

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
April 16, 2024**

The City Council of the City of Gainesville, Texas met in regular session April 16, 2024 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; Kevin Phillips, Chief of Police; Mike Doughty, Community Development Director; Paulina Schutt-Swiatkowski, Communications and Outreach Specialist; William Myers, GEDC Director; Tony Dresser (Videographer).

OTHERS PRESENT: Anna Beall, Chad Sieger, Delania Raney, Jasmine Jones, J.R. Thompson, Mike Gordon, Randy Jones, Sharon Fugett, Sherri Purvey, Todd Hollar, Velma Lorne.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Wade Bower from the Hillcrest Church of Christ gave the invocation.
Mayor Tommy Moore led the pledge to the flag.

CITIZEN COMMENT

Todd Hollar expressed his appreciation for the changes made to the Major Corridor Overlay Ordinance.
Chad Sieger also expressed his appreciation for the changes made to the Major Corridor Overlay Ordinance.
JR Thompson from 3500 N. Grand asked the Council to consider voting no on the overlay ordinance.

CONSENT AGENDA

The following Consent Agenda items were approved by Council.

- A. Approve Minutes of April 2, 2024 City Council Meeting.

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.

PUBLIC HEARING ON AN ORDINANCE OF THE CITY OF GAINESVILLE, COOKE COUNTY, TEXAS REPEALING ORDINANCE 1465-10-2019; AMENDING APPENDIX B – SUBDIVISIONS, ARTICLE 1 – IN GENERAL OF THE CITY’S CODE OF ORDINANCES BY AMENDING SECTION 8 – PRELIMINARY PLATS, SECTION 9 – FINAL PLAT, SECTION 10 – CONSTRUCTION PLANS, AND SECTION 11 – FINAL SUBDIVISION APPROVAL AND ACCEPTANCE; AND BY DELETING SECTION 9.2 – DELEGATION OF APPROVAL RESPONSIBILITY; AMENDING APPENDIX B – SUBDIVISIONS, ARTICLE 2 – SPECIFICATIONS AND DESIGN STANDARDS TO CITY OF

GAINESVILLE, TEXAS SUBDIVISION ORDINANCE FOR PUBLIC WORKS CONSTRUCTION – SECTION 1 – GENERAL

Mayor Tommy Moore opened the public hearing at 6:36 p.m. and called for public comment.

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

Councilmember Johnson **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 6:38 p.m.

RESOLUTION NO. 04-16-2024 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS; APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT RELATING TO THE ELM FORK MUNICIPAL UTILITY DISTRICT.

This Resolution approves the First Amendment to the Development Agreement with MESA Real Estate Partners, L.P., B-29 Properties, LLC., Stark Enterprises, INC., John and Sandra Schmitz, and Timbercreek Real Estate Partners, LLC. to incorporate the certification of disclosures required by Section 212.172 of the Texas Local Government Code.

Councilmember Hill **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.

ORDINANCE NO. 1562-04-2024 - AN ORDINANCE OF THE CITY OF GAINESVILLE, TEXAS, AMENDING APPENDIX A, "ZONING" OF THE CODE OF ORDINANCES OF THE CITY OF GAINESVILLE, TEXAS, TO AMEND ARTICLE III, "USE OF LAND OR PREMISES," SECTION 3.2, "OVERLAY DISTRICTS" TO ADD SECTION 3.2.02 ENTITLED "MAJOR CORRIDOR OVERLAY DISTRICT"; DEFINING DISTRICT BOUNDARIES TO EXTEND ALONG HIGHWAY 51 (CALIFORNIA STREET), BROADWAY STREET, INTERSTATE 35, HIGHWAY 82 , FM 372 (GRAND AVENUE), FM 3092 (RADIO HILL ROAD), FM 1200, FM 1201, FM 1202, AND FM 1306; PROVIDING FOR THE PROHIBITION OF MINI-STORAGE FACILITIES, RECREATIONAL VEHICLE (RV) STORAGE FACILITIES, TRAILER STORAGE FACILITIES, WIND TURBINES, AND SOLAR FARMS IN THE DISTRICT; PROVIDING DEFINITIONS; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP OF THE CITY OF GAINESVILLE, TEXAS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR CUMULATIVE REPEALER; PROVIDING FOR A PENALTY; PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION; AND MAKING AN OPEN MEETING FINDING.

This Ordinance creates a zoning overlay district along the major roadways in the City and is named the "Major Corridor Overlay District."

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

ORDINANCE NO. 1563-04-2024 - AN ORDINANCE OF THE CITY OF GAINESVILLE, COOKE COUNTY, TEXAS REPEALING ORDINANCE 1465-10-2019; AMENDING APPENDIX B – SUBDIVISIONS, ARTICLE 1 – IN GENERAL OF THE CITY'S CODE OF ORDINANCES BY

AMENDING SECTION 8 – PRELIMINARY PLATS, SECTION 9 – FINAL PLAT, SECTION 10 – CONSTRUCTION PLANS, AND SECTION 11 – FINAL SUBDIVISION APPROVAL AND ACCEPTANCE; AND BY DELETING SECTION 9.2 – DELEGATION OF APPROVAL RESPONSIBILITY; AMENDING APPENDIX B – SUBDIVISIONS, ARTICLE 2 – SPECIFICATIONS AND DESIGN STANDARDS TO CITY OF GAINESVILLE, TEXAS SUBDIVISION ORDINANCE FOR PUBLIC WORKS CONSTRUCTION – SECTION 1 - GENERAL; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR CUMULATIVE REPEALER; PROVIDING FOR PENALTY; PROVIDING FOR AN EFFECTIVE DATE AND PUBLICATION; AND MAKING AN OPEN MEETING FINDING.

This Ordinance delegates plat approval to the City Manager and/or Community Development Director.

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

Councilmember Eberhart **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.

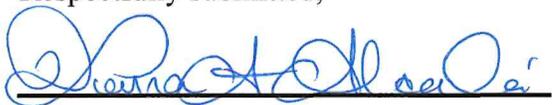
EXECUTIVE SESSION

At 6:51 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 8:06 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 8:06 p.m.
Respectfully submitted,



DIANA ALCALA, CITY SECRETARY



KEN KEELER, MAYOR PRO TEM



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