

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, June 27, 2017 at 6:30 p.m.

Mayor Braswell called the meeting to order at 6:30 p.m. He gave the invocation and it was followed by the Pledge of Allegiance and the Pledge to the State Flag.

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)

Mike Gallagher took the podium and complemented the City volunteers and acknowledged his appreciation for all the City does. His reason for being here tonight is regarding re-zoning. He is pleased with the proposed rezone of Betty Smith's property. He said that will help the neighborhood. He mentioned Gun Barrel needing a tax someday. He would like to see all properties develop as much as possible towards taxable income. His concern is with the re-zoning for the RV Park. He spoke with 5 churches and businesses and mentioned they were unaware of this. He said traffic will be a big deal if this is rezoned. Mayor Braswell intervened and told him to wrap it up because his 3 minutes are up. In closing Mike asked the Council to re-consider and postpone the RVP re-zone request.

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

May 23, 2017 Council Minutes

June 2, 2017 Special Meeting Minutes

Financial – Budget vs. Actual Expenses – Year to Date (May)

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 Meeting Minutes of May 9, 2017

EDC Monthly Financials – May 2017

Council Member - Linda Rankin: Motion to approve the consent agenda as written.

Council Member - Rob Rea: 2nd

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

00:08:24

ITEM # 2: Discuss and/or take action to approve the Annual Financial Report for the Year Ending September 30, 2016 (2015-2016 Audit). **(Henry & Peters)**

Mr. Trent Westmoreland presented the 2016 FY Audit report to Council. He thanked Mickie Raney for all her hard work. He went through the report and touched on important parts.

Council Member - Linda Rankin: Motion to approve the Annual Financial Report for the Year Ending September 30, 2016.

Council Member – David Skains: 2nd

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

Mayor Braswell asked those that serve on the Beautification Committee to stand. He acknowledged them and announced that they received a gold star award in San Antonio and on behalf of the City Council and the City he wanted to thank them.

00:14:50

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 the Margaret K. Hicks 22.18 acres & the Margaret K. Hicks 1.00 acre in the B. Metro Survey A-483 belonging to Mark Hudson Family Partnership Ltd. from Agriculture District (A) to Recreational Vehicle Park District (RVP-1). **(City Manager)**

Council Member - Rob Rea: Motion to receive a report from the City Manager on the said property regarding rezoning from Agriculture to Recreational Vehicle Park District.

Council Member - David Skains: 2nd

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 the Margaret K. Hicks 22.18 acres & the Margaret K. Hicks 1.00 acre in the B. Metro Survey A-483 belonging to Mark Hudson Family Partnership Ltd. from Agriculture District (A) to Recreational Vehicle Park District (RVP-1). **(Mayor)**

00:16:32

Mark Hudson represented the RV Park and said it was never their intent to do a 22 acre RV park, its 11 and a quarter acre. He has new surveys for each of the Council and asked if Council had any questions he'd be happy to answer them. (New surveys were given to Council to review)

00:17:56

Carol Strickland said she is here tonight to say no on the RV Park. She doesn't see the need for additional RV Parks as we already have parks that aren't full. She advised this will put a strain on our infrastructure. She said our Police Department is highly under-staffed and our Street Department can't keep up with the mess we've got on the roads and until the City can properly handle the problems we've got she doesn't see the need to add another RV Park that can potentially turn into another nightmare. She brought up that the City voted that you can't have trailer houses and yet we have this whole subdivision that needs to be cleaned and condemned and somehow the City won't take care of that problem.

00:19:42

Local property owner (did not announce his name) is not against new businesses coming in but his concern is the security of the businesses with people going from RV's back behind businesses and trespassing. He says the security is already bad and the Police can't keep up.

00:23:39

Mark Hudson representative said with this new division that has been provided to Council it's going to only access Welch Rd. There is no desire to create an RV Park from Welch to Luther. He said some of these traveling RV's are nicer than some of the homes out here. It's definitely not their intent to allow riff-raff or have a run-down RV Park.

00:25:25

Dr. Embry property owner is concerned about his office and said he would have to put up a fence surrounding his property to prevent people from trespassing.

00:26:19

Keith Cavanagh spoke about how the city hasn't had a plan in a long time.
With no more public comments, Mayor Braswell closed the public hearing.

ITEM # 5: Discuss and/or take action to adopt Ordinance #O-2017-003 approving the rezoning of the Margaret K. Hicks 22.18 acres & the Margaret K. Hicks 1.00 acre in the B. Metro Survey A-483 belonging to Mark Hudson Family Partnership Ltd. from Agriculture District (A) to Recreational Vehicle Park District (RVP-1). (Mayor)

Councilwoman Linda Rankin asked the question, last time we had this brought before the Council Mr. Rea had to abstain, is this not the case this time?

City Attorney, Blake Armstrong announced that this was brought to his attention and the prior ownership interest would not affect his ability to vote on the re-zoning of the property under the conflict of interest mandated by state statute.

Councilwoman Anne Mullins asked the question how does this change in zoning fit in with our adopted comprehensive plan?

Councilman Rob Rea answered by saying under the plan this property is listed as multipurpose and by definition this falls within 8 different categories including RV Parks.

Anne Mullins said she's looking at a 2009 map and the way she reads it is proposed as high density residential. City Manager, Bret Bauer added that when he looked at the map it wasn't multi-use it was mixed-use.

Rob Rea said he might have used the wrong term, he meant to say mixed-use.

Councilwoman Linda Rankin said there is a law regarding spot-zoning and for that reason alone we cannot zone those pieces that are touching those two roads.

