

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
January 3, 2023**

The City Council of the City of Gainesville, Texas met in regular session January 3, 2023 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 Alcala, City Secretary; J.I. Johnson, Finance Director; Kevin Phillips, Police Chief; Mike Doughty, Community Development Director; William Myers, GEDC Director.

OTHERS PRESENT: Delania Raney, Aubrey Eberhart, Mike Gordon, John Hare, Angie Hare, Andy Messer, Pam Johnson, Mike Stolle, Barry Hunter, Blake Hunter, and Tony Dresser (Videographer).

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

John Hare 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 20, 2022 City Council Meeting.

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

RESOLUTION 01-03-2023 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE LOCATION 250 FM 1201 TO BE USED AS A VEHICLE TOWING FACILITY AND STORAGE YARD.

This Resolution authorizes the location 250 FM 1201 to be used as a towing facility and storage yard.

Councilmember Hill **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 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 0.1322 ACRES LOCATED AT 1509 N COMMERCE, PARCEL ID 3925; 0.7317 ACRES LOCATED AT 1521 N COMMERCE, PARCEL ID 31764; AND, 0.2789 ACRES LOCATED AT 206 THOMAS, PARCEL ID 5656.

Mayor Tommy Moore opened the public hearing at 6:35 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 Keeler, the motion carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

The public hearing was closed at 6:36 p.m.

ORDINANCE 1527-01-2023- 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 0.1322 ACRES LOCATED AT 1509 N COMMERCE, PARCEL ID 3925; 0.7317 ACRES LOCATED AT 1521 N COMMERCE, PARCEL ID 31764; AND, 0.2789 ACRES LOCATED AT 206 THOMAS, PARCEL ID 5656; 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 rezones tracts of land located at 1509 N. Commerce, 1521 N. Commerce, and 206 Thomas from Commercial Two District (C-2) to a Low Density Multi-Family (MF-1).

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

Councilmember Dollar **moved to approve the Ordinance**. 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 OF PLUS OR MINUS 114.059 ACRES IN THE SARA SMITH SURVEY, ABSTRACT NO. 0913 LOCATED AT 2460 FM 1202, PARCEL ID 17566 FROM AN (A) AGRICULTURE ZONING DISTRICT TO AN INDUSTRIAL (I) ZONING DISTRICT AND AN OUTDOOR COMMERCIAL (C-3) ZONING DISTRICT.

Mayor Tommy Moore opened the public hearing at 6:38 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 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 6:39 p.m.

ORDINANCE 1528-01-2023 - AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE OF PLUS OR MINUS 114.059 ACRES IN THE SARA SMITH SURVEY, ABSTRACT NO. 0913 LOCATED AT 2460 FM 1202, PARCEL ID 17566 FROM AN (A) AGRICULTURE ZONING DISTRICT TO AN INDUSTRIAL (I) ZONING DISTRICT AND AN OUTDOOR COMMERCIAL (C-3) ZONING DISTRICT; 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 rezones a tract of land located at 2460 FM 1202 from an Agricultural Zoning District (A) to an Industrial Zoning District (I) and an Outdoor Commercial Zoning District (C-3).

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

Councilmember Eberhart **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.

PUBLIC HEARING ON AN ORDINANCE AMENDING THE 1997 COMPREHENSIVE LAND USE PLAN BY REPLACING THE 1997 THOROUGHFARE PLAN MAP WITH THE 2020 THOROUGHFARE PLAN MAP COMPLETED BY KIMLEY-HORN IN MARCH 2021.

Mayor Tommy Moore opened the public hearing at 6:40 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 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 6:42 p.m.

ORDINANCE 1529-01-2023 - AN ORDINANCE AMENDING THE 1997 COMPREHENSIVE LAND USE PLAN BY REPLACING THE 1997 THOROUGHFARE PLAN MAP WITH THE 2020 THOROUGHFARE PLAN MAP COMPLETED BY KIMLEY-HORN IN MARCH 2021; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

This Resolution approves an amendment to the Comprehensive Land Use Plan by replacing the Thoroughfare Plan Map from the 1997 Comprehensive Plan with the 2020 Master Thoroughfare Plan Map.

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

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

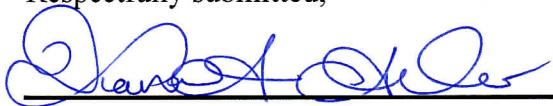
EXECUTIVE SESSION

At 6:42 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 §551.071 Attorney-Client Privilege – Municipal Utility District

Council reconvened into open session at 7:25 p.m. and Mayor Tommy Moore announced no action was taken during executive session.

With no further business to come before the City Council, the meeting was adjourned at 7:25 p.m.
Respectfully submitted,



Diana Alcala, City Secretary



Tommy Moore, Mayor

