

STATE OF TEXAS \*  
COUNTY OF HENDERSON \*  
CITY OF GUN BARREL CITY \*

The City Council of the City of Gun Barrel City, Texas met in a regular meeting, in City Hall, located at 1716 West Main Street, Gun Barrel City, Texas, on Tuesday, February 26, 2013 at 6:30 p.m.

Mayor Eaton called the meeting to order at 6:30 p.m. and gave the invocation. The Pledge of Allegiance followed. Roll was called and a quorum was established.

[Council Member - Rodney Bevill: Present](#)

[Council Member - Melvyn Hayes: Present](#)

[Mayor - Paul Eaton: Present](#)

[Council Member - Dennis Baade: Present](#)

[Council Member - Curtis Webster: Present](#)

[Council Member - Ronnie Johnson: Present](#)

#### **Citizen Presentations:**

City Manager Gerry Boren announced that Gun Barrel City had received the Texas Comptrollers Leadership Gold designation. Comptroller Susan Combs created the Leadership Circle to spotlight local governments who voluntarily open their books to the public and provide a clear, consistent picture of how taxpayer dollars are spent. The Comptroller recommends that all local governments emulate the Texas State government by publishing their annual budgets, annual financial reports and check registers online to provide financial data in a user-friendly manner. This Gold designation highlights those entities that are setting the bar with their transparency efforts. This information can be found on the City's website at [www.gunbarrelcity.net](http://www.gunbarrelcity.net) and is located under the City Treasurer's section. The City was committed to open government. Linked to the website are videos of the City Council meetings. Boren commended Treasurer Mickie Raney for her hard work and dedication to the community. Raney did most of the work and deserved to be recognized.

**ITEM # 1: Consent Agenda:** All matters listed under 'Consent Agenda' are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately. Consider approving the **minutes** of the **January 22 and February 1 & 15, 2013 Council meetings** and the following **January reports:**

Financial – Budget vs. Actual Expenses–Year to Date (Nov & Dec only) (**January unavailable**)

Municipal Court – traffic and non-traffic court activity

Police Department – number of cases filed and cleared (**Unavailable due to system crash**)

Dispatch Report – calls for service

Animal Control – number of complaints, impoundments and citations

Fire Department/Fire Marshal – number of incidents, investigations & mutual aid

Street Department – cost break down of monthly street repair

Building Official – number of inspections and associated fees  
Code Enforcement – break down of violations  
EDC minutes (December & January) and financial reports (December & January)

[Council Member – Curtis Webster: Motion to approve Consent Agenda.](#)

[Council Member – Melvyn Hayes: 2nd](#)

[Council Member - Rodney Bevill: Approve](#)

[Council Member - Melvyn Hayes: Approve](#)

[Mayor - Paul Eaton: N\A](#)

[Council Member - Dennis Baade: Approve](#)

[Council Member - Curtis Webster: Approve](#)

[Council Member - Ronnie Johnson: Approve](#)

**ITEM # 2:** Annual report to the City Council as required by Senate Bill 1074 in regards to Racial Profiling. **(Chief Boswell)**

Chief Boswell was present to answer questions about the Racial Profiling report that was submitted to the State. No action was necessary.

**ITEM # 3:** Discuss and/or take action to add the Mayor as a signor on the Sinking Fund account at First State Bank. (At this time the only signors are the City Manager and the City Secretary.) **(City Manager)**

[Council Member - Curtis Webster: Motion to add the Mayor as a signor on the Sinking Fund account at First State Bank.](#)

[Council Member - Dennis Baade: 2nd](#)

[Council Member - Rodney Bevill: Approve](#)

[Council Member - Melvyn Hayes: Approve](#)

[Mayor - Paul Eaton: N\A](#)

[Council Member - Dennis Baade: Approve](#)

[Council Member - Curtis Webster: Approve](#)

[Council Member - Ronnie Johnson: Approve](#)

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**ITEM # 4:** Discuss and/or take action to authorize the City Manager to spend up to \$60,000 from the Hotel Motel Fund for a three-day July Fest event to be held July 4, 5 & 6 including a contract with Brad Weis of B-Weis Entertainment Group, LLC to produce and promote the July 6<sup>th</sup> concert. **(City Manager)**

