

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
July 17, 2018**

The City Council of the City of Gainesville, Texas met in regular session on July 17, 2018 at 6:30 p.m. with the following persons in attendance.

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

MEMBERS ABSENT: Tommy Moore

STAFF PRESENT: Barry Sullivan, City Manager; Bill Harris, City Attorney; Caitlyn Huddleston, City Secretary; Kevin Phillips, Chief of Police; J. I. Johnson, Finance Director; Ron Sellman, Public Works Director; Susan Kleven, Frank Buck Zoo Director, Karen Dixon, Controller

OTHERS PRESENT: Megan Gray-Hatfield, Ray Nichols, Leslie Nichols, Sandy Schmitz, Dillon Otts, Delania Raney, Mike Gordon, Rachel Hughes, Sarah Seabaugh, Shannon Lee, Brianna Carter, Amanda Arnold, Crystal Salisbury, Kathi Stokes, Jason Streeter, Jordan Shafel, Megan Kennedy, Rebekah Schimp, Trish Wagner, Sarah Einselen, Ben Willingham (Videographer)

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

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

RECOGNITIONS AND PROCLAMATIONS

GFOA Distinguished Budget Presentation Award, Karen Dixon

Barry Sullivan presented Karen Dixon, City Controller, the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA) for the fiscal year beginning October 1, 2017. City Manager Barry Sullivan credited Dixon for her hard work in putting together the budget document information to achieve this award. This is the eighth year for the City of Gainesville to receive this award.

Manufacturing Spotlight, Orteq Energy Technologies

The Gainesville Economic Development Corporation recently launched their Manufacturing Matters Program, where they focus on manufacturing businesses located in Gainesville. Orteq Energy Technologies is the July business to be “spotlighted.” Mayor Goldsworthy read and presented a proclamation noting Orteq’s history in Gainesville as a locally owned designer and manufacturer of oilfield equipment. The proclamation also commended the generosity of the Ortowski family, owners of Orteq, and the service of their Vice President Dillon Ott.

Recognizing Employees of the Boys and Girls Club of Cooke County

Mayor Goldsworthy presented the employees and volunteers of the Boys and Girls Club of Cooke County with a proclamation of appreciation for their dedicated service to the youth of Cooke County. Currently, the group serves more than 350 children and young adults per day during the

summer program, 200 during the afterschool program, and thousands through the coordination of numerous sports teams year round. They help teach children to have academic success, healthy lifestyles, and good character and citizenship.

Star of North Texas Award

Mayor Goldsworthy recognized Sandy Schmitz and presented her a Star of North Texas challenge coin. Schmitz currently serves as the volunteer Chief Executive Officer of the Boys and Girls Club of Cooke County unpaid. Schmitz has arranged for donated food for the summer program, champions the annual golf tournament and gala planning, and much more. Schmitz was commended for her generous spirit and passion for the youth in our area.

National Zookeepers Week, July 15-21, 2018

Mayor Jim Goldsworthy read and presented a proclamation declaring the week of July 15-21, 2018, as National Zookeeper Week in Gainesville, recognizing zookeepers for their role in animal conservation and education, and encouraging citizens to visit the Frank Buck Zoo. Zoo staff and members of the Frank Buck Zoological Society were in attendance to receive the proclamation.

CONSENT AGENDA

Council reviewed the Minutes of the regularly scheduled City Council Meeting of June 19, 2018 and approved them as written.

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

The following actions were taken by Council:

2017 ANNUAL DRINKING WATER QUALITY REPORT PRESENTATION AND PUBLIC PARTICIPATION OPPORTUNITY REGARDING REPORT.

2017 ANNUAL DRINKING WATER QUALITY REPORT PRESENTATION AND PUBLIC PARTICIPATION OPPORTUNITY REGARDING REPORT.

Mayor Goldsworthy opened the public participation opportunity at 6:42 p.m. regarding quality report.

No one came forward to speak in regards to the report. With no further comments, Councilmember Clegg **moved to close the public hearing at 6:42 p.m.**, seconded by Councilmember Dollar, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

Ron Sellman, Public Works Director, reviewed the 2017 Annual Drinking Water Quality Report, also called the Consumer Confidence Report (CCR). The City water supply was issued a “Superior” rating by the Texas Commission on Environmental Quality (TCEQ) for exceeding minimum standards for a public water supply. All City water customers receive the Consumer Confidence Report by mail.

PUBLIC HEARING ON AN ORDINANCE RENAMING PRIME OUTLETS BLVD TO LIBERTY WAY.

PUBLIC HEARING ON AN ORDINANCE PROVIDING FOR THE RENAMING OF A STREET KNOWN AS PRIME OUTLETS BLVD TO LIBERTY WAY, LOCATED WITHIN THE CITY LIMITS OF GAINESVILLE, TEXAS; PROVIDING FOR PLACEMENT OF STREET SIGNS; PROVIDING FOR AMENDMENT OF THE OFFICIAL CITY LIMITS MAP AND THE CITY ZONING MAP; PROVIDING FOR PUBLICATION; PROVIDING FOR

SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETING FINDING.

Mayor Goldsworthy opened the public hearing at 6:45 p.m. regarding the street name change.

