

Minutes of Regular Board Meeting
of the
Gun Barrel City Economic Development Corporation

The Gun Barrel City Economic Development Corporation met in a Regular Board meeting in the Gun Barrel City Council Chamber located at 1716 West Main Street, Gun Barrel City, Texas, 75156 on Tuesday, March 17, 2015 at 5:00 p.m. Skains called the meeting to order at 5:00 p.m. with the following directors present: Osborne, Lyons, Damiano and Butler. A quorum was established. Patsy Black and Rob Rea were absent.

Citizens Comments: My name is Joseph Dunn and I live on Legendary Lane in Gun Barrel City. Mayor Braswell stopped at my house one day and introduced himself and asked if I thought a skate park in Gun Barrel City would be something the youth of Gun Barrel City would like to see happen. I'm sure he knew what my reaction would be since he's watched me skate board in my drive way since we moved to Gun Barrel City. This all took place about a year ago and I never heard much more from Mayor Braswell until he stopped by my house a couple of weeks ago and informed me that the idea of a skate park was still there. He asked me if I would contact three more of my skate board friends and the four of us serve as the youth advisory board in the planning of a skate park. I told him right then and there that I already knew who to ask and within an hour I had the youth advisory board in place for the potential planning of a skate park. I would like to introduce to you the youth advisory board that is present here tonight if the youth advisory would please stand. We have T.J. Kelly, Derrick Craburg and Jeremy Franklin. In closing I want to thank the Mayor, this board and the City Council and City staff for working together to hopefully to bring this project to the kids of Gun Barrel City. Our board of experienced skate boarder will work diligently with all those concerned to help make this dream of a skate park really happen. Thank you for allowing me to speak to you this afternoon.

Item #1. Discuss and/or take action to approve the EDC minutes of February 12 and February 17, 2015.

There was no discussion. Skains called for a motion.

Damiano made a motion to approve the minutes of February 12, 2015 and February 17, 2015 meetings. Osborne seconded. All directors voted 'aye'. Motion carried.

Item #2. Discuss and/or take action on approving February Financials.

Damiano had reviewed the financials and reported all payments were in order and up to date. Sales tax was up significantly over last month (5.92%).

Skains made a motion to approve the February Financials. Osborne seconded. All directors voted 'aye'. Motion carried.

Item #3. Discuss and/or take action to proceed forward with a Gun Barrel City Skate Park.

Yann and his brother own SPA Skate Parks of Austin. Yann made a presentation detailing the history and current trends of skate parks. His company designs and constructs skate parks in the state of Texas. To date they have built twenty-seven or twenty-eight skate parks. Their staff is comprised of registered landscape architects, engineering experts, graphic designers and construction professionals who are passionate active skateboarders that tie in with strong community input and sensitivity to the surrounding context. Skate parks become a destination for local youth and public spaces for all to enjoy. Insurance coverage for skate parks/skate boarding was covered under Chapter 75 of the Texas state code and was part of the general liability policies. If the skate park was approved their company could have it up and running by the end of the year. They work under the design build contract agreement and RFQ process.

Skains: I've had that discussion with the City Manager and reported that the City Manager was not worried about it.

This was the first presentation for a skate park. Another firm would be making a presentation in the future.

Skains asked that the concept of a skate park be made into a project.

Damiano made a motion that we declare the skate park a project, allocate \$200,000 as a potential budget, form a team working with one EDC member and the young men that are here tonight, to design, look into the feasibility and look into the details of it, everything associated with putting the skate park together.

Mayor Braswell asked that the City Planner be included in the team.

Skains: Can we amend the motion to include the City Planner and the advisory committee could bring in whomever they need as well, from time to time.

Damiano: The only thing I would add is to put a task force together consisting of one EDC member, young men in the back of the room (youth advisory board), the City Planner or at least a representative to work it.

Osborne seconded. All directors voted 'aye'. Motion carried.

