

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

The City Council of the City of Gainesville, Texas met in regular session December 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; Candace Storey, Customer Service Supervisor; Cathy Huddleston Accounts Payable Clerk; JI Johnson, Finance Director; Kathy Meyer, Accounting Tech I; Mike Doughty, Community Development Director; Polly Boone, General Services Director.

OTHERS PRESENT: Anna Beall, Aubrey Eberhart, Delania Rancy, Kirk McDaniel, Mike Gordon, Paula Moore, Tony Dresser (Videographer).

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Jarrid Hawkins from the Temple Baptist Church gave the invocation.
Mayor Tommy Moore led the pledge to the flag.

RECOGNITIONS

City Manager Barry Sullivan recognized Megan Kennedy, Customer Service Representative, as the Employee of the Month.

CONSENT AGENDA

The following Consent Agenda items were approved by Council.

- A. Approve Minutes of November 7, 2023 City Council Meeting.
- B. Consideration of and action on a Resolution of the City Council of the City of Gainesville, Texas approving an Animal Shelter Agreement with Noah's Ark for additional funding for operation of the Animal Shelter during FY 2023-2024.
- C. Consideration of and action on a Resolution awarding Bid No. 2023-20 for an Airport Grazing Lease.

Councilmember Keeler **moved to approve the Consent Agenda**. The motion was seconded by Councilmember Franklin 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 AN OUTDOOR COMMERCIAL (C-3) ZONING DISTRICT TO AN INDUSTRIAL (I) ZONING DISTRICT OF PLUS OR MINUS 12.126 ACRES OUT OF THE A. BOUTWELL SURVEY, ABSTRACT 0099, A PORTION OF PARCEL ID NUMBER 3273, COMMONLY KNOWN AS 1471 SOUTHLAND DRIVE, 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 AND OPEN MEETING FINDING.

Mayor Tommy Moore opened the public hearing at 6:34 p.m. and called for public comment.

No citizen came forward to speak on behalf of the item.

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

The public hearing was closed at 6:35 p.m.

PUBLIC HEARING ON AN ORDINANCE GRANTING A SPECIAL USE PERMIT (SUP) TO OPERATE A SHORT TERM RENTAL (STR) LOCATED IN THE HILLCREST ADDITION; BLOCK 7; LOT 7; COOKE COUNTY APPRAISAL DISTRICT PROPERTY ID 15491; COMMONLY KNOWN AS 1304 WHALEY, LOCATED IN A SINGLE FAMILY (SF-2) ZONING DISTRICT TO OPERATE A SHORT-TERM RENTAL WITHIN THE CITY LIMITS OF GAINESVILLE, COOKE COUNTY, TEXAS; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

Mayor Tommy Moore opened the public hearing at 6:35 p.m. and called for public comment.

No citizen came forward to speak on behalf of the item.

Councilmember Dollar **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.

AN ORDINANCE AMENDING ORDINANCE 1219-12-2008; THE ZONING ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING THE REZONE FROM AN OUTDOOR COMMERCIAL (C-3) ZONING DISTRICT TO AN INDUSTRIAL (I) ZONING DISTRICT OF PLUS OR MINUS 12.126 ACRES OUT OF THE A. BOUTWELL SURVEY, ABSTRACT 0099, A PORTION OF PARCEL ID NUMBER 3273, COMMONLY KNOWN AS 1471 SOUTHLAND DRIVE, 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 AND OPEN MEETING FINDING.

This Ordinance would change the zoning district of 1471 Southland Drive from an Outdoor Commercial (C-3) Zoning District to an Industrial (I) Zoning District.

Councilmember Johnson **moved to approve the first reading of this Ordinance and will be brought back at a later meeting**. The motion was seconded by Councilmember Dollar and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

ORDINANCE NO. 1552-12-2023 - AN ORDINANCE GRANTING A SPECIAL USE PERMIT (SUP) TO OPERATE A SHORT TERM RENTAL (STR) LOCATED IN THE HILLCREST ADDITION; BLOCK 7; LOT 7; COOKE COUNTY APPRAISAL DISTRICT PROPERTY ID 15491; COMMONLY KNOWN AS 1304 WHALEY, LOCATED IN A SINGLE FAMILY (SF-2) ZONING DISTRICT TO OPERATE A SHORT-TERM RENTAL WITHIN THE CITY LIMITS OF GAINESVILLE, COOKE COUNTY, TEXAS; PROVIDING FOR AN EFFECTIVE DATE; CONTAINING A SEVERABILITY CLAUSE AND MAKING AN OPEN MEETING FINDING.

This Ordinance grants a Special Use Permit (SUP) to operate a Short Term Rental located at 1304 Whaley.

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

RESOLUTION 12-05-2023B - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, APPROVING A BID FROM WOPAC CONSTRUCTION FOR THE 2023 MILL AND OVERLAY IMPROVEMENTS.

This Resolution approves a sealed bid from WOPAC Construction, Inc. for \$1,200,065.40 for a mill and overlay project with seal coating. The project will include 10,877 square yards of Mill and Overlay, 31,683 square feet of Crack and Joint Seal, 47,190 square feet of Crack Seal, and 8,108 square feet of Slurry Seal. Crack Seal and Slurry Seal projects are the most cost-effective solution to extend the life of streets.

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.

RESOLUTION 12-05-2023C - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, SETTING A PUBLIC HEARING UNDER SECTION 311.003 OF THE TEXAS TAX CODE FOR THE CREATION OF A TAX INCREMENT REINVESTMENT ZONE CONTAINING APPROXIMATELY 3,034.99 ACRES OF LAND GENERALLY LOCATED WEST OF INTERSTATE 35, WEST OF FARM TO MARKET 1199, SOUTH OF FARM TO MARKET 1202, AND NORTH OF THE ELM FORK TRINITY RIVER, AND BEING WHOLLY LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION AND CORPORATE LIMITS OF THE CITY OF GAINESVILLE, TEXAS; AUTHORIZING THE ISSUANCE OF NOTICE BY THE CITY SECRETARY OF THE CITY OF GAINESVILLE, TEXAS, REGARDING THE PUBLIC HEARING; AND DIRECTING THE CITY OF GAINESVILLE, TEXAS TO PREPARE A PRELIMINARY REINVESTMENT ZONE FINANCING PLAN.

This Resolution calls for a public hearing on creating a TIRZ for the area generally located West of Interstate 35, west of Farm to Market 1199, south of Farm to Market 1202, and north of the Elm Fork Trinity River. The Public Hearing will be held on December 19, 2023, at 6:30 p.m., in the City Council Chamber, at 200 South Rusk Street, Gainesville, Texas 76240.

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.

RESOLUTION 12-05-2023D - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, AUTHORIZING EXPENDITURES FOR PURCHASE OF ONE (1) 2023

JOHN DEERE 331G SKID STEER LOADER FROM RDO EQUIPMENT OF MCKINNEY FOR THE SOLID WASTE DIVISION.

This Resolution authorizes the purchase of one (1) 2023 John Deere 331G Skid Steer from RDO Equipment of McKinney for ninety-four thousand, nine hundred and seventy-one dollars and sixty-four cents (94,971.64) through Sourcewell Interlocal Purchasing.

Councilmember Keeler **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.

EXECUTIVE SESSION

At 7:03 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 7:23 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 7:23 p.m.
Respectfully submitted,



Diana Alcalá, City Secretary



Tommy Moore, Mayor

