

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 the Fire Station, located at 306 Municipal Drive. Gun Barrel City, Texas, on Tuesday, April 18, 2017 at 6:30 p.m.

Mayor Braswell called the meeting to order at 6:30 p.m. There was an invocation. The pledge of Allegiance followed. Roll was called and a quorum established.

Mayor - Jim Braswell: Present  
Council Member - Linda Rankin: Present  
Council Member - Anne Mullins: Present  
Council Member - David Skains: Present  
Council Member - Ron Wyrick: Present  
Council Member - Rob Rea: Present

**Citizen Presentations: (Limited to 3 Minutes)**

This item provides the opportunity for citizens to address the City Council on any matter whether or not it's posted on the agenda. However, in accordance with the Texas Open Meetings Act, Section 551.041, the Council cannot discuss, deliberate, or take action on matters not listed on the agenda. At this time the Council will receive citizen comments, and if necessary, may refer the matter to City staff for research resolution or referral to Council on a future agenda.

Councilman Rob Rea welcomed Mr. Forest Elder representing the Elder Dodge Organization.

**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 following **March** reports:

City Manager report

**March 28, 2017 Council Minutes**

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 – cost break down of monthly street repairs & park expenses

Building Official – number of inspections and associated fees

Code Enforcement – break down of violations

EDC Minutes

EDC Financials

Council Member – Rob Rea: Motion to approve the consent agenda as listed.

Council Member – Ron Wyrick: 2<sup>nd</sup>

Mayor – Jim Braswell: N/A  
Council Member – Linda Rankin: Approve  
Council Member – Anne Mullins: Approve  
Council Member – David Skains: Approve  
Council Member – Ron Wyrick: Approve  
Council Member – Rob Rea: Approve

**ITEM # 2:** Discuss and/or take action to interview applicant for the Board of Adjustments alternate position in Open Session and make appointment. **(Mayor)**

Council Member – Linda Rankin: Motion to accept A. Martin Mullins III as our alternate for the Board of Adjustments.  
Council Member – David Skains: 2<sup>nd</sup>  
Mayor – Jim Braswell: N/A  
Council Member – Linda Rankin: Approve  
Council Member – Anne Mullins: Abstain  
Council Member – David Skains: Approve  
Council Member – Ron Wyrick: Approve  
Council Member – Rob Rea: Approve

**ITEM # 3:** Discuss and/or take action to receive a report from the City Manager on the recommendation from the Planning and Zoning Commission regarding rezoning Lots 676 & 677, belonging to Dusty Sherwood and Shaw Wayne, physically located at 633 E. Main, from B-2 to Single Family Detached Residential District (R-6C) for a church. **(City Manager)**

Council Member – Rob Rea: Motion to receive a report from the City Manager on the recommendation from the Planning and Zoning Commission regarding rezoning Lots 676 & 677. Belonging to Dusty Sherwood and Shaw Wayne, physically located at 633 E. Main, from B-2 to Single Family Detached Residential District (R-6C) for a church.  
Council Member – David Skains: 2<sup>nd</sup>  
Mayor – Jim Braswell: N/A  
Council Member – Linda Rankin: Approve  
Council Member – Anne Mullins: Approve  
Council Member – David Skains: Approve  
Council Member – Ron Wyrick: Approve  
Council Member – Rob Rea: Approve

**ITEM # 4:** Public Hearing to discuss rezoning Lots 676 & 677, belonging to Dusty Sherwood and Shaw Wayne, physically located at 633 E. Main, from B-2 to Single Family Detached Residential District (R-6C) for a church. **(Mayor)**

Mayor Braswell opened the public hearing. Shaw Wayne was present and advised they would like to put a church in. No other comments were made and the public hearing was closed.

**ITEM # 5:** Discuss and/or take action to approve the rezoning of Lots 676 & 677, belonging to Dusty Sherwood and Shaw Wayne, physically located at 633 E. Main, from B-2 to Single Family Detached Residential District (R-6C) for a church. **(Mayor)**

Councilman David Skains made a motion to not approve the rezoning of Lots 676 & 677, belonging to Dusty Sherwood and Shaw Wayne, physically located at 633 E. Main, from B-2 to Single Family Detached Residential (R-6C) for a church.

Councilman David Skains advised the reason for his motion is that Gun Barrel City survives strictly on sales tax and to move a piece of property out of commercial into residential would defeat the hopes of building the East side of our City with additional revenue producing commercial enterprises.

Councilman Rob Rea personally feels like this approval would be considered spot zoning. He also believes churches should be in a residential zone. This church could cease to exist in the future and the city would be stuck with a residential zoned property on Main St.

Council Member – David Skains: Motion to Not approve the rezoning of Lots 676 & 677, belonging to Dusty Sherwood and Shaw Wayne, physically located at 633 E. Main, from B-2 to Single Family Detached Residential District (R-6C) for a church.