Last year the City authorized spending \$50,000 for a one-day event and realized a \$28,000 return on their investment of \$50,000. The plan this year was to have a three-day event. The plan was to do a car show on July 4 and make it a family day. July 5<sup>th</sup> would be opened up to the churches

for a night of gospel. The July Fest event, which would be allocated \$50,000, would be on the 6th. The venue would be similar to last year's event with several bands. The remaining \$10,000 would be used, if needed, for the events scheduled on July 4 & 5. In addition, City Hall would probably be closed on Friday, July 5 and Boren was going to ask the employees to take either their personal floating holiday or a vacation day. Bevill commented that Brad Weiss had been very helpful last year with the promotion, production and security.

Council Member - Curtis Webster: Motion to authorize the City Manager to spend up to \$60,000 from the Hotel Motel Fund for a three-day July Fest event to be held July 4, 5 & 6 including a contract with Brad Weis for B-Weis Entertainment Group, LLC to produce and promote the July 6<sup>th</sup> concert.

Council Member - Rodney Bevill: 2nd

Council Member - Rodney Bevill: Approve

Council Member - Melvyn Hayes: Approve

Mayor - Paul Eaton: N\A

Council Member - Dennis Baade: Approve

Council Member - Curtis Webster: Approve

Council Member - Ronnie Johnson: Approve

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**ITEM # 5:** Discuss and/or take action to approve a Vehicle Impoundment and Inventory Policy for the Gun Barrel City Police Department. **(Chief Boswell)**

The Police Department was in the process of updating and amending their current policies. This was a new policy to be added to the existing policies.

Council Member - Dennis Baade: Motion to approve a Vehicle Impoundment and Inventory policy.

Council Member - Melvyn Hayes: 2nd

Council Member - Rodney Bevill: Approve

Council Member - Melvyn Hayes: Approve

Mayor - Paul Eaton: N\A

Council Member - Dennis Baade: Approve

Council Member - Curtis Webster: Approve

Council Member - Ronnie Johnson: Approve

00:20:48

**ITEM # 6:** Discuss and/or take action to approve a Reserve Officer Program Policy for the Gun Barrel City Police Department. **(Chief Boswell)**

Again, this was a new policy regulating the Reserve Officers and would be added to the existing policies.

[Council Member - Ronnie Johnson: Motion to approve a Reserve Officer Program Policy for the Gun Barrel City Police Department.](#)

[Council Member - Dennis Baade: 2nd](#)

[Council Member - Rodney Bevill: Approve](#)

[Council Member - Melvyn Hayes: Approve](#)

[Mayor - Paul Eaton: N\A](#)

[Council Member - Dennis Baade: Approve](#)

[Council Member - Curtis Webster: Approve](#)

[Council Member - Ronnie Johnson: Approve](#)

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**ITEM # 7:** Discuss and/or take action to adopt Ordinance #O-2013-003 amending Chapter 38, Finance and Taxation, Subsection 38.01(A), Competitive Bidding to comply with Texas Local Government Code, Section 252.021 Competitive Requirements for Purchases. **(City Manager)**

Currently the State law was \$50,000 on competitive bidding. The City's ordinance was set at the previous State law requirement of \$25,000. Ordinance #O-2013-003 would remove the reference to \$25,000 and replace it with wording that said we would follow State law. By doing so, if the competitive bidding allowance changed, we would not have to amend our ordinance again.

[Council Member - Curtis Webster: Motion to adopt Ordinance #O-2013-003 amending Chapter 38, Finance and Taxation, Subsection 38.01 \(A\), Competitive Bidding to comply with Texas Local Government Code, Section 252.021 Competitive Requirements for Purchases.](#)

[Council Member - Rodney Bevill: 2nd](#)

[Council Member - Rodney Bevill: Approve](#)

[Council Member - Melvyn Hayes: Approve](#)

[Mayor - Paul Eaton: N\A](#)

[Council Member - Dennis Baade: Approve](#)

[Council Member - Curtis Webster: Approve](#)

[Council Member - Ronnie Johnson: Approve](#)

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**ITEM # 8:** Discuss and/or take action to adopt Resolution #R-2013-003 approving the Revised By-Laws of 2006 of the Gun Barrel City Economic Development Corporation. **(EDC)**

Steve Webster said they had made some changes to comply with State law and the attorney had made some additional changes to be consistent.

