

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

The City Council of the City of Gun Barrel City met in a special meeting in City Hall, located at 1716 West Main Street, Gun Barrel City, Texas, on Monday, March 2, 2015 at 4:00 p.m.

Mayor Braswell called the meeting to order at 4:00 p.m. and gave the invocation. The Pledge of Allegiance followed. Roll was called and a quorum established.

Council Member - Rodney Bevill: Absent

Council Member - Ronald Wyrick: Present

Council Member - Dennis Baade: Absent

Council Member - Marty Goss: Present

Mayor - Jim Braswell: Present

Council Member - Carol Calkins: Present

Citizen Presentations: (Limited to 3 Minutes)

00:02:35

Former Council member Curtis Webster spoke regarding the farmer's market. He stated when he was a shopping center developer and he went to get a loan, he had to have letters of intent in order for the bank to approve that loan. He said they needed to make sure that they had somebody that is going to lease that and pay the fee before you do it. They also needed to remember that this was taxpayers' money. Think of it as if it was your own money. Would you loan \$20,000 to somebody for this project? This reminded him of when he was a junior Chamber of Commerce member. They believe that faith in God gives meaning and purpose to human life that all good things come from humans and sacrifice to humanity is the best work of life.

Patsy Black, an EDC Board member, said if anyone watched the tape of the last EDC meeting her thoughts about the farmer's market were pretty clear. The reasons she was against the farmer's market is the amount of ordinances to be changed plus the zoning to be changed indicates this may not be a good match for that particular location and that particular endeavor. The entire City should not have to be changed for one business to come in. If we do this for every business that's coming in, we're going to have a rat's maze of ordinances in a little while. Please keep this in consideration.

00:05:33

David Skains made the following statement. I recently read the article in The Athens Daily Review in regards to the EDC being dissolved, as I am sure several of you have read. When I took the job as President I made a promise to my board I would not fight with the City Council in

the newspaper. Not because I or the EDC is hiding anything, or because I'm intimidated, but because it is bad for business. Who wants to locate their business when you have a rouge city councilman spewing such nonsense? I'm bringing my fight to you, the City Council, and I wish the full board was here tonight, of the Council, and I'm asking for each of your support to this board of highly qualified, experienced and dedicated people, that you appointed for them to continue with their ground up approach of Economic Development.

To clarify a couple of things, Section 8.02, Subsection 6 of the City Charter says that the EDC is authorized to be created by Section 4B of the Development Corporation Act and shall be operated according to the provisions of such Act.' That's Texas law; trumps everything else. And that is how the EDC operates, under the laws prescribed by the State of Texas as mandated by our City Charter.

As President of the GBCEDC, I do not believe there is a conflict between the City Council and the EDC. The EDC has worked closely and openly with the Council, and with the exception of one councilman, it has been a two-way street. The EDC is just very pleased to have a great working relationship with the other Council members. Together we will get a lot done over the next several months. We are a fairly new board and will move forward at a rapid pace and given your support we will do great things for our City.

00:07:56

Rob Rea read the follow prepared statement. I too would like to address some recent developments that have surfaced in the local press. First of all, I would like to make it perfectly clear that I am not speaking on behalf of the EDC board. Despite the fact that I am the Vice President of that board, I am speaking only for myself. In the last few months that I have served on this board, I have found it to be rewarding and educational. There have been many instances that council members, fellow EDC members and city staff have been extremely helpful and encouraging to me.

That being said, we evidently have a major problem concerning trust and agendas with one councilman. This afternoon this Council will vote to approve or not a farmer's market for our City. It is my belief that, especially with public turnouts at council meetings being record breaking, the citizens of this City have made it clear that they want this farmer's market. That is why for months I have scratch my head wondering why on Earth would an elected official be against this project? This farmer's market involves spending \$20,000 and subsequently recouping that investment in a couple of years. In the meantime, throngs of visitors will flock to Gun Barrel every weekend for months spending money and generating sales tax revenues. Why would an elected official be opposed to this? Well, if that official had an ulterior agenda to shut down the EDC, then disrupting and obstructing any EDC project would be beneficial to that agenda. And spoon feeding objections and accusations to people for the purpose of publicly discrediting the EDC at council meetings and EDC meetings would also be something this official would do to further promote his agenda. While this may be classless and inappropriate it is not illegal.

