

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 at City Hall, located at 1716 Main St. Gun Barrel City Texas on Tuesday, January 28, 2020 at 6:30 p.m.

Mayor Skains called the meeting to order at 6:30 pm. Councilman Yaws gave the invocation followed by the Pledge of Allegiance. Roll was called and a quorum established.

[Mayor - J. David Skains: Present](#)

[Mayor Pro-tem - Linda Rankin: Present](#)

[Council Member - Anne Mullins: Present](#)

[Council Member - Gregory Aiello: Present](#)

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

[Council Member - Richard Yaws: Present](#)

Citizen Comments: (Limited to 3 Minutes)

There were no citizen comments.

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 City Council meeting minutes of November 19th & 25th, 2019 and December 17, 2019 and the following December reports:

City Manager report

Financial – Budget vs. Actual Expenses – Year to Date (November & December)

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 – break down of monthly street & park repairs

Building Official – number of inspections and associated fees

Code Enforcement – break down of violations

EDC Executive Director Report

EDC (December) Minutes & (November) Financials

[Mayor Pro-tem - Linda Rankin: Motion to accept the consent agenda as written.](#)

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

[Mayor - J. David Skains: N\A](#)

[Mayor Pro-tem - Linda Rankin: Approve](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Gregory Aiello: Approve](#)

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

[Council Member - Richard Yaws: Approve](#)

00:04:28

ITEM # 2: Discuss and/or take action to award bids for the 2020 street materials. **(City Manager)**

City Manager, Jeff Arnswald stated the city went through an open bid process and a tabulation was produced showing the recommended bids. Councilman Wyrick stated there were five different companies that bid on materials and they are going with the lowest bid.

[Mayor Pro-tem - Linda Rankin: Motion to accept the 2020 street material bids as stated.](#)

[Council Member - Richard Yaws: 2nd](#)

[Mayor - J. David Skains: N\A](#)

[Mayor Pro-tem - Linda Rankin: Approve](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Gregory Aiello: Approve](#)

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

[Council Member - Richard Yaws: Approve](#)

ITEM # 3: Discuss and/or take action to adopt Ordinance #O-2020-001 calling a General Election for May 2, 2020 to elect the following positions: Mayor, Council Place 2 (E) and Council Place 4 (W) to two-year terms each. **(City Manager)**

Mayor Skains read the Ordinance header aloud and asked for a motion.

[Mayor Pro-tem - Linda Rankin: Motion to accept Ordinance #O-2020-001 for the General Election on May 2, 2020.](#)

[Council Member - Gregory Aiello: 2nd](#)

[Mayor - J. David Skains: N\A](#)

[Mayor Pro-tem - Linda Rankin: Approve](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Gregory Aiello: Approve](#)

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

[Council Member - Richard Yaws: Approve](#)

ITEM # 4: Discuss and/or take action to adopt Ordinance #O-2020-002 calling a Special Election for May 2, 2020 for the reauthorization of the local sales and use tax in Gun Barrel City at the rate of one-fourth of one percent to continue providing revenue for maintenance and repair of municipal streets. **(City Manager)**

Mayor Skains read the Ordinance header aloud and asked for a motion.

[Council Member - Gregory Aiello: Motion to adopt Ordinance #O-2020-002 calling a Special Election for May 2, 2020 for the reauthorization of the local sales and use tax in Gun Barrel City at the rate of one-fourth of one percent to continue providing revenue for maintenance and repair of municipal streets.](#)

[Council Member - Richard Yaws: 2nd](#)

[Mayor - J. David Skains: N\A](#)

[Mayor Pro-tem - Linda Rankin: Approve](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Gregory Aiello: Approve](#)

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

[Council Member - Richard Yaws: Approve](#)

[00:09:24](#)

ITEM # 5: Discuss and/or take action to adopt Ordinance #O-2020-003 calling a Special Election for May 2, 2020 for the purpose of amending the City Charter. **(City Manager)**

Mayor Skains read the Ordinance header aloud. He thanked the Charter review committee and staff for all their hard work in reviewing this and making recommendations. Rob Rea had a concern regarding detailing each of

the items that will show on the ballot. He stated if they know what the amendments are, the citizens would like to know as well.

Councilman Aiello stated this City Council has an open door regarding any questions or concerns anyone has. He stated we have a very competent City manager and an outstanding Council and discussing transparency the Council will be more than willing to discuss with the citizens but the citizens have to care as well. Working together is the goal.

Councilwoman Rankin stated we have four propositions appearing on the ballot in 2020.

1. asks for the 30 day requirement to fill a Council vacancy be amended to 60 days.
2. To allow the City Manager to reside either in the City limits or the City's ETJ.
3. To allow the summary of the audit to require publication on the city's website
4. To not allow any member of the city council to serve on any board, commission or committee other than in an advisory capacity.

