

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 Tuesday, September 2, 2014 at 4:30 p.m.

Mayor Braswell called the meeting to order and gave the invocation. The Pledge of Allegiance followed. Roll was called and a quorum was established.

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

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

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

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

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

[Mayor - Jim Braswell: Present](#)

Citizen Presentations: None

Mayor Braswell commented that he learned last Tuesday that it took more than just a pretty face to be a mayor. He didn't do too good of a job. To the citizens of Gun Barrel City, I want you to know it is nothing more than the intent of this Council and the EDC to do good works for our City and we're going to work as hard as we can as your elected officials and appointed boards to make that happen. There will be times when there are conflicts of personalities and we'll deal with that and move on. I want especially to also send out an apology to Paul and Marilyn Eaton that were brought into conversation that they shouldn't have been brought into and that was uncalled for and I publicly apologize to you for that.

ITEM # 1: Strategic planning workshop.

[00:03:00](#)

Boren commented that this was a workshop item and during this discussion the Mayor could ask anyone in the audience to speak on this item. The tax number had been set on a \$3,000 homestead exemption. Questions on exemptions were coming from the citizens. Most cities do a \$3,000 to \$5,000 homestead exemption. The Council needed to decide whether the number should go up. Right now we were planning on doing exemptions for homestead, disabled and over 65. Bevill asked about veterans which Boren said were usually in there too. He asked for guidance from the Council on setting these exemptions so he could run some numbers. Boren also asked the Council to set some Town Hall meetings so they could communicate effectively to the public what is this that we're proposing.

Webster and Goss said the homestead exemption through the County was \$15,000 off the appraised value. Boren said the City should follow the County's lead. Goss added that \$15,000 for the average citizen, yes. But for the seniors, anybody over 65, he personally would like them to have a \$25,000 exemption. So, anyone on a tight, fixed income and their meds were eating them up, have it at \$25,000 so if their little house or trailer if that was where their appraised value was at then it wouldn't cost them a dime. Boren asked is Goss was talking about a total combined exemption. Goss replied that as long as it

tallied up to \$25,000 credit for anybody over 65 he was good with it. Webster believed that at age 65 the taxes are frozen. They still appraise it but they freeze the amount of taxes that are paid.

According to the AG's opinion that was received, Boren said the tax rate would stay the same no matter what. The AG ruled that Gun Barrel City's tax rate must stay the same unless you go back to the voters and hold another election. Theoretically, everybody's tax rate will be frozen in this case.

Goss said even though your tax rate is frozen, when the appraisal district raises the value of the property, the dollar amount paid will go up. But when you reach 65, the taxable value of their property is frozen. That applies to their main structure not their boat houses, accessory structures or any extras that are on the property.

Webster asked if they were making this decision today. Boren said he just wanted to run the numbers and give accurate numbers to the Council. Whatever formula they create would be done by ordinance. Boren said they could look at what the school district was doing. The tax rate going to the voters was \$.2599 and it would stay at that rate until it went back to the voters. Boren said with the feedback from the Council today he would run some numbers with some probabilities. He should have some figures back by Friday's budget meeting. Goss suggested capping the highest amount that could be received as an exemption at \$25,000. Boren commented that 50% of home are under 100,000 and 50% are over \$100,000.

If the property tax passed, Boren asked if the EDC would get their portion of the money back so they could do some more creative work. Right now we take half of the EDC money and apply it to road construction. In his opinion, if the tax passes, there would be no need for the EDC money. If the voters vote to apply the tax toward the roads, then Boren believed they needed to allow the sunset provision run out and give those funds back to the EDC.

[00:12:59](#)

Mayor Braswell was asked the question that the City was given an additional 1% sales tax and if we did pass a property tax would that 1% have to be given back. Boren and Braswell had addressed this with a TML lawyer but he hadn't heard anything back about it. Boren said they (TML) said this was a voter approval to keep taxes low. If the City wanted to give this sales tax back, the sales tax would go to 7.25% but it would have to go to an election.

Webster said a sales tax was the most equitable tax you could do because everybody pays it whether you live here or you're an out-of-towner. Why would you reduce the sales tax? He said the majority of that money was being used for City services. Boren said he would leave the sales tax at 8.25% and take that \$300,000 and apply it back into operations.