Item #4 was moved to Executive Session:

Item #4. Discuss and/or take action on the recommendations and extend the contract with Stan Fernald/Johnson Monroe on EDC properties.

Item #5. Discuss and/or take action to approve \$2,500 for Advertising and Signage for Farmers Market. /Councilman Marty Goss

Skains: I have been asked by several people what happened to the Farmers Market that we had on the agenda earlier this month. It was voted down by Councilman Wyrick and Councilman Goss. The City Council voted not to change the one Ordinance that required changing in order for the Farmers Market that the EDC and business owner Brian Cruz along with our attorney, real estate broker had been working on for months. That's what happen to the original Farmers Market so what we will be discussing tonight is another concept of a farmers market and Councilman Goss is here to give us that presentation.

Goss: Thank you for the opportunity to address the EDC board. The reason one council member is leaving is because we have a quorum and as long as one of us is up here talking or answering questions there can only be two in the room. Even though it did not pass, the farmers market in its previous location, the council still does feels like it is a good project and we're moving forward and that's what we are wishing to do. We are looking at moving it to the pavilion and a lot of people have asked why it didn't work before. It's not a question of whether it worked before, all we did was pass the Ordinances and designate that spot as where one would be. It was never pursued; it was never assigned an individual to take it, run with it, and go get the farmers. All we did was the paperwork to make it an available source if someone wanted to have one. We still feel like that is the best place to be. All the Ordinances are done, it could start tomorrow. We are not looking at charging anybody anything, if the farmers want to show up and do it; it's free. It will be covered under the City's insurance. We'll have one of the city employees oversee it to make sure what your board brought before is what is actual being sold there to make sure a farmers market doesn't turn into a flea market. We are asking for \$2,500 hundred dollars that's for signage and advertising to promote it. Councilman Wyrick will be the lead person on it and the Mayor has voiced his opinion on it that he would help in any way possible to make it a successful farmers market and assisting Councilman Wyrick. Any questions I can answer for you?

Skains: Has this been made a project by the council?

Goss: Not yet. We're coming to you to ask for this and it's on the next city's agenda to address it also.

Damiano: I'm kind of in the dark, Marty.

Goss: On which part?

Damiano: Most of it. There was nothing put in our package to reference; in other words meaning the hours of operation, the days of operations, the management of it; such things as that. Can you explain this?

Goss: Yes. It's going to be one day a week on Saturday, 7 in the morning till noon; one day a week at the pavilion, spaces will be free. The street manager has already designated spots, drew it up when we did it before so the entire pavilion has already been drawn out in squares, numbered, all that works already been done. We're going to be following the guidelines that y'all recommended to what will be sold and what will not be sold.

Skains: Is there going to be somebody on site to enforce this?

Goss: Yes the city employee that we have, if the council approves it will be there to oversee it.

Skains: Do y'all have the money in the budget for that, you think; for a city employee to be there to manage it.

Goss: Yes.

Damiano: You said one other thing. You said one day a week, you said Saturday. Is that correct?

Goss: Yes.

Damiano: Would we not miss the weekenders not coming in on Friday by just doing Saturdays.

Goss: Most people that work for a living doesn't get here until the evening or late hours so it's not going to be open that late at night anyway. They are here Saturdays. They are going home on Sundays with their recovering Sunday morning. So most farmers market, that's the prime day for it; one day a week for the farmers to come up and do it.

Damiano: One of the other things on the previous version of the farmers market, I believe if I remember correctly they had fifteen booths sold, I mean committed to. Meaning those farmers, those vendors would be there every weekend, two days a week. If the booths are free how do you guarantee a continuity of vendors as well as a supply of vendors? If they have no skin in the game if they decide not to show up one Saturday morning, so what. Would that live up to the expectations of people going to the farmers market?