However, this is not what I find to be the most distressing. While continuously spouting off about people in town using half-truths, this councilman, in the public forum of the press, has downright mislead the citizens of this City. In the City Charter which this councilman holds so dear, it clearly states that if there is an EDC, it is to be a board of seven appointed people. So, to suggest that the board be eliminated and an Executive Director be hired is no more than an attempt to muddy the waters. His words are unfortunately a blemish on our City. And, I as an EDC board member, find this to be a hindrance to bring new business to this City and to promote our hopes of bettering Gun Barrel.

But the most pressing question is why would someone want to disband the entity that more than any other promotes our town's attributes and subsequently positively affects our sales tax revenue? Could it possibly be to attain the funds that the EDC has in its coffers? The EDC does have funds set back which we intend to use to better the community and subsequently attract new businesses and help existing businesses. We set that agenda quite a while ago and received very positive feedback from the citizens of this town and the forward thinking members of the City Council. The EDC set that agenda. That is our responsibility. The responsibility of the City Council is to look at our projects and decide if they are worthy of spending portions of our budget on them. So yes, we know our place. We also know what the City Charter expects of us.

Given the fact that this councilman obviously wants to disband the EDC, I find it laughable that he would accuse the EDC of having secret meetings and intentionally hiding things from the public and the City Council.

Mayor Braswell asked Mr. Rea to wrap it up; his three minutes had expired.

Rea continued by saying this same council member has attended one EDC meeting since I have been on this board. I guess I'll use the last sentence. I may be a simple man, but if I was a councilman and I wanted to know what the EDC was doing I think I would start with attending their meetings.

[00:11:58](#)

Mayor Braswell made the following statement. At this time, due to the way the agenda is set, I'm going to ask that we recess the Council meeting and go directly to the joint meeting between the EDC and the City Council. The reason for doing this is that Item #2 on the City business has to do with taking action on authorizing the City staff to proceed forward with necessary changes to ordinances regarding a farmer's market. I find it hard to understand how we can vote on that without hearing everything that is on the agenda for the joint meeting. So if there are no objections, or if there are any objections, I would hear those now.

Goss wanted to see the agenda stay as is.

[Council Member - Marty Goss: Motion that the agenda stay as is.](#)

[Council Member - Ronald Wyrick: 2nd](#)

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

[Council Member - Ronald Wyrick: Approve](#)

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

[Council Member - Marty Goss: Approve](#)

[Mayor - Jim Braswell: N/A](#)

[Council Member - Carol Calkins: Disapprove](#)

ITEM # 1: Annual report to the City Council as required by Senate Bill 1074 in regards to Racial Profiling. **(Chief Boswell)**

[00:13:49](#)

Chief Boswell stated that this report was mandated by legislature. In short, the report showed that they made 1376 traffic stops last. That was an average of 99 stops a month or three stops a day. Out of that, 1270 were Caucasian. They conducted 340 searches of which 230 were consented searches and 110 were not.

ITEM # 2: Discuss and/or take action to authorize the City staff to proceed forward with necessary changes to ordinances regarding a farmers market. **(City Manager)**

[00:15:08](#)

Calkins said this directive was to move the process forward by creating the appropriate amendments to the ordinances of Gun Barrel City. This directive was a result of our January meeting. These were proposed changes to ordinances that would define the definition of a farmer, handcrafter, and produce and permitted merchandise.

[00:17:25](#)

Rob Rea didn't have a problem with the definitions being used. To be very clear, they struck out any reference to merchandise. The definitions they were working with were farmer, farmer's market and cottage industry. As far as those definitions, Rea didn't have a problem with them at all.

Calkins said that in addition to the amendments to the ordinances, there was also a directive to the City to secure a special use permit and she wanted to make sure that they (EDC) was on board with moving forward with that.

