

**MINUTES  
CITY OF GAINESVILLE  
CITY COUNCIL MEETING  
200 South Rusk  
Gainesville, Texas 76240  
May 21, 2024**

The City Council of the City of Gainesville, Texas met in regular session May 21, 2024 at 6:30 p.m. with the following persons in attendance.

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

**MEMBERS ABSENT:** Keanna Franklin

**STAFF PRESENT:** Barry Sullivan, City Manager; Diana Alcala, City Secretary; Allen McDonald, Public Works Director; Chris Cypert, Municipal Court Judge; JI Johnson, Finance Director; Kevin Phillips, Chief of Police; Leah Gore, Human Resources Director; Mike Doughty, Community Development Director; Olu Ososanya, Finance Controller; Paulina Schutt-Swiatkowski, Communications and Outreach Specialist; William Myers, GEDC Director; Tony Dresser (Videographer).

**OTHERS PRESENT:** Alanna Williams, Aubrey Eberhart, Cliff Yow, David Kleven, Delania Raney, Gertie Calhoun, Janice Hill, Joe Conner, John Roane, Joshua Engelhaupt, Kitie Hermes, Mike Gordon, Mike Hill, Pam Johnson, Rod Tyler, Tina Bindel

**CALL TO ORDER**

Mayor Pro Tem Ken Keeler called the meeting to order at 6:31 p.m.

**INVOCATION & PLEDGE OF ALLEGIANCE**

City Manager Barry Sullivan gave the invocation.  
Mayor Pro Tem Ken Keeler led the pledge to the flag.

**OATH OF OFFICE TO ELECTED OFFICIAL**

Judge John Roane administered the Oath of Office to elected City officials: Chris Cypert, Municipal Court Judge; Howard Randy Jones, Ward 3; Jeff Johnson, Ward 5; Mary Jo Dollar, Ward 6. Mayor Pro Tem Ken Keeler thanked Judge Roane for administering the oaths and thanked Judge Cypert, and the Council members for their service.

**ELECTION OF MAYOR PRO TEM**

Councilmember Ken Keeler was nominated to serve as Mayor Pro Tem for the next Council year, May 2024 to May 2025.

Councilmember Dollar nominated Ken Keeler for Mayor Pro Tem. Nominations ceased and Mayor Pro Tem was elected by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent.

**RECOGNITIONS/PROCLAMATIONS**

Mayor Pro Tem Ken Keeler proclaimed May 2024 to be Motorcycle Safety Awareness Month.  
Mayor Pro Tem Ken Keeler also proclaimed May 19-25, 2024 to be National Travel and Tourism Week.  
Michael Hill and Brandon Eberhart were presented plaques to commemorate their service to the City Council.

## **REPORTS**

Leah Gore, Human Resources Director, presented a report on the Tyler Technology Configuration and Install.

Paulina Schutt-Swiatkowski, Communication and Outreach Specialist, presented a report on our Texas Comptroller Transparency Stars.

Joe Conner, President of Cooke County Arts Council, presented a report on Cooke County Arts Council Funding

## **CITIZEN COMMENTS**

Kitie Hermes came forward to speak about property tax relief for a Childcare Facility.

## **CONSENT AGENDA**

The following Consent Agenda items were approved by Council.

- A. Approve Minutes of May 7, 2024 Regular City Council Meeting
- B. Approve Minutes of May 14, 2024 Special Called City Council Meeting
- C. Consideration of and action on a Resolution of the City Council approving the sale of alcohol at the Gainesville Farmers Market during the Red White and Zoo Benefit Concert.

Councilmember Dollar **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 ADOPTING A WATER CONSERVATION AND WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN FOR THE CITY OF GAINESVILLE, TEXAS TO PROMOTE THE RESPONSIBLE USE OF WATER AND TO PROVIDE FOR PENALTIES AND/OR THE DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE WATER CONSERVATION AND DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN; PROVIDING FOR A SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.**

Mayor Pro Tem Ken Keeler opened the public hearing at 7:11 p.m. and called for public comment.

Allen McDonald discussed the Water Conservation and Water Resource and Emergency Management Plan and explained that it is required to adopt a plan every 5 years.

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

The public hearing was closed at 7:12 p.m.

## **PUBLIC HEARING ON AN ORDINANCE MAKING FINDINGS; DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR COMMERCIAL-INDUSTRIAL TAX ABATEMENT; ASSIGNING THE NAME "REINVESTMENT ZONE NUMBER 24 (TWENTY-FOUR) OF THE CITY OF GAINESVILLE, TEXAS" TO SAID ZONE; DESCRIBING THE BOUNDARIES THEREOF; PROVIDING FOR ELIGIBILITY REQUIREMENTS FOR TAX ABATEMENT WITHIN SAID ZONE; PROVIDING TERMS FOR ABATEMENT WITHIN THE ZONE; PROVIDING REQUIREMENTS FOR TAX ABATEMENT AGREEMENTS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND MAKING AN OPEN MEETING FINDING.**

Keeler opened the public hearing at 7:13 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 Eberhart, the motion carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent.

The public hearing was closed at 7:14 p.m.

