

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 regular meeting, in City Hall, located at 1716 West Main Street, Gun Barrel City, Texas, on Tuesday, April 23, 2013 at 6:30 p.m.

Mayor Eaton called the meeting to order. Mayor Pro-tem Webster gave the invocation. The Pledge of Allegiance followed. Roll was called and a quorum was established.

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

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

[Mayor - Paul Eaton: Present](#)

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

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

[Council Member - Ronnie Johnson: Present](#)

#### **Citizen Presentations:**

The City Manager announced that Brinker's, the parent company of Chili's, had presented an application to begin the petition process for restaurants to be able to serve alcohol without the restaurant having to be a private club. Brinker's pays over \$20,000 a year in permit fees to TABC. If enough signatures are received, the referendum would be on a November ballot.

**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 **March 26, and April 2, 2013 Council meetings** and the following **March reports:**

Financial – Budget vs. Actual Expenses–Year to Date

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

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

[Council Member – Melvyn Hayes: 2nd](#)

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

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

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

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

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

[Council Member - Ronnie Johnson: Approve](#)

**ITEM # 2:** Discuss and/or take action to approve the Annual Financial Report for the Year Ending September 30, 2012 (2011-2012 Audit). **(Yeldell & Wilson)**

[00:08:34](#)

The Final Budgeted Amount for Revenues totaled \$4,323,580. The Actual Budget Basis was \$4,231,786. Total Revenues were just under Budgeted Revenues by \$91,794. Final Budgeted Expenditures were \$4,323,580 with Actual Budget Basis coming in at \$4,083,180 producing under budget on Expenditures of \$240,400. Combined that gave the City a net positive variance of \$148,606. The City had done a great job of maintaining the expenses under what had been budgeted especially since there were a few budgeted revenues that didn't materialize.

The Unassigned Fund Balance totaled \$1,853,941. The auditors looked at that figure in relation to the total expenditures for the fiscal year. For FY of 2012, the City had about 158 days of unassigned reserves. That was above average for municipalities. For 2013, thus far, we had 197 days of unassigned reserves.

There weren't any major issues with the audit findings. Webster questioned the City Hall Remodel Project comments. As funds were drawn down, it's not part of the normal operation it was more a construction fund, so as money was drawn down for the loan and dispersed they were they were off-set against each other rather than the proceeds being recorded and the expenses being recorded. The activity was there it's just the loan proceeds were not recorded and the expenses were not recorded which basically netted out to zero. The auditors just need to make sure the revenues and expenses get booked separately.

Webster also questioned the deficiency in internal controls in regards to financial statements. Yeldell stated they were required by their regulatory body that anytime they become a part of an entities internal controls they had to report it as an issue so that 1) the City is aware of it and 2) that safe guards are being taken to off-set the situation that exists. All but one of the cities that Yeldell & Wilson audit has this statement in their audit report. The one city that is exempt from this is because they have a CPA on staff to prepare the financial statements. The auditor is required to report this as a weakness because they were involved with a part of the internal controls.

Recommendations were to utilize a disclosure checklist to ensure all required disclosures are present and agree to work papers and to agree your accounting information to the amounts reported in the financial statements.

[Council Member - Dennis Baade: Motion to approve the Annual Financial Report for the Year Ending September 30, 2012 \(2011-2012 Audit\).](#)

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

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

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

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

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

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

[Council Member - Ronnie Johnson: Approve](#)

**ITEM # 3:** Discuss and/or take action to approve the following Gun Barrel City Police Department Policies:

- 1.01 Administration**
- 1.02 Code of Conduct**
- 1.03 Personnel – Selection Process**
- 1.04 Personnel – Qualifications & Duties**
- 1.06 Personal Appearance & Dress Code**
- 1.08 Personnel – Evaluations**
- 1.10 Personnel – Complaints**
- 1.11 Personnel – Off Duty Employment**
- 1.12 Personnel – Training**
- 1.14 Testimony & Court Proceedings**
- 1.15 Ride-Along Program**
- 1.17 Public & Media Relations**
- 1.20 Vehicle Operations**
- 1.26 Arrests & Detentions**
- 1.27 Use of Force**
- 1.30 Juveniles**
- 1.32 Property & Evidence**
- 1.33 Searches & Search Warrants**
- 1.34 Investigations**
- 1.36 Investigations – Child Abuse**
- 1.37 Investigations – Sexual Assault**
- 1.45 Mandatory Wear of Body Armor**

Assistant Police Chief Warrick explained the changes were necessary due to changes in the State law. The language being omitted had strike through marks and the language being inserted was in bold print.

[Council Member – Curtis Webster: Motion to approve the above Gun Barrel City Police Department Policies.](#)

[Council Member – Dennis Baade: 2nd](#)

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

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

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

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

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

[Council Member - Ronnie Johnson: Approve](#)

**ITEM # 4:** Discuss and/or take action to appoint Anne Mullins to the Planning and Zoning Commission with a term to expire October 2015. **(City Manager)**

[Council Member - Dennis Baade: Motion to appoint Anne Mullins to the Planning and Zoning Commission with a term to expire October 2015.](#)

[Council Member – Melvyn Hayes: 2nd](#)

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

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

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

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

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

[Council Member - Ronnie Johnson: Approve](#)

**ITEM # 5:** Discuss and/or take action to adopt Ordinance #O-2013-007 declaring a 180-day moratorium on the acceptance of applications for the issuance or renewal of permits for new construction on certain residential properties and all commercial properties located in the City's Agriculture District (A). **(City Manager)**

[00:26:00](#)

City Manager Gerry Boren explained the details of the moratorium. When a property is annexed into the City it is brought in as agriculture. There were approximately 853 acres that were still zoned as agriculture, some of which date back to 1997.

[Council Member – Dennis Baade: Motion to adopt Ordinance #O-2013-007 declaring a 180-day moratorium on the acceptance of applications for the issuance or renewal of permits for new construction on certain residential properties and all commercial properties located in the City's Agriculture District \(A\).](#)

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

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

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

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

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

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

[Council Member - Ronnie Johnson: Approve](#)

**ITEM # 6:** Discuss and/or take action to adopt Resolution #R-2013-004 supporting heads of households to maintain firearms. **(Mayor)**

00:34:00

Council Member - Curtis Webster: Motion to adopt Resolution #R-2013-004 supporting heads of households to maintain firearms.

Council Member – Ronnie Johnson: 2nd

Council Member - Rodney Bevill: Approve

Council Member - Melvyn Hayes: Approve

Mayor - Paul Eaton: N\A

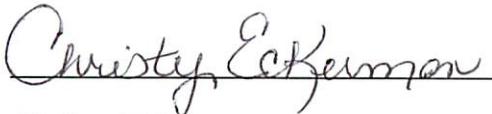
Council Member - Dennis Baade: Approve

Council Member - Curtis Webster: Approve

Council Member - Ronnie Johnson: Approve

The meeting adjourned at 7:14 p.m.

**Attest:**



**Christy Eckerman, City Secretary**

**Approved:**



**Paul Eaton, Mayor**