Blake Armstrong advised that he doesn't believe this re-zone would be considered spot zoning. Anne Mullins advised that the matter before them is simply a re-zone. It has nothing to do with any of the things that were described tonight. Linda Rankin asked why she would want to approve the remaining 11 acres for RV when that isn't their intent. Rob Rea said we are taking it from an Agriculture situation to a revenue producing situation which the city desperately needs. Linda Rankin doesn't care for the idea of having RV's in an RV Park so close to Main St. and in the heart of our downtown city. Linda Rankin asked is there a reason they weren't presented with a plan development. Rob Rea answered by saying if you're a planned developer you're not going to spend money on such things if you don't even know if the city is going to welcome you.

Council Member - David Skains: Motion to adopt Ordinance #O-2017-003 approving the rezoning of the 22.18 acres and the 1.00 acre belonging to Mark Hudson Family Partnership Ltd. From Agriculture (A) to Recreational Vehicle Park District.

Council Member - Rob Rea: 2nd
Mayor - Jim Braswell: N\A
Council Member - Linda Rankin: Disapprove
Council Member - Anne Mullins: Disapprove
Council Member - David Skains: Approve
Council Member - Ron Wyrick: Disapprove
Council Member - Rob Rea: Approve

Motion does not pass.

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 rezoning the 72.8 Acres of land, physically located on Harbor Point Road, situated in the City of Gun Barrel City, Henderson County, Texas, a part of the L. Navarro Survey, Abstract No. 578, belonging to Betty Smith from Single-Family Detached Residential District (R-1) to Single-Family Detached Residential District (R-4). **(City Manager)**

Council Member - Linda Rankin: Motion to receive a report from the City Manager.
Council Member - Anne Mullins: 2nd
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 rezoning 72.8 Acres of land, physically located on Harbor Point Road, situated in the City of Gun Barrel City, Henderson County, Texas, a part of the L. Navarro Survey, Abstract No. 578, belonging to Betty Smith from Single-Family Detached Residential District (R-1) to Single-Family Detached Residential District (R-4). **(Mayor)**

Carol Strickland is opposed to this and asked the Council to vote no. She doesn't see the point of changing the zoning so they can cram more houses in there. She also stated there are people in Harbor Point and Loon Bay that are opposed to this.

Owner Betty Smith and her brother own the discussed property. She spoke about the history of this property and explained that in order for her to sell the estate in her lifetime she's requesting this be re-zoned. She advised both Harbor Point and Loon Bay are zoned R-4 and is asking her property to be re-zoned to R-4 as well.

With no more public comments, Mayor Braswell closed the public hearing.

ITEM # 8: Discuss and/or take action to adopt Ordinance #O-2017-004 approving the rezoning of 72.8 Acres of land, physically located on Harbor Point Road, situated in the City of Gun Barrel City, Henderson County, Texas, a part of the L. Navarro Survey, Abstract No. 578, belonging to Betty Smith from Single-Family Detached Residential District (R-1) to Single-Family Detached Residential District (R-4). **(Mayor)**

Council Member - Rob Rea: Motion to adopt Ordinance #O-2017-004 approving the rezoning of 72.8 Acres of land, physically located on Harbor Point Road, situated in the City of Gun Barrel City, Henderson County, Texas, a part of the L. Navarro Survey, Abstract No. 578, belonging to Betty Smith from Single-Family Detached Residential District (R-1) to Single-Family Detached Residential District (R-4).

Council Member - David Skains: 2nd

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

00:47:33

ITEM # 9: Discuss and/or take action to approve updated Job Descriptions for all Gun Barrel City Employees. **(City Manager)**

City Manager Bret Bauer advised these job descriptions were updated within the last few months and advised that on all of the descriptions under principal duties and responsibilities are four specific bullet points that are on every job description. These updates are now consistent and all uniform.

Council Member - Rob Rea: Motion to approve the updated job descriptions for all Gun Barrel City Employees.

Council Member - David Skains: 2nd

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

00:49:17

ITEM # 10: Convene into Executive Session pursuant to Texas Government Code section 551.074 (Municipal Officer) to discuss the roles, responsibilities and duties of Council members. **(Mayor)**

The City Council convened into executive session at 7:20 p.m.

***ITEM # 11:** Reconvene into Open Session to take action as necessary regarding items discussed in Executive Session. **(Mayor)**

The City Council reconvened into Open Session at 7:50 p.m.

Councilman Rob Rea made a motion to authorize the City Council to initiate an investigation concerning City Council member Rankin pursuant to section 3.17 of the City Charter. David Skains seconded. Voting took place with Rankin voting No, Mullins voted No, Skains voted Yes, Wyrick Abstained and Rea voted Yes. Rea stated that the Mayor breaks the tie. Mayor Braswell voted Yes, The meeting ended with the motion passing, however after further review from the City Attorney the following day Blake Armstrong advised that the abstaining vote is considered a No vote and therefore **this motion does not pass.**

Council Member - Rob Rea: Motion to authorize the City Council to initiate an investigation concerning City Council member Rankin pursuant to section 3.17 of the City Charter.

Council Member - David Skains: 2nd

Mayor - Jim Braswell: N\A

Council Member - Linda Rankin: Disapprove

Council Member - Anne Mullins: Disapprove

Council Member - David Skains: Approve

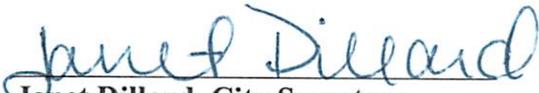
Council Member - Ron Wyrick: Abstain

Council Member - Rob Rea: Approve

The meeting adjourned at 7:51 p.m.

Attest:

Approved:


Janet Dillard, City Secretary


Jim Braswell, Mayor