

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

The City Council of the City of Gainesville, Texas met in regular session October 3, 2023 at 6:30 p.m. with the following persons in attendance.

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

MEMBERS ABSENT: Keanna Franklin

STAFF PRESENT: Barry Sullivan, City Manager; Diana Alcala, City Secretary; JI Johnson, Finance Director; Mike Doughty, Community Development Director; William Myers, GEDC Director; Tony Dresser (Videographer).

OTHERS PRESENT: Anna Beall, Aubrey Eberhart, Bernie Gordon, Delania Raney, Ginger Johnson, Henry Koheler, Jeff Langley, Mike Gordon, Steve Gordon.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Jeff Langley from the First Baptist Church gave the invocation.
Mayor Tommy Moore led the pledge to the flag.

RECOGNITION & PROCLAMATIONS

Mayor Tommy Moore proclaimed October as Domestic Violence Awareness Month and urged local residents to join in activities and programs sponsored by Abigail's Arms Cooke County Family Crisis Center against domestic violence.

Mayor Tommy Moore proclaimed October 5, 2023 as World Teacher Day and encouraged all members in the community to personally express appreciation to our teachers and display a light blue ribbon outside your homes or businesses the week of October 5 as a symbol of support for our educators.

CONSENT AGENDA

The following Consent Agenda items were approved by Council.

- A. Approve Minutes of September 19, 2023 City Council Meeting.
- B. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas nominating a member to the Cooke County Appraisal District Board of Directors.

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

RESOLUTION 10-03-2023A - A RESOLUTION AUTHORIZING THE SALE OF AN APPROXIMATE 1.07 ACRES OF REAL PROPERTY LOCATED 535 FEET EAST OF WEAVER STREET AND 514 FEET NORTH OF SANTA FE STREET TO CATTLE-LAC PROPERTIES, LLC; AND

AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS TO CARRY OUT THE SALE OF THE PROPERTY.

This Resolution authorizes the sale of a parcel of 1.07 acres of real property located 535 feet east of Weaver Street and 514 feet North of Santa Fe Street for \$38,000.00.

Councilmember Johnson **moved to approve the Resolution.** The motion was seconded by Councilmember Keeler and carried by vote of 5 Ayes, 0 Nays, 1 Abstentions (Dollar), 1 Absent.

RESOLUTION 10-03-2023B - A RESOLUTION AUTHORIZING THE GAINESVILLE POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY (DLA) LAW ENFORCEMENT SUPPORT OFFICE (LESO) PROGRAM AND REQUEST CONTROLLED PROPERTY IF NEEDED.

This Resolution authorizes the Gainesville Police Department to participate in the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) which provides excess Department of Defense (DoD) property to federal, state and local law enforcement agencies.

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.

RESOLUTION 10-03-2023C - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING EXPENDITURES FOR PURCHASE OF ONE (1) 2023 JOHN DEERE 210P EXCAVATOR FROM RDO EQUIPMENT OF MCKINNEY FOR THE SOLID WASTE DIVISION.

This Resolution authorizes the purchase of one (1) 2023 John Deere 210P Excavator in the amount of two hundred sixty-five thousand & one hundred & eighty-seven dollars & twenty-one cents (\$265,187.21) through Sourcewell Interlocal Purchasing for the Solid Waste Division.

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

RESOLUTION 10-03-2023D - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS; APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE CHAPTER 380 AGREEMENT WITH SUMMA TERRA VENTURES, LLC.

This Resolution authorizes the Mayor to execute the First Amendment to 380 Grant Agreement for Impact Fees between the City and Summa Terra Ventures, LLC.

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

PUBLIC HEARING ON AN ORDINANCE AMENDING ORDINANCE: 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AUTHORIZING THE REZONE FROM SINGLE-FAMILY (SF-2) ZONING DISTRICT TO A GENERAL COMMERCIAL (C-2) ZONING DISTRICT OF PLUS OR MINUS 0.3480 ACRES; LEGALLY DESCRIBED AS CLEMENTS I ADDITION; LOT 1 SECTION; BLOCK 4; COOKE COUNTY APPRAISAL DISTRICT PROPERTY ID NUMBER(S) 7495 AND 7496; COMMONLY KNOWN AS 1315 E. CALIFORNIA; WITHIN THE CITY OF GAINESVILLE, COOKE COUNTY, TEXAS; 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.

