

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
December 15, 2015**

The City Council of the City of Gainesville, Texas met in regular session on December 15, 2015 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Jim Goldsworthy
Keith Clegg, Carolyn Hendricks, Mary Jo Dollar, Ken Keeler, Ray Nichols, Beverly Snuggs

STAFF PRESENT: Barry Sullivan, City Manager; Bill Harris, City Attorney; Caitlyn Huddleston, City Secretary; Arleene Loyd, Gainesville Economic Development Corporation Executive Director; Kevin Phillips, Chief of Police

OTHERS PRESENT: Kelly Fiore-Watson, Nikki King, Mike Todd, Rod Tyler, Megan Hatfield, KC Robinson, John Hambrecht, Faisal Reza, Tony Dresser (Videographer)

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Kelly Fiore-Watson, Whaley United Methodist Church, gave the invocation. Mayor Jim Goldsworthy led the pledge to the flag.

REPORTS

Water Fee Schedule Revisions

City Manager Barry Sullivan gave a short explanation of the recent water fee schedule revisions. There was some confusion following the adoption of the revisions at the December 1, 2015 council meeting. Sullivan clarified that residents will not see an impact from the changes on their monthly bill. Rates for usage were adopted with the annual budget in September 2015 and have not changed. The revised rates are for tap and installation costs. Developers and contractors for subdivisions will be the most impacted by the revisions. Sullivan noted that the need for the revisions is positive, and an indication that we are growing.

CONSENT AGENDA

Council reviewed the Minutes of the regularly scheduled City Council Meeting of December 1, 2015 and approved them as written.

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

**PUBLIC HEARING ON AN ORDINANCE AMENDING CODE OF ORDINANCES
APPENDIX A – ZONING, MULTIFAMILY RESIDENTIAL DISTRICT DEFINED,
MINIMUM LIVING AREA, REFUSE FACILITIES, FENCES REQUIRED, ACCESSORY
STRUCTURES, PARKING AND DENSITY MULTIFAMILY RESIDENTIAL DISTRICT
ZONE BULK REGULATIONS; OFF-STREET PARKING REQUIRED.**

PUBLIC HEARING ON AN ORDINANCE AMENDING CODE OF ORDINANCES APPENDIX A – ZONING, SECTION 3.1.07 MF-2 HIGH DENSITY MULTIFAMILY RESIDENTIAL DISTRICT DEFINED, SECTION 3.1.07C MINIMUM LIVING AREA, SECTION 3.1.07E REFUSE FACILITIES, SECTION 3.1.07F FENCES REQUIRED, SECTION 3.1.07H ACCESSORY STRUCTURES, SECTION 3.1.07I PARKING AND TABLE 3.1.07B1 HIGH DENSITY MULTIFAMILY RESIDENTIAL DISTRICT ZONE BULK REGULATIONS; SECTION 3.7.01 OFF-STREET PARKING REQUIRED; PROVIDING FOR PENALTY NOT TO EXCEED \$2,000; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FINDING THE MEETING WAS OPEN TO THE PUBLIC.

Mayor Goldsworthy opened the Public Hearing at 6:38 p.m. and called for public comment on the proposed amendments.

With no further discussion, Councilmember Snuggs moved to close the Public Hearing, with second by Councilmember Clegg, and the motion carried by vote of 7 Ayes, 0 Nays, and 0 Absent.

The Public Hearing was closed at 6:39 p.m.

ORDINANCE 1380-12-2015 – AMENDING CODE OF ORDINANCES APPENDIX A – ZONING, MULTIFAMILY RESIDENTIAL DISTRICT DEFINED, MINIMUM LIVING AREA, REFUSE FACILITIES, FENCES REQUIRED, ACCESSORY STRUCTURES, PARKING AND DENSITY MULTIFAMILY RESIDENTIAL DISTRICT ZONE BULK REGULATIONS; OFF-STREET PARKING REQUIRED.

