

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

The City Council of the City of Gun Barrel City met in a regular meeting in City Hall, located at 1716 West Main Street, Gun Barrel City, Texas, on Tuesday, March 22, 2016 at 6:30 p.m.

Mayor Baade 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 established.

Mayor - Dennis Baade: Present

Council Member - Anne Mullins: Present

Council Member - Linda Rankin: Present

Council Member - Ron Wyrick: Absent

Council Member - Rob Rea: Present

**Citizen Presentations:** (Limited to 3 Minutes)

Mayor Baade complimented Councilman Ron Wyrick for the job he had done, along with City staff, in organizing the Easter Egg Hunt.

00:06:08

Steven Schiff, Gary Damiano and David Skains all objected to the street use fee associated with the Republic Waste contract. Schiff read a prepared statement about the Republic Waste agreement that was on the agenda. Republic was asking the City to enter into a ten year agreement that would include a couple of things that the citizens needed to be aware of and should have been discussed with the citizens. There was a proposed ordinance establishing a 3% street usage fee which Schiff referred to as a tax. This fee was being established because the Republic Waste trucks were tearing up the City streets. Why were the citizens paying for the damages caused by Republic Waste vehicles? Another issue Schiff raised was the fact that citizens could only use containers/dumpsters furnished by Republic Waste which limited the citizens' ability to do any competitive price shopping for this service. Schiff felt the Council should have held public hearings on the street use fee and the contract. He said there was a perceived notion that the Council is doing something that is not only non-transparent but will come off as 'trying to slip one under the radar' without asking the public for their opinion.

Damiano was bothered by the fact that he was required to use the commercial dumpsters furnished by Republic Waste who charge \$150 to \$250 more than other vendors. In addition, he was told by the City Code Enforcement officers that he could get a ticket in excess of \$200 for using a non-Republic Waste dumpster.

Skains was concerned that the Council was trying to pass a tax on to the citizens without proper hearings. They were only a few weeks away from hiring a new City Manager and seating a new Mayor and a new Council person. Why would they want to saddle the City with a multi-year

contract without the input of a qualified City Manager or the citizens? He was asking the Council to table Items 15 and 16. This would allow the City Manager that they hire to have time to review and provide his input to the City Council.

**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 February 16 & 23 and March 11, 2016 Council meetings** and the following **February reports:**

Financial – Budget vs. Actual Expenses–Year to Date  
Municipal Court – traffic and non-traffic court activity  
Police Department – number of cases filed and cleared  
Dispatch Report – calls for service  
Animal Control – number of complaints, impoundments and citations  
Fire Department/Fire Marshal – number of incidents, investigations & mutual aid  
Street & Park Department – cost break down of monthly street repairs & park expenses  
Building Official – number of inspections and associated fees  
Code Enforcement – break down of violations  
EDC January 12 & February 9, 2016 minutes and December 2015 and January 2016 financial reports

[Council Member - Linda Rankin: Motion to approve the Consent Agenda.](#)

[Council Member - Anne Mullins: 2nd](#)

[Mayor - Dennis Baade: N\A](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Linda Rankin: Approve](#)

[Council Member - Ron Wyrick: Absent](#)

[Council Member - Rob Rea: Approve](#)

**ITEM # 2:** Discuss and/or take action to receive a report from the City Manager on the recommendation from the Planning and Zoning Commission regarding the replatting of Lots 8 & 9 in Block 2 of Section 1 of Harbor Point Subdivision, belonging to Alton & Shannon Horton, physically located at 318 Masthead, into one lot, 8-R. **(City Manager)**

The City Manager reported that the Planning & Zoning Commission unanimously approved the replat request of Alton & Shannon Horton.