Mayor Tommy Moore opened the public hearing at 6:45 p.m. and called for public comment.

Councilmember Dollar **moved to close the public hearing**, seconded by Councilmember Hill, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent.

The public hearing was closed at 6:46 p.m.

ORDINANCE 1551-10-2023 - AN ORDINANCE AMENDING ORDINANCE: 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS AUTHORIZING THE REZONE FROM SINGLE-FAMILY (SF-2) ZONING DISTRICT TO A GENERAL COMMERCIAL (C-2) ZONING DISTRICT OF PLUS OR MINUS 0.3480 ACRES; LEGALLY DESCRIBED AS CLEMENTS I ADDITION; LOT 1 SECTION; BLOCK 4; COOKE COUNTY APPRAISAL DISTRICT PROPERTY ID NUMBER(S) 7495 AND 7496; COMMONLY KNOWN AS 1315 E. CALIFORNIA; WITHIN THE CITY OF GAINESVILLE, COOKE COUNTY, TEXAS; 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 changes the zoning on 1315 E. California from the current Single-Family (SF-2) Zoning District to a General Commercial (C-2) Zoning District.

Councilmember Hill **moved to SUSPEND THE CHARTER**. The motion was seconded by Councilmember Johnson and carried by vote of 5 Ayes, 0 Nays, 1 Abstentions (Eberhart), 1 Absent.

Councilmember Hill **moved to approve the Ordinance**. The motion was seconded by Councilmember Keeler and carried by vote of 5 Ayes, 0 Nays, 1 Abstentions (Eberhart), 1 Absent.

PUBLIC HEARING ON A RESOLUTION ESTABLISHING GUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENT IN A REINVESTMENT ZONE CREATED WITHIN THE CITY OF GAINESVILLE; ELECTING TO BECOME ELIGIBLE TO PARTICIPATE IN TAX ABATEMENT; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS FINDING.

Mayor Tommy Moore opened the public hearing at 6:48 p.m. and called for public comment.

Councilmember Keeler **moved to close the public hearing**, seconded by Councilmember Hill, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent.

The public hearing was closed at 6:48 p.m.

RESOLUTION 10-03-2023F - A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF GAINESVILLE AND NORTH CENTRAL TEXAS COLLEGE CREATING GUIDELINES FOR THE USE OF THE CITY OF GAINESVILLE LAW ENFORCEMENT SHOOTING RANGE FOR LAW ENFORCEMENT TRAINING COURSES.

This Resolution authorizes the City Manager to execute a Memorandum of Understanding (MOU) regarding the City of Gainesville Law Enforcement Shooting Range between the City of Gainesville and North Central Texas College.

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

RESOLUTION 10-03-2023G - A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF GAINESVILLE AND NORTH CENTRAL TEXAS COLLEGE CREATING GUIDELINES FOR THE USE OF THE CITY OF GAINESVILLE EMERGENCY VEHICLE OPERATIONS COURSE (EVOC) DRIVING RANGE FOR LAW ENFORCEMENT TRAINING COURSES.

This Resolution authorizes the City Manager to execute a Memorandum of Understanding (MOU) regarding the City of Gainesville Emergency Vehicle Operations Course (EVOC) Driving Range between the City of Gainesville and North Central Texas College.

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

EXECUTIVE SESSION

At 6:52 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 §551.072 Real Property
Under Government Code §551.087 Economic Development

Council reconvened into open session at 7:52 p.m. and Mayor Tommy Moore announced no action was taken during executive session.

RESOLUTION 10-03-2023E - A RESOLUTION ESTABLISHING GUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENT IN A REINVESTMENT ZONE CREATED WITHIN THE CITY OF GAINESVILLE; ELECTING TO BECOME ELIGIBLE TO PARTICIPATE IN TAX ABATEMENT; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS FINDING.

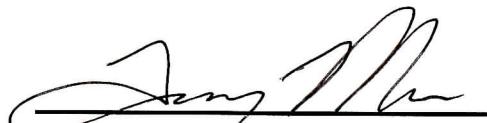
This Resolution approves the tax abatement guidelines for a two-year period as required by state law.

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.

With no further business to come before the City Council, the meeting was adjourned at 7:57 p.m.
Respectfully submitted,



Diana Alcala, City Secretary



Tommy Moore, Mayor

