

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, August 25, 2015 at 6:30 p.m.

Mayor Pro-tem Baade called the meeting to order at 6:30 p.m. Mike Gallagher gave the invocation. The Pledge of Allegiance followed. Roll was called and a quorum established.

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

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

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

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

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

[Mayor - Jim Braswell: Absent](#)

#### **PUBLIC COMMENT / CITIZENS TO BE HEARD (Limited to 3 Minutes)**

[00:04:32](#)

Mike Gallagher talked about the traffic problem at Luther Lane and Main Street. He suggested they form a committee to further investigate with TxDOT the possibility of a stop light or what could be done up and down Main Street.

[00:06:27](#)

Steven Schiff thanked outgoing Mayor Jim Braswell for his service to the City over the past several years from his service on the Planning and Zoning Commission to his work on the EDC and as Mayor, Jim Braswell leaves behind big shoes and he wanted to personally thank him. The City Council had a large task ahead appointing the right person to Council of was willing to move the City in the most positive direction and who can work collectively with all City entities.

**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 July 20 & 21, 2015 Strategic Planning meetings, July 23, 27 & 28, 2015 Budget Workshop meetings, July 28, 2015 Council meeting, August 3 & 4, 2015 Budget Workshop meetings and the August 6, 2015 Special Council meeting** and the following **July 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 July 14 & 20, 2015 minutes – EDC Financials unavailable

P&Z – no meeting in July

00:08:50

City Manager, Gerry Boren, asked that the financials be removed and Carol Calkins asked that the minutes of August 3rd be removed.

Council Member - Carol Calkins: Motion to approve the Consent Agenda with the exception of the financials and the August 3, 2015 minutes.

Council Member - Ronald Wyrick: 2nd

Council Member - Rob Rea: Approve

Council Member - Ronald Wyrick: Approve

Council Member - Dennis Baade: N/A

Council Member - Carol Calkins: Approve

Council Member - Linda Rankin: Approve

00:10:45

Boren explained the \$80,000 deficient in the July financials. As of this date, from expenditures vs. revenues the City was at a positive of \$18,365. If the recommended changes from today's budget review meeting are made, we would be \$83,942 to the good.

Calkins said the August 3 meeting was held on Monday not Tuesday and the second sentence needed to be removed.

Council Member - Carol Calkins: Motion to accept the minutes as changed.

Council Member - Linda Rankin: 2nd

Council Member - Rob Rea: Approve

Council Member - Ronald Wyrick: Approve

Council Member - Carol Calkins: Approve

Council Member - Linda Rankin: Approve

Council Member - Dennis Baade: N/A

Council Member - Rob Rea: Motion to approve the July financials as presented.

Council Member - Linda Rankin: 2nd

Council Member - Rob Rea: Approve

Council Member - Ronald Wyrick: Approve

Council Member - Dennis Baade: N/A

Council Member - Carol Calkins: Approve

Council Member - Linda Rankin: Approve

**At this point, Mayor Pro-tem Baade moved Items 18, 19 & 20 to the front of the agenda.**

**ITEM #18:** Discuss and/or take action to accept the resignation of Mayor Braswell. **(Mayor Pro-tem)**

00:17:28

Council Member - Linda Rankin: Motion to accept the resignation of Mayor Jim Braswell.

Council Member - Carol Calkins: 2nd

Council Member - Rob Rea: Approve

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

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

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

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

**ITEM #19:** Discuss and/or take action to elect a Mayor, from among the Council members, to fill the unexpired term of Mayor Braswell until the May 2016 election. **(Mayor Pro-tem)**

[00:19:42](#)

[Council Member - Linda Rankin: Motion to elect Dennis Baade as Mayor.](#)

[Council Member - Carol Calkins: 2nd](#)

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

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

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

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

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

**ITEM #20:** Discuss and/or take action to elect a Mayor Pro-tem. **(Mayor)**

[00:23:42](#)

[Council Member - Carol Calkins: Motion to elect Rob Rea as the Mayor Pro-tem.](#)

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

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

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

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

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

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

**At this point, the agenda reverted back to Item #2.**

**ITEM # 2:** Second reading of Resolution #R-2015-010, EDC Project 2015-006, Cedar Creek Pizza Inc., d/b/a Dominos. (Note: EDC Ex Director has given Council this packet.) **(Mayor)**

[00:24:50](#)

Mayor Baade gave the second reading of Resolution #R-2015-010.

**ITEM # 3:** Discuss and/or take action to adopt Resolution #R-2015-010, EDC Project 2015-006, Cedar Creek Pizza Inc., d/b/a Dominos. **(Mayor)**

[00:27:22](#)

[Council Member - Rob Rea: Motion to adopt Resolution #R-2015-010, EDC Project 2015-006, Cedar Creek Pizza, Inc., d/b/a Dominos.](#)

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

Rankin said the Boots2Business grant stipulated that the building must be ADA compliant. As she had found out the property wasn't ADA compliant and she was concerned that they needed to go back and revisit that part of the agreement and that it be amended to be contingent upon the building being ADA compliant.

