

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
October 2, 2018**

The City Council of the City of Gainesville, Texas met in regular session on October 2, 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, 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; Arleene Loyd, Gainesville Economic Development Corporation Executive Director; David Vinton, Airport Manager; Ron Sellman, Public Works Director

OTHERS PRESENT: Leslie Nichols, Karon Sullivant, Mike Gordon, Kathy Nations, Patrick Bradley, Vicky Hestal, Virginia Rhodes, Tony Dresser (Videographer)

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Kathy Nations, Reverend, First United Methodist Church, gave the invocation. Mayor Jim Goldsworthy led the pledge to the flag.

RECOGNITIONS AND PROCLAMATIONS

Maudell Baker, 105th Birthday

Mayor Goldsworthy read a proclamation honoring Gainesville resident Maudell Baker and celebrating her 105th birthday in August. Ms. Baker had a notable career as a music teacher and former pianist at the Grand Avenue Baptist Church and the Gainesville State School. Ms. Baker's former students include accomplished professional musicians, including Dr. Patrick Bradley who was present to receive the proclamation on Ms. Baker's behalf.

Domestic Violence Awareness Month Proclamation

Mayor Goldsworthy read and presented a proclamation naming October 2018 as Domestic Violence Awareness Month and urging local residents to join in activities and programs sponsored by Abigail's Arms Cooke County Family Crisis Center against domestic violence. The proclamation also encourages all citizens to actively work toward eradicating domestic violence and improving victim safety and to help victims rebuild their lives through education and primary prevention programs for families and the community. Mayor Goldsworthy commended Karon Sullivant and Leslie Nichols, were present to receive the proclamation, for their tremendous involvement in the community.

CONSENT AGENDA

Council reviewed the Minutes of the regularly scheduled City Council Meeting of September 18, 2018 and approved them as written.

RESOLUTION NO. 10-02-2018 – APPROVE APPOINTMENTS TO THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS.

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING APPOINTMENTS TO THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS.

Council appointed Bob Bloom, former Ex-Officio, to Gainesville Economic Development Corporation (GEDC) Board of Directors to replace Mitchell Shauf who previously resigned due to scheduling conflicts. Council also appointed Tom Sledge to Ex-Officio in place of Bob Bloom, and reappointed Tommy James, President, David Moore, Scott Richardson, and Ryan Morris, Ex-Officio. All terms expire August 2020.

RESOLUTION NO. 10-02-2018 A – APPROVE APPOINTMENTS TO THE BOARD OF APPEALS.

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING APPOINTMENTS TO THE BOARD OF APPEALS.

Council reappointed Buster Bezner and Jess Cason to the Board of Appeals for terms expiring October 2020.

RESOLUTION NO. 10-02-2018 B – APPROVE APPOINTMENTS TO THE GAINESVILLE HOUSING AUTHORITY.

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING APPOINTMENTS TO THE GAINESVILLE HOUSING AUTHORITY.

Council reappointed Patty Haayen and appointed Mary Jo Dollar to the Gainesville Housing Authority Board. Terms expire April 2020.

RESOLUTION NO. 10-02-2018 C – AUTHORIZE A GROUND LEASE AGREEMENT WITH EZ FLIGHT, LLC FOR PRIVATE HANGAR DEVELOPMENT AT THE GAINESVILLE MUNICIPAL AIRPORT.

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING A GROUND LEASE AGREEMENT WITH EZ FLIGHT, LLC FOR PRIVATE HANGAR DEVELOPMENT AT THE GAINESVILLE MUNICIPAL AIRPORT.

Council approved and authorized a ground lease with EZ Flight, LLC for the purpose of constructing a hangar at the Gainesville Municipal Airport. EZ Flight, LLC will use the hangar and land to house private aircrafts. The standard lease will be for a thirty year term, with two potential five year extensions if agreed upon by both parties.

RESOLUTION NO. 10-02-2018 D – AUTHORIZE A GROUND LEASE AGREEMENT WITH CLAYTON BOYD FOR PRIVATE HANGAR DEVELOPMENT AT THE GAINESVILLE MUNICIPAL AIRPORT.

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING A GROUND LEASE AGREEMENT WITH CLAYTON BOYD FOR PRIVATE HANGAR DEVELOPMENT AT THE GAINESVILLE MUNICIPAL AIRPORT.

Council approved and authorized a ground lease with Clayton Boyd for the purpose of constructing a hangar at the Gainesville Municipal Airport. Mr. Boyd will use the hangar and land to house private aircrafts. The standard lease will be for a thirty year term, with two potential five year extensions if agreed upon by both parties.

Mayor Goldsworthy expressed his thanks to all those who had volunteered to serve and said that a “community’s biggest asset were the people who give their time.”

Councilmember Moore **moved to approve the consent agenda**, seconded by Councilmember Keeler, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

ORDINANCE NO. 1441-10-2018 –AMENDING ORDINANCE 1219-12-2008, THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, APPENDIX A –

ZONING, ARTICLE III – USE OF LAND OR PREMISES, SECTION 3.5 – SCREENING WALLS AND FENCES; AUTHORIZING THE CITY OF GAINESVILLE TO AMEND THE ZONING ORDINANCE TO PERMIT DECORATIVE RAIL ALUMINUM, TUBULAR, AND WROUGHT IRON FENCES IN ALL ZONING DISTRICTS.

