

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
September 5, 2023**

The City Council of the City of Gainesville, Texas met in regular session September 5, 2023 at 6:30 p.m. with the following persons in attendance.

**MEMBERS PRESENT:** Mayor Tommy Moore, Mayor Pro Tem Ken Keeler, Keanna Franklin, Brandon Eberhart, Michael Hill, Jeff Johnson, and Mary Jo Dollar.

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Barry Sullivan, City Manager; Diana Alcala, City Secretary; Allen McDonald, Public Works Director; JI Johnson, Finance Director; Kevin Phillips, Chief of Police; Mike Doughty, Community Development Director; Olu Ososanya, Controller; William Myers, GEDC Director; Stephanie Striplin, GEDC Executive Assistant; Tony Dresser (Videographer).

**OTHERS PRESENT:** Anna Beall, Aubrey Eberhart, Delania Raney, Janice Hill, Michael Williams, Mike Gordon, Pam Dill.

**CALL TO ORDER**

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

**INVOCATION & PLEDGE OF ALLEGIANCE**

Deacon Michael Williams from St. Pauls Episcopal Church gave the invocation. Mayor Tommy Moore led the pledge to the flag.

**RECOGNITION & PROCLAMATIONS**

Mayor Tommy Moore proclaimed the week of September 17, 2023 to be Constitution Week.

**CONSENT AGENDA**

The following Consent Agenda items were approved by Council.

- A. Approve Minutes of August 15, 2023 City Council Meeting.
- B. Consideration of and action on a Resolution of the City Council of the City of Gainesville making appointments to the Parks and Recreation Board.
- C. Consideration of and action on a Resolution of the City Council of the City of Gainesville approving the sale of alcohol at the Gainesville Civic Center during the Zoo benefit.
- D. Consideration of and action on a Resolution approving actions of the Gainesville Economic Development Corporation of the City of Gainesville, which voted to approve the budget for Fiscal Year 2022-2023 revised and Fiscal Year 2023-2024.
- E. Consideration of and action on a Resolution approving actions of the Gainesville Economic Development Corporation of the City of Gainesville, which voted to approve the purchase of 1471 Hillcrest Blvd.
- F. Consideration of and action on a Resolution approving actions of the Gainesville Economic Development Corporation of the City of Gainesville, which voted to approve a lease agreement

between the GEDC and Liberty Oilfield Services, INC. located at 2600/2601 Airport Drive, Gainesville.

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.

**ORDINANCE 1545-09-2023 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AMENDING THE CITY OF GAINESVILLE CODE OF ORDINANCES, CHAPTER 5 BUILDINGS AND BUILDING REGULATIONS, ARTICLE VI ACTIVITIES UPON MOSS LAKE PROPERTIES; AMENDING SECTION 5-250 BOATS GENERALLY; AND MAKING AN OPEN MEETING FINDING.**

This ordinance amends the current ordinance to allow the sale of daily boat permits. The amendment will also eliminate the waiver for boat permits during the Annual Two-Day Moss Lake Volunteer Fire Department Fishing Tournament since this event no longer exists.

Councilmember Eberhart **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 Franklin and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

**RESOLUTION 09-05-2023E - A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER, FOR AND ON BEHALF OF THE CITY OF GAINESVILLE, TO ENTER INTO AND EXECUTE A CONTRACT OR ENGAGEMENT LETTER WITH PATTILLO, BROWN & HILL, L.L.P., CERTIFIED PUBLIC ACCOUNTANTS TO PROVIDE AN ANNUAL AUDIT OF THE CITY IN ACCORDANCE WITH CHAPTER 103 OF THE LOCAL GOVERNMENT CODE, AND PROVIDING FOR PAYMENT FROM CURRENT FUNDS BUDGETED THEREFORE.**

This Resolution authorizes the City Manager to enter into and execute a contract or engagement letter with Pattillo, Brown & Hill, L.L.P., Certified Public Accountants for professional accounting services, to provide an annual audit of the records and accounts of the City, as required by Chapter 103 of the Local Government Code.

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

**PUBLIC HEARING ON THE PROPOSED BUDGET FOR THE CITY OF GAINESVILLE FOR THE FISCAL YEAR 2023-2024.**

Mayor Tommy Moore opened the public hearing at 6:38 p.m. and called for public comment.