Goss: Well the first part of your comment, we never seen where you had fifteen people committed to that project. All we heard was that you wanted to have fifteen units built to accommodate up to fifteen. Over there we are not building anything. All we do is either, tape off, rope off, number squares; that's it. They will back up their trucks up to the pavilion, sell it out of the back of their trucks, something along that line; keep it simple, keep it friendly and the city employee will make sure it's not turned into a flea market. If they do they will be asked to leave.

Damiano: My concern is if you are going to have it, you have to be able to guarantee a shopping experience for the people coming. Because we have always viewed this as a destination thing to get people to come to Gun Barrel, do additional shopping here, go out to eat, whatever. That's one of my concerns. The other concern I have is the location. You lose your impulse buyers. People driving down this street see it and say 'let's stop in'. You don't get that at the pavilion. I don't know what the percentage of impulse buyers are for a farmers market, but it's got to be decent.

Goss: Well looking at the project you presented there was no guarantee that the vendors would show up for that one either. We would hope they would if they paid their \$200 a month, you would hope they would show up but if they don't and they didn't pay their 200 hundred dollars you might end up with one or two vendors. There is never a guarantee that someone is going to show up. The fact that it's free allows the average farmer or the elderly gentleman that has a yard garden that has a lot of extra produce, it allows that person to come up there and sell it. He may only be up there one time a month, once every other month. It's not mandatory. It's providing something for seniors or anybody that has an oversize garden that wants to do this, can show up and be assigned a spot and sell their vegetables without it costing them 200 hundred dollars a month. A lot of what I heard and I can't speak for the other councilman was the local farmers were not going to pay 200 hundred dollars from what I got. Now that's just me,

that's not anybody else. I did not hear that, but the fact that we can do it for free and allow them to subsidize their income if that is what they are doing it for, I don't have a problem with it. The citizens can find it on the 4th of July and they can find it at Christmas. If it's advertised and the signage is there, I truly believe that the people that want to buy fresh vegetables will go there and get them. Is it going to change somebody's income status, no it's not, but that's not what it was ever designed for when it was put into place years ago. It was to allow the residents of Gun Barrel to come up there, sell their extra vegetables, make a little extra money and go home. If someone wants to come along and open a business, selling plants and truck loads of vegetables then let them purchase a building and do it because that's what all the other businesses do. All we are doing is supplying a location for the average citizen here and seniors to go sell excess vegetables they may have grown in their garden. That's all we are doing.

Skains: I agree that the farmers market is a good thing in town. I do have the reservation at it being at the pavilion but I am not going to be one that is going to stand in the way of a twenty five hundred dollar investment to at least attempt to have a positive impact to the community. I do have a problem with the folks can find it on the 4th of July. You are spending about two thousand dollars a person to get four thousand people if that is the number that go out to the 4th of July. You are spending about two thousand dollars a person to get those people back to the pavilion and an eighty thousand dollar budget. But for twenty-five hundred dollars, if you think the signs will direct the people back there and the city council wants to make this a project and we receive the necessary information that is required for the EDC to move forward to present something to council which is a completed package. If the city council wants to present that to us, then we certainly will bring it back up as soon as we get that information. I think that's what we would move forward doing. Would anybody like to make a motion?

Osborne: I would like to say something. You all know that I work on the Façade Improvement Program. We've successfully completed two of those. In the last ten days I've made a lot of stops talking to people to sell the program. In my speech to these people one of the questions I asked them was do you know where the Gun Barrel City pavilion is. I'm going to say I've talked to about seven businesses in the last ten days. Three people directed me to the Mabank pavilion, two people knew where it was and the others one didn't know we had a pavilion. An old real estate slogan that I just loved is 'you can pay too little for a bad piece of property and you can pay too much for a good piece of property'. And to me and my idea is this is the best piece of property for us to put that on and the way it was spoken about and our chance of someone comes and buys it tomorrow we are out of it.

Damiano: I guess part of my, comment if I might, Marty you're a realtor. If someone come to you and wanted a good retail space and I consider the farmers market to be retail operation and you had a choice of something on the main street or something where the pavilion is, which one would you direct them too?