David Skains said if he understood the special use permit procedure correctly it would be for Gun Barrel Produce Management only. It would not be for the individual farmers that would be selling the product. The City Manager said that was correct.

Calkins said there would also be definitions for farmer's market which was another code section and the final code section is the one that deals with prohibitions which is where an amendment will be made to include Municipal Corporation. Skains said they were on board with that.

[Council Member - Carol Calkins: Motion to adopt the directive to authorize the City staff working closely with the EDC to prepare the documents with the City Attorney to make the necessary changes to the ordinance regarding a farmers market. Furthermore, this directive notices the EDC and the City Manager to work closely together on the requirement to secure a special use permit from the Planning](#)

and Zoning Commission and to come back timely to the Council for approval.
Council Member - Marty Goss: 2nd

The problem that Goss had with changing the ordinances was that they had already taken the time and spent the money to set up the pavilion area for a farmer's market. The argument that it wasn't a good location and people couldn't find it wasn't valid. Over 4,000 people find it at the July Fest. Over 3,000 find it at Christmas time. He found it hard to believe that people who wanted to buy fresh produce couldn't find the park. He didn't see the reason to spend the City's legal fees changing these ordinances when we don't have to and it's already been set up. They can do it at the pavilion and it's free.

Wyrick said he had talked to many people and had looked at it in different ways. The City put all these ordinances in place years ago for a reason to make sure we had a structured growth. Changing the ordinances were a big deal to him especially when there were already ordinances in place. He believed in his heart he was doing the right thing.

Mayor Braswell said he couldn't help but think of our Constitution. The Constitution was built on the basis of which it was built and smarter men prevailed throughout the years and made amendments to that Constitution. Ordinances were made in this City down through the years but that didn't mean they were written in stone.

Council Member - Marty Goss: Motion to amend the original motion to leave the ordinances as is.

Council Member - Ronald Wyrick: 2nd

Council Member - Rodney Bevill: Absent

Council Member - Ronald Wyrick: Approve

Council Member - Dennis Baade: Absent

Council Member - Marty Goss: Approve

Mayor - Jim Braswell: N\A

Council Member - Carol Calkins: Disapprove

Council Member - Carol Calkins: Motion to adopt the directive to authorize the City staff working closely with the EDC to prepare the documents with the City Attorney to make the necessary changes to the ordinance regarding a farmers market. Furthermore, this directive notices the EDC and the City Manager to work closely together on the requirement to secure a special use permit from the Planning and Zoning Commission and to come back timely to the Council for approval.

Council Member - Ronald Wyrick: 2nd

Council Member - Rodney Bevill: Absent

Council Member - Ronald Wyrick: Disapprove

Council Member - Dennis Baade: Absent

Council Member - Marty Goss: Disapprove

Mayor - Jim Braswell: N\A

Council Member - Carol Calkins: Approve

00:28:11

The City Manager felt they could go into the joint special meeting and discuss it for direction.

At this point, the Mayor recessed the Council meeting to go into a joint meeting with the EDC.

The City Council of the City of Gun Barrel City met in a joint special meeting with the Gun Barrel City Economic Development Corporation in City Hall, located at 1716 West Main Street, Gun Barrel City, Texas, on Monday, March 2, 2015 at 4:00 p.m.

Mayor Braswell called the joint meeting to order for the Council. Roll was called and a quorum established.

Council Member - Rodney Bevill: Absent

Council Member - Ronald Wyrick: Present

Council Member - Dennis Baade: Absent

Council Member - Marty Goss: Present

Mayor - Jim Braswell: Present

Council Member - Carol Calkins: Present

David Skains, EDC President, called the joint meeting to order for the GBCEDC. Roll was called and a quorum established.

David Skains - Present

Rob Rea - Present

Gary Damiano - Present

Cheyenne Lyons - Present

Patsy Black - Present

Jim Osborne – Present

Keith Butler - Present

ITEM # 1: Second reading of Resolution #R-2015-004 approving a commercial lease agreement between the GBCEDC and Brian Cruz, d/b/a Gun Barrel Produce Management, for approximately 62,726 square feet of space generally located at 1810 W. Main Street. **(Mayor / EDC)**

Mayor Braswell gave the second reading of Resolution #R-2015-004.

