

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 special meeting, in City Hall, located at 1716 West Main Street, Gun Barrel City, Texas, on Monday, November 18, 2013 at 6:30 p.m.

Mayor Eaton called the meeting to order at 6:30 p.m. The City Manager, Gerry Boren, gave the invocation. The Pledge of Allegiance followed. Roll was called and a quorum established.

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

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

[Mayor - Paul Eaton: Absent](#)

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

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

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

Citizen Presentations:

[00:02:15](#)

Thomas Terrell, a former US Marine, had applied for the Boots to Business program to get a grant to expand his landscaping business in the City of Gun Barrel City. This was not about creating a job for him but the opportunity to provide jobs for other veterans in the area. It had been a lot of hard work but a privilege to work with the EDC who had supported him. He also thanked Michael Ellsberry with the Small Business Development Center in Athens who helped him with the business plan.

Kevin Chapman, founder of the Chapman House, gave a brief overview about the Chapman House which had been in operation for about two years. They counseled people with drug and alcohol abuse problems. He also spoke in support of Tom Terrell and his effort in turning his life around. Mr. Terrell was also going to be heading up the Chapman House veterans home project. They were about 60% done with the project.

Connie Holubar thanked the Council for doing what no other town in America had done before. The Council approved allocating up to \$50,000 from the EDC's budget to fund a new grant program called Boots to Business. This program generated positive publicity about the City. Mr. Terrell was the only candidate who had the full support of the Boots to Business Committee. He also had the unanimous support of the EDC Board. At this time, Holubar thought he was the perfect candidate for this grant. Tom had been through a lot and he had been up-front about his

struggles. He had shown incredible character and perseverance. The people who had hired Tom had nothing but great things to say about him, his skills and work ethic. She encouraged the Council to approve this grant request for Mr. Terrell.

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 **October 18, October 22, and November 12, 2013 Council meetings** and the following **October reports**:

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

Webster asked that the EDC minutes and financials be removed and discussed separately.

[Council Member - Curtis Webster: Motion to approve the remainder of the Consent Agenda.](#)

[Council Member – Marty Goss:2nd](#)

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

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

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

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

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

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

[00:14:40](#)

Webster said he noticed that once the minutes were typed up by Rita and then they were sent to Linda Rankin and Pat Cassidy that there were changes being made that were not on the recording, substantial changes. An example was changes to the October 15 EDC minutes. Number 13, discuss and take action to review or renew consulting agreement for Orasi Development. In the minutes which were typed off the tape recorder, it was changed that Thompson said he worked 20 hours per month and it was changed to 20 hours per week. That was a substantial change. Another change that occurred was on the signage at Heritage Cove. Still on Item #13 talking with Jack of Orasi that it was pointed out that it was put in and ‘just didn’t sign a new agreement’ was struck out and there was no new contract in 2012-2013.

The reason Webster brought this up was that the Council meetings were recorded, videoed and uploaded to the City's website. When he was on the EDC, Rita typed the minutes and the minutes were approved based on the recording. What was worrying him was if there were things that were being changed from the basic recording minutes, there could be a legal problem in the future. He liked to see what was discussed, who said what, when and where when he read the minutes. He wanted to caution the EDC that when those minutes are done off the tape recording regardless whether the minutes needed a comma they should be left the same.

Rankin said in reading the minutes, we frequently find where someone is speaking and perhaps they haven't made it clear in the sentence. If the minutes are verbatim, it doesn't have the clarity. All of them in the room know what they mean or what they were trying to say but if you say it verbatim as it is on the tape then you've lost the clarity. So they (Rankin and Cassady) went back and made sure it was clear what was really meant in that sentence. Sometimes they find that there were words left out or misspelled or the interpretation was incorrect. Rankin said they were trying to make the minutes read more clearly. They weren't trying to make adjustments

Rankin said they had actually contacted their attorney the reason being that sometime the minutes were seven pages. We don't have to have them verbatim. We were just trying to simplify and clarify. Webster said if the Board approves those minutes and there's changes to those minutes it should be brought up at the time the minutes are approved. Rankin said they made those changes prior to the packet going out and the approval of the minutes.

Webster didn't agree with two people interpreting the minutes and adding changes to those minutes that you don't tell the Board what changes you're making and get the Board approval for each specific change. He saw in the minutes that it was even talked about doing away with the minutes and just have the recording. He believed that was noted by the EDC's secretary. Rankin commented, 'Oh, no. We have some complications there.' Webster found a memo stating, 'By law, open meetings, all that is required in the minutes are action items and actions taken. For some reason, here of late, the minutes have gotten much longer than they used to be maybe because there is more conversation now. An alternative may be to just move to keep a recording of the meeting and not having written minutes that way points taken are not an interpretation and not taken out of context which is why sometimes clarification needs to be made.' Rankin said, 'There were some issues that should not be made public.' Webster stated, 'Well, this is a public meeting and that is why I'm bringing them up.'

