

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
August 18, 2020**

The City Council of the City of Gainesville, Texas met in regular session on August 18, 2020 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; Diana Alcala, City Secretary; Kevin Phillips, Police Chief; JI Johnson, Finance Director; Ron Sellman, Public Works Director; Calvin Manuel, Community Development Director.

OTHERS PRESENT: Mike Gordon, Bernie Gordon, Steve Gordon, Damian Krahl, Connie Lancaster, John Lancaster, Aubrey Eberhart, Teresa Blank, Michael Blank, Linda Schumacher, Diana Leggett, Eddie Shauf, S. Fulton, Ken Shannon, Lisa Shannon, Jeff Stubbs, Delania Raney, 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 Stubbs gave the invocation. Mayor Jim Goldsworthy led the pledge to the flag.

CONSENT AGENDA

Council reviewed the Minutes of the regularly scheduled City Council Meeting on August 4, 2020 and approved them as written.

RESOLUTION NO. 08-18-2020 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS TO CANCEL THE REGULAR COUNCIL MEETING OF SEPTEMBER 1, 2020.

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Approved a Resolution of the City Council of the City of Gainesville, TX, to cancel the Regular City Council Meeting of September 1, 2020 due to a lack of agenda items.

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

RESOLUTION NO. 08-18-2020A - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS AUTHORIZING THE CITY MANAGER TO SIGN A FLAT RATE CONTRACT FOR PROFESSIONAL SERVICES WITH ALLISON, BASS & MAGEE, L.L.P. TO COMPLETE REDISTRICTING PROJECTS.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS AUTHORIZING THE CITY MANAGER TO SIGN A FLAT RATE CONTRACT FOR PROFESSIONAL SERVICES WITH ALLISON, BASS & MAGEE, L.L.P. TO COMPLETE REDISTRICTING PROJECTS.

Approved a resolution of the City Council of the City of Gainesville, Texas authorizing the City Manager to sign a flat rate contract for professional services with Allison, Bass & Magee L.L.P to complete redistricting projects. To comply with state and federal statutory requirements regarding election administration and compliance with the voting rights act, the City of Gainesville is signing a flat rate/ fixed fee contract for professional services with Allison, Bass & Magee, L.L.P to assist the City in successfully completing all redistricting projects assigned by the lawful authority of the City. The firm will charge \$7,750 to review the Census data and determine if the City is required to redraw the ward map. If we are required to redistrict, then the firm will charge an additional \$7,750 to complete the work.

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

RESOLUTION NO. 08-18-2020B - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS AMENDING THE ORDER OF ELECTION FOR THE 2020 GENERAL ELECTION TO BE HELD ON NOVEMBER 3, 2020.

Approved a Resolution of the City Council of the City of Gainesville, TX, amending the Order of Election for the 2020 General Election to be held on November 3, 2020. This Resolution allows the Order of Election to be amended with the early voting extended hours and weekend hours. This will also allow for us to amend the Order of Election in the future if Cooke County might add or change polling places or times as authorized by law. Early voting late hours will be conducted until 7:00 p.m. on October 16, 2020 and October 23, 2020. Early voting weekend hours will be conducted from 8:00 a.m. until 5:00 p.m. on October 24, 2020.

Councilmember Dollar **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.

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 RESTRICTED COMMERCIAL DISTRICT (C-1) ZONING OF PLUS OR MINUS 0.52 ACRES, LOCATED AT 1305 EAST CALIFORNIA STREET, AS REQUESTED BY KRAHL REAL ESTATE, LLC; 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 AND OPEN MEETING FINDING.

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 RESTRICTED COMMERCIAL DISTRICT (C-1) ZONING OF PLUS OR MINUS 0.52 ACRES, LOCATED AT 1305 EAST CALIFORNIA STREET, AS REQUESTED BY KRAHL REAL ESTATE, LLC;

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 AND OPEN MEETING FINDING.

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

A total of 8 people spoke at the public hearing. Those that spoke against the the Ordinance were Michael Blank, Bernie Gordon, Steve Gordon, Connie Lancaster, Eddie Shauf, and John Lancaster. Those that spoke in favor of the Ordinance were Linda Schumacher and Damian Krahl.

The public hearing was closed at 7:00 p.m.

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 RESTRICTED COMMERCIAL DISTRICT (C-1) ZONING OF PLUS OR MINUS 0.52 ACRES, LOCATED AT 1305 EAST CALIFORNIA STREET, AS REQUESTED BY KRAHL REAL ESTATE, LLC; 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 AND OPEN MEETING FINDING.

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Disapproved an Ordinance to rezone the property located at 1305 East California Street from Single Family Two District (SF-2) Zoning to Restricted Commercial District (C-1) Zoning, as requested by Krahl Real Estate, LLC.

