

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
December 20, 2022**

The City Council of the City of Gainesville, Texas met in regular session December 20, 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, and Mary Jo Dollar.

**MEMBERS ABSENT:** Martin Phillips

**STAFF PRESENT:** Barry Sullivan, City Manager; Diana Alcala, City Secretary; J.I. Johnson, Finance Director; Kevin Phillips, Police Chief; Ron Sellman, Public Works Director; Mike Doughty, Community Development Director; William Myers, GEDC Director.

**OTHERS PRESENT:** Delania Raney, Anna Beall, Aubrey Eberhart, Kelly Cain, Brian Southerland, Jannet Jackson, Jeffrey Jackson, and Tony Dresser (Videographer).

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

Barry Sullivan gave the invocation, Mayor Tommy Moore led the pledge to the flag.

**CONSENT AGENDA**

The following Consent Agenda items were approved by Council.

- A. Approve Minutes of December 6, 2022 City Council Meeting.
- B. Approve a Resolution approving appointments to the Capital Improvement Advisory Committee for the City of Gainesville, Texas.

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

**RESOLUTION 12-20-2022A - A RESOLUTION AUTHORIZING THE CITY MANAGER, FOR AND ON BEHALF OF THE CITY OF GAINESVILLE, TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH UTILITY SERVICE COMPANY FOR WATER TANK MAINTENANCE FOR THE JODI LANE TANK.**

Approved a Resolution authorizing the City Manager to execute an agreement with Utility Service Company in the amount of \$391,814.00 to be paid over seven (7) years for water tank maintenance for the Jodi Lane Tank.

Councilmember Dollar **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.

**RESOLUTION 12-20-2022B - A RESOLUTION AUTHORIZING THE CITY MANAGER, FOR AND ON BEHALF OF THE CITY OF GAINESVILLE, TO EXECUTE A PROFESSIONAL SERVICE AGREEMENT WITH UTILITY SERVICE COMPANY THE WATER TANK MAINTENANCE FOR THE WATER PLANT CLEARWELL TANK.**

Approved a Resolution authorizing the City Manager to execute an agreement with Utility Service Company in the amount of \$163,601.00 to be paid over seven (7) years for water tank maintenance for the Water Plant Clearwell Tank.

Councilmember Dollar **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.

**RESOLUTION 12-20-2022C - A RESOLUTION AUTHORIZING THE PURCHASE OF A 2024 14 YARD DUMP TRUCK FOR THE PUBLIC WORKS DEPARTMENT.**

Approved a Resolution authorizing the purchase of a 2024 14 Yard Dump Truck in the amount of \$122,617.13. This will replace the current 12 yard dump truck, which is 13 years old.

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

**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.**

Moved to deny 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). Staff made the recommendation to deny the Ordinance because it does not follow the adopted 1997 Comprehensive Land Use Plan which does not call for Industrial uses on east Highway 82.

Councilmember Dollar **moved to SUSPEND THE CHARTER.** The motion was seconded by Councilmember Keeler and carried by vote of 4 Ayes, 2 Nays (Hill and Eberhart), 0 Abstentions, 1 Absent.

Councilmember Dollar **moved to disapprove the Ordinance.** The motion was seconded by Councilmember Keeler and carried by vote of 4 Ayes, 2 Nays (Hill and Eberhart), 0 Abstentions, 1 Absent.

**ORDINANCE 1526-12-2022 - AN ORDINANCE AMENDING APPROPRIATIONS FOR THE SUPPORT, MAINTENANCE, BUILDINGS AND IMPROVEMENTS FOR THE CITY OF GAINESVILLE, TEXAS FOR THE FISCAL YEAR FROM OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.**

Approved an Ordinance amending the FY 2022-2023 budget to include TIRZ creation (\$25,000), Medal of Honor Museum (\$350,000), and pension liability pay down (\$500,000).

Councilmember Hill **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.

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

**EXECUTIVE SESSION**

At 7:00 p.m. Mayor Tommy Moore 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

Council reconvened into open session at 7:26 p.m. and Mayor Tommy Moore announced no action was taken during executive session.

**RESOLUTION 12-20-2022C - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS AUTHORIZING THE MAYOR TO AMEND THE CONTRACT FOR EMPLOYMENT WITH CITY MANAGER BARRY SULLIVAN.**

Approved a Resolution authorizing the Mayor of the City of Gainesville to amend the contract for employment with City Manager Barry Sullivan.

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

With no further business to come before the City Council, the meeting was adjourned at 7:27 p.m.  
Respectfully submitted,

Diana Alcalá, City Secretary



Tommy Moore, Mayor

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