[00:23:32](#)

Goss commended the EDC Board for the things that they were trying to get done and their focus on the three priorities discussed at the November 12 joint workshop. He wanted to put items on the next EDC agenda regarding item numbers two and three from that workshop. Number 2 was the closing of the cinema and talking to vendors about how much it would take to put in signage for Heritage Cove. He especially wanted that on the EDC's next agenda because he wanted to see Connie Holubar used a lot more on that one to address the different ways that would best benefit Heritage Cove. Rankin said they were going to have a workshop on this and work on this as a team. The other item, Number 3 that he wanted on an EDC agenda, was educating the area workforce. He didn't understand where they were going with this. He wanted to see the EDC concentrate on certain land to look at and be prepared to talk about and deal with those things, good or bad, some of the land in Heritage Cove and some of the land in the 92 acres. He wanted to have a more in depth discussion with the EDC Board because in reading the EDC minutes of October 9, 2013 it stated that Rankin was not in the mood to buy land at this time which Goss figured it meant the Board wasn't ready.

Rankin said they were very careful about their budget and they knew they had some very big projects to work on this year so for them to jump on something without some good forethought was not considered at the time. Goss asked for her help to work with the EDC not against them.

[Council Member - Curtis Webster: Motion to approve the EDC minutes and financials.](#)

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

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

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

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

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

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

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

ITEM # 2: Canvass the votes for Referendum 1 allowing the legal sale of mixed beverages in restaurants by food and beverage certificate holders only. **(City Secretary)**

The City Secretary said 279 votes were cast for and 111 votes against the Referendum.

ITEM # 3: Discuss and/or take action to adopt Ordinance #O-2013-020 accepting the canvassing of returns and declaring the results of Referendum 1. **(Mayor)**

[Council Member - Curtis Webster: Motion to adopt Ordinance #O-2013-020 accepting the canvassing of returns and declaring the results of Referendum 1.](#)

[Council Member - Rodney Bevill: 2nd](#)

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

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

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

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

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

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

ITEM # 4: Discuss and/or take action to cancel the December 24th Council meeting but call a special meeting for Monday, December 2 at 6:30 p.m. to hear a Planning and Zoning case. **(City Manager)**

[00:31:02](#)

[Council Member - Curtis Webster: Motion to cancel the December 24th Council meeting but call a special meeting for Monday, December 2 at 6:30 p.m. to hear a Planning and Zoning case.](#)

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

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

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

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

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

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

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

ITEM # 5: Discuss and/or take action to approve a contract with Gary R. Traylor & Associates, Inc. for Management Services in conjunction with a 2013 Texas Community Development Block Grant Program for Street Improvements. **(City Manager)**

[00:31:57](#)

[Council Member - Curtis Webster: Motion to approve a contract with Gary R. Traylor & Associates, Inc. for Management Services in conjunction with a 2013 Texas Community Development Block Grant Program for Street Improvements.](#)

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

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

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

[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 approve a contract with Mundo and Associates, Inc. for Engineering Services in conjunction with a 2013 Texas Community Development Block Grant Program for Street Improvements. **(City Manager)**

00:40:31

Council Member - Marty Goss: Motion to approve a contract with Mundo and Associates, Inc. for Engineering Services in conjunction with a 2013 Texas Community Development Block Grant Program for Street Improvements.

Council Member - Rodney Bevill: 2nd

Council Member - Rodney Bevill: Approve

Council Member - Melvyn Hayes: Absent

Mayor - Paul Eaton: N\A

Council Member - Dennis Baade: Approve

Council Member - Curtis Webster: Approve

Council Member - Marty Goss: Approve

ITEM # 7: Discuss and/or take action to appoint a Council liaison for the Christmas parade. **(City Manager)**

Council Member - Curtis Webster: Motion to appoint Rodney Bevill as the Council liaison for the Christmas parade.

Council Member - Marty Goss: 2nd

Council Member - Rodney Bevill: Abstain

Council Member - Melvyn Hayes: Absent

Mayor - Paul Eaton: N\A

Council Member - Dennis Baade: Approve

Council Member - Curtis Webster: Approve

Council Member - Marty Goss: Approve

ITEM # 8: Reading of Resolution #R-2013-009, EDC Project B2B-2013-001, Boots to Business Grant, Marine Landscaping. **(Mayor)**

Mayor Pro-tem Baade read Resolution #R-2013-009.

ITEM # 9: Discuss and/or take action to adopt Resolution #R-2013-009, approving EDC Project B2B-2013-001, Boots to Business Grant, Marine Landscaping. **(Mayor / EDC)**

00:46:36

The grant recipient is required to report back to the Committee on a quarterly basis for a year.