Council Member – Rob Rea: 2<sup>nd</sup>

Mayor – Jim Braswell: N/A

Council Member – Linda Rankin: Disapprove

Council Member – Anne Mullins: Approve

Council Member – David Skains: Approve

Council Member – Ron Wyrick: Approve

Council Member – Rob Rea: Approve

Motion passes

**ITEM # 6:** Discuss and/or take action to receive a report from the City Manager on the recommendation from the Planning and Zoning Commission regarding the replatting of Lots 71 & 72 in the Sundrift Subdivision, belonging to Joseph Hevey Jr. into one lot 71-R **(City Manager)**

Council Member – David Skains: Motion to accept the report from the City Manager on the recommendation from the Planning and Zoning Commission regarding the replatting of Lots 71 & 72 in the Sundrift Subdivision, belonging to Joseph Hevey Jr. into one lot 71-R

Council Member – Rob Rea: 2<sup>nd</sup>

Mayor – Jim Braswell: N/A

Council Member – Linda Rankin: Approve

Council Member – Anne Mullins: Approve

Council Member – David Skains: Approve

Council Member – Ron Wyrick: Approve

Council Member – Rob Rea: Approve

**ITEM # 7:** Public Hearing to discuss replatting Lots 71 & 72 in the Sundrift Subdivision, belonging to Joseph Hevey Jr. into one lot 71-R. (Mayor)

Mayor Braswell opened the public hearing. Joseph Hevey Sr. gave background regarding this development. He advised they are looking to do different things with this subdivision. He has owned the land since 2004 and have been selling lots. He advised the two lots they are requesting replat approval of is so they can build a 20 x 20 steel frame residential. He advised this will be their model unit.

There was discussion of smaller homes in that subdivision that did not meet the minimum standards of the city. Numerous neighbors in the Sundrift subdivision were present and communicated there are homes already occupied in the neighborhood that are so small they are having to store their stuff outside, including washers and driers. Mayor Braswell asked the question, if these specific lots are located in Henderson County, does Gun Barrel City have authority to re-plat this lot? City Manager, Bret Bauer answered yes. It was also brought up by members of the audience that construction is taking place quickly in this subdivision with no building permits posted. Councilman Rob Rea advised the only thing they are discussing today is the replat of these lots. Mayor Braswell ended the public hearing.

**ITEM # 8:** Discuss and/or take action to approve the replat of Lots 71 & 72 in the Sundrift Subdivision, belonging to Joseph Hevey Jr. into one lot 71-R (Mayor)

Council Member – Linda Rantin: Motion to table Item # 8 until further review.

Council Member – Ron Wyrick: 2<sup>nd</sup>

Mayor – Jim Braswell: N/A

Council Member – Linda Rankin: Approve

Council Member – Anne Mullins: Approve

Council Member – David Skains: Approve

Council Member – Ron Wyrick: Approve

Council Member – Rob Rea: Disapprove

Item #8 was tabled.

**ITEM # 9:** Second Reading of Resolution R#-2017-005 approving a performance agreement and project by and between the Gun Barrel City Economic Development Corporation, and Elder CDJR Cedar Creek Lake, LLC, a Texas Limited Liability Company, to provide financial assistance in an amount not to exceed \$500,000.00 for economic development purposes; and providing for an immediate effective date. (Mayor / EDC)

Resolution R#-2017-005 was read by Mayor Braswell.

**ITEM # 10:** Discuss and/or take action to adopt Resolution R#-2017-005 approving a performance agreement and project by and between the Gun Barrel City Economic Development Corporation, and Elder CDJR Cedar Creek Lake, LLC, a Texas Limited Liability Company, to provide financial assistance in an amount not to exceed \$500,000.00 for economic development purposes; and providing for an immediate effective date. (Mayor / EDC)

Council Member – Rob Rea: Motion to adopt Resolution R#-2017-005 approving a performance agreement and project by and between the Gun Barrel City Economic Development Corporation, and Elder CDJR Cedar Creek Lake, LLC, a Texas limited Liability Company, to provide financial assistance in an amount not to exceed \$500,000.00 for economic development purposes; and providing for an immediate effective date.

Council Member – David Skains: 2<sup>nd</sup>

Mayor – Jim Braswell: N/A

Council Member – Linda Rankin: Approve

Council Member – Anne Mullins: Approve

Council Member – David Skains: Approve

Council Member – Ron Wyrick: Approve

Council Member – Rob Rea: Approve

**ITEM # 11:** Discuss and/or take action to provide the City of Gun Barrel City with the Gun Barrel City Skate Park as a “gift” to the city from the Gun Barrel City Economics Development Corporation.

Council Member – David Skains: Motion to take action to provide the City of Gun Barrel City with the Gun Barrel City Skate Park as a gift to the city from the Gun Barrel City Economics Development Corporation.

Council Member –: Ron Wyrick 2<sup>nd</sup>

Mayor – Jim Braswell: N/A

Council Member – Linda Rankin: Approve

Council Member – Anne Mullins: Approve

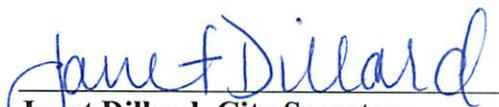
Council Member – David Skains: Approve

Council Member – Ron Wyrick: Approve

Council Member – Rob Rea: Approve

The meeting adjourned at 7:05 p.m.

**Attest:**

  
**Janet Dillard, City Secretary**

**Approved:**

  
**Jim Braswell, Mayor**