

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
December 6, 2022**

The City Council of the City of Gainesville, Texas met in regular session December 6, 2022 at 6:30 p.m. with the following persons in attendance.

**MEMBERS PRESENT:** Mayor Tommy Moore, Mayor Pro Tem Ken Keeler, Carolyn Hendricks, Brandon Eberhart, Michael Hill, Martin Phillips, and Mary Jo Dollar.

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Barry Sullivan, City Manager; Diana Alcalá, City Secretary; J.I. Johnson, Finance Director; Kevin Phillips, Police Chief; Wayne Twiner, Fire Chief; Mike Doughty, Community Development Director; William Myers, GEDC Director.

**OTHERS PRESENT:** Delania Raney, Anna Beall, Aubrey Eberhart, Kelly Cain, Matt Grebilunas, Wray Westbrook, Rod Tyler, Brian Southerland, Jeff Jackson, Kaye Briscoe King, Jannet Jackson, Kendall Pierce, Ethan Facio, Andrew Ploeger, Oscar Meza, and Tony Dresser (Videographer).

**CALL TO ORDER**

Mayor Tommy Moore called the meeting to order at 6:30 p.m.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Matt Grebilunas gave the invocation, Mayor Tommy Moore led the pledge to the flag.

**RECOGNITIONS/ PROCLAMATIONS**

City Manager Barry Sullivan recognized Ethan Facio as the November Employee of the Month.

**CITIZEN COMMENTS**

Wray Westbrook came forward to speak against the alternative proposed Quiet Zone presented by Randy Jones during Citizen Comments at the November 15, 2022 City Council Meeting.

**CONSENT AGENDA**

The following Consent Agenda items were approved by Council.

- A. Approve Minutes of November 15, 2022 City Council Meeting.

Councilmember Keeler **moved to approve the Consent Agenda.** The motion was seconded by Councilmember Hill 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 COMMERCIAL TWO DISTRICT (C-2) ZONING TO AN OUTDOOR COMMERCIAL (C-3) ZONING DISTRICT OF PLUS OR MINUS 4.36 ACRES LOCATED AT 1505 E HWY 82, PARCEL ID 23689, LEGALLY DESCRIBED AS HARDIN JG 0460 AND 0.8 ACRES LOCATED AT HWY 82, PARCEL ID 136281, LEGALLY DESCRIBED AS HARDIN JG 0460.**

Mayor Tommy Moore opened the public hearing at 6:41 p.m. and called for public comment.

Staff came forward to briefly speak about the agenda item for consideration, which had recommended approval. No citizen came forward to speak on behalf of the item.

Councilmember Dollar **moved to close the public hearing**, seconded by Councilmember Phillips, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

The public hearing was closed at 6:42 p.m.

**ORDINANCE 1523-12-2022 - AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE FROM COMMERCIAL TWO DISTRICT (C-2) ZONING TO AN OUTDOOR COMMERCIAL (C-3) ZONING DISTRICT OF PLUS OR MINUS 4.36 ACRES LOCATED AT 1505 E HWY 82, PARCEL ID 23689, LEGALLY DESCRIBED AS HARDIN JG 0460 AND 0.8 ACRES LOCATED AT HWY 82, PARCEL ID 136281, LEGALLY DESCRIBED AS HARDIN JG 0460; 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.**

This Ordinance approves a zoning change for a property located at 1505 E. Hwy 82 from Commercial Two District (C-2) to Outdoor Commercial (C-3).

Councilmember Hill **moved to SUSPEND THE CHARTER**. The motion was seconded by Councilmember Eberhart and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

Councilmember Keeler **moved to approve the Ordinance**. The motion was seconded by Councilmember Eberhart 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 COMMERCIAL TWO DISTRICT (C-2) ZONING TO A LOW DENSITY MULTI-FAMILY (MF-1) ZONING OF PLUS OR MINUS 0.531 ACRES LOCATED AT 1503 N COMMERCE, PARCEL ID 2357, LEGALLY DESCRIBED AS SPARKS ADDITION, BLOCK 30, LOT 10 & PART OF 9.**

Mayor Tommy Moore opened the public hearing at 6:43 p.m. and called for public comment.

