

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
December 17, 2019**

The City Council of the City of Gainesville, Texas met in regular session on December 17, 2019 at 6:30 p.m. with the following persons in attendance.

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

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Barry Sullivan, City Manager; Belvin Harris, City Attorney; Kevin Phillips, Chief of Police; J. I. Johnson, Finance Director; Diana Alcala, City Secretary

**OTHERS PRESENT:** Delania Raney, Mike Gordon, Audrey Eberhart, Reagan Lynch, Dean Smith, Megan Gray-Hatfield, Kameron Klement, Skip Welsh, Kitie Hermes, Michael Doughty, Tony Dresser (videographer)

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

Barry Sullivan gave the invocation. Mayor Jim Goldsworthy led the pledge to the flag.

**CONSENT AGENDA**

Council reviewed the Minutes of the Workshop and the Minutes of the regularly scheduled City Council Meeting on December 3, 2019 and approved them as written.

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

**RESOLUTION NO. 12-17-2019 - A RESOLUTION ON A VARIANCE REQUEST BY LIL' LEOPARDS LEARNING LADDER FOR A VARIANCE FROM THE CITY OF GAINESVILLE CODE OF ORDINANCES, APPENDIX B (SUBDIVISIONS), ARTICLE III, FIGURE 2 (COMMERCIAL PROPERTY ACCESS DRIVEWAYS) FOR A PROPERTY LOCATED AT 1305 EAST BROADWAY STREET (PREVIOUSLY 1319 E. BROADWAY).**

CONSIDERATION OF AND ACTION ON A RESOLUTION ON A VARIANCE REQUEST BY LIL' LEOPARDS LEARNING LADDER FOR A VARIANCE FROM THE CITY OF GAINESVILLE CODE OF ORDINANCES, APPENDIX B (SUBDIVISIONS), ARTICLE III, FIGURE 2 (COMMERCIAL PROPERTY ACCESS DRIVEWAYS) FOR A PROPERTY LOCATED AT 1305 EAST BROADWAY STREET (PREVIOUSLY 1319 E. BROADWAY).

Approved a Resolution for a Variance Request by Lil' Leopards Learning Ladder. The southern property line is only two hundred, seventy-five (275) feet long and the required driveway to meet the turn radius for emergency access requires the driveway to be one hundred, ninety-five (195) feet. The City Council hereby further finds and determines that the property located at 1305 East Broadway Street (previously 1319 E. Broadway Street) meets the requirements for granting variances; specifically, the property is hampered by existing conditions which prohibit a seventy-five (75) foot driveway setback from an intersection and therefore City Council supports a variance to allow the driveways to have thirty-seven and a half (37.5) foot driveway setbacks for the property with the following conditions:

- "Do Not Enter" signage (as shown in the Texas Manual of Traffic Control Devices) is placed on both sides of the exit point of the commercial driveway.
- "One Way" signage (as shown in the Texas Manual of Traffic Control Devices) is placed on both sides of the entry point of the commercial driveway.
- The curb at the entry and exit points are constructed to deter traffic from going the wrong way into or out of the driveway.
- TXDOT traffic rated grate inlet is used for the replacement of the curb inlet in the proposed driveway.

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

**RESOLUTION NO. 12-17-2019 A - A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF GAINESVILLE TO ENTER INTO A CONTRACT WITH THE COOKE COUNTY APPRAISAL DISTRICT PROVIDING FOR THE ASSESSMENT AND COLLECTION OF TAXES AND PAYMENT OF FEES FOR SUCH SERVICES.**  
CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF GAINESVILLE TO ENTER INTO A CONTRACT WITH THE COOKE COUNTY APPRAISAL DISTRICT PROVIDING FOR THE ASSESSMENT AND COLLECTION OF TAXES AND PAYMENT OF FEES FOR SUCH SERVICES.

Approved a Resolution authorizing the City Manager of the City of Gainesville to enter into a contract with the Cooke County Appraisal District providing for the assessment and collection of taxes and payment of fees for such services

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

**ORDINANCE 1468-12-2019 - AN ORDINANCE CORRECTING ORDINANCE NO. 630-2-95 PASSED AND APPROVED ON FEBRUARY 21, 1995, CORRECTING THE DESCRIPTIONS OF THE TRACTS OF LAND THAT WERE TO BE TRADED; PROVIDING FOR THE ABANDONMENT AND SALE OF A PORTION OF A ROADWAY WITHIN THE CITY OF GAINESVILLE, COOKE COUNTY, TEXAS, AS HEREIN MORE FULLY DESCRIBED; PROVIDING FOR RESTRICTIONS AND RETENTION OF A DRAINAGE EASEMENT THEREON; PROVIDING FOR TERMS AND CONDITIONS OF THE ABANDONMENT AND CONVEYANCE; AUTHORIZING THE MAYOR TO EXECUTE A CORRECTION QUITCLAIM DEED AND CORRECTION WARRANTY DEED; PROVIDING FOR EXCHANGE OF SAID LAND FOR OTHER LAND OWNED BY GRANTEE; PROVIDING FOR PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR SUSPENSION OF THE CHARTER REQUIREMENT OF READING OF THE ORDINANCE ON THREE SEPARATE OCCASIONS.**

CONSIDERATION OF AND ACTION ON AN ORDINANCE CORRECTING ORDINANCE NO. 630-2-95 PASSED AND APPROVED ON FEBRUARY 21, 1995, CORRECTING THE DESCRIPTIONS OF THE TRACTS OF LAND THAT WERE TO BE TRADED; PROVIDING FOR THE ABANDONMENT AND SALE OF A PORTION OF A ROADWAY WITHIN THE CITY OF GAINESVILLE, COOKE COUNTY, TEXAS, AS HEREIN MORE FULLY DESCRIBED; PROVIDING FOR RESTRICTIONS AND RETENTION OF A DRAINAGE EASEMENT THEREON; PROVIDING FOR TERMS AND CONDITIONS OF THE ABANDONMENT AND CONVEYANCE; AUTHORIZING THE MAYOR TO EXECUTE A CORRECTION QUITCLAIM DEED AND CORRECTION WARRANTY DEED; PROVIDING FOR EXCHANGE OF SAID LAND FOR OTHER LAND OWNED BY GRANTEE; PROVIDING FOR PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR SUSPENSION OF THE CHARTER REQUIREMENT OF READING OF THE ORDINANCE ON THREE SEPARATE OCCASIONS.

Approved the adoption of an Ordinance correcting Ordinance No. 630-2-95 passed and approved on February 21, 1995, correcting the Description of the tracts of land that were to be traded; providing for the abandonment and sale of a portion of a roadway within the City of Gainesville. By mistake, said 1995 Ordinance did mistakenly show that the City was to be conveyed the property that it already owned, and that Cattle-Lac was to be conveyed the property that it already owned.

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 NO. 12-17-2019 B - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS AUTHORIZING THE MAYOR TO AMEND THE CONTRACT FOR EMPLOYMENT WITH CITY MANAGER BARRY SULLIVAN.**

CONSIDERATION OF AND ACTION ON A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS AUTHORIZING THE MAYOR TO AMEND THE CONTRACT FOR EMPLOYMENT WITH CITY MANAGER BARRY SULLIVAN.

Approved a Resolution authorizing the Mayor of the City of Gainesville to amend the contract for employment with City Manager Barry Sullivan with a base salary of \$180,000.

Councilmember Clegg **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.

**ADJOURN**

With no further business to come before the City Council, the meeting was adjourned at 6:37 p.m.  
Respectfully submitted,

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**Diana Alcalá, City Secretary  
Mayor**

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**Jim Goldsworthy,**