[Council Member - Linda Rankin: Motion to substitute the original motion to adopt Resolution #R-2015-010, EDC Project 2015-006, Cedar Creek Pizza Inc., d/b/a Dominos contingent upon the fact that it will be ADA compliant when completed.](#)

[Council Member - Rob Rea: 2nd](#)

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

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

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

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

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

**ITEM # 4:** Second reading of Resolution #R-2015-011, EDC Project 2015-008, 1<sup>st</sup> Call Restoration. **(Mayor)**

Mayor Baade gave the second reading of Resolution #R-2015-011.

**ITEM # 5:** Discuss and/or take action to adopt Resolution #R-2015-011, EDC Project 2015-008, 1<sup>st</sup> Call Restoration. **(Mayor)**

[00:32:53](#)

[Council Member - Rob Rea: Motion to adopt Resolution #R-2015-011, EDC Project 2015-008, 1<sup>st</sup> Call Restoration.](#)

[Council Member - Carol Calkins: 2nd](#)

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

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

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

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

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

**ITEM # 6:** Second reading of Resolution #R-2015-014, EDC Project 2015-003, Transcend Inc., d/b/a SPA Skateparks. **(Mayor)**

Mayor Baade gave the second reading of Resolution #R-2015-014.

**ITEM # 7:** Discuss and/or take action to adopt Resolution #R-2015-014, EDC Project 2015-003, Transcend Inc., d/b/a SPA Skateparks. **(Mayor)**

[00:34:41](#)

Council Member - Linda Rankin: Motion to postpone this item until they reviewed it again with the EDC Board.

Council Member - Carol Calkins: 2nd

Council Member - Rob Rea: Approve

Council Member - Ronald Wyrick: Approve

Mayor - Dennis Baade: N/A

Council Member - Carol Calkins: Approve

Council Member - Linda Rankin: Approve

**ITEM # 8:** First reading of Resolution #R-2015-012, EDC Project 2015-007, GBC Medical. **(Mayor)**

Mayor Baade gave the first reading of Resolution #R-2015-012.

**ITEM # 9:** Public hearing to discuss the EDC's budget for the 2015-2016 Fiscal Year. **(Mayor)**

00:42:36

Council Member - Carol Calkins: Motion to reschedule the public hearing, Item 9, and return the EDC budget, Item 10, to the EDC Board of Directors for their consideration and approval of these changes.

Council Member - Linda Rankin: 2nd

Council Member - Rob Rea: Abstain

Council Member - Ronald Wyrick: Approve

Council Member - Carol Calkins: Approve

Council Member - Linda Rankin: Approve

Mayor - Dennis Baade: N/A

**ITEM #10:** Discuss and/or take action to adopt Resolution #R-2015-015 approving the EDC's 2015-2016 Fiscal Year Budget. **(Mayor)**

**See the motion made under Item #9.**

**ITEM #11:** Discuss and/or take action to adopt Resolution #R-2015-016 adopting the revised 2015 GBCEDC Bylaws. **(Mayor)**

00:44:07

Council Member - Linda Rankin: Motion to accept the revisions to the EDC Bylaws.

Council Member - Rob Rea: 2nd

Council Member - Rob Rea: Approve

Council Member - Ronald Wyrick: Approve

Council Member - Carol Calkins: Approve

Council Member - Linda Rankin: Approve

Mayor - Dennis Baade: N/A

**ITEM #12:** Discuss and/or take action to award the bid for a Certified Public Accountant to perform annual audits on all City accounts for the next three fiscal years. **(City Manager / Calkins)**

00:44:53

Council Member - Carol Calkins: Motion to appoint Henry and Peters PC to a three year contract to provide audit services and to direct the City Manager to work with them to complete an engagement letter for Council approval.

Council Member - Linda Rankin: 2nd

Council Member - Rob Rea: Approve

Council Member - Ronald Wyrick: Approve

Council Member - Carol Calkins: Approve

Council Member - Linda Rankin: Approve

Mayor – Dennis Baade: N\A

**ITEM #13:** Report on July Fest expenses and revenues. **(Treasurer)**

00:48:11

Mickie Raney, Treasurer, reported on the July Fest expenses and revenues. In a prepared statement she said, 'Due to July Fest falling on the actual 4<sup>th</sup> of July this year, our concert ticket sales were down 40% (\$11,215). This also affected beverage sales being down \$1,224. However, by making it a more family oriented event with the Teenage Mutant Ninja Turtles, vendors, carnival, etc., our festival revenue increased 16% from 2014 bringing in \$53,621 compared to \$45,145 in 2014. We had a total of 20 vendors and 23 sponsors for July Fest 2015 bringing in an additional \$4,900 in revenues and \$18,850 in advertisements, supplies and services. We had an approved budget of \$80,000 and actually came in 3% under spending \$77,520. With total revenue and expenses, we actually spent \$23,899. We have always strived to make this an event that families could afford with the goal to bring back in half of the money we spend. We recaptured 70% of the amount budgeted for 2015. Even though our concert tickets sales were down, we estimate the attendance to be between 5500 and 6000 people for the entire event. Another successful year for July Fest! Thank you for continuing to support this event.'