He has met all the requirements and is asking for \$8,775 which will create a job for one other employee besides himself.

[Council Member - Marty Goss: Motion to adopt Resolution #R-2013-009, approving EDC Project B2B-2013-001, Boots to Business Grant, Marine Landscaping.](#)

[Council Member - Curtis Webster: 2nd](#)

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

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

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

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

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

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

ITEM #10: Discuss and/or take action to approve the \$10,000 concession from the EDC to Mike Sugrue (SilverLeaf) for compensation on the fire lane and water retention. **(Webster)**

[00:51:14](#)

Webster commented that Sugrue had done a fantastic project on land owned by the EDC. Outside the 380 agreement, he was required to do a fire lane and had spent additional money out of his pocket to add the fire lane on EDC property by doing concrete paving rather than asphalt paving. He was asking for a reimbursement of \$10,000 to off-set the total cost of \$44,000.

Linda Rankin commented that under the 380 agreement Sugrue was given an easement, infrastructure, roads, fire lane and water retention. Goss asked if the City did everything we were supposed to under the 380 agreement. Rankin stated she didn't think we wanted to go there. Goss asked why not. He never got an answer. All conditions of the 380 agreement were complied with by the City, the EDC and Mike Sugrue.

Goss said if all conditions were met under the agreement then why were we giving him back \$10,000. Rankin said it was her understanding after several discussions with the EDC, with Gerry and with other Council members that everyone felt it was the right thing to do. Sugrue essentially built the fire lane which was all on city property. In addition, Sugrue had to install a lift station; he enclosed the property with a fence and put in a security system.

The City would have encumbered a 2/3 cost for building Luther Lane. The City asked for covered parking, dumpster screening and stone on the mail box building. He went above and beyond. He paid for 1/3 of the extension of Luther Lane.

[Council Member - Curtis Webster: Motion to approve the \\$10,000 concession from the EDC to Mike Sugrue \(SilverLeaf\) for compensation on the fire lane and water retention.](#)

[Council Member - Rodney Bevill: 2nd](#)

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

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

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

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

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

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

ITEM #11: Report on the fall festivals and an update on park grant. **(Howell)**

[00:59:34](#)

Mike Howell reported the fall festival was budgeted at \$10,000 but they actually only spent \$6,933. There were 12 art & crafts booths, one food vendor and six sign sponsors. He believed there were 500 – 700 people in attendance. There were nine fire departments that participated in the brisket cook-off. Each department got \$296.55 which probably covered their food expenses. Howell thanked the GBC Fire Department for all their work on the brisket cook-off, the Cossacks Motorcycle Club for taking care of the poker run and the Street Department for building the track and keeping everything running smoothly. He thanked the Victims relief Ministries who fed all the employees who worked the event. Kemp won the cook off by one vote. He asked the Council consider making this an annual event.

The City was about 99% complete on the park grant. Howell would call for an end of the year inspection. By the end of January 2014, it should be completed with the 10% (approximately \$25,000) remaining on the grant being paid to the City.

ITEM #12: Discuss and/or take action to authorize spending up to \$10,000 from the Hotel Motel Fund for a Spring festival. **(City Manager)**

[01:05:42](#)

This festival would be a fund raiser for our canine friends with the proceeds going to build the first dog park in the Cedar Creek Lake area. Some local wineries would be asked to participate as vendors. Boren had talked to Colton at Coffee Love to be the emcee at the event.

[Council Member - Curtis Webster: Motion to authorize spending up to \\$10,000 from the Hotel Motel Fund for a Spring festival.](#)

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

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

Council Member - Melvyn Hayes: Absent
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 authorize the City Manager to spend up to \$60,000 plus a 10% contingency from the Hotel Motel Fund for a two-day July Fest event to be held July 4 & 5 including a contract with Brad Weis of B-Weis Entertainment Group, LLC to produce and promote the July 5th concert. **(City Manager)**

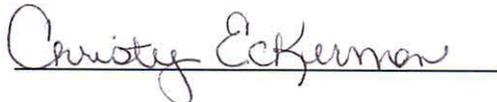
01:08:13

Council Member - Curtis Webster: Motion to authorize the City Manager to spend up to \$60,000 plus a 10% contingency from the Hotel Motel Fund for a two-day July Fest event to be held July 4 & 5 including a contract with Brad Weis of B-Weis Entertainment Group, LLC to produce and promote the July 5th concert.

Council Member - Marty Goss: 2nd
Council Member - Rodney Bevill: Approve
Council Member - Melvyn Hayes: Absent
Mayor - Paul Eaton: N/A
Council Member - Dennis Baade: Approve
Council Member - Curtis Webster: Approve
Council Member - Marty Goss: Approve

The meeting adjourned at 7:42 p.m.

Attest:



Christy Eckerman, City Secretary

Approved:



Paul Eaton, Mayor