Johnson pointed out that in the Charter amendments that will go to the voters on May 11, the Council set a one-year gap of service after the maximum number of terms had been served for the Council and all Boards and Commissions. He noticed the EDC had set a two-year gap of service requirement in Section 2.1 of the EDC By-laws. Johnson recommended this be changed to reflect a gape of service of one year in order to be consistent with the Charter amendments.

[Council Member - Curtis Webster: Motion to adopt Resolution #R-2013-003 approving the Revised By-Laws of 2006 for the GBCEDC with a change to a one-year gap between the three terms.](#)

[Council Member - Melvyn Hayes: 2nd](#)

[Council Member - Rodney Bevill: Approve](#)

[Council Member - Melvyn Hayes: Approve](#)

[Mayor - Paul Eaton: N\A](#)

[Council Member - Dennis Baade: Approve](#)

[Council Member - Curtis Webster: Approve](#)

[Council Member - Ronnie Johnson: Approve](#)

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**ITEM # 9:** Discuss and/or take action to join the Reverse Litter Program thru Tarrant Regional Water District and sign a Gun Barrel City Beautification Pledge. (**Beautification Committee**)

Barbara Webster with the Beautification Committee asked that the City to approve and embrace the Litter Reversal Program better known as ‘Ten on Tuesday.’ She asked the Mayor to sign a Pledge letter. The Beautification Committee would hand deliver the Pledge letter to each business and ask for their support as well.

[Council Member - Curtis Webster: Motion to approve the Reverse Litter Program.](#)

[Council Member - Dennis Baade: 2nd](#)

[Council Member - Rodney Bevill: Approve](#)

[Council Member - Melvyn Hayes: Approve](#)

[Mayor - Paul Eaton: N\A](#)

[Council Member - Dennis Baade: Approve](#)

[Council Member - Curtis Webster: Approve](#)

[Council Member - Ronnie Johnson: Approve](#)

[00:30:16](#)

**ITEM #10:** Discuss and/or take action to adopt Ordinance #O-2013-004 authorizing the transfer of property to the Gun Barrel City Economic Development Corporation for use in economic development projects. **(City Manager)**

This ordinance would allow the City to transfer the old city hall property to the EDC. It required that the property be used for economic purposes.

[Council Member - Curtis Webster: Motion to adopt Ordinance #O-2013-004 authorizing the transfer of property to the Gun Barrel City Economic Development Corporation for use in economic development purposes.](#)

[Council Member - Dennis Baade: 2nd](#)

[Council Member - Rodney Bevill: Approve](#)

[Council Member - Melvyn Hayes: Approve](#)

[Mayor - Paul Eaton: N\A](#)

[Council Member - Dennis Baade: Approve](#)

[Council Member - Curtis Webster: Approve](#)

[Council Member - Ronnie Johnson: Approve](#)

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**ITEM #11:** Discuss and/or take action to authorize joining the Texas Downtown Association for \$165 a year with Heritage Cove receiving the designation. **(City Manager)**

Joining the Texas Downtown Association would give the City access to grants and funding. Boren couldn't pursue grants through this Association without having an area designated as a downtown area.

