

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, February 26, 2019 at 6:30 p.m.

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

Mayor - J. David Skains: Present

Council Member - Rob Rea: Present

Council Member - Ron Wyrick: Present

Council Member - Keith Butler: Present

Council Member - Anne Mullins: Present

Mayor Pro-tem - Linda Rankin: Present

### **Citizen Comments:**

Greg Aiello: Vice Chairman of the Parks and Recreation Board spoke regarding the Board contemplating having a tree drive in addition to other small projects to help it keep growing. The park board has the will and desire to see the projects get started and completed and with the help of the City Council we can make our park more enjoyable for citizens and generations to come.

Councilman Rob Rea advised that he called for an executive session on the agenda and the purpose for this item was for the city attorney to explain to us the duties and responsibilities of the City Council and the Mayor. He wanted the attorney to discuss what they are actually responsible for with regard to the Resolution approved by Council pertaining to the EDC and because the Mayor had directed the City Attorney not to be here he sees no reason for items 23 and 24 on the agenda.

00:05:48

**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 following reports:

City Manager Report

January 22, 2019 Council Minutes

February 11, 2019 Council Workshop Minutes

Park Board January Meeting Minutes

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

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 January Meeting Minutes

EDC October, November and December 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

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve

Mayor Pro-tem - Linda Rankin: Approve

Councilman Rea asked that the report from the Executive Director be pulled so he could ask a few questions. Mr. Peterson approached the podium and Mr. Rea advised this will be very short. Rea advised Peterson had listed a client purchased property in order to re-model into a washateria, Rea asked how Mr. Peterson has helped this client. Peterson advised they have not helped this client at this point but have only met with them and provided them a façade grant for the building and he is working on that. He confirmed that the possible purchases listed on the report are from outside sources looking to purchase companies in Gun Barrel City. The last thing Rea mentioned according to the report was “meet with Mayor and Councilmembers regularly” Rea stated he had not been invited to any meetings and asked if there was a reason for that? Mr. Peterson stated nobody had been invited; they come on their own when they have any questions

00:10:00

**ITEM # 2:** Discuss and/or take action to approve the Gun Barrel City Police Department Patrol Canines policy. **(City Manager)**

City Manager, Bret Bauer announced the city was able to acquire a K-9 by the name of Arco from another municipality that was doing away with their K-9 unit.

Mayor Pro-tem - Linda Rankin: Motion to approve the Gun Barrel City Police Department Patrol Canine Policy.

Council Member - Keith Butler: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve

Mayor Pro-tem - Linda Rankin: Approve

**ITEM # 3:** Discuss and/or take action to adopt Ordinance #O-2019-004 amending the Code of Ordinances by adding tattoo studio as a recognized use to the schedule of uses and specifying zoning districts in which the use is allowed. **(City Manager)**

Mayor Skains read Ordinance No. O-2019-004 aloud. Mullins noted that the definition for tattoo studio would be added but it will still require a special use permit so it would still go before Planning and Zoning and Council before the studio is approved.

Mayor Pro-tem - Linda Rankin: Motion to adopt Ordinance #O-2019-004 amending the code of ordinances by adding tattoo studio as a recognized use to the schedule of uses.

Council Member - Ron Wyrick: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve

Mayor Pro-tem - Linda Rankin: Approve

**ITEM # 4:** Public Hearing to discuss unsafe structure located at 112 Boshart Way. **(City Manager)**  
The public hearing was opened, there were no comments and the hearing was closed.

**ITEM # 5:** Discuss and/or take action to determine whether the structure located at 112 Boshart Way is considered unsafe. **(City Manager)**

Council Member - Rob Rea: Motion to determine the structure located at 112 Boshart way is considered unsafe.

Council Member - Keith Butler: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve

Mayor Pro-tem - Linda Rankin: Approve

**ITEM # 6:** Discuss and/or take action to adopt Ordinance #O-2019-005 making findings of fact and ordering demolition of structures located at 112 Boshart Way. **(City Manager)**

Mayor Skains read the title and caption of Ordinance #O-2019-005 aloud.

Council Member - Rob Rea: Motion to adopt Ordinance #O-2019-005 making findings of fact and ordering the demolition of structures located at 112 Boshart Way.

Council Member - Keith Butler: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve

Mayor Pro-tem - Linda Rankin: Approve

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**ITEM # 7:** Public Hearing to discuss unsafe structure located at 165 Willowwood. **(City Manager)**  
The public hearing was opened, there were no comments and the hearing was closed.

**ITEM # 8:** Discuss and/or take action to determine whether the structure located at 165 Willowwood is considered unsafe. **(City Manager)**

Mayor Pro-tem - Linda Rankin: Motion to determine whether the structure at 165 Willowwood is considered unsafe.

