

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
September 3, 2024**

The City Council of the City of Gainesville, Texas met in regular session September 3, 2024 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Tommy Moore, Mayor Pro Tem Ken Keeler, Haley Hughes, Dakota Nichols, Randy Jones, Jeff Johnson and Mary Jo Dollar.

MEMBERS ABSENT: None.

STAFF PRESENT: Barry Sullivan, City Manager; Diana Alcala, City Secretary; Chris Cypert, Municipal Court Judge; Diane Johns, GEDC Administrative Officer; JI Johnson, Finance Director; Kevin Phillips, Chief of Police; Mike Doughty, Community Development Director; Olu Ososanya, Finance Controller; William Myers, GEDC Director; Tony Dresser (Videographer).

OTHERS PRESENT: Angie Hare, Anna Beall, Christy Thurman, Gerald Hardesty, Jasmine Jones, Jayden Stringfellow, John Hare, Mike Gordon, Nancy Brannon, Pam Dill, Scotty Thurman, Tricia Smith.

CALL TO ORDER

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

INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Gerald Hardesty from the Commerce Street Church gave the invocation. Mayor Tommy Moore led the pledge to the flag.

RECOGNITIONS/PROCLAMATIONS

Mayor Tommy Moore proclaimed the week of September 17, 2024 to be Constitution Week.

CONSENT AGENDA

The following Consent Agenda items were approved by Council.

- A.** Approve Amended Minutes of August 20, 2024 City Council Meeting.

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

- B.** Consideration of and action on a Resolution making appointments to the Gainesville Economic Development Corporation Board of Directors of the City of Gainesville, Texas.

Councilmember Jones **moved to approve Consent Agenda Item B.** The motion was seconded by Councilmember Dollar and carried by vote of 6 Ayes, 0 Nays, 1 Abstention (Keeler), 0 Absent.

- C. Consideration of and action on a Resolution authorizing the Police Chief of the City of Gainesville, Texas to send letters to United States Congressional Representatives that would oppose legislation authorizing increased weight limits for commercial trucks, specifically H.R. 3372 and H.R. 7496.

Councilmember Keeler **moved to approve Consent Agenda Item C.** The motion was seconded by Councilmember Nichols 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 SINGLE FAMILY (SF-2) ZONING TO A COMMERCIAL (C-2) ZONING OF PLUS OR MINUS .33 ACRES, IN THE M E CLARK SURVEY; ABSTRACT #0231; (PID) 19781; COMMONLY KNOWN AS 410 S WEAVER ST, 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 6:37 p.m. and called for public comment.

Scotty Thurman from Valstar Electric spoke in favor of passing the Ordinance.

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

The public hearing was closed at 6:39 p.m.

PUBLIC HEARING ON THE PROPOSED BUDGET FOR THE CITY OF GAINESVILLE FOR THE FISCAL YEAR 2024-2025.

Mayor Tommy Moore opened the public hearing at 6:39 p.m. and called for public comment.

No citizen came forward to speak.

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

The public hearing was closed at 6:39 p.m.

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, 2024 THROUGH SEPTEMBER 30, 2025; 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 AN OPEN MEETING FINDING.

Mayor Tommy Moore opened the public hearing at 6:40 p.m. and called for public comment.

No citizen came forward to speak.

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 6:40 p.m.

ORDINANCE NO. 1575-09-2024 - AN ORDINANCE ESTABLISHING APPROPRIATIONS FOR THE SUPPORT MAINTENANCE, BUILDINGS, AND IMPROVEMENTS FOR THE CITY OF GAINESVILLE, TEXAS, FOR THE FISCAL YEAR FROM OCTOBER 1, 2024 THROUGH SEPTEMBER 30, 2025 AND REVISING THE BUDGET FOR OCTOBER 1, 2023 THROUGH SEPTEMBER 30, 2024; PROVIDING AN EFFECTIVE DATE; AND MAKING AN OPEN MEETING FINDING; AND PROVIDING FOR RATIFICATION OF THE PROPERTY TAX INCREASE REFLECTED IN THE FISCAL YEAR 2024-2025 OPERATING BUDGET BY A SEPARATE VOTE.

This Ordinance approves the FY 2025 budget and the revised FY 2024 budget. The total Revenues for the budget are \$47,004,928, while Expenditures equal \$53,470,964.

Councilmember Johnson **moved to SUSPEND THE CHARTER**. The motion was seconded by Councilmember Jones 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 Nichols 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 2024-2025 Budget”**. The motion was seconded by Councilmember Johnson and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

ORDINANCE NO. 1576-09-2024 - 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, 2024 THROUGH SEPTEMBER 30, 2025; 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 AN OPEN MEETING FINDING.

This ordinance sets the tax rate at \$0.5357 per \$100.