Staff came forward to briefly speak about the agenda item for consideration, which had recommended approval. No citizen came forward to speak on behalf of the item.

Councilmember Hendricks **moved to close the public hearing**, seconded by Councilmember Dollar, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

The public hearing was closed at 6:44 p.m.

**ORDINANCE 1524-12-2022 - AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE FROM COMMERCIAL TWO DISTRICT (C-2) ZONING TO A LOW DENSITY MULTI-FAMILY (MF-1) ZONING OF PLUS OR MINUS .531 ACRES LOCATED AT 1503 N COMMERCE, PARCEL ID 2357, LEGALLY DESCRIBED AS SPARKS ADDITION, BLOCK 30, LOT 10 & PART OF 9; 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.**

This Ordinance approves a zoning change for a property located at 1503 N. Commerce from Commercial Two District (C-2) to Low Density Multi-Family (MF-1).

Councilmember Keeler moved to **SUSPEND THE CHARTER**. The motion was seconded by Councilmember Dollar and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

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

**RESOLUTION NO. 12-06-2022 - A RESOLUTION AUTHORIZING THE DECLARATION OF CITY OF GAINESVILLE POLICE DEPARTMENT EQUIPMENT, THREE (3) MOTOROLA MCC5500 DISPATCH CONSOLE COMPONENTS AND ACCESSORIES, AS SURPLUS SO THEY CAN BE TRANSFERRED TO THE CITY OF WHITESBORO POLICE DEPARTMENT.**

This Resolution authorizes the Gainesville Police Department to declare 3 dispatch console components as surplus to transfer to the Whitesboro Police Department.

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

**RESOLUTION NO. 12-06-2022A - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING EXPENDITURES IN THE AMOUNT OF SEVENTY THOUSAND DOLLARS TO NORTH CENTRAL TEXAS COLLEGE FOR THE CONSTRUCTION OF THE MEDAL OF HONOR MUSEUM.**

This Resolution approves the expenditures of seventy thousand dollars to North Central Texas College for the construction of the Medal of Honor Museum to be paid from Hotel Occupancy Tax.

Councilmember Keeler moved to **approve the Resolution**. The motion was seconded by Councilmember Phillips 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 COMMERCIAL THREE DISTRICT (C-3) ZONING TO AN INDUSTRIAL (I) ZONING OF PLUS OR MINUS 6.98 ACRES LOCATED AT 3910 E HWY 82, LEGALLY DESCRIBED AS SHANNON AJ 0937, PARCEL ID 15002.**

Mayor Tommy Moore opened the public hearing at 6:50 p.m. and called for public comment.

Staff came forward to briefly speak about the agenda item for consideration, which had recommended denial with a vote of 4 ayes and 1 nay from the Planning and Zoning Commission.

Jannet Jackson, owner of the property, came forward to speak in favor of the ordinance.

Mary Jeffries came forward to speak in favor of the ordinance.

Councilmember Keeler **moved to close the public hearing**, seconded by Councilmember Dollar, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

The public hearing was closed at 7:12 p.m.

**AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE FROM COMMERCIAL THREE DISTRICT (C-3) ZONING TO AN INDUSTRIAL (I) ZONING OF PLUS OR MINUS 6.98 ACRES LOCATED AT 3910 E HWY 82, LEGALLY DESCRIBED AS SHANNON AJ 0937, PARCEL ID 15002; 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.**

Approved the first reading of an Ordinance to approve a zoning change for a property located at 3910 E. Hwy 83 from Commercial Three District (C-3) to Industrial (I). This item will return for consideration at the December 20, 2022 City Council Meeting.

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

**RESOLUTION NO. 12-06-2022B - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS APPROVING THE ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION, WHICH VOTED TO APPROVE A PERFORMANCE AGREEMENT WITH CAMP HOWZE DEVELOPMENT PARTNERS, LLC. TO CREATE CAMP HOWZE INDUSTRIAL RAIL PARK LOCATED AT FM 1202, GAINESVILLE, TEXAS.**

This Resolution approves the actions of the GEDC, which approved a Performance Agreement with Camp Howze Development Partners, LLC. to create Camp Howze Industrial Rail Park on the property at FM 1202, Gainesville, Texas (also known as Gateway Industrial Park) and the contiguous property on FM 1202 owned by Camp Howze Development Partners. The Developer will still pay \$2,500,000 at closing for the land. The remaining \$2,400,000 will be secured by the Performance Agreement with an associated Letter of Credit from Camp Howze Development Partners' lender, which will take the place of the previously proposed Promissory Note after the sale of the property.