ITEM # 2: Discuss and/or take action to adopt Resolution #R-2015-004 approving a commercial lease agreement between the GBCEDC and Brian Cruz, d/b/a Gun Barrel Produce Management, for approximately 62,726 square feet of space generally located at 1810 W. Main Street. **(Mayor / EDC)**

Council Member – Carol Calkins: Motion to adopt Resolution #R-2015-004.
There was no second to the motion. Motion died.

Council Member - Marty Goss: Motion to table Item #2.
Council Member - Ronald Wyrick: 2nd
Council Member - Rodney Bevill: Absent
Council Member - Ronald Wyrick: Approve
Council Member - Dennis Baade: Absent
Council Member - Marty Goss: Approve
Mayor - Jim Braswell: N\A
Council Member - Carol Calkins: Disapprove

00:31:51

Calkins felt there were two Council members not present and she was very distressed that this appears to be some type of parliamentarian maneuver to undo the farmer's market and she found it very upsetting.

00:33:28

Rob Rea saw no reason to waste time and go through the remaining items. He was speaking for Brian Cruz who had taken a continuing education class because he didn't think anyone would be stupid enough not to want a farmers market. So he spent his money to go to this class. Cruz was not interested in doing it at any place other than this particular property and had asked that his name be recused from the list of potential managers.

The Mayor agreed that there was no need to go through the formality and he would move that all items on the open joint meeting of the EDC and Council be tabled and that would include the Krappie King TV budget item.

Goss asked why. He thought the farmer's market idea was a good one and it could still be done. The Mayor replied that it needed to be brought up at another time and another Council meeting.

Council Member - Marty Goss: Motion to table Items 3, 4 and 6 and Item #5 remain.
Council Member - Ronald Wyrick: 2nd
Council Member - Rodney Bevill: Absent
Council Member - Ronald Wyrick: Approve
Council Member - Dennis Baade: Absent
Council Member - Marty Goss: Approve
Mayor - Jim Braswell: N\A
Council Member - Carol Calkins: Disapprove

ITEM # 3: Second reading of Resolution #R-2015-005 approving EDC Project 2015-001, a Type B Economic Development Project, and authorizing an expenditure not to exceed \$20,000 for improvements to be constructed for a farmer's market generally located at 1810 W. Main Street for a farmer's market. **(Mayor / EDC)**

ITEM # 4: Discuss and/or take action to adopt Resolution #R-2015-005 approving EDC Project 2015-001, a Type B Economic Development Project, and authorizing an expenditure not to exceed \$20,000 for improvements to be constructed for a farmer's market generally located at 1810 W. Main Street for a farmer's market. **(Mayor / EDC)**

ITEM # 5: Discuss and/or take action to adopt Resolution #R-2015-003 revising the EDC's 2014/2015 Fiscal Year Budget by adding a line item under Project Cost: Marketing Line Item 12621 – Krappie King TV \$6,900. **(Mayor / EDC)**

00:38:19

Council Member - Marty Goss: Motion to adopt Resolution #R-2015-003.

Council Member - Ronald Wyrick: 2nd

Council Member - Rodney Bevill: Absent

Council Member - Ronald Wyrick: Approve

Council Member - Dennis Baade: Absent

Council Member - Marty Goss: Approve

Mayor - Jim Braswell: N/A

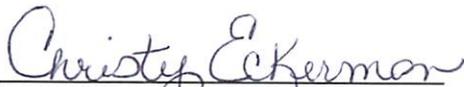
Council Member - Carol Calkins: Approve

ITEM # 6: Discuss and/or take action to adopt Resolution #R-2015-006 revising the EDC's 2014/2015 Fiscal Year Budget by adding a line item under Project Cost: Marketing Line Item – 12527 – Farmers Market \$20,000. **(Mayor / EDC)**

The joint special Council and EDC meeting was adjourned at 4:43 p.m.

The special Council meeting was adjourned at 4:43 p.m.

Attest:


Christy Eckerman, City Secretary

Approved:


Jim Braswell, Mayor