

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, May 28, 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 - Marty Goss: Present](#)

Mayor Eaton read a proclamation for Motorcycle Awareness Month.

Citizen Presentations: None

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 **April 23 & May 17, 2013 Council meeting** and the following **April 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 Department – cost break down of monthly street repair
Building Official – number of inspections and associated fees
Code Enforcement – break down of violations
EDC minutes and financial reports

[Council Member - Dennis Baade: Motion to approve the 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 - Marty Goss: Approve](#)

ITEM # 2: Discuss and/or take action to adopt Ordinance #O-2013-010 amending Chapter 157, Subsection 157.007, General Commercial Standards, Paragraph (C) to change the number of trees to be planted for new development from one tree per 1,000 to one tree per 5,000 square feet of open space. **(City Manager)**

[00:05:58](#)

The City Manager reported that the Planning and Zoning Commission was unanimously recommending the ordinance be changed to one tree per 5,000 square feet of open space. If the trees were to get very big, the root systems could get intertwined and in the sewer system which was a major concern. Open space was defined as green space; it didn't include parking lots. If they wanted to include trees in parking lots, they would do a parking lot landscaping ordinance. This was for commercial properties. There was a separate ordinance for residential properties. Baade thought one tree per 5,000 square feet was a little sparse. He'd like to see one tree for every 2,500 square feet. Shade was important in Texas.

[Council Member - Dennis Baade: Motion to change the ordinance to read one tree per 2,500 square feet of open space.](#)

[Council Member - Curtis Webster: 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 - Marty Goss: Disapprove](#)

ITEM # 3: Discuss and/or take action to receive a report from the City Manager on the recommendation from the Planning and Zoning Commission regarding the granting of a special use permit to Richard and Vickie Cowin to operate a small birthday party business, Lil' Buckaroo Ranch, at 115 Harrell Street, in Bar-H Estates, a Single Family Detached Residential District R-1 zoned area. **(City Manager)**

[00:12:08](#)

The City Manager reported that the Planning and Zoning Commission was unanimously recommending that this special use permit be approved. The Cowins' had circulated a petition to their neighbors to get their feedback. One neighbor had signed the petition for approval but had some issues with the request. His issues were written into the ordinance. The hours of operation would be nine hours on Saturdays and four hours on Sundays. Occupancy would be limited to no more than 35 people in attendance to include parents and children. Parking and bathrooms would have to be ADA compliant. Sales tax would be collected on any retail sales.

When Webster asked who would monitor this to make sure the Cowins' stayed in compliance he was told this would fall to the Code Enforcement officers.

[Council Member - Marty Goss: Motion to receive the report from the City Manager.](#)

[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 - Marty Goss: Approve](#)

ITEM # 4: Public hearing on a request from Richard and Vickie Cowin to grant a special use permit to operate a small birthday party business, Lil' Buckaroo Ranch, at 115 Harrell Street, in Bar-H Estates, a Single Family Detached Residential District R-1 zoned area. **(Mayor)**

Mayor Eaton opened the public hearing. There were no comments. The public hearing was closed.

ITEM # 5: Discuss and/or take action to adopt Ordinance #O-2013-011 granting a special use permit to Richard and Vickie Cowin to operate a small birthday party business, Lil' Buckaroo Ranch, at 115 Harrell Street, in Bar-H Estates, a Single Family Detached Residential District R-1 zoned area. **(Mayor)**

[Council Member - Marty Goss: Motion to adopt Ordinance #O-2013-011.](#)

[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 - Marty Goss: Approve](#)

ITEM # 6: Discuss and/or take action to receive a report from the City Manager on the recommendation from the Planning and Zoning Commission in regards to platting a 2.06 acre tract of land, belonging to Country Place Living, in the G. T. Walters Survey, Abstract #794, Henderson County, Texas, physically located at 401 Church Street. **(City Manager)**

[00:19:19](#)

The City Manager reported that this plat was unanimously approved by the Planning and Zoning.

[Council Member - Dennis Baade: Motion to receive the report of the City Manager.](#)

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

ITEM # 7: Public hearing to discuss platting a 2.06 acre tract of land, belonging to Country Place Living, in the G. T. Walters Survey, Abstract #794, Henderson County, Texas, physically located at 401 Church Street. **(Mayor)**

Mayor Eaton opened the public hearing. There were no comments. The public hearing was closed.

ITEM # 8: Discuss and/or take action to approve the final plat of a 2.06 acre tract of land, belonging to Country Place Living, in the G. T. Walters Survey, Abstract #794, Henderson County, Texas, physically located at 401 Church Street. **(Mayor)**

[Council Member - Curtis Webster: Motion to approve the final plat of a 1.06 acre tract of land, belonging to Country Place Living, in the G. T. Walters Survey, Abstract #794, Henderson County, Texas, physically located at 401 Church Street.](#)

[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 - Marty Goss: Approve](#)

ITEM # 9: Discuss and/or take action to receive a report from the City Manager on the recommendation from the Planning and Zoning Commission in regards to replatting the old City Hall property in the L. Navarro Survey, A578, physically located at 1810 W. Main Street, into one tract of land. **(City Manager)**

[00:23:02](#)

Originally the old city hall property had been platted as three individual pieces of property. For this to be marketed properly, it needed to be platted into one tract of land. The City Manager reported that the replat of the old City Hall property was unanimously approved by the Planning and Zoning Commission.

