

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
March 16, 2021**

The City Council of the City of Gainesville, Texas met in regular session on March 16, 2021 at 6:30 p.m. with the following persons in attendance.

**MEMBERS PRESENT:** Mayor Jim Goldsworthy, Carolyn Hendricks, Ken Keeler, Brandon Eberhart, Michael Hill (Virtual Attendance), Mary Jo Dollar.

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

**STAFF PRESENT:** Barry Sullivan, City Manager; Belvin Harris, City Attorney; Kevin Phillips, Chief of Police; J.I. Johnson, Finance Director; Ron Sellman, Public Works Director; Wayne Twiner, Fire Chief; Diana Alcala, City Secretary.

**OTHERS PRESENT:** Mike Gordon, Aubrey Eberhart, Sarah Einselen, Austin Creswell, Nadine Creswell, Jeff Langley, Regina Camberos, Judy Smith, Dharla Wall, Colton Wall, Mike Doughty.

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

Rev Jeff Langley gave the invocation. Mayor Jim Goldsworthy led the pledge to the flag.

**STAR OF NORTH TEXAS**

Regina Camberos was awarded with the Star of North Texas in recognition of starting the Random Acts of Kindness Facebook Page that has helped many in need within the community.

**REPORTS**

Fire Chief Wayne Twiner gave a report on the City of Gainesville's response to Winter Weather Natural Disaster that occurred February 14, 2021 through February 19, 2021.

**CONSENT AGENDA**

Council reviewed the Minutes of the City Council Meeting on March 2, 2021 and approved them as written.

Councilmember Dollar **moved to approve the Consent Agenda.** The motion was seconded by Councilmember Keeler and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

**A RESOLUTION ACCEPTING BIDS PLACED FOR CASH SALE OF CERTAIN TRACTS OF LAND OWNED BY THE CITY OF GAINESVILLE, BEING MORE PARTICULARLY DESCRIBED AS PART OF LOT 20, BLOCK 15, WILLIAMS ADDITION; PART OF LOTS**

**18 & 19, BLOCK 15, WILLIAMS ADDITION; AND PART OF LOT 20, BLOCK 15, WILLIAMS ADDITION.**

Tabled a Resolution accepting bids placed for cash sale of certain tracts of land owned by the City of Gainesville, being more particularly described as part of Lot 20, Block 15, Williams Addition; part of Lots 18 & 19, Block 15, Williams Addition; and part of Lot 20, Block 15, Williams Addition. The item will be placed on Agenda for the next City Council Meeting.

Councilmember Dollar **moved to table the Resolution.** The motion was seconded by Councilmember Eberhart and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

**RESOLUTION NO. 03-16-2021 - A RESOLUTION APPOINTING THE PRESIDING JUDGE AND ALTERNATE JUDGE FOR THE GENERAL ELECTION TO BE HELD MAY 1, 2021 AND ESTABLISHING THE RATE OF PAY FOR ELECTION WORKERS.**  
A RESOLUTION APPOINTING THE PRESIDING JUDGE AND ALTERNATE JUDGE FOR THE GENERAL ELECTION TO BE HELD MAY 1, 2021 AND ESTABLISHING THE RATE OF PAY FOR ELECTION WORKERS.

This Resolution appoints election workers for the General Election and Special Election on May 1, 2021. Linda Cummings has agreed to serve as Presiding Judge, and Penny Taylor as Alternate Judge (in the absence of the presiding judge). For Early Voting, April 19 through April 27, the City Secretary (Diana Alcalá) serves as Early Voting Clerk (i.e. presiding judge), and Executive Secretary (Lisa Dodd) as Early Voting Assistant. During Early Voting, only one or two EV clerks will be scheduled to work throughout each day as necessary.

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

**RESOLUTION NO. 03-16-2021A - A RESOLUTION ACCEPTING THE AUDIT, FINANCIAL STATEMENT AND OPINION FOR FISCAL YEAR ENDING SEPTEMBER 30, 2020, 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.**

A RESOLUTION ACCEPTING THE AUDIT, FINANCIAL STATEMENT AND OPINION FOR FISCAL YEAR ENDING SEPTEMBER 30, 2020.

This Resolution accepts the audit, financial statement and opinion for fiscal year ending September 30, 2020, as prepared by Schalk & Smith, Certified Public Accountants.

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

**PUBLIC HEARING ON AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AMENDING APPENDIX A: ZONING, ARTICLE III: USE OF LAND OR PREMISES, SECTION 3.3: SPECIAL USE PERMITS, SUBSECTION B SHORT TERM RENTALS; PROVIDING FOR A FINDINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A CONFLICT RESOLUTION CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.**

PUBLIC HEARING ON AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AMENDING APPENDIX A: ZONING, ARTICLE III: USE OF LAND OR PREMISES, SECTION 3.3: SPECIAL USE PERMITS, SUBSECTION B SHORT TERM RENTALS.

Mayor Jim Goldsworthy opened the public hearing at 7:15 p.m. and called for public comment on the amendment.

Dharla Wall came forward to speak in favor of the Ordinance.

Councilmember Hendricks **moved to close the public hearing**, seconded by Councilmember Dollar, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore). The public hearing was closed at 7:19 p.m.