Councilmember Hill **moved to close the public hearing,** seconded by Councilmember Eberhart, 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 1546-09-2023 - AN ORDINANCE ESTABLISHING APPROPRIATIONS FOR THE SUPPORT, MAINTENANCE, BUILDINGS AND IMPROVEMENTS FOR THE CITY OF GAINESVILLE, TEXAS, FOR THE FISCAL YEAR FROM OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024 AND REVISING THE BUDGET FOR OCTOBER 1, 2022 THROUGH SEPTEMBER 30, 2023; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING**

**FINDING; AND PROVIDING FOR RATIFICATION OF THE PROPERTY TAX INCREASE REFLECTED IN THE FISCAL YEAR 2023-2024 OPERATING BUDGET BY SEPARATE VOTE.**

Adopted the Budget for Fiscal Year 2023-2024 and revised the budget for FY 2022-2023 for the City of Gainesville. The total Revenues for the budget are \$44,589,882 while Expenditures equal \$49,134,737.

The adopted City budget document will be posted on the City of Gainesville website [www.Gainesville.tx.us](http://www.Gainesville.tx.us) under Financial Transparency.

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

Councilmember Keeler **“moved to ratify the increase in property tax revenue as reflected in the FY 2023-2024 Budget”.** The motion was seconded by Councilmember Dollar and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

**PUBLIC HEARING ON AN ORDINANCE LEVYING, ASSESSING, AND FIXING THE AD VALOREM TAX RATE FOR THE CITY OF GAINESVILLE, TEXAS GENERAL FUND AND INTEREST AND SINKING FUND FOR THE FISCAL YEAR FROM OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024; APPROPRIATING EACH LEVY FOR THE SPECIFIC PURPOSE; PROVIDING FOR THE ASSESSMENT OF ALL ANNUAL OCCUPATIONAL TAXES PROVIDED BY LAW; REQUIRING PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND MAKING AND OPEN MEETING FINDING.**

Mayor Tommy Moore opened the public hearing at 6:44 p.m. and called for public comment.

No one came forward to speak at the public hearing.

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

The public hearing was closed at 6:45 p.m.

**ORDINANCE 1547-09-2023 - AN ORDINANCE LEVYING, ASSESSING, AND FIXING THE AD VALOREM TAX RATE FOR THE CITY OF GAINESVILLE, TEXAS GENERAL FUND AND INTEREST AND SINKING FUND FOR THE FISCAL YEAR FROM OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024; APPROPRIATING EACH LEVY FOR THE SPECIFIC PURPOSE; PROVIDING FOR THE ASSESSMENT OF ALL ANNUAL OCCUPATIONAL TAXES PROVIDED BY LAW; REQUIRING PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND MAKING AND OPEN MEETING FINDING.**

This ordinance sets the tax rate at \$0.5760 per \$100.  
\$0.4297 for General Fund  
\$0.1463 for Interest and Sinking Fund

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

Councilmember Dollar made the 2<sup>nd</sup> motion “**I move that the property tax rate be increased by the adoption of a tax rate of \$0.5760, which is effectively a 3.23 increase in the tax rate.**” The motion was seconded by Councilmember Franklin and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

**RESOLUTION 09-05-2023F - A RESOLUTION UPDATING AND APPROVING THE ANNUAL FEE SCHEDULE FOR CITY OF GAINESVILLE SERVICES FOR FISCAL YEAR 2023-2024 AND PROVIDING AN EFFECTIVE DATE.**

Approved the annual schedule of fees for City services for Fiscal Year 2023-2024. The adopted rates are effective October 1, 2023. The newly adopted fee schedule will be posted on the City website [www.gainesville.tx.us](http://www.gainesville.tx.us) under the link to Fee Schedule.

Councilmember Keeler **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.

**RESOLUTION 09-05-2023G - A RESOLUTION APPROVING THE CITY OF GAINESVILLE FIVE (5) YEAR CAPITAL IMPROVEMENT PLAN (FY 2024-2028).**

Approved the five-year Capital Improvements Plan (CIP) for Fiscal Years 2024 through 2028. The CIP projects future capital expenditures and serves as a planning document for budgeting and planning in future years. The capital improvement program (CIP) shall be used as a planning document for succeeding budget periods. The CIP shall not bind the city council to any commitment of funds for any project or any budget period.