[Council Member - Dennis Baade: Motion to authorize joining the Texas Downtown Association for \\$165 a year with Heritage Cove receiving the designation.](#)

[Council Member - Melvyn Hayes: 2nd](#)

[Council Member - Rodney Bevill: Approve](#)

[Council Member - Melvyn Hayes: Approve](#)

[Mayor - Paul Eaton: N\A](#)

[Council Member - Dennis Baade: Approve](#)

[Council Member - Curtis Webster: Approve](#)

[Council Member - Ronnie Johnson: Approve](#)

[00:37:17](#)

**ITEM #12:** Discuss and/or take action to adopt Ordinance #O-2013-005 deleting Subsection 8.1.3 of Ordinance #O-2012-013 granting a franchise to East Cedar Creek Fresh Water Supply

District to provide water utility services in the public rights-of-way within the City of Gun Barrel City. **(City Manager)**

As East Cedar Creek Fresh Water Supply District started to review the ordinance, their committee found that they didn't cover the amount of insurance in Section 8.1.3, Excess Liability Coverage on Page 8. They had Commercial General Liability insurance in the amount of \$1,000,000 / \$2,000,000 per occurrence. ECCFWSD struck out Section 8.1.3 and they were asking that it be deleted from the ordinance.

[Council Member - Curtis Webster: Motion to adopt Ordinance #O-2013-005 deleting Subsection 8.1.3 of Ordinance #O-2012-013 granting a franchise to East Cedar Creek Fresh Water Supply District to provide water utility services in the public rights-of-way within the city of Gun Barrel City.](#)

[Council Member - Dennis Baade: 2nd](#)

[Council Member - Rodney Bevill: Approve](#)

[Council Member - Melvyn Hayes: Approve](#)

[Mayor - Paul Eaton: N\A](#)

[Council Member - Dennis Baade: Approve](#)

[Council Member - Curtis Webster: Approve](#)

[Council Member - Ronnie Johnson: Approve](#)

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**ITEM #13:** Discuss and/or take action to adopt Ordinance #O-2013-006 deleting Subsection 8.1.3 of Ordinance #O-2012-014 granting a franchise to East Cedar Creek Fresh Water Supply District to provide wastewater (sewer) utility services in the public rights-of-way within the City of Gun Barrel City. **(City Manager)**

The same thing applied to this item as in Item #12 only this related to sewer service.

[Council Member - Dennis Baade: Motion to adopt Ordinance #O-2013-006 deleting Subsection 8.1.3 of Ordinance #O-2012-014 granting a franchise to East Cedar Creek Fresh Water Supply District to provide wastewater \(sewer\) utility services in the public rights-of-way within the City of Gun Barrel City.](#)

[Council Member - Melvyn Hayes: 2nd](#)

[Council Member - Rodney Bevill: Approve](#)

[Council Member - Melvyn Hayes: Approve](#)

[Mayor - Paul Eaton: N\A](#)

[Council Member - Dennis Baade: Approve](#)

[Council Member - Curtis Webster: Approve](#)

[Council Member - Ronnie Johnson: Approve](#)

[00:42:11](#)

**ITEM #14:** Discuss and/or take action to approve a change to Charter Amendment Proposition 1, Section 8.01 Authority, Composition and Procedures changing the word 'subject' to 'limited' making the sentence read: Except for the Board of Adjustment, all board, commission, chairpersons, presidents and/or committee members are limited to three (3) consecutive two-year terms or six (6) consecutive years, whichever is less with a minimum one year gap before the privilege of being appointed for an additional set of consecutive terms or years. **(City Manager)**

This recommendation was coming from the City Attorney. As he went back and reviewed what had been done, he determined that the word limited was more precise than the word subject.

Council Member - Curtis Webster: Motion to approve a change to Charter Amendment Proposition 1, Section 8.01 Authority, Composition and Procedures changing the word 'subject' to 'limited' making the sentence read: Except for the Board of Adjustment, all board, commission, chairpersons, presidents and/or committee members are limited to three (3) consecutive two-year terms or six (6) consecutive years, whichever is less with a minimum one year gap before the privilege of being appointed for an additional set of consecutive terms or years.

Council Member - Dennis Baade: 2nd

Council Member - Rodney Bevill: Approve

Council Member - Melvyn Hayes: Approve

Mayor - Paul Eaton: N\A

Council Member - Dennis Baade: Approve

Council Member - Curtis Webster: Approve

Council Member - Ronnie Johnson: Approve

The meeting adjourned at 7:13 p.m.

**Attest:**



**Christy Eckerman, City Secretary**

**Approved:**



**Paul Eaton, Mayor**