No one came forward to speak in support or opposition of the plan. With no further comments, Councilmember Hendricks **moved to close the public hearing at 6:45 p.m.**, seconded by Councilmember Keeler, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

ORDINANCE 1432-07-2018 - RENAMING PRIME OUTLETS BLVD TO LIBERTY WAY.
CONSIDERATION OF AND ACTION ON THE FIRST READING OF AN ORDINANCE PROVIDING FOR THE RENAMING OF A STREET KNOWN AS PRIME OUTLETS BLVD TO LIBERTY WAY, LOCATED WITHIN THE CITY LIMITS OF GAINESVILLE, TEXAS; PROVIDING FOR PLACEMENT OF STREET SIGNS; PROVIDING FOR AMENDMENT OF THE OFFICIAL CITY LIMITS MAP AND THE CITY ZONING MAP; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETING FINDING.

Council adopted an ordinance renaming Prime Outlets Boulevard to Liberty Way within the city limits of Gainesville. The renaming comes at the request of Liberty Crossing, a market days venue. The street is located near the old outlet mall and the portion to be changed runs from I-35 west to the outer city limits, near FM 404. Signs along I-35 will not be changed at this time as they are maintained by the Texas Department of Transportation.

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).

ORDINANCE 1433-07-2018 – REGARDING THE REGULATION OF FOOD ESTABLISHMENTS INCLUDING FOOD SERVICE ESTABLISHMENTS, RETAIL FOOD STORES, TEMPORARY FOOD ESTABLISHMENTS, MOBILE FOOD UNITS, AND ROADSIDE FOOD VENDORS.

CONSIDERATION OF AND ACTION ON THE FIRST READING OF AN ORDINANCE REGARDING THE REGULATION OF FOOD ESTABLISHMENTS INCLUDING FOOD SERVICE ESTABLISHMENTS, RETAIL FOOD STORES, TEMPORARY FOOD ESTABLISHMENTS, MOBILE FOOD UNITS, AND ROADSIDE FOOD VENDORS; PROVIDING A PENALTY; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Council adopted an ordinance allowing for the City of Gainesville to conduct inspections and issue permits for food service establishments, retail food stores, temporary food establishments, mobile food units, and roadside food vendors. Currently, the Texas Department of State Health Services does the inspections. The transition should be more convenient for restaurant and mobile food truck owners, as well as provide more protection for the public.

Councilmember Keeler **moved to Suspend the Charter requirement of three readings**, seconded by Councilmember Gordon, 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).

RESOLUTION 07-17-2018 – APPROVING REVISION OF THE CITY OF GAINESVILLE RATES FEE SCHEDULE FOR FISCAL YEAR 2017-2018.

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING REVISION OF THE CITY OF GAINESVILLE RATES FEE SCHEDULE FOR FISCAL YEAR 2017-2018.

Council amended the fee schedule to add annual and temporary food establishment inspection costs to the Community Development Department's section. The cost will be \$60 for annual food establishment permits, valid for one year, and \$25 for temporary permits, valid for no more than fourteen days or the length of a single event. City Manager Barry Sullivan advised the state's current costs are \$150 for retail food establishment permits and \$258 for mobile food unit permits.

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

PUBLIC HEARING ON AN ORDINANCE REZONING FROM GENERAL COMMERCIAL (C-2) TO SINGLE-FAMILY TWO (SF-2) THE 3.47 ACRES ALONG THE NORTH PROPERTY LINE OF PARCEL ID 15302.

PUBLIC HEARING ON AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY OF GAINESVILLE, TEXAS, TO REZONE FROM GENERAL COMMERCIAL (C-2) TO SINGLE FAMILY TWO DISTRICT (SF-2) THE 3.47 ACRES ALONG THE NORTH PROPERTY LINE OF PARCEL #15302; 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 AN OPEN MEETING FINDING.

Mayor Goldsworthy opened the public hearing at 6:51 p.m. regarding the zoning change.

No one came forward to speak in support or opposition of the zoning change. With no further comments, Councilmember Gordon **moved to close the public hearing at 6:51 p.m.,** seconded by Councilmember Keeler, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Moore).

ORDINANCE 1434-07-2018 – REZONING FROM GENERAL COMMERCIAL (C-2) TO SINGLE-FAMILY TWO (SF-2) THE 3.47 ACRES ALONG THE NORTH PROPERTY LINE OF PARCEL ID 15302.

CONSIDERATION OF AND ACTION ON AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE CITY OF GAINESVILLE, TEXAS, TO REZONE FROM GENERAL COMMERCIAL (C-2) TO SINGLE FAMILY TWO DISTRICT (SF-2) THE 3.47 ACRES ALONG THE NORTH PROPERTY LINE OF PARCEL #15302; 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 AN OPEN MEETING FINDING.

Council voted to rezone the northern part of the lot at the corner of Aspen Road and Alabama Drive to from General Commercial (C-2) to Single-Family Two (SF-2). OES, Inc. plans to develop the area as a housing subdivision in the future. Community Development Director Julie Smith advised that the change would bring all tracts into one zone and that the developer would be replatting the area. One citizen did speak with staff on the phone with opposition, but he requested the area remain a pasture. However, Smith clarified that the new zoning would be less invasive than the current. The Planning and Zoning Commission and staff recommended the change.

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 6:54 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 §551.071 Attorney Privilege
Under Government Code §551.072 Real Property

RECONVENE INTO OPEN SESSION

Council reconvened into open session at 7:06 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 7:06 p.m.

Respectfully submitted,

Caitlyn Huddleston, City Secretary

Jim Goldsworthy, Mayor