

STATE OF TEXAS *
COUNTY OF HENDERSON *
CITY OF GUN BARREL *

The City Council of the City of Gun Barrel City met in a Special meeting at City Hall, located at 1716 Main St. Gun Barrel City Texas on Monday, October 15, 2018 at 8:00 a.m. Mayor Skains called the meeting to order at 8:00 p.m. 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 - Ron Wyrick: Present
Council Member - Rob Rea: Present

ITEM # 1: Discuss and/or take action to adopt Resolution #R-2018-008 suspending any and all activities by the EDC Board members with regard to the Gun Barrel City Economic Development Corporation effective immediately pursuant to Chapter 501.401 of the Texas Municipal Code with the exception of having EDC Executive Director and the EDC Administrative Assistant continue their jobs and all necessary checks signed by authorized personnel to meet current financial commitments. **(Mayor)**

Mayor Skains read Resolution #R-2018-008 aloud and asked for a motion.

Mayor Pro-tem - Linda Rankin: Motion to adopt Resolution R-2018-008.
Council Member - Anne Mullins: 2nd

Mayor Skains read a statement:

“For the short time period Mr. Coleman was EDC president there was conflict and distrust between the Council and the EDC. For the period of time Mr. Rea was president there was conflict and distrust between the Council and the EDC. For the period of time the prior president was there, there was conflict and distrust between the Council and the EDC. For the time period before that when I was president of the EDC there was conflict and distrust between the Council and the EDC. For the period of time Mrs. Rankin was president of the EDC there was conflict and distrust. Conflict and distrust between the Council and the EDC has gone back to the late 1990’s. I’m sure we’ve all heard or read the definition of insanity is doing the same thing over and over again and expecting a different result. I think its time to make some changes and see if we can have a more positive result. This is a council’s problem. We have to identify and own this problem before we can rectify it. The first step is to suspend all activity as Resolution 2018-008 states so that we can begin the process making positive change and replace conflict with conversation and distrust with confidence that we are all working in the same direction.”

Mr. Rea stated that the fact that he brought up trust between the EDC and the City Council is legitimate. He thinks that the calling of this meeting and the timing of it is a little suspect. He went on to state that he was not notified of this meeting until he received a text message on Friday at 8:13 in the morning. He personally feels that while the city staff member that texted him that was doing what they were instructed to do, I found it a little disrespectful. He would like to ask each and every member of the Council how they found out about this meeting. Mayor Skains advised that was not on the agenda however let it be known for the record that each City

Council member was notified of this special meeting via text message the same day and time. Mr. Rea went on with his questions asking specifically why this meeting was called. He advised it seems to him and a lot of members of the public that this meeting was called to circumvent a meeting that was called by the EDC this evening at 5:00 and he doesn't see any other reason why it would have been called at this particular time. His next question was is this meeting for the sole purpose of saving Mr. Peterson's job? Mayor Skains answered no. Mayor Skains added that the Council in an appeal on September 18th overturned the termination of Mr. Peterson. As he understood it, the EDC had a planned meeting for tonight which their attorney prepared the agenda. That seems suspect to me why you would pay an attorney to prepare your agenda but at any rate this is about rectifying decades of distrust and conflict between the City and the EDC. Mr. Rea continued, does the Mayor have an intention to initiate the removal of some of the EDC board members? Mayor Skains said that would be a Council decision, not his. Mr. Rea asked does the Mayor have an intention to disband the EDC? Mayor Skains answered I do not and again that would be a Council decision, not mine but one I would not be in favor of. Mr. Rea said the immediate question comes up with the 60 day suspension, it specifically mentions that the executive director and administrative assistant will continue to work, what exactly do you intend for the executive director to do for the next 60 days? Mayor Skains answered by saying, carry out his duties as they are outlined in his contract. Mr. Rea asked if this included calling on businesses and working with our current businesses. Mayor Skains said that is correct. Mr. Rea added that for the next 60 days you intend him to go to businesses and say the EDC is here to help you but we're going to have to wait 60 days because our board is on suspension. Mayor Skains advised he expects him to make businesses aware of our city and to do what's in his contract. Mr. Rea stated that there are a few negative ramifications that come from this suspension and obviously I don't agree with it one of which is that if I were on the board (a volunteer board) that had been suspended any activity in what I was appointed to do I personally would never sign any document within that 60 day period. If other people have the same feeling like I do and we can't get the needed number of signatures on a payroll check, Mr. Peterson already shown that he's not afraid to litigate so are we looking at a lawsuit if we can't get his paychecks signed? Mayor Skains advised that he is not an attorney and he's not sure or not. He then added if board members have no desire to sign checks or pass on information as it may come to them then are they really into this for the economic development for Gun Barrel City. Mr. Rea made the comment, in true transparency I'd like it known that I think this meeting this morning was a political stunt to save a friend of the mayor's job and I think we all need to look at each other and think about whether we're working for the best interest of the city.