Calkins pointed out that the local businesses received additional revenues of \$231,000 as a result of the festival.

**ITEM #14:** Discuss and/or take action to spend up to \$ 6,000 from the Festival Account for the October Fall Fest. **(City Manager)**

00:53:18

Council Member - Linda Rankin: Motion to spend up to \$6,000 from the Festival Account for the October Fall Fest to be renamed at some point in time.

Council Member - Ronald Wyrick: 2nd

Council Member - Rob Rea: Approve

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

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

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

[Mayor – Dennis Baade: N\A](#)

**ITEM # 15:** Discuss and/or take action to appoint a City Charter Review Commission member to replace Steven Schiff. **(Calkins)**

[01:01:14](#)

[Council Member - Carol Calkins: Motion to appoint Holland Whitten to the Charter Review Commission as my appointee as a replacement for Steven Schiff who resigned to serve on the EDC Board of Directors.](#)

[Council Member - Linda Rankin: 2nd](#)

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

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

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

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

[Mayor – Dennis Baade: N\A](#)

**ITEM #16:** Discuss and/or take action to give a directive to the Chairman of the Charter Commission to utilize the resources of the Texas Municipal League (TML) in evaluating compliance with state statutes, making comparative analyses between our current charter and other home rule cities, and/or leveraging the legal resources of TML. **(Calkins)**

[01:02:00](#)

[Council Member - Carol Calkins: Motion to direct the Charter Commission Chairman and her members to leverage the resources of the Texas Municipal League \(TML\) in evaluating compliance with state statutes, making comparative analyses between our home rule charter and other recently completed home rule city charter revisions using the legal resources of TML and/or utilizing their other resources in the work of the GBC Charter Commission.](#)

[Council Member - Linda Rankin: 2nd](#)

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

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

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

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

[Mayor – Dennis Baade: N\A](#)

**ITEM #17:** Status report on the TxDOT Municipal Contract. **(Calkins)**

[01:07:06](#)

Calkins said this was a status report on the TxDOT Municipal Maintenance Agreement. It had been determined that the Council needed to pass an ordinance to execute this agreement regardless of the fact that our Code of Ordinances states differently. The State of Texas requires an ordinance or a resolution from a home rule city. Since Gun Barrel City legislates by ordinance, then an ordinance will be proposed. It was agreed that we would complete the ordinance for the City Attorney's review and upon approval that ordinance would be placed on the September agenda.

**ITEM #21:** Convene into Executive Session pursuant to Texas Government Code:

1. 551.072 – Deliberations about Real Property – to discuss fire department substation options between GBCEDC and the City, and
2. 551.074 – Personnel Matters – to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of an employee.

01:08:13

Mayor Baade recessed the meeting at 7:38 p.m. to go into executive session. Item #2 under the Executive Session item would be removed from the agenda because it didn't follow the charter.

**ITEM #22:** Reconvene into Open Session to discuss and/or take action:

1. On fire department substation options between GBCEDC and the City, and
2. Regarding the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of an employee.

01:10:05

Mayor Baade reconvened the Open Session at 7:54 p.m.

Council Member - Rob Rea: Motion to direct the City Manager to direct the City Attorney to prepare a lease concerning the residence of the EDC within the Gun Barrel City Hall. This lease will constitute \$1,000 a month for a period of 12 months with a 60-day opt out by either party for any reason subsequently the motion will read that upon EDC Board approval, the EDC is requested to have their attorney draw up a lease for the property known as Brawner Hall for storage for the City in the amount of \$1,000 a month with a 60-day opt out by either party for any reason.

Council Member - Linda Rankin: 2nd

Council Member - Rob Rea: Approve

Council Member - Ronald Wyrick: Approve

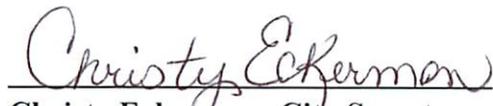
Council Member - Carol Calkins: Approve

Council Member - Linda Rankin: Approve

Mayor – Dennis Baade: N\A

The meeting adjourned at 7:59 p.m.

**Attest:**

  
Christy Eckerman, City Secretary

**Approved:**

  
Dennis Baade, Mayor