Councilmember Keeler **moved to suspend the Charter requirement of three readings.** The motion was seconded by Councilmember Clegg and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

Councilmember Keeler **moved to disapprove the Ordinance.** The motion was seconded by Councilmember Clegg and carried by vote of 6 Ayes, 0 Nays, 1 Abstentions (Eberhart), 0 Absent.

PUBLIC HEARING ON AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, COOKE COUNTY, TEXAS, AMENDING THE CITY OF GAINESVILLE ZONING ORDINANCE AND ZONING MAP, AS PREVIOUSLY AMENDED, RELATING TO USE AND DEVELOPMENT PLUS OR MINUS 4.92 ACRES OF LAND LOCATED IN THE AT THE NORTHEAST CORNER OF EAST BROADWAY STREET AND NORTH DENISON STREET BORDERED BY EAST SCOTT STREET TO NORTH, LEGALLY DESCRIBED AS FRICK & GUTHRIE ADDITION IN THE W.M. GALLAGHER SURVEY, ABSTRACT NUMBER 418, PRESENTLY ZONED AS SINGLE FAMILY RESIDENTIAL DISTRICT TWO (SF-2) BY CREATING PLANNED DEVELOPMENT NO. 1 -2020 WITH A BASE ZONING OF GENERAL COMMERCIAL (C-2); AND

ADOPTING DEVELOPMENT REGULATIONS AND A CONCEPT PLAN; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

PUBLIC HEARING ON AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, COOKE COUNTY, TEXAS, AMENDING THE CITY OF GAINESVILLE ZONING ORDINANCE AND ZONING MAP, AS PREVIOUSLY AMENDED, RELATING TO USE AND DEVELOPMENT PLUS OR MINUS 4.92 ACRES OF LAND LOCATED IN THE AT THE NORTHEAST CORNER OF EAST BROADWAY STREET AND NORTH DENISON STREET BORDERED BY EAST SCOTT STREET TO NORTH, LEGALLY DESCRIBED AS FRICK & GUTHRIE ADDITION IN THE W.M. GALLAGHER SURVEY, ABSTRACT NUMBER 418, PRESENTLY ZONED AS SINGLE FAMILY RESIDENTIAL DISTRICT TWO (SF-2) BY CREATING PLANNED DEVELOPMENT NO. 1 -2020 WITH A BASE ZONING OF GENERAL COMMERCIAL (C-2); AND ADOPTING DEVELOPMENT REGULATIONS AND A CONCEPT PLAN; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Jim Goldsworthy opened the public hearing at 7:11 p.m. and called for public comment on the amendment.

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

Councilmember Dollar **moved to close the public hearing**, seconded by Councilmember Moore, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent. The public hearing was closed at 7:12 p.m.

ORDINANCE NO. 1478-08-2020 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, COOKE COUNTY, TEXAS, AMENDING THE CITY OF GAINESVILLE ZONING ORDINANCE AND ZONING MAP, AS PREVIOUSLY AMENDED, RELATING TO USE AND DEVELOPMENT PLUS OR MINUS 4.92 ACRES OF LAND LOCATED IN THE AT THE NORTHEAST CORNER OF EAST BROADWAY STREET AND NORTH DENISON STREET BORDERED BY EAST SCOTT STREET TO NORTH, LEGALLY DESCRIBED AS FRICK & GUTHRIE ADDITION IN THE W.M. GALLAGHER SURVEY, ABSTRACT NUMBER 418, PRESENTLY ZONED AS SINGLE FAMILY RESIDENTIAL DISTRICT TWO (SF-2) BY CREATING PLANNED DEVELOPMENT NO. 1 -2020 WITH A BASE ZONING OF GENERAL COMMERCIAL (C-2); AND ADOPTING DEVELOPMENT REGULATIONS AND A CONCEPT PLAN; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

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A CONCEPT PLAN; PROVIDING A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

Approved an Ordinance to rezone plus or minus 4.92 acres of land located in the Northeast corner of East Broadway Street and North Denison Street presently zoned as Single Family Residential District Two (SF-2) with a base zoning of General Commercial (C-2). The Ordinance allows Super Rustic, LLC. to operate with limited industrial capabilities to roast and package coffee as well as other commercial practices such as a coffee shop, office space, and entertainment areas at their buildings located at 701 E. Broadway.

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

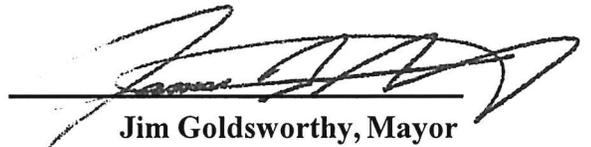
Councilmember Moore **moved to approve the Ordinance.** The motion was seconded by Councilmember Keeler and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 7:44 p.m. Respectfully submitted,



Diana Alcala, City Secretary



Jim Goldsworthy, Mayor



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