[Council Member - Rob Rea: Motion to accept the report from the City Manager on the recommendation from the Planning & Zoning Commission regarding the replatting of Lots 8 & 9 in Block 2 of Section 1 of Harbor Point Subdivision, belonging to Alton & Shannon Horton, physically located at 318 Masthead, into one lot, 8-R.](#)

[Council Member - Anne Mullins: 2nd](#)

[Mayor - Dennis Baade: N\A](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Linda Rankin: Approve](#)

[Council Member - Ron Wyrick: Absent](#)

[Council Member - Rob Rea: Approve](#)

**ITEM # 3:** Public hearing to discuss replatting Lots 8 & 9 in Block 2 of Section 1 of Harbor Point Subdivision, belonging to Alton & Shannon Horton, physically located at 318 Masthead, into one lot, 8-R. **(Mayor)**

Mayor Baade opened the public hearing. There were no comments so the hearing was closed.

**ITEM # 4:** Discuss and/or take action to approve the replat of Lots 8 & 9 in Block 2 of Section 1 of Harbor Point Subdivision, belonging to Alton & Shannon Horton, physically located at 318 Masthead, into one lot, 8-R. **(Mayor)**

Council Member - Rob Rea: Motion to approve the replat of Lots 8 & 9 in Block 2 of Section 1 or Harbor Point Subdivision, belonging to Alton & Shannon Horton, physically located at 318 Masthead, into one lot, 8-R.

Council Member - Anne Mullins: 2nd

Mayor - Dennis Baade: N\A

Council Member - Anne Mullins: Approve

Council Member - Linda Rankin: Approve

Council Member - Ron Wyrick: Absent

Council Member - Rob Rea: Approve

**ITEM # 5:** Discuss and/or take action to approve the Police Department's Open Carry Policy. **(Chief Boswell)**

00:17:51

Council Member - Linda Rankin: Motion to approve the Police Department's Open Carry Policy.

Council Member - Anne Mullins: 2nd

Mayor - Dennis Baade: N\A

Council Member - Anne Mullins: Approve

Council Member - Linda Rankin: Approve

Council Member - Ron Wyrick: Absent

Council Member - Rob Rea: Approve

**ITEM # 6:** Discuss and/or take action to adopt Resolution #R-2016-003 supporting the Texas Department of Transportation's transfer of Old State Highway 334 to the City. **(Mayor)**

00:19:35

Council Member - Linda Rankin: Motion to adopt Resolution #R-2016-003 supporting the Texas Department of Transportation's transfer of Old State Highway 334 to the City.

Council Member - Rob Rea: 2nd

Mayor - Dennis Baade: N\A

Council Member - Anne Mullins: Approve

Council Member - Linda Rankin: Approve

Council Member - Ron Wyrick: Absent

Council Member - Rob Rea: Approve

**ITEM # 7:** Discuss and/or take action to approve a sponsorship of \$6,000 for the National Lawnmowers Association National Event in Gun Barrel City to be held on June 11 & 12, 2016. (EDC)

00:21:29

Council Member - Rob Rea: Motion to approve a sponsorship of \$6,000 for the National Lawnmower Association National Event in Gun Barrel City to be held on June 11 & 12, 2016.

Council Member - Anne Mullins: 2nd

Rankin had asked the Treasurer if it would be possible to pay for this event out of the City's Hotel Motel Fund and leave the money in EDC so they could do business expansion and create new primary jobs. Rankin was told this event could be sponsored by the Hotel Motel Fund due to the fact that this group will be spending nights in our motels. Rankin wanted to put the offer out there for the EDC if they would be interested. There was over \$100,000 in the Hotel Motel Fund. The EDC had no problem with the City paying for this event from the Hotel Motel Fund.

Council Member - Rob Rea: Motion to amend the motion to approve a sponsorship of \$6,000 for the National Lawnmower Association National Event in Gun Barrel City to be held on June 11 & 12, 2016 and the funds to be taken from the Hotel Motel Fund.

Council Member - Linda Rankin: 2nd

Mayor - Dennis Baade: N/A

Council Member - Anne Mullins: Approve

Council Member - Linda Rankin: Approve

Council Member - Ron Wyrick: Absent

Council Member - Rob Rea: Approve

**ITEM # 8:** Discuss and/or take action to approve a \$5,000 donation to the Texas Old Time Fiddlers Associations in association for a GBC Fiddlers Contest to be held on June 18, 2016. (EDC)

00:31:49

Steven Schiff asked that this item be tabled.

Council Member - Rob Rea: Motion to table Item #8.