Councilman Wyrick states this was a very long, drawn out process that wasn't just done overnight. Mayor Skains stated the charter changes are not voted on by the City Council but by the citizens.

[Mayor Pro-tem - Linda Rankin: Motion to adopt Ordinance #O-2020-003 calling a Special Election for the purpose of amending the City Charter.](#)

[Council Member - Richard Yaws: 2nd](#)

[Mayor - J. David Skains: N\A](#)

[Mayor Pro-tem - Linda Rankin: Approve](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Gregory Aiello: Approve](#)

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

[Council Member - Richard Yaws: Approve](#)

[00:15:07](#)

ITEM # 6: Discuss and/or take action to adopt Ordinance #O-2020-004 calling a Special Election for May 2, 2020 for voter consideration to re-establish an annual ad valorem tax on all real property situated within the territorial limits of the city for tax year 2021. **(City Manager)**

Mayor Skains read the Ordinance header aloud and asked for a motion. Councilman Yaws mentioned the city has gone through the effort to put together a program to educate everyone regarding this decision that we as a community will make together or not and we challenge everyone to look at all the information made available and every registered voter will have a decision to make. The considerations the Council looked at were within the police department and the fire department to have more than the minimal amount of people on duty at one time. Roads are the other opportunity we have as a city to help improve the city.

[Mayor Pro-tem - Linda Rankin: Motion to adopt Ordinance #O-2020004 calling a Special Election for May 2, 2020 for voter consideration to re-establish an annual ad valorem tax on all real property situated within the territorial limits of the city for tax year 2021.](#)

[Council Member - Richard Yaws: 2nd](#)

[Mayor - J. David Skains: N\A](#)

[Mayor Pro-tem - Linda Rankin: Approve](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Gregory Aiello: Approve](#)

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

[Council Member - Richard Yaws: Approve](#)

ITEM # 7: Annual report to the City Council as required by Senate Bill 1074 in regards to Racial Profiling. **(City Manager)**

The interim Police Chief, Jeff Norris stated the city is not participating in any kind of racial profiling.

ITEM # 8: Discuss and/or take action to adopt Resolution #R-2020-002 authorizing the Fire Chief to submit an application for funding through the Office of the Governors' Homeland Security grant division for grant funding. **(City Manager)**

Mayor Skains read Resolution R-2020-002 aloud and asked for a motion.

[Council Member - Gregory Aiello: Motion to adopt Resolution #R-2020-002 authorizing the Fire Chief to submit an application for funding through the Office of the Governors' Homeland Security grant division for grant funding.](#)

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

[Mayor - J. David Skains: N\A](#)

[Mayor Pro-tem - Linda Rankin: Approve](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Gregory Aiello: Approve](#)

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

[Council Member - Richard Yaws: Approve](#)

ITEM # 9: Discuss and/or take action to adopt Ordinance # O-2020-007 adopting the twenty-seventh supplement to the Code of Ordinances as published by American Legal Publishing Corporation. **(City Manager)**

[Mayor Pro-tem - Linda Rankin: Motion to adopt Ordinance #O-2020-007 adopting the twenty-seventh supplement to the Code of Ordinances.](#)

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

[Mayor - J. David Skains: N\A](#)

[Mayor Pro-tem - Linda Rankin: Approve](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Gregory Aiello: Approve](#)

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

[Council Member - Richard Yaws: Approve](#)

[00:22:12](#)

ITEM # 10: Discuss and/or take action to receive a report regarding the City's growth from 2017-2019. **(Wyrick)**

Councilman Wyrick mentioned the city just got a new water tower on the East end of town. It's been 32 years since the last water tower was put in. There were 21 homes built in 2017, 28 homes in 2018 and 46 homes in 2019. Since 1980 we had 2, 118 people living in Gun Barrel City, to date we have over 6,200. He went on to state we have people in our organizations making sure we are moving forward.

ITEM # 11: Discuss and/or take action to interview applicants for the Planning and Zoning Commission and consider making appointment(s). **(City Manager)**

Mr. Greg Caudell submitted an application to the Planning and Zoning Commission. He was not present at the meeting and Councilman Yaws asked to table this item until the applicant was present to interview. Councilwoman Rankin seconded and all voted yes.

[00:25:05](#)

ITEM # 12: Public hearing to discuss rezoning Lots 1-3, 27, 28 & Part of Tract 66 in the B Medro A-483 survey, Henderson County, Texas, belonging to Parks Home Construction LLC from General Business District (B-2) to Multiple-Family Residential District (MF-1). **(City Manager)**

The public hearing was opened; Mr. Murry stated we have been going back and forth on this with P&Z and in general. He knows this property is zoned commercial and after speaking to surveyors and TX dot they are having a lot of trouble with that. The main reason is the frontage on Main Street is 200 feet. Right after you come over the bridge the entry is right there. The lake is on one side and the retail strip is on the other side we working traffic out is difficult. Knowing all of this they are trying to figure out a way to make something good for the city. They have it platted for 30 town houses and would like to rezone the property as he believes this is the best use for this property. He stated they would be buying all the materials from Lowes giving back to the city in sales tax as well as putting roofs in the city giving more bodies spending money.