Goss: Speaking as a realtor and I've been doing it for 20+ years-.

Damiano: I'm not criticizing how long you've been doing it.

Goss: Oh no, no, I'm just answering your question. I did not personally want to see it go on that corner, because I thought it would hurt the business of retail and the operating businesses and it would look trashy like a flea market in all honesty. That's one of the reasons as an individual I didn't want it. That was my own opinion. The people I talk to about it, other businesses and others had the same opinion I did that they didn't like the appearance that it would give the city if it was there. If I was directing a retail person, I sold two commercial buildings last month and was one of them I asked and he kind of had that same impression. He bought two office buildings. This was a man that spent over four hundred thousand dollars on these two buildings. If I was going to have a customer that was going to do that I would not put him on that corner.

Damiano: I'm not saying that corner, I'm saying Main Street.

Goss: I would look for a building that would fit his debt ratio and the projected outcome on his investment. And if it didn't meet it then I would say that's a bad buy for that building.

Damiano: I guess I'm going to have to rephrase it. If I were opening a farmers market would you suggest I put it over here on a Main Street or on that corner or back by the pavilion?

Goss: I would put you back at the pavilion, not on Main Street.

Damiano: Really.

Goss: It's not zoned for it and it's not a good fit.

Skains: What Ordinance will have to be changed or the zoning?

Goss: For the pavilion site? None, it's already done. It's ready to go tomorrow.

Skains: That's interesting.

Goss: That's my understanding unless I misunderstood something. My understanding is the pavilion is set up for it and you can start tomorrow.

Skains: So the definitions, I realize that 112.03 don't need to be changed but I would have thought the definitions in 113.01 would still need to be changed. I guess my point there is that seemed to be the big number of Ordinance changes which there was only one that needed was required. I would agree with you it's probably none because the state has the definitions in its laws. They were never an issue to begin with. Any further conversation?

Osborne: Ron Wyrick was against the site over here. Ron do you think it's a good site to have it at the pavilion?

Wyrick: Yes since the night of the discussion that we didn't pass it and a long thought out deal before I voted the way I did, since that time I've checked with city ordinances, checked with city employees about the farmers market and from what I understand from years ago, a couple of years ago, to have a market spot. I've talk to some of the farmers around here that grow vegetables and stuff, and it's not going to cost them nothing to go up there and sell their produce. The only thing that is required is for them to fill out a little sheet of paper and a little card to carry with them to show that they can legally sell vegetables up there at the farmers market. That way if something comes back and somebody gets sick from something they bought up there it can be tracked back.

Skains: So you are for this at the pavilion?

Wyrick: It's a possibility it might not even work, but it's not costing us very much to try. If it works it might turn in to someone wanting to put in a permanent marker somewhere around Gun Barrel. If we don't try it, something is better than nothing.

Skains: Ok, I think we are done. We are doing things a little backward here so what I'm going to suggest is if Mr. Goss will take this back to the City Council, if City Council wants to make it a project, then bring it back to us and we will give it consideration and move forward from there. Is that fair enough? At this point there won't be a motion or anything for that. We will just forward if it passes the budget test and all the things it needs to pass City Council then we will take a good hard look at it. Thank you very much.

Item #6. Discuss and/or take action on moving the regular EDC meetings from the third Tuesday of the month to a date that would accommodate the City Council's meeting.

Skains: This is about the City Council moving their deadline for the packet to be ready and what I would like to do is to give us a buffer of time to make this effective in May, to move our meeting to the second Tuesday in May. Is there any discussion about that? We hammered on it last time.

Osborne: I'm good.

Skains: Keith do you have any questions or comments?

Butler: I'm checking my calendar. No, but I won't be at that one.

Skains called for a motion.

Butler made a motion to move the EDC meetings to the 2nd Tuesday of the month effective May 2015 and change the EDC Bylaws to reflect so. Damiano seconded. All directors voted 'aye'. Motion carried.