Council Member - Anne Mullins: 2nd

Mayor - Dennis Baade: N/A

Council Member - Anne Mullins: Approve

Council Member - Linda Rankin: Approve

Council Member - Ron Wyrick: Absent

Council Member - Rob Rea: Approve

**ITEM # 9:** Discuss and/or take action to adopt the revised changes to the Boots to Business application form per decision made at February EDC Board meeting. (EDC)

00:32:27

The EDC unanimously approved the changes to the Boots to Business application which required the applicant be honorably discharged from the service and that he be a major stakeholder of the business.

Council Member - Rob Rea: Motion to adopt the revised changes to the Boots to Business application form per decision made at the February EDC Board meeting.

Council Member - Linda Rankin: 2nd

Mayor - Dennis Baade: N\A

Council Member - Anne Mullins: Approve

Council Member - Linda Rankin: Approve

Council Member - Ron Wyrick: Absent

Council Member - Rob Rea: Approve

**ITEM #10:** Discuss and/or take action to approve an additional expenditure of \$1,000 for one camera to be placed at the Skate Park location. (The amount of \$1,500 was already approved by Council and the EDC Board at the respective February meetings.) **(EDC)**

00:33:39

Council Member - Rob Rea: Motion to approve an additional expenditure of \$1,000 for one camera to be placed at the Skate Park location.

Council Member - Anne Mullins: 2nd

Mayor - Dennis Baade: N\A

Council Member - Anne Mullins: Approve

Council Member - Linda Rankin: Approve

Council Member - Ron Wyrick: Absent

Council Member - Rob Rea: Approve

**ITEM #11:** Discuss and/or take action to approve a \$4,900 Façade Program Grant for Star Nails. **(EDC)**

00:37:46

Steven Schiff said he had made a mistake on the amount of the grant; it would be for \$2,318 instead of the \$4,900.

Council Member - Linda Rankin: Motion to approve a \$2,318 Façade Program Grant for Star Nails.

Council Member - Rob Rea: 2nd

Mayor - Dennis Baade: N\A

Council Member - Anne Mullins: Approve

Council Member - Linda Rankin: Approve

Council Member - Ron Wyrick: Absent

Council Member - Rob Rea: Approve

**ITEM #12:** Discuss and/or take action to review and approve the EDC sponsorship in the amount of \$2,000 for the Whiskers & Wags Gala to be held on April 23 at Athens Country Club. **(EDC)**

00:39:13

Mayor - Dennis Baade: Present

Council Member - Anne Mullins: Present

Council Member - Linda Rankin: Present

Council Member - Ron Wyrick: Arrived at 7:10 p.m. and was recorded as being present.

Council Member - Rob Rea: Present

Council Member - Rob Rea: Motion to approve the EDC sponsorship in the amount of \$2,000 for the Whiskers & Wags Gala to be held on April 23 at Athens Country Club.

Council Member - Ron Wyrick: 2nd

Mayor - Dennis Baade: N\A

Council Member - Anne Mullins: Approve

Council Member - Linda Rankin: Approve

Council Member - Ron Wyrick: Approve

Council Member - Rob Rea: Approve

**ITEM #13:** Discuss and/or take action approve coolers to be brought into the July Fest concert at a \$10 fee allowing beverages and alcohol inside concert gates only. **(Mayor)**

00:42:28

Council Member - Rob Rea: Motion to approve coolers to be brought into the July Fest concert at a \$10 fee allowing beverages and alcohol inside concert gates only.

Council Member - Anne Mullins: 2nd

Mayor - Dennis Baade: N\A

Council Member - Anne Mullins: Approve

Council Member - Linda Rankin: Approve

Council Member - Ron Wyrick: Approve

Council Member - Rob Rea: Approve

Questions were asked of Chief Boswell. Crowd control would be handled like always. The Chief usually ran things from behind the stage. There would be plain clothed officers on duty amongst the crowd. In seven years, the PD had made two arrests – one was an alcohol offense and one was for someone smoking meth. There had never been any traffic accidents related to July Fest.