The Mayor said he thought the question was do we have to return the 1% sales tax. It wasn't that we would want to. The answer was No. We need to assure the citizens that we talked about - the disabled, the veterans and the elderly - that are living on low incomes that the City isn't after money from them that will hurt them personally. The Town Hall meetings needed to get started as soon as possible. It wasn't that the Council was going to go out and sell this property tax they needed to explain it where everyone

could be comfortable with it. It was there decision. Boren said it was the City's job to inform the citizens. It was the citizens right to vote on how they want their community to grow.

The crime rate had increased 28% this summer. We were seven police officers behind the FBI standard. It would cost \$400,000 to build another fire station on the west side. Goss suggested they hold Town Hall meeting once a week up to the election. The Mayor suggested having a couple meetings a week in different parts of town. Webster said they also needed to meet with the POAs that were within the City. Citizens could also go to www.gunbarrelcitytaxinfo.com to ask questions and get answers.

00:20:02

Mayor Braswell asked each Council member if they had anything they would like to add for strategic planning within the next twelve months.

Goss said they needed to find out through consensus of the Council where they would like to go because they were landlocked on two sides. They could only go so far to the east. The moment we try to go past 175, Mabank and Eustace aren't going to like it. Do we want to set up for a commute zone? If so, we need to start tailoring everything we do toward that goal. If we want a light industrial zone, then start moving in that direction. Large tracks of land within our boundaries are limited. What is the consensus? Do we want to try for a splash park, a skate park, a marina for the City? What would generate revenue to offset when we have these down years with the lake levels? What can we do to subsidize revenues? What about purchasing the Bait Bucket or maybe just the boat ramp and bait shop only from the bank? Even if there was a house on every available lot in the City, we're going to have a maximum dollar amount that will come into the City for property taxes. Whatever projects we take on have to fit within that budget so we don't exceed it and make what we got the best we can make it. The Mayor said we need to work on making the city better with what we provide. We need to pass the Council's direction onto the EDC.

Boren said we needed to educate the public what the taxes are for. This would key a lot of strategic planning. The annexation plan would create a maximum occupancy load for the City and then we would know what boundaries we would be working in. What he was hearing was there was no use in annexing property because there was no taxable value to it. When you annex property you have to maintain the road and provide services to those residents that have been annexed. Right now we could barely provide services to our citizens.

Webster felt they still needed to talk about annexation. Assuming the property tax passed, we could go into annexation after that. He asked Boren how much we would be allowed to annex. Because we haven't annexed in several years, the first year we would be allowed to annex 30% of the City's mass. Each following year, we would be allowed to annex 10% of the City's mass. The law states that you have to have a five-year annexation plan and you post the plan. If you say that in 2016, you're going to annex 'X' and you decide not to annex 'X' then you can't try to annex 'X' again for five years. It was critical that we have an annexation plan and that we stick to it. Webster said the problem with not annexation is you can't control the building process in the extraterritorial jurisdiction (ETJ). With annexation you can control building, zoning, platting, etc. Webster felt an annexation plan should be part of the strategic planning.

00:27:14

Baade said they were talking about doing streets and he thought they should seriously consider doing sidewalks down some of the major feeder streets to 334 for the disabled who are in wheelchairs. Boren said any streets that are constructed in the future have to comply with the thoroughfare plan which requires sidewalks. The initial thought was to widen Harbor Point Road to the school, Legendary Lane to the new fire station so there could be a turn lane, N. Luther Lane was already tied in, S. Luther Lane by the two churches and Welch Lane's traffic count needed to be studied.

Baade said in the past they had talked about a gas line. He didn't know how they would accomplish that but it would be a mistake to overlook it. Boren said the businesses would support a gas line but he wasn't sure residents would. Mr. Damiano, EDC Board member, had mentioned it several times to Boren that in order to bring in an industrial base we needed a gas line. Baade said perhaps the EDC could partner with the City on the gas line.

00:30:06

Goss said he didn't understand what the Mayor was asking for previously. His top three priorities that he would like to see discussed as strategic planning would be: One, the park boat ramp for the City. If we're going to stay as recreational, to capitalize on what we are, then he would like to see the City discuss the Bait Bucket area so we would have our own boat ramp and our own park area on the water in case the City wanted to promote bass tournaments. Two, if we're going to do an annexation plan, he felt they needed to have two versions – one if the property tax passes and a second if the property taxes does not. Three, if an industrial area is feasible and it fits within our budget and we can afford it, then pursue it. If not, then we'll know the numbers and we'll know if we need to back out.