CONSIDERATION OF AND ACTION THE FIRST READING CONSIDERATION OF AN ORDINANCE AMENDING ORDINANCE 1219-12-2008, THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, APPENDIX A – ZONING, ARTICLE III – USE OF LAND OR PREMISES, SECTION 3.5 – SCREENING WALLS AND FENCES; AUTHORIZING THE CITY OF GAINESVILLE TO AMEND THE ZONING ORDINANCE TO PERMIT DECORATIVE RAIL ALUMINUM, TUBULAR, AND WROUGHT IRON FENCES IN ALL ZONING DISTRICTS; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

Council adopted an ordinance allowing for decorative aluminum rail, wrought iron, and tubular fencing in all zoning districts, as recommended by the Planning and Zoning Commission. City Code previously only allowed for wrought iron fencing to be used in the Historical Overlay District. (These fences would not be permitted in situations that require screening fences.)

Mayor Pro Tem Clegg clarified that the height of the fences are regulated.

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

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

ORDINANCE NO. 1442-10-2018 – AMENDING THE CITY OF GAINESVILLE CODE OF ORDINANCES, CHAPTER 5, SECTION 5-12 [CONTRACTOR REGISTRATION] SUBSECTION 2 REGISTRATION REQUIREMENTS AUTHORIZING THE CITY OF GAINESVILLE TO REMOVE REGISTRATION REQUIREMENTS FOR RESIDENTIAL FENCE CONTRACTORS AND SUBSECTION 3 [MISCELLANEOUS RULES AND REGULATIONS] AUTHORIZING THE CITY OF GAINESVILLE TO DELETE CONTRADICTORY REQUIREMENTS FOR ROOFING CONTRACTORS.

CONSIDERATION OF AND ACTION THE FIRST READING CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE AMENDING THE CITY OF GAINESVILLE CODE OF ORDINANCES, CHAPTER 5, SECTION 5-12 [CONTRACTOR REGISTRATION] SUBSECTION 2 REGISTRATION REQUIREMENTS AUTHORIZING THE CITY OF GAINESVILLE TO REMOVE REGISTRATION REQUIREMENTS FOR RESIDENTIAL FENCE CONTRACTORS AND SUBSECTION 3 [MISCELLANEOUS RULES AND REGULATIONS] AUTHORIZING THE CITY OF GAINESVILLE TO DELETE CONTRADICTORY REQUIREMENTS FOR ROOFING CONTRACTORS. PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

Council adopted an ordinance requiring only commercial fences to be installed by a general contractor. Staff suggested the change as the requirement for a person to register and carry insurance as a contractor for the construction of a residential fence is deemed an expensive requirement for a very minor construction project. Commercial fences will still require a general contractor for construction as they are often more extensive. The ordinance also clarified the amount of insurance required for all contractors, including roofers. One section of the city code was overlooked during codification after building codes were updated that still contained a lesser requirement of \$20,000. Sullivan added that even though ordinances do normally contain a

“conflicting ordinance” provision, whereby ordinances are superseded if conflicts, but staff wanted confirmation of the intended requirement.

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

ORDINANCE NO. 1443-10-2018 - AMENDING ORDINANCE 1244-03-2010, APPENDIX B SUBDIVISIONS, ARTICLE III, SECTION 1 GENERAL DESIGN STANDARDS.

CONSIDERATION OF AND ACTION THE FIRST READING CONSIDERATION OF AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AMENDING ORDINANCE 1244-03-2010, APPENDIX B SUBDIVISIONS, ARTICLE III, SECTION 1 [GENERAL DESIGN STANDARDS]; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

Council adopted proposed design specification standards for various aspects of infrastructure construction. Kimley-Horn and Associates, Inc. worked with the City to update the specifications and design standards, as they previously development the Street and Utility Maintenance Program standards. Developers have volunteered to use the proposed standards for ease of process for the past several months. The few variations in the Gainesville proposed specifications are primarily driven by equipment. For instance, the turn radius of 35’ for fire trucks is necessary to accommodate fire apparatus. The largest change to the subdivision requirements is that asphalt roads are no longer allowed. All new streets will be concrete.

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

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

RESOLUTION NO. 10-02-2018 E – AUTHORIZING THE PURCHASE OF 990 ADDITIONAL WATER METERS FOR THE PUBLIC SERVICES DEPARTMENT.

CONSIDERATION OF AND ACTION ON A RESOLUTION AUTHORIZING THE PURCHASE OF 990 ADDITIONAL WATER METERS FOR THE PUBLIC SERVICES DEPARTMENT.

Council authorized the purchase of 990 Neptune water meters to replace older units. This purchase better equips the City to allow for fixed station reading, furthering the efficiency of the water department. Once these meters are installed, the City will have the capability to read the meters every 15 minutes from City Hall. Funds were budgeted for the purchase and installation.

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

RESOLUTION NO. 10-02-2018 F – APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION TO PURCHASE AN EASEMENT AND RIGHT-OF-WAY FOR AN ATMOS ENERGY GAS LINE TO GATEWAY INDUSTRIAL PARK.

CONSIDERATION OF AND ACTION ON A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION TO PURCHASE AN

EASEMENT AND RIGHT-OF-WAY FOR AN ATMOS ENERGY GAS LINE TO GATEWAY INDUSTRIAL PARK.

Council approved actions of the GEDC to purchase of an easement and right-of-way for an Atmos Energy gas line to Gateway Industrial Park from AJH Ranch Limited for \$40,000. GEDC board members approved the purchase at their September 24, 2018 meeting.

Councilmember Moore **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.

EXECUTIVE SESSION

At 6:47 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 §551.087 Economic Development

RECONVENE INTO OPEN SESSION

Council reconvened into open session at 7:12 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 7:12 p.m.

Respectfully submitted,

Caitlyn Huddleston, City Secretary

Jim Goldsworthy, Mayor