[Council Member - Curtis Webster: Motion to receive the report from the City Manager.](#)

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

ITEM #10: Public hearing to discuss replatting the old City Hall property in the L. Navarro Survey, A578, physically located at 1810 W. Main Street, into one tract of land. **(Mayor)**

Mayor Eaton opened the public hearing. There were no comments. The public hearing was closed.

ITEM #11: Discuss and/or take action to approve the final plat of the old City Hall property in the L. Navarro Survey, A578, physically located at 1810 W. Main Street, into one tract of land. **(Mayor)**

[Council Member - Dennis Baade: Motion to approve the final plat of the old City Hall property in the L. Navarro Survey, A578, physically located at 1810 W. Main Street, into one tract of land.](#)

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

ITEM #12: Discuss and/or take action to schedule a Strategic Planning workshop. **(City Manager)**

[00:25:08](#)

[Council Member - Curtis Webster: Motion to schedule a Strategic Planning workshop on Friday, June 14 with an alternate date of Friday, June 21.](#)

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

ITEM #13: Discuss and/or take action to appoint a Mayor Pro-tem. **(Mayor)**

[00:30:31](#)

Webster stated that according to the City Charter the mayor pro tem shall be a Council member elected by the City Council at the first regular meeting after each regular election of the City Council members and/or mayor. The mayor pro tem shall temporarily act as mayor during the disability or absence of the mayor and in this capacity shall have the rights conferred upon the mayor. From now on the City Secretary needed to have the agenda read 'elect' rather than 'appoint the Mayor Pro-tem.

During the meeting on May 17, the Mayor should not have made the motion to appoint Dennis Baade as the Mayor Pro-tem. The Mayor was not a voting member of the Council except in the case of a tie. That made the motion null and void. Because Webster felt Dennis Baade would make a good Mayor Pro-tem, he wanted to make the motion and make it official.

[Council Member – Curtis Webster: Motion to elect Dennis Baade as Mayor Pro-tem.](#)

[Council Member - Marty Goss: 2nd](#)

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

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

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

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

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

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

ITEM #14: Discuss and/or take action to take \$200,000 from the proceeds of the sale of Old City Hall and apply it to the principle note of the New City Hall. (This would remove the obligation from the \$200,000 CD at First State Bank.) (**Webster**)

[00:33:59](#)

Mayor Eaton suggested this item be discussed at the Strategic Planning meeting and this be shelved until that time. Webster didn't want to postpone this item. He said this had been discussed before and it would save us money. By paying \$200,000 on the principle balance, it would lower the payment from \$21,728.38 to \$17,925.24 quarterly. This would lower the annual payment by approximately \$15,000. After the \$200,000 payment, the principle balance would be reduced to 1,123,845.73. It made good financial sense to do this. By paying \$200,000, this will relieve the commitment on the CD. You immediately save interest money plus lower the total interest paid over the life of the loan.

If we made this \$200,000 payment, Baade asked what the interest savings would be over the life of the loan. Total interest under the current payment schedule was \$685,924.47. Total interest under a revised payment schedule was \$525,276.70. So, the interest savings would be \$160,647.77 by making the \$200,000 payment. Webster added that we would be able to free the obligation on the \$200,000 CD pledged as collateral on the loan.

Goss wasn't saying to not make a payment on the note but he would like to see this discussed further at the strategic meeting. They were paying 3.5% interest on this note. What would it cost to borrow money to do some of the other project the City has coming up? For example, the fire station, the expansion of the police station or a civic center. He felt they should look at the whole picture and dole out the money where it needed to go.

Webster repeated this made good business sense. We would start saving money immediately. The Council agreed to make a payment when the Old City Hall property sold before Goss was on the Council so he made the following motion.

[Council Member - Curtis Webster: Motion to make a \\$200,000 principle payment against the loan at the bank and draw back our \\$200,000 CD.](#)

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

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

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

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

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

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

Council Member - Marty Goss: Disapprove

ITEM #15: Discuss and/or take action to schedule a quarterly meeting with the Council, staff members and EDC. **(Baade)**

Baade thought the EDC and Council could be more effective by working together and having quarterly meetings. The EDC is working closely with the City Manager to get the sewer line in at Country Place Living. Baade thought this would be a good way to keep everybody informed and up-to-date on the numerous projects.

Baade would prepare the agenda on the Council side and Linda Rankin had volunteered to do it from the EDC side. We could do this an hour before the EDC meeting on the third Tuesday of the month. The Open Meetings Law would still have to be met for postings and quorums.

Council Member - Dennis Baade: Motion to schedule quarterly meetings with the Council and the EDC.

Council Member - Curtis Webster: 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 - Marty Goss: Approve

The meeting adjourned at 7:17 p.m.

Attest:



Christy Eckerman, City Secretary

Approved:



Paul Eaton, Mayor