\$0.4007 for General Fund

\$0.1350 for Interest and Sinking Fund

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

Councilmember Johnson made the 2nd motion **“I move that the property tax rate be increased by the adoption of a tax rate of \$0.5357, which is effectively a 4.61 increase in the tax rate.”** The motion was seconded by Councilmember Keeler and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION NO. 09-03-2024B - A RESOLUTION UPDATING AND APPROVING THE ANNUAL FEE SCHEDULE FOR CITY OF GAINESVILLE SERVICES FOR FISCAL YEAR 2024-2025 AND PROVIDING AN EFFECTIVE DATE.

This Resolution approves the annual schedule of fees for City services for Fiscal Year 2024-2025. The adopted rates are effective October 1, 2024. The newly adopted fee schedule will be posted on the City website www.gainesville.tx.us under the link to Fee Schedule.

Councilmember Nichols **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 NO. 09-03-2024C - A RESOLUTION APPROVING THE CITY OF GAINESVILLE FIVE (5) YEAR CAPITAL IMPROVEMENT PLAN (FY 2025-2029).

This resolution approves the five-year Capital Improvements Plan (CIP) for Fiscal Years 2025 through 2029. 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 Keeler **moved to approve the Resolution.** The motion was seconded by Councilmember Nichols and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION NO. 09-03-2024D - A RESOLUTION APPROVING A FIVE (5) YEAR BUDGET MODEL (FY 2025-2029) FOR CITY OF GAINESVILLE.

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

RESOLUTION NO. 09-03-2024E - 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.

This Resolution approves annual tourism and promotion contracts for each of the agencies to receive anticipated Hotel/Motel Occupancy Tax revenues in the FY 2024-2025 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 Keeler **moved to approve the Resolution.** The motion was seconded by Councilmember Nichols and carried by vote of 7 Ayes, 0 Nays, 0 Abstentions, 0 Absent.

RESOLUTION NO. 09-03-2024F - A RESOLUTION APPROVING ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF GAINESVILLE WHICH APPROVED THE BUDGET FOR FISCAL YEAR 2023-2024 REVISED AND FISCAL YEAR 2024-2025.

This Resolution approves the actions of the Gainesville Economic Development Corporation, which voted to approve the budget for fiscal year 2023-2024 revised and fiscal year 2024-2025.

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

RESOLUTION NO. 09-03-2024G - A RESOLUTION APPROVING ACTIONS OF THE BOARD OF DIRECTORS OF THE STANFORD CHARITABLE CORPORATION, WHICH VOTED TO ADOPT THE FY 2024-2025 STANFORD HOUSE BUDGET.

This Resolution approves the actions of the Stanford Charitable Corporation, which voted to adopt the FY 2024-2025 Stanford House Budget.

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

RESOLUTION NO. 09-03-2024H - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS APPROVING THE ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION, WHICH VOTED TO APPROVE AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH BRS PROPERTIES, L.P., A TEXAS LIMITED PARTNERSHIP AND WHISTLE STOP BAR & GRILLE, LLC, D/B/A SEAFOODVILLE.

This Resolution approves the actions of the Gainesville Economic Development Corporation, which voted to approve an economic development performance agreement with BRS Properties, L.P., a Texas Limited Partnership and Whistle Stop Bar & Grille, LLC, d/b/a Seafoodville.

Councilmember Nichols **moved to approve the Resolution.** The motion was seconded by Councilmember Johnson and carried by vote of 6 Ayes, 0 Nays, 1 Abstention (Jones), 0 Absent.

ORDINANCE NO. 1577-09-2024 - 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 TO A COMMERCIAL (C-2) ZONING OF PLUS OR MINUS .33 ACRES, IN THE M E CLARK SURVEY; ABSTRACT #0231; (PID) 19781; COMMONLY KNOWN AS 410 S WEAVER ST, 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 approves 410 S Weaver to rezone from Single Family (SF2) zoning to Commercial (C2) zoning for the purpose of building a contractor's office/shop.

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

Councilmember Johnson **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.

RESOLUTION NO. 09-03-2024I - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS APPROVING THE ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION, WHICH VOTED TO APPROVE AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH ADVANCED PEDESTALS, LTD.

This Resolution approves the actions of the Gainesville Economic Development Corporation, which voted to approve an economic development performance agreement with Advanced Pedestals, LTD.

Councilmember Nichols **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 NO. 09-03-2024J - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS APPROVING THE ACTIONS OF THE GAINESVILLE ECONOMIC DEVELOPMENT CORPORATION, WHICH VOTED TO APPROVE AN ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT WITH FIRST MIRACLE, INC DBA LANDON WINERY.

This Resolution approves the actions of the Gainesville Economic Development Corporation, which voted to approve an economic development performance agreement with First Miracle, Inc DBA Landon Winery.

Councilmember Keeler **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.

With no further business to come before the City Council, the meeting was adjourned at 7:11 p.m.

Respectfully submitted,



DIANA ALCALA, CITY SECRETARY



TOMMY MOORE, MAYOR