Councilwoman Rankin asked on the side that faces the lake there won't be any room on the back side for a fire lane and one will be required. Also there is no room for a truck to get in between the buildings in case of a fire. Mr. Murry stated this is a very preliminary plat of the proposed use and they will make sure to conform to all codes. She suggested we take this back to the city for amendments. Rankin mentioned this would be considered spot zoning which is not allowed. It was recognized after the meeting after speaking with the city attorney that this is not considered spot zoning. Councilwoman Mullins stated that the City charter and the Local Government Code require us to follow our current comprehensive plan which shows this as commercial. We do not have the authority to approve as a rezone for this reason. She further stated that the comp plan has to be modified by resolution. It was agreed that this will go back to the city for answers and bring it back before the Council at the next meeting.

[00:39:10](#)

ITEM # 13: Discuss and/or take action to adopt Ordinance #O-2020-005 approving the rezoning of Lots 1-3, 27, 28 & Part of Tract 66 in the B Medro A-483 survey, Henderson County, Texas, belonging to Parks Home Construction LLC from General Business District (B-2) to Multiple-Family Residential District (MF-1). **(City Manager)**

Mayor Skains read the Ordinance header aloud and asked for a motion to table.

[Mayor Pro-tem - Linda Rankin: Motion to table this for tonight and bring it to the staff for further research and review on spot zoning and other details that need to be worked out and then brought back to the Planning and Zoning Board.](#)

[Council Member - Richard Yaws: 2nd](#)

[Mayor - J. David Skains: N\A](#)

[Mayor Pro-tem - Linda Rankin: Approve](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Gregory Aiello: Approve](#)

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

[Council Member - Richard Yaws: Approve](#)

ITEM # 14: Public Hearing on a request from Felicia Dehtan to grant a special use permit to operate a Child Care facility (Building Blocks Childcare) located at 240 N. Gun Barrel Lane Gun Barrel City, TX 75156, a General Business District (B-2) zoned area. **(City Manager)**

The public hearing was opened, there were no comments and the hearing was closed.

ITEM # 15: Discuss and/or take action to adopt Ordinance #O-2020-006 granting a special use permit to Felicia Dehtan to operate a Child Care facility (Building Blocks Childcare) located at 240 N. Gun Barrel Lane Gun Barrel City, TX 75156, a General Business District (B-2) zoned area. **(City Manager)**

Mayor Skains read the Ordinance header aloud and asked for a motion.

[Council Member - Anne Mullins: Motion to adopt Ordinance #O-2020-006 granting a special use permit to Felicia Dehtan to operate a child care facility.](#)

[Council Member - Gregory Aiello: 2nd](#)

[Mayor - J. David Skains: N\A](#)

[Mayor Pro-tem - Linda Rankin: Approve](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Gregory Aiello: Approve](#)

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

[Council Member - Richard Yaws: Approve](#)

ITEM # 16: Discuss and/or take action to make a recommendation to the City Council regarding replatting lots 21 & 22 belonging to Michael McCullough physically located at 143 Commodore into one lot, lot 22R. **(City Manager)**

[Mayor Pro-tem - Linda Rankin: Motion to recommend replatting lots 21 & 22 belonging to Michael McCullough physically located at 143 Commodore into one lot.](#)

[Council Member - Anne Mullins: 2nd](#)

[Mayor - J. David Skains: N\A](#)

[Mayor Pro-tem - Linda Rankin: Approve](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Gregory Aiello: Approve](#)

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

[Council Member - Richard Yaws: Approve](#)

[00:44:41](#)

ITEM # 17: Discuss and/or take action to adopt Resolution #R-2020-001 amending the EDC 2019/20 FY budget. **(EDC)**

Mayor Skains read Resolution R-2020-001 heading aloud and asked for a motion.

[Council Member - Gregory Aiello: Motion to adopt Resolution #R-2020-001 amending the EDC 2019/20 FY budget.](#)

[Council Member - Anne Mullins: 2nd](#)

[Mayor - J. David Skains: N\A](#)

[Mayor Pro-tem - Linda Rankin: Approve](#)

[Council Member - Anne Mullins: Approve](#)

[Council Member - Gregory Aiello: Approve](#)

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

[Council Member - Richard Yaws: Approve](#)

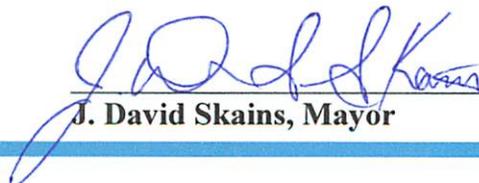
The meeting adjourned at 7:16pm.

Attest:

Approved:



Janet Dillard, City Secretary



J. David Skains, Mayor