXPANSION OF I-35.**

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE REPLACEMENT OF A BILLBOARD SIGN LOCATED AT 2720 SOUTH I-35 GAINESVILLE, TX TO BE RELOCATED WITH A VARIANCE TO THE OFF PREMISE SIGN SETBACK REQUIREMENTS DUE TO THE EXPANSION OF I-35.

Council authorized the movement of a billboard sign along the I-35 corridor due to expansion of the interstate. The variance will cause the sign to be more compliant with City code as it relates to property lines and setbacks, per City Manager Barry Sullivan. Sullivan advised the setbacks would be: fifteen feet (15') from the north property line and eight feet (8') from the west property line and one hundred ninety feet (190') from a residential structure. The owner of the nearby residential structure also owns the billboard and had no objections to the relocation.

Councilmember Clegg **moved to approve the Resolution**, seconded by Councilmember Gordon, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

**ORDINANCE 1460-06-2019 – AMENDING THE CODE OF ORDINANCES, CHAPTER 2, ARTICLE I – IN GENERAL, SECTIONS 2-11, MARKET SQUARE, PROVIDING FOR HOURS OF OPERATION.**

CONSIDERATION OF AND ACTION ON THE FIRST READING OF AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CHAPTER 2, ARTICLE I – IN GENERAL, SECTIONS 2-11, MARKET SQUARE, PROVIDING FOR HOURS OF OPERATION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND MAKING AN OPENING MEETINGS FINDING.

Council voted to amend current code regarding the Farmers Market to provide for hours of visiting and operation. Currently, there are no set hours for people to be at the Market – only set hours for live bands and musicians. The amendment will allow patrons and bands one extra hour to vacate the premises.

Councilmember Gordon **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Keeler, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

Councilmember Keeler **moved to Adopt the Ordinance**, seconded by Councilmember Gordon, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

**EXECUTIVE SESSION**

At 6:44 p.m. Mayor Jim Goldsworthy announced that Council would convene into Executive Session in compliance with Vernon’s Texas Codes Annotated, Government Code, Chapter 551 (Open Meetings Act), to discuss the following:

- Under Government Code §551.072 Real Property
- Under Government Code §551.087 Economic Development

**RECONVENE INTO OPEN SESSION**

Council reconvened into open session at 7:22 p.m. and Mayor Jim Goldsworthy announced no action was taken during executive session.

**ADJOURN**

With no further business to come before the City Council, the meeting was adjourned at 7:22 p.m. Respectfully submitted,

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**Melinda Medford, Executive Secretary**

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**Jim Goldsworthy, Mayor**