CONSIDERATION OF AND ACTION ON FIRST READING OF AN ORDINANCE AMENDING CODE OF ORDINANCES APPENDIX A – ZONING, SECTION 3.1.07 MF-2 HIGH DENSITY MULTIFAMILY RESIDENTIAL DISTRICT DEFINED, SECTION 3.1.07C MINIMUM LIVING AREA, SECTION 3.1.07E REFUSE FACILITIES, SECTION 3.1.07F FENCES REQUIRED, SECTION 3.1.07H ACCESSORY STRUCTURES, SECTION 3.1.07I PARKING AND TABLE 3.1.07B1 HIGH DENSITY MULTIFAMILY RESIDENTIAL DISTRICT ZONE BULK REGULATIONS; SECTION 3.7.01 OFF-STREET PARKING REQUIRED; PROVIDING FOR PENALTY NOT TO EXCEED \$2,000; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FINDING THE MEETING WAS OPEN TO THE PUBLIC.

Council adopted the following amendments to city code for MF-2 High Density Multi-Family Residential District: reduces the apartment size requirements by 25 to 50 feet per unit, depending on number of bedrooms; changes the amount of required refuse containers; all buildings may be incorporated as part of the required fence structure; carports and awnings are not required to match the principal structure in architectural style and materials; only 20% of the units are required to have covered parking instead of one covered space per unit; the maximum density has been increased from 25 units per acre to 27 units per acre; and the minimum setback has moved from 45 feet to 20. This allows for a downtown, urban look instead of garden style apartments.

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

Councilmember Nichols **moved to adopt the ordinance**. The motion was seconded by Councilmember Keeler and carried by vote of 7 Ayes, 0 Nays, and 0 Absent.

ORDINANCE 1381-12-2015 – AMENDING FIRE SEPARATION DISTANCE AND AMENDMENTS TO 2011 NATIONAL ELECTRIC CODE NFPA 70 CONDUIT IN

COMMERCIAL BUILDINGS; DELETING SECTION 5-10(23) SPECIFIC AMENDMENTS TO 2009 INTERNATIONAL FIRE CODE.

CONSIDERATION OF AND ACTION ON FIRST READING OF AN ORDINANCE AMENDING CODE OF ORDINANCES SECTION 5-3(7) FIRE SEPARATION DISTANCE AND SECTION 5-8(2) AMENDMENTS TO 2011 NATIONAL ELECTRIC CODE NFPA 70 CONDUIT IN COMMERCIAL BUILDINGS; DELETING SECTION 5-10(23) SPECIFIC AMENDMENTS TO 2009 INTERNATIONAL FIRE CODE; PROVIDING FOR PENALTY NOT TO EXCEED \$2,000; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE AND FINDING THE MEETING WAS OPEN TO THE PUBLIC.

Council adopted an ordinance amending certain building, electrical and fire codes for multifamily dwellings. These changes include reducing the fire separation distance from 24 to 20 feet, removing the requirement for all multifamily facilities to use conduit, and cleaning up the City of Gainesville's code to match state law regarding the use of propane tanks. The City amended the Fire Code to limit the use of propane tanks to areas without gas service and required the tanks be placed underground. The State Legislature passed a bill two sessions ago that removed the power from cities to regulate the location of propane tanks beyond the International Fire Code. The City has not been enforcing this section of our code since the state bill went into effect.

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

Councilmember Snuggs **moved to adopt the ordinance**. The motion was seconded by Councilmember Clegg and carried by vote of 7 Ayes, 0 Nays, and 0 Absent.

EXECUTIVE SESSION

At 6:51 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 §551.074 Personnel – City Manager's Evaluation

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.

RESOLUTION NO. 12-15-2015 – AUTHORIZING THE MAYOR TO EXTEND THE CONTRACT OF EMPLOYMENT OF BARRY SULLIVAN AS CITY MANAGER.

A RESOLUTION AUTHORIZING THE MAYOR TO EXTEND THE CONTRACT OF EMPLOYMENT OF BARRY SULLIVAN AS CITY MANAGER.

Council voted unanimous approval of a contract extension of Barry Sullivan's contract as City Manager. Mayor Goldsworthy thanked Sullivan for his hard work and commented that [Council] looks forward to working with him in the future.

Councilmember Nichols **moved to approve the resolution**. The motion was seconded by Councilmember Dollar and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

Prior to adjournment, the Mayor wished everyone a blessed and Merry Christmas, and all the best for the New Year.

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 7:24 p.m. Respectfully submitted,

Caitlyn Huddleston, City Secretary

Jim Goldsworthy, Mayor