Councilmember Keeler **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.

**PUBLIC HEARING ON CREATION OF TAX INCREMENT REINVESTMENT ZONE.**

Mayor Tommy Moore opened the public hearing at 7:28 p.m. and called for public comment.

City Manager Barry Sullivan and Kyle Sikorski of P3 Works, the City's TIRZ Consulting Group, came forward to give a presentation on what a Tax Increment Reinvestment Zone is as well as the Preliminary Project and Finance Plan. No citizen came forward to speak on behalf of the item.

Councilmember Hendricks **moved to close the public hearing**, seconded by Councilmember Keeler, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

The public hearing was closed at 8:06 p.m.

**ORDINANCE 1525-12-2022 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, DESIGNATING A GEOGRAPHIC AREA WITHIN THE CITY AS A TAX INCREMENT REINVESTMENT ZONE PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, TO BE KNOWN AS REINVESTMENT ZONE NUMBER ONE, CITY OF GAINESVILLE, TEXAS; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE AND APPOINTING MEMBERS OF THE BOARD; ESTABLISHING A TAX INCREMENT FUND (TIRZ FUND) FOR THE ZONE; CONTAINING FINDINGS RELATED TO THE CREATION OF THE ZONE; PROVIDING A DATE FOR THE TERMINATION OF THE ZONE; PROVIDING THAT THE ZONE TAKE EFFECT IMMEDIATELY UPON PASSAGE OF THE ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

This Ordinance creates a Tax Increment Reinvestment Zone on 430 acres of land located in the northwest portion of the City and in the City's Extra Territorial Jurisdiction. This incorporates land owned by Camp Howze Development Partners, LLC., Gainesville Economic Development Corporation (Gateway Industrial Park), City of Gainesville (old shooting range), and the Pierce Family.

This is similar to creating a reinvestment zone for a tax abatement, except this allows the City and other tax entities to place a portion of the increased taxes into a TIRZ account that is held by the City to utilize on public improvements and Chapter 380 economic development incentives in the area.

This ordinance does not provide any benefits to any developer or business, it simply creates the zone. The City will have to approve a specific TIRZ agreement with the developer to reimburse them for public infrastructure through Tax Increment Financing for the development.

This ordinance does (1) create the TIRZ, (2) set the TIRZ boundary and term, and (3) appoint a TIRZ board made up of the Gainesville City Council and an appointed member of each taxing entity that participates in the TIRZ. It also provides a Preliminary Project and Finance Plan. This plan shows the anticipated tax growth, funding sources, and usage of the funds. A future Final Project and Finance Plan will have to be approved by both the TIRZ Board and the City Council.

The preliminary plan calls for spending the TIRZ funds in three ways:

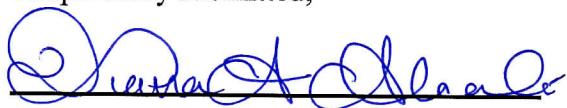
- Tier One: \$5,000,000 to help build a bridge over the railroad on FM 1202,
- Tier Two: \$33,207,764 to pay for public improvements in the zone, and
- Tier Three: \$10,000,000 for Chapter 380 Economic Development Funds.

This will be Gainesville's first TIRZ and the first TIRZ in Cooke County.

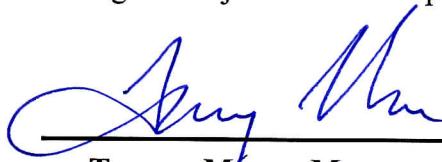
Councilmember Keeler **moved to SUSPEND THE CHARTER.** The motion was seconded by Councilmember Eberhart and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

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

With no further business to come before the City Council, the meeting was adjourned at 8:10 p.m.  
Respectfully submitted,



**Diana Alcalá, City Secretary**



**Tommy Moore, Mayor**