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

**RESOLUTION 09-05-2023H - A RESOLUTION APPROVING A FIVE (5) YEAR BUDGET MODEL (FY 2024-2028) FOR CITY OF GAINESVILLE.**

Approved the Five (5) Year Budget. The Five (5) Year Budget should be viewed as a model to help council and staff anticipate the impact of current decisions on future budgets. When Council and staff want to make changes in operations, including but not limited to personnel changes, benefit changes, capital expenditures, and debt service payments, these changes should be applied to the model in order to determine the consequence of the decision in the coming five (5) years. The Five (5) Year Budget does not bind the City Council to any commitment of funds for any project or budget period. Moreover, this budget should not be viewed as a goal for future spending.

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

**RESOLUTION 09-05-2023I - A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH EACH OF THE AGENCIES RECEIVING HOTEL/MOTEL OCCUPANCY TAX PURSUANT TO CHAPTER 351 OF THE TAX CODE; APPROPRIATING CERTAIN AMOUNTS FROM SAID HOTEL/MOTEL FUND; AND AUTHORIZING PAYMENT ON THE TERMS AND CONDITIONS CONTAINED THEREIN.**

Approved annual tourism and promotion contracts for each of the agencies to receive anticipated Hotel/Motel Occupancy Tax revenues in the FY 2023-2024 Budget. The agencies are Butterfield Stage Players, Cooke County Arts Council, Cooke County Heritage Society/Morton Museum, Cooke County Heritage Society/Santa Fe Depot Museum, and Gainesville Area Chamber of Commerce.

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

**RESOLUTION 09-05-2023J - A RESOLUTION AUTHORIZING THE PURCHASE OF A JOHN DEERE PROGATOR FOR THE FAIRVIEW CEMETERY.**

This Resolution authorizes the purchase of one (1) John Deere ProGator for the Fairview Cemetery through the Buy Board Purchasing Program. The total amount for the truck is \$51,907.56.

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

**RESOLUTION 09-05-2023K - A RESOLUTION APPROVING ACTIONS OF THE BOARD OF DIRECTORS OF THE STANFORD CHARITABLE CORPORATION, WHICH VOTED TO ADOPT THE FY 2023-2024 STANFORD HOUSE BUDGET.**

This Resolution approves the actions of the Board of Directors of the Stanford Charitable Corporation, which voted to approve and adopt the FY 2023-2024 Stanford House Budget.

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.

**ORDINANCE 1548-09-2023 - AN ORDINANCE REGARDING THE CITY OF GAINESVILLE'S TEXAS MUNICIPAL RETIREMENT SYSTEM (TMRS) BENEFITS PROVIDING FOR (1) AN INCREASE TO EMPLOYEE CONTRIBUTION RATE; AND (2) ADOPTING: (i) ANNUALLY ACCRUING UPDATED SERVICE CREDITS; AND (ii) ANNUALLY ACCRUING ANNUITY INCREASES, ALSO REFERRED TO AS COST OF LIVING ADJUSTMENTS (COLAS), FOR RETIREES AND THEIR BENEFICIARIES.**

This Ordinance is necessary to change the City's current retirement plan to increase the deposit rate for employees and re-adopt annually repeating provisions of Updated Service Credit and Annuity Increases.

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.

**ORDINANCE 1549-09-2023 - AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF AN ALLEY IN THE CITY OF GAINESVILLE, COOKE COUNTY, TEXAS, BEING AN ALLEY LOCATED IN BLOCK 10 OF THE BELMONT ADDITION.**

This abandonment came at the request of an adjoining property owner. The alley is 2,471 square feet and is valued at \$3,200.00. The adjoining property owners will be given notice and have 45 days to purchase their portion of the alley, or another adjoining property owner may purchase it.

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

Councilmember Franklin **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 7:01 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 §551.087 Economic Development

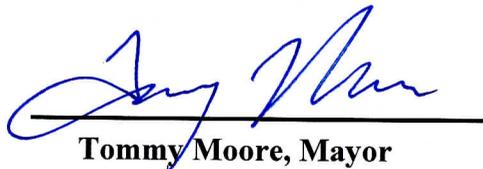
Council reconvened into open session at 7:21 p.m. and Mayor Tommy Moore announced no action was taken during executive session.

With no further business to come before the City Council, the meeting was adjourned at 7:21 p.m.

Respectfully submitted,



**Diana Alcala, City Secretary**



**Tommy Moore, Mayor**