**PUBLIC HEARING ON AN ORDINANCE MAKING FINDINGS; DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR COMMERCIAL-INDUSTRIAL TAX ABATEMENT; ASSIGNING THE NAME "REINVESTMENT ZONE NUMBER 25 (TWENTY-FIVE) OF THE CITY OF GAINESVILLE, TEXAS" TO SAID ZONE; DESCRIBING THE BOUNDARIES THEREOF; PROVIDING FOR ELIGIBILITY REQUIREMENTS FOR TAX ABATEMENT WITHIN SAID ZONE; PROVIDING TERMS FOR ABATEMENT WITHIN THE ZONE; PROVIDING REQUIREMENTS FOR TAX ABATEMENT AGREEMENTS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND MAKING AN OPEN MEETING FINDING.**

Keeler opened the public hearing at 7:15 p.m. and called for public comment.

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

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

The public hearing was closed at 7:15 p.m.

**PUBLIC HEARING ON A RESOLUTION AMENDING 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.**

Keeler opened the public hearing at 7:16 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 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent.

The public hearing was closed at 7:16 p.m.

**ORDINANCE NO. 1565-05-2024 - AN ORDINANCE ADOPTING A WATER CONSERVATION AND WATER RESOURCE AND EMERGENCY MANAGEMENT PLAN FOR THE CITY OF GAINESVILLE, TEXAS TO PROMOTE THE RESPONSIBLE USE OF WATER AND TO PROVIDE FOR PENALTIES AND/OR THE DISCONNECTION OF WATER SERVICE FOR NONCOMPLIANCE WITH THE PROVISIONS OF THE WATER CONSERVATION AND DROUGHT CONTINGENCY AND WATER EMERGENCY RESPONSE PLAN; PROVIDING FOR A SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING.**

This Ordinance approves a Water Conservation and Water Resource and Emergency Management Plan. The plan is adopted every 5 years and must be approved by TCEQ. The only change to this plan from the previous adoption was for the addition of a Water Conservation Coordinator.

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

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

**EXECUTIVE SESSION**

At 7:19 p.m. Mayor Pro Tem Ken Keeler 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 7:28 p.m. and Mayor Pro Tem Ken Keeler announced no action was taken during executive session.

**ORDINANCE NO. 1566-05-2024 - AN ORDINANCE MAKING FINDINGS; DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR COMMERCIAL-INDUSTRIAL TAX ABATEMENT; ASSIGNING THE NAME “REINVESTMENT ZONE NUMBER 24 (TWENTY-FOUR) OF THE CITY OF GAINESVILLE, TEXAS” TO SAID ZONE; DESCRIBING THE BOUNDARIES THEREOF; PROVIDING FOR ELIGIBILITY REQUIREMENTS FOR TAX ABATEMENT WITHIN SAID ZONE; PROVIDING TERMS FOR ABATEMENT WITHIN THE ZONE; PROVIDING REQUIREMENTS FOR TAX ABATEMENT AGREEMENTS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND MAKING AN OPEN MEETING FINDING.**

This Ordinance declares 11.520 acres located on North Grand Ave. near the Fastenal facility as a reinvestment zone.

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

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

**ORDINANCE NO. 1567-05-2024 - AN ORDINANCE MAKING FINDINGS; DESIGNATING A CERTAIN AREA AS A REINVESTMENT ZONE FOR COMMERCIAL-INDUSTRIAL TAX ABATEMENT; ASSIGNING THE NAME “REINVESTMENT ZONE NUMBER 25 (TWENTY-FIVE) OF THE CITY OF GAINESVILLE, TEXAS” TO SAID ZONE; DESCRIBING THE BOUNDARIES THEREOF; PROVIDING FOR ELIGIBILITY REQUIREMENTS FOR TAX ABATEMENT WITHIN SAID ZONE; PROVIDING TERMS FOR ABATEMENT WITHIN THE ZONE; PROVIDING REQUIREMENTS FOR TAX ABATEMENT AGREEMENTS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND MAKING AN OPEN MEETING FINDING.**

This Ordinance declares 32.37 acres located west of the Zoo and Elm Fork of the Trinity River as a reinvestment zone.

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

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

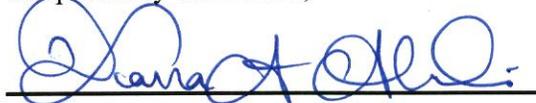
**RESOLUTION NO. 05-21-2024A - A RESOLUTION AMENDING GUIDELINES AND CRITERIA FOR GRANTING TAX ABATEMENT IN A REINVESTMENT ZONE CREATED WITHIN THE CITY OF GAINESVILLE; ELECTING TO BECOME ELIGIBLE TO PARTICIPATE IN TAX ABATEMENT; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS FINDING.**

This Resolution amends our current Tax Abatement Guidelines and Criteria to amend Section IV – 10(a) to read as follows:

(a)	<u>Amount of Capital Investment</u>	<u>Years of Abatement</u>	<u>% of Abatement</u>
	<u>\$ 2,000,000 - 4,999,999</u>	<u>1 – 5</u>	<u>10 - 50%</u>
	<u>\$ 5,000,000 - 9,999,999</u>	<u>1 – 7</u>	<u>10 - 60%</u>
	<u>\$ 10,000,000 – \$29,999,999</u>	<u>1 – 10</u>	<u>10 – 70%</u>
	<u>\$30,000,000 – or more</u>	<u>1 – 10</u>	<u>10 – 90%</u>

Councilmember Johnson **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.

With no further business to come before the City Council, the meeting was adjourned at 7:35 p.m.  
Respectfully submitted,



DIANA ALCALA, CITY SECRETARY

  
TOMMY MOORE, MAYOR

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