Item #7. Discuss and/or take action on all items regarding advertising GBC/EDC at the theatre. Skains: This is doing some advertisement for the Façade Program and Boots to Business specifically but not limited to those two projects or programs. We looked at the advertising at the theatre several months ago and looked into the cost of the production. We feel like this would make a great opportunity for our providing our citizens with information and bring public awareness of what the EDC does. I still run across people that don't know what we do. I've had businesses that come to us and say 'oh man' we just did a Façade Improvement and they would have complied but they had already completed and they lost out. These ads run before every movie and it's charged at what point and time that you set it up before the movie. Production cost is about two hundred and ninety eight dollars initially development. If we ran it one month for Boots to Business and one month for the Façade Program it would be a ninety eight dollar cost for each change. What time frame were you looking at?

Damiano: One minute forty five seconds (1:45) before the movie ran. If we go $\$285 \times 12 = \$3,420$, so we are going to say under \$5,000.

Skains: I'd like to hear from the board members if this is a good way to go or is this something you are not interested in.

Butler: Since they've reopened do we know how their attendance is?

Skains: It's been very good. I don't know what the numbers are but talking to the manager there on three or four occasions they have continued their increase in attendance and she is expecting to have a banner year this year. She is having a very good growth rate right now.

Damiano made a motion to participate in the onscreen advertising at Home Town Cinemas and allocate a total dollar amount up to five thousand for this year pending production to get it moving.

Osborne seconded. All directors voted 'aye'. Motion carried.

Item #8. Discuss and/or take action on drawing tickets for Denim & Diamond event in March. There were enough Denim & Diamond tickets to allow anyone on the board to attend the event. No action was taken on this item.

Item #9. Discuss and/or take action to approve EDC directors to attend the EDC Sales Tax training in June.

Damiano make a motion for any of the EDC directors to attend the EDC Sales Tax training in June.

Osborne seconded. All directors voted 'aye'. Motion carried.

Executive Session: 6:17 p.m.

Item #10. Convene into Executive Session pursuant to Texas Government Code § 551.087 Deliberations Regarding Economic Development Negotiations and Texas Government Code § 551.074 Personnel Matters.

6:50

Item #11. Convene into Open Session to take action on Texas Government Code § or 551.087 Deliberations Regarding Economic Development Negotiations and Texas Government Code § 551.074 Personnel Matters.

Skains called for a motion on Project Palomino.

Damiano made a motion to establish a project called Project Palomino and move forward with the project. Butler seconded. All directors voted 'aye'. Motion carried.

Motion to sign the letter of agreement with County Place Homes.

Osborne made a motion to sign the letter of agreement with Country Place Homes. Butler seconded. All directors voted 'aye'. Motion carried.

Item #4. . Discuss and/or take action on the recommendations and extend the contract with Stan Fernald/Johnson Monroe on EDC properties.

Damiano made a motion to resign realtor Stan Fernald to continue to handle the sale of the old Gun Barrel City Property and list as \$375,000 for a period of one year.

Osborne seconded. All directors voted 'aye'. Motion carried.

Motion to investigate the cost of tearing down of Brawner Hall.

Damiano made a motion to form a group of two to take a look at the cost of tearing down Brawner Hall and get back to the EDC.

Butler seconded. All directors voted 'aye'. Motion carried.

Texas Government Code § 551.074 Personnel Matters.

No action taken. This would be picked up next month.

"A quorum of the full governmental body may attend the meeting of a committee of that body, or any other city advisory board. For example, a quorum of the Gun Barrel City Council may attend a city economic development board meeting or city advisory board meeting."

The Gun Barrel City EDC reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations, 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) or 551.087 (Deliberations Regarding Economic Development Negotiations).

Adjournment: 6:52 p.m.

Approved by: 
David Skains, President

Attest by: 
Gary Damiano, Treasurer