00:12:42

Mrs. Rankin mentioned that today we are here adopt or reject a resolution suspending any and all activities of the EDC Board members effective immediately. This is only a suspension of the activities not a removal of the EDC Board. Due to the violations that have been pointed out by the attorney of Lee Peterson and due to other violations of the law that have been brought before us publically and after that event I think its time for us to step back, regroup and analyze what we've been doing and find a new way of doing this. It may require further action by the City Council or it may not but until full disclosure has been made and remedies have been discussed in open with the Council and the EDC I think it's in our best interest to take this time to look at each other's work and decide how to move forward. It is not a vendetta against any one person. It is a situation that has got to be rectified and you may think that it's not necessary but if you're going to be a board member, you have no choice but to abide by the laws of this state, your bylaws and the rules of this city and if you're not willing to, then you need to get out of the

board. If you're on this council the same applies. We do our best as council members to do that and each of the board members need to do that same. She hopes over the next 60 days everyone has a training period, we all learn and re-commit to doing better.

Mr. Rea stated that that last statement is predicated on the assumption that the EDC did something illegal in the initial firing of Mr. Peterson. The charges brought against the EDC were brought by a Dallas contingency lawyer and the EDC had no opportunity to answer those questions. He thinks its wrong to assume that the EDC did anything wrong.

Mayor Skains called on citizen Holland Whitten to speak. Due to audio technical difficulties Mr. Whitten's comments were not audible.

Mayor Skains advised after the citizen's comments that he had the City attorney draw up the resolution and this is what he said was necessary, he will revisit it with him.

Mr. Wyrick advised he has spoken to many mayors previous times regarding setting up workshops and he believes this is the next step to try and work together as a unit and not be two split departments. He said we used to do this and we need to get back to it. Mr. Rea asked if he can make a second motion, Mayor Skains advised we need to take care of the first motion. Mr. Rea asked Mrs. Rankin to amend her motion to table this until Friday to give the mayor time to get the legalities straight. Mayor Skains advised he is comfortable with what the city attorney has drafted. Councilwoman Rankin left the motion as it stands on the table.

Mayor Pro-tem - Linda Rankin: Motion to adopt Resolution R-2018-008.

Council Member - Anne Mullins: 2nd

Mayor - J. David Skains: N/A

Mayor Pro-tem - Linda Rankin: Approve

Council Member - Anne Mullins: Approve

Council Member - Ron Wyrick: Approve

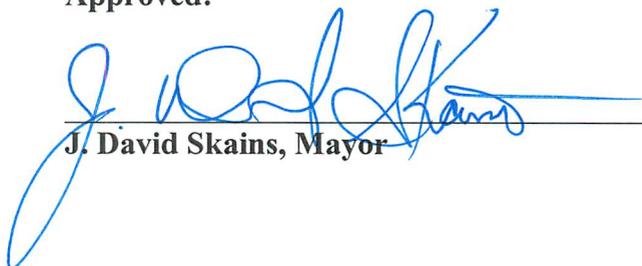
Council Member - Rob Rea: Disapprove

The meeting adjourned at 8:23 a.m.

Attest:


Janet Dillard, City Secretary

Approved:


J. David Skains, Mayor