

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, June 26, 2012 at 6:30 p.m.

Mayor Eaton called the meeting to order at 6:30 p.m. and gave the invocation. The Pledge of Allegiance followed. Roll was called. Ronnie Johnson, Curtis Webster, Dennis Baade and Rodney Bevill were present. Melvyn Hayes was absent. A quorum was established. Melvyn Hayes arrived at 6:40 p.m. and was recorded as being present.

Citizen Presentations: None

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 **May 22, 2012 Council meeting** and the following **May 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 and garage sale applications/fees
- EDC minutes and financial report

Webster moved to approve the Consent Agenda. Baade seconded. All Council members voted 'aye.' Motion carried.

ITEM # 2: Discuss and/or take action to reappoint Carroll Strickland and Dee Ann Owens to the Park and Recreation Board with terms to expire July 2014. **(City Manager)**

Both Carroll Strickland and Dee Ann Owens had expressed a desire to be reappointed to the Park Board. The Charter stated that members could serve three consecutive two-year terms. This would be their third term.

Webster moved to reappoint Carroll Strickland and Dee Ann Owens to the Park and Recreation Board with terms to expire July 2014. Bevill seconded. All Council members voted 'aye.' Motion carried.

ITEM # 3: Discuss and/or take action to authorize the City Manager to negotiate a settlement on two 1988 and one 1995 property liens regarding Lot 208 in Mantle Manors. **(City Manager)**

There were three liens on Lot 208 in