**ITEM #14:** Discuss and/or take action to interview an applicant for the Planning & Zoning Commission and make an appointment. **(Mayor)**

00:48:11

Linda Bruner was interviewed by Council for a position on the Planning & Zoning Commission. She had lived in the City for 11 years and had served as an alternate member on the Board of Adjustments.

Council Member - Linda Rankin: Motion to appoint Linda Bruner to the Planning & Zoning Commission.

Council Member - Rob Rea: 2nd

Mayor - Dennis Baade: N\A

[Council Member - Anne Mullins: Approve](#)

[Council Member - Linda Rankin: Approve](#)

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

[Council Member - Rob Rea: Approve](#)

**ITEM #15:** Discuss and/or take action to adopt Ordinance #O-2016-007 establishing a 3% street use fee relating to contracted sanitation collection services which will be collected by Republic Waste. **(Mayor)**

[00:49:38](#)

[Council Member - Linda Rankin: Motion to adopt Ordinance #O-2016-007 establishing a 3% street use fee relating to contracted sanitation collection services which will be collected by Republic Waste.](#)

[Council Member - Anne Mullins: 2nd](#)

Wyrick suggested they set the rate at zero and come back at a later date. Then they could have some Town Hall meetings on it. Rankin felt like the Council had had several lengthy discussions about this. They discussed this during their budget workshops last year and they had discussed it in two workshops this year. This contract had been out there for quite a while even when they had a City Manager. She continued by saying some people felt they should wait until they hired the new City Manager but they had been working on this for over a year. Rea commented that with the feedback he had been getting, he felt like the 3% was a tax and the Council had not made any effort to hear the feedback from the citizens. After a lot of thought, Rea felt this could be seen as a back-door effort to create a tax that wasn't there before. He felt the citizens should be able to have some kind of a say whether this fee is enacted or not.

[Council Member - Linda Rankin: Motion to adopt Ordinance #O-2016-007 establishing a 3% street use fee relating to contracted sanitation collection services which will be collected by Republic Waste.](#)

[Council Member - Anne Mullins: 2nd](#)

[Mayor - Dennis Baade: N/A](#)

[Council Member - Anne Mullins: Disapprove](#)

[Council Member - Linda Rankin: Approve](#)

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

[Council Member - Rob Rea: Disapprove](#)

Mayor Baade voted 'no' to break the tie. Ordinance #O-2016-007 was not adopted.

**ITEM #16:** Discuss and/or take action to approve the revised Republic Waste contract with a termination date of March 31, 2023. **(Mayor)**

[00:57:31](#)

The District Manager of Republic Waste was present and answered questions regarding the current and proposed contracts. Republic Waste didn't have anything to do with the street use fee other than they were going to collect it for the City. If Council wanted to renegotiate the contract, they could come up with a figure for a non-exclusive for the industrial or propose a new industrial rate that may give a slight increase somewhere else.

Council Member - Rob Rea: Motion to **not** approve the revised Republic Waste contract with a termination date of March 31, 2023.

Council Member - Anne Mullins: 2nd

Mayor - Dennis Baade: N\A

Council Member - Anne Mullins: Approve

Council Member - Linda Rankin: Approve

Council Member - Ron Wyrick: Disapprove

Council Member - Rob Rea: Approve

**ITEM #17:** Discuss and/or take action to move the April Council meeting from April 26 to April 19 due to Early Voting. **(Mayor)**

Council Member - Linda Rankin: Motion to move the Council meeting from April 26 to April 19 due to Early Voting.

Council Member - Rob Rea: 2nd

Mayor - Dennis Baade: N\A

Council Member - Anne Mullins: Approve

Council Member - Linda Rankin: Approve

Council Member - Ron Wyrick: Approve

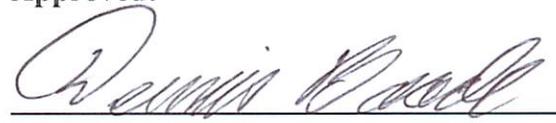
Council Member - Rob Rea: Approve

The meeting adjourned at 7:41 p.m.

**Attest:**

  
Christy Eckerman, City Secretary

**Approved:**

  
Dennis Baade, Mayor