00:31:30

The Mayor said we went back and looked at some of the things that were discussed as strategic planning in 2013. Some of those things were being discussed tonight. He asked if any more stuff had been added to the park since 2013. Boren said the second ball field now had lights. They were running more adult softball leagues. The soccer field was being used and there was an adult soccer league that played there on Sundays.

Mayor Braswell asked if they could look at a skate park. Boren said it was in the master plan to put in a skate park. The last time this was discussed they were looking at using the concrete pad behind the fire station and putting some ramps up. It was all about funding. Braswell was told that after the EDC looked into an aquatic park that financially it would be way off. Ronnie Johnson, when he was on the Council, looked at White Oak's splash pad that cost about \$150,000. We could follow their concept. Braswell asked about a joint dispatch center. Boren had talked to Tool to see if they would be willing to bring in a joint dispatch service. He hadn't gotten any good feedback from Seven Points. Boren said if they could do a local government corporation, it would be more cost effective. He talked Cedar Creek Humane Society to see if they would be willing to form a corporation to handle animal control. The same jobs are done in each city. Why can't we incorporate the jobs and bring them together? Tool was interested. Bevill couldn't believe that Tool would be willing to give up their equipment and employees. Boren said the way it would work was they would hire a corporation to provide dispatch service to us.

An executive board would be an elected official appointee that way you're controlling the tax dollars. The operating board would be made up of the chiefs. The employees wouldn't work for the cities; they would work for the corporation. Bevill and Webster thought it was a bad idea. Bevill could see major logistical problems and issues with enforcing the different cities ordinances. This was being considered for animal control, dispatch and the court.

There was a lot on the plate with road construction, fire station construction, an annexation plan, sidewalks, a gas line and recreational uses, buy Bait Bucket and have a city public boat ramp.

Town Hall meetings would be held every Thursday at 6:30 p.m. in City Hall until Election Day. Boren suggested having meetings on a couple of Saturdays at 11:00 a.m. The Mayor and City Manager would be happy to visit with any POA to answer any questions that they might have. Town Hall meetings would be scheduled on September 11, 18 & 25th at 6:30 p.m.

Public funds could not be used to campaign for the property tax. Boren recommended that City staff present the facts. As long as elected officials didn't use their City email, City business cards or City equipment they could campaign; it was their right.

ITEM # 2: Discuss and/or take action for the City Council to veto any line item of the EDC budget after presented by the EDC. (**Webster**)

00:48:35

Council Member - Curtis Webster: Motion to table this item until the new Board is seated.

Council Member - Dennis Baade: 2nd

Council Member - Rodney Bevill: Approve

Council Member - Ronald Wyrick: Disapprove

Council Member - Dennis Baade: Approve

Council Member - Curtis Webster: Approve

Council Member - Marty Goss: Approve

Mayor - Jim Braswell: N\A

ITEM # 3: Discuss and/or take action to approve a feasibility study for two sites - Site A at \$17,500 and Site B at \$6,000. (**Mayor / EDC**)

00:49:26

Boren thought it was important that the Council give direction to the EDC on how to prepare the performance agreements so they can get them to the Council and get them done. The action would be to proceed forward. It was unfair for the EDC to prepare a feasibility study for Site B and you're not comfortable with the price. Let's get it out in the open right now.

00:50:09

Webster said the Council had never seen the feasibility study. On the two sites, the \$17,500, did we spend all that money on Site A? Yes.

Orasi said initially what had been accomplished was they brought six sites to the EDC Board for consideration for study to be narrowed down to two sites. Those final two sites would then have an extensive, would have the engineers take a look at it for the water and sewer and infrastructure issues, costs, what not. At that time, in the April EDC meeting, the Board decided to focus on one study with the possibility of looking at a second one at a later date. We brought back the study on the one site as well as the engineering on it and the Board decided at that time that after we'd studied site one they wanted to proceed with further extensive study on infrastructure as far as relating to a MUD or some kind of self-serving water district for that site. We said if we do that it's going to be extra time so do you want this to be the main focus of the study and drop site two and that was the determination of the Board. So we then proceeded with

Webster said the contract was for two sites. Did you amend your contract? Orasi, well as a directive from the Board, at that time, they told us to go forward with this. So, we moved forward with the new directive from the Board.