Council Member - Keith Butler: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve

Mayor Pro-tem - Linda Rankin: Approve

**ITEM # 9:** Discuss and/or take action to adopt Ordinance #O-2019-006 making findings of fact and ordering demolition of structures located at 165 Willowwood. **(City Manager)**

Mayor Skains read the title and caption of Ordinance #O-2019-006 aloud.

Council Member - Rob Rea: Motion to adopt Ordinance #O-2019-006 making findings of fact and ordering demolition of structures located at 165 Willowwood.

Council Member - Keith Butler: 2nd

Mayor - J. David Skains: N/A  
Council Member - Rob Rea: Approve  
Council Member - Ron Wyrick: Approve  
Council Member - Keith Butler: Approve  
Council Member - Anne Mullins: Approve  
Mayor Pro-tem - Linda Rankin: Approve

**ITEM # 10:** Public Hearing to discuss unsafe structure located at 227 Spring Valley St. **(City Manager)**  
The public Hearing was opened, Ms. Simpson, the owner of the property was present and stated this was her home she lived in for 32 years and her grandson demolished it, she stated she is not able to have it cleaned up and said to go ahead and tear it down, you have her permission. Mayor Skains thanked her, there were no other comments and the public hearing was closed.

**ITEM # 11:** Discuss and/or take action to determine whether the structure located at 227 Spring Valley St. is considered unsafe. **(City Manager)**

Mayor Pro-tem - Linda Rankin: Motion to determine whether the structure located at 227 Spring Valley is considered unsafe.

Council Member - Keith Butler: 2nd  
Mayor - J. David Skains: N/A  
Council Member - Rob Rea: Approve  
Council Member - Ron Wyrick: Approve  
Council Member - Keith Butler: Approve  
Council Member - Anne Mullins: Approve  
Mayor Pro-tem - Linda Rankin: Approve

**ITEM # 12:** Discuss and/or take action to adopt Ordinance #O-2019-007 making findings of fact and ordering demolition of structures located at 227 Spring Valley St. **(City Manager)**

Mayor Skains read the title and caption of Ordinance #O-2019-007 aloud.

Council Member - Rob Rea: Motion to adopt Ordinance #O-2019-007 making findings of fact and ordering demolition of structures located at 227 Spring Valley St.

Council Member - Keith Butler: 2nd  
Mayor - J. David Skains: N/A  
Council Member - Rob Rea: Approve  
Council Member - Ron Wyrick: Approve  
Council Member - Keith Butler: Approve  
Council Member - Anne Mullins: Approve  
Mayor Pro-tem - Linda Rankin: Approve

**ITEM # 13:** Discuss and/or take action to receive application(s) and interview candidate(s) for the Board of Adjustment. **(City Manager)**

There was one candidate who submitted an application for the Board of Adjustment, Mr. Dennis Baade who spoke and advised he has a little experience with the city and said anything he can do for the city he is more than happy to do. There were no questions for Mr. Baade.

Mayor Pro-tem - Linda Rankin: Motion to receive applications and interview candidates for the Board of Adjustment.

Council Member - Ron Wyrick: 2nd  
Mayor - J. David Skains: N/A  
Council Member - Rob Rea: Approve  
Council Member - Ron Wyrick: Approve  
Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve  
Mayor Pro-tem - Linda Rankin: Approve

**ITEM # 14:** Discuss and/or take action to make appointment(s) in open session to the Board of Adjustment. **(City Manager)**

Council Member - Rob Rea: Motion to appoint Mr. Dennis Baade to the Board of Adjustment.

Council Member - Ron Wyrick: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve

Mayor Pro-tem - Linda Rankin: Approve

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00:24:48

**ITEM # 15:** Discuss and/or take action to adopt Ordinance # O-2019-008 adopting the twenty-sixth 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-2019-008 adopting the twenty-sixth supplement to the Code of Ordinances

Council Member - Keith Butler: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve

Mayor Pro-tem - Linda Rankin: Approve

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**ITEM # 16:** Discuss and/or take action to receive a progress and status report from the EDC Executive Director commencing October 15, 2018 to present day. **(Rea)**

Councilman Rea made a motion to receive a progress and status report from the EDC Executive Director commencing October 15<sup>th</sup> to present day. Councilman Butler asked if he could amend Rea's motion. Rea answered sure.

Council Member - Keith Butler: Motion to take action to receive a progress and status report commencing December 15, 2018 to present.