**ORDINANCE NO. 1485-03-2021- AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AMENDING APPENDIX A: ZONING, ARTICLE III: USE OF LAND OR PREMISES, SECTION 3.3: SPECIAL USE PERMITS, SUBSECTION B SHORT TERM RENTALS; PROVIDING FOR A FINDINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A CONFLICT RESOLUTION CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.**

AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AMENDING APPENDIX A: ZONING, ARTICLE III: USE OF LAND OR PREMISES, SECTION 3.3: SPECIAL USE PERMITS, SUBSECTION B SHORT TERM RENTALS.

This Ordinance amends Appendix A: Zoning, Article III: Use of Land or Premises, Section 3.3: Special Use Permits, Subsection B Short Term Rentals. The amendment is to remove the 180 day rental limit on short term rentals.

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

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

**PUBLIC HEARING ON AN ORDINANCE AMENDING A SPECIAL USE PERMIT (SUP) ISSUED TO PEN-TEX ENERGY TO OPERATE A SOLAR FARM AT A PLUS OR MINUS 16.129 ACRE PARCEL LOCATED AT COUNTY ROAD 404, NORTHEAST OF THE GAINESVILLE MUNICIPAL AIRPORT, LEGALLY DESCRIBED AS J. BOLIN SURVEY, ABSTRACT NUMBER 37, COOKE COUNTY PROPERTY ID NUMBER 5705; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.**

PUBLIC HEARING ON AN ORDINANCE AMENDING A SPECIAL USE PERMIT (SUP) ISSUED TO PEN-TEX ENERGY TO OPERATE A SOLAR FARM.

Mayor Jim Goldsworthy opened the public hearing at 7:23 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 Eberhart, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore). The public hearing was closed at 7:23 p.m.

**ORDINANCE NO. 1486-03-2021- AN ORDINANCE AMENDING A SPECIAL USE PERMIT (SUP) ISSUED TO PEN-TEX ENERGY TO OPERATE A SOLAR FARM AT A**

**PLUS OR MINUS 16.129 ACRE PARCEL LOCATED AT COUNTY ROAD 404, NORTHEAST OF THE GAINESVILLE MUNICIPAL AIRPORT, LEGALLY DESCRIBED AS J. BOLIN SURVEY, ABSTRACT NUMBER 37, COOKE COUNTY PROPERTY ID NUMBER 5705; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.**

AN ORDINANCE AMENDING A SPECIAL USE PERMIT (SUP) ISSUED TO PEN-TEX ENERGY TO OPERATE A SOLAR FARM.

This Ordinance amends the Special Use Permit for Pentex Electric Co-op to remove the expiration terms in section 3 of the permit.

Councilmember Dollar **moved to suspend the Charter.** The motion was seconded by Councilmember Keeler and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

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

**RESOLUTION NO. 03-16-2021B - A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF GAINESVILLE, TEXAS TO APPROVE GRANT APPLICATION 4318901 FOR THE IN VEHICLE ROUTER PROJECT 21-22 TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION.**

A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF GAINESVILLE, TEXAS TO APPROVE GRANT APPLICATION 4318901 FOR THE IN VEHICLE ROUTER PROJECT 21-22 TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION.

This Resolution authorizes the City Manager to approve a grant application to replace vehicle routers. The testing showed a significant improvement in connectivity throughout the City of Gainesville and surrounding areas along with a 127% increase in download speeds and a 77% increase in upload speeds.

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

**RESOLUTION NO. 03-16-2021C - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR RETAIL ELECTRICITY WITH THE MOST BENEFICIAL RATE PLAN BASED ON PRICE AND TERM RECEIVED THROUGH A REVERSE AUCTION CONDUCTED BY EMEX.**

This Resolution authorizes the City Manager to enter into a contract for retail electricity with the most beneficial rate plan based on price not to exceed \$0.0375 per kilowatt and term (not to exceed 8.4 years) received through a reverse auction conducted by Emex.

Councilmember Keeler **moved to approve the Resolution for no more than 8.4 years.** The motion was seconded by Councilmember Hill and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

**RESOLUTION NO. 03-16-2021D - A RESOLUTION TO PURCHASE A STATUE TO BE PLACED AT LEONARD PARK.**

A RESOLUTION TO PURCHASE A STATUE TO BE PLACED AT LEONARD PARK.

This Resolution authorizes the City Manager sign all necessary contracts for the purchase of a monument to be placed at Leonard Park. The monument will be paid for by private funds and Hotel Occupancy Tax. Artwork is an item that the Hotel Occupancy Tax can be used for.

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

**RESOLUTION NO. 03-16-2021E - A RESOLUTION TO APPROVE PLACEMENT OF PLAYGROUND EQUIPMENT IN B.P. DOUGLAS PARK.**

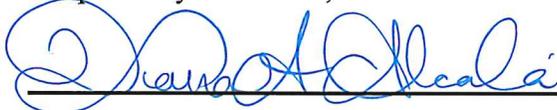
A RESOLUTION TO APPROVE PLACEMENT OF PLAYGROUND EQUIPMENT IN B.P. DOUGLAS PARK.

The B.P. Douglas Park Project has raised over \$46,000 and can install the playground over the next few months with volunteer labor. Several of these volunteers are actual contractors that have done similar projects in Denton. Phase two and three of this overall plan will be brought to council when they are ready to be installed.

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

With no further business to come before the City Council, the meeting was adjourned at 7:51 p.m.

Respectfully submitted,



**Diana Alcala, City Secretary**



**Jim Goldsworthy, Mayor**



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