Webster, so this other site which is Site B is approved you don't need your contract changed? Orasi, No, we've already got the bid into the EDC or the quote into the EDC and they just sign off on it and we begin with that second site study.

Webster, but it wouldn't be under contract? You already have a contract for two sites but you spent it all on one site, correct? Orasi, we spent it all on one site because that's what the EDC directed us to do was a further extensive study on the infrastructure issues with one site.

Webster, I guess what I don't understand is if you had a contract for two sites, you took a directive from the EDC to do just one site even though you're contract said to do two? Orasi, well, because we had discussed with the EDC Board about, well, do you want two sites or would you rather us do a more extensive study on the infrastructure and the Board came back to us, unanimously, and said do they extended infrastructure examination instead of a second site. So, that's what we did.

Webster, do you normally do this work before the land is even under contract? Orasi, we do a lot of studies, yes, before the land is under contract. Webster and then what happens if you can't get the land under contract? Orasi, well, I guess you can go to a second site and have a Plan B or it depends on the situation. Webster, but you would have spent \$17,500 on that site without having a feasibility period and a contract which you could have gotten out of if you didn't do the site. Orasi, you could, if they're willing to do that without going hard on any additional money. A lot of times people want a hard cash deposit. Webster, a lot of times they want to sell the land and it's normal to ask for a feasibility period. Orasi, sure and we've been in constant contact with the broker on the property and understood the situation to it and they haven't really had any bites of late and there was nothing pending. If that was the case, then we would have brought that to the Board's attention. Webster, and then it would have been too late if it was already pending. Orasi, well yes but that's why we keep in contact with the broker on the issue. Webster, so will this site be under contract? Orasi, it will be an extension yes if you approve it. Webster and it would be under contract for the site? Orasi, it would be a study, what we've proposed to

the EDC Board is a study of Site B which is on 175 kind of on the southern end, it's in the agreement. There's a study on a designated Site B and that would be the site that would be studied.

Council Member - Ronald Wyrick: Motion to approve a feasibility study for two sites – Site A at \$17,500 and Site B at \$6,000.

Council Member - Dennis Baade: 2nd

Council Member - Rodney Bevill: Disapprove

Council Member - Ronald Wyrick: Approve

Council Member - Dennis Baade: Approve

Council Member - Curtis Webster: Disapprove

Council Member - Marty Goss: Abstain

Mayor - Jim Braswell: N\A

Mayor Braswell voted yes to break the tie. Motion was approved.

ITEM #4: Discuss the EDC 2014-2015 Fiscal Year Budget. **(Council / EDC)**

00:57:32

Webster asked if there was a certain time this budget needed to be approved by EDC law. No. Webster suggested they table this until the new Board is seated so the new Board can be made acquainted with all of these items and then bring it back to the Council.

Rankin said there was a State law that a taxing entity has to have their budget in by October 1. Mayor Braswell asked Councilman Webster, as EDC liaison, if it was possible to call a special meeting of the EDC to go over the budget. Sure.

Council Member - Curtis Webster: Motion to delay the EDC budget and he would meet with the EDC and go over it line item by line item and then he would bring it back to the Council.

Council Member - Dennis Baade: 2nd

Council Member - Rodney Bevill: Approve

Council Member - Ronald Wyrick: Approve

Council Member - Dennis Baade: Approve

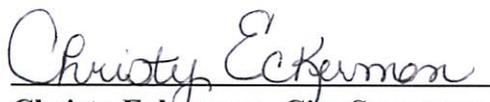
Council Member - Curtis Webster: Approve

Council Member - Marty Goss: Approve

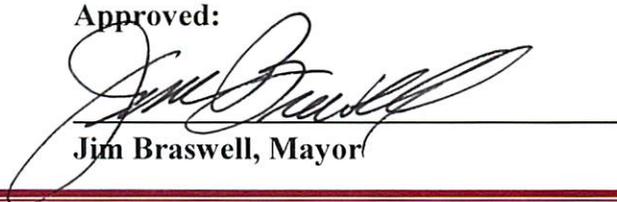
Mayor - Jim Braswell: N\A

The meeting adjourned at 5:29 pm.

Attest:


Christy Eckerman, City Secretary

Approved:


Jim Braswell, Mayor