Mayor Pro-tem - Linda Rankin: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve

Mayor Pro-tem - Linda Rankin: Approve

After the motion, second and voting Councilman Rea asked if we are going to hear the report. Mayor Skains asked Mr. Peterson if he was prepared to give a report from December 15<sup>th</sup>. Mayor Skains asked Mr. Butler when he would like that report presented and completed. Rankin mentioned that since he had a progress report in the consent agenda and it was from January on that gave us a picture of what all he has done to date; if you need something from December 15<sup>th</sup> to January 1 he could do that. Mr. Peterson took the podium and stated he spent a lot of time in December researching projects that had gone bad, trying to discover if we had performance agreements and other things that were signed that we could go back on and re-coop that money.

He also spent a lot of time preparing governance for the Board of Directors. He stated he'd be happy to go through his calendar and bring back visits that he had during that time as well. Rankin stated she doesn't see why we need that. Rea commented the only reason he put this on the agenda at all is that Mr. Peterson has made it clear that he doesn't answer to the EDC Board but reports to Council and to date he hasn't seen anything. He is just trying to figure out what's been going on since the suspension of the board because he hasn't answered anybody. Rankin said we just got a report tonight.

**ITEM # 17:** Discuss and/or take action to provide formal reporting responsibilities for the EDC Executive Director. **(Rea)**

Council Member - Rob Rea: Motion to provide formal reporting responsibilities for the EDC Executive Director.

Council Member - Keith Butler: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve

Mayor Pro-tem - Linda Rankin: Approve

Councilman Rea stated he put this item on the agenda and it has nothing to do with Mr. Peterson, it has to do with who may very well take over his responsibilities in the future.

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Due to technical difficulties the remaining portion of this meeting video stopped recording and was unrecoverable according to our systems software company. For the record, the remaining portion of these minutes will include the minimal motions and votes that were taken during the meeting.

**ITEM # 18:** Discuss and/or take action to direct the EDC Executive Director to provide job descriptions for all EDC positions to be submitted for the March City Council agenda packet for City Council to take action on. **(Rea)**

Council Member - Rob Rea: Motion to direct the EDC Executive Director to provide job descriptions for all EDC positions to be submitted for the March City Council agenda packet for City Council to take action on.

Council Member - Keith Butler: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Disapprove

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Disapprove

Mayor Pro-tem - Linda Rankin: Disapprove

Motion failed with a 3-2 vote.

**ITEM # 19:** Discuss and/or take action to direct the City Manager to issue a Request for Qualifications (RFQ) for firms interested in performing planning services to revise the city's comprehensive plan and subsequent revisions to the city's zoning ordinance. **(Mullins)**

Council Member - Anne Mullins: Motion to direct the City Manager to issue a Request for Qualifications (RFQ) for firms interested in performing planning services to revise the city's comprehensive plan and subsequent revisions to the city's zoning ordinance.

Mayor Pro-tem - Linda Rankin: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve  
Mayor Pro-tem - Linda Rankin: Approve

**ITEM # 20:** Discuss and/or take action to spend up to \$4,000 from the Hotel Motel fund for a sponsorship to the National Lawn Mower Racing Association for the 2019 Gun Barrel City race. **(Wyrick)**

Council Member - Ron Wyrick: Motion to take action to spend up to \$4,000 from the Hotel Motel fund for a sponsorship to the National Lawn Mower Racing Association for the 2019 Gun Barrel City race.

Council Member - Anne Mullins: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Disapprove

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Disapprove

Council Member - Anne Mullins: Disapprove

Mayor Pro-tem - Linda Rankin: Disapprove

Motion failed with a 4-1 vote.

**ITEM # 21:** Discuss and/or take action to approve a Façade Improvement Grant to Taylor Automotive not to exceed \$5,000. **(EDC)**

Council Member - Ron Wyrick: Motion to approve a Façade Improvement Grant to Taylor Automotive not to exceed \$5,000.

Council Member – Rob Rea: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve

Mayor Pro-tem - Linda Rankin: Approve

**ITEM # 22:** Discuss and/or take action to approve an EDC marketing sign located at Big Chief. **(EDC)**

Mayor Pro-tem - Linda Rankin: Motion to approve an EDC marketing sign located at Big Chief.

Council Member - Keith Butler: 2nd

Mayor - J. David Skains: N/A

Council Member - Rob Rea: Approve

Council Member - Ron Wyrick: Approve

Council Member - Keith Butler: Approve

Council Member - Anne Mullins: Approve

Mayor Pro-tem - Linda Rankin: Approve

**ITEM # 23:** Convene into Executive Session pursuant to Texas Local Government Code section 551.074 (Municipal Officer) to discuss the duties of Council members and Mayor. **(Rea)**

Items 23 and 24 were previously removed from the agenda during public comments.

**ITEM # 24:** Reconvene into Open Session to take action as necessary regarding items discussed in Executive Session. **(Rea)**

The meeting adjourned at 7:37 pm.

**Attest:**

**Approved:**

  
Janet Dillard, City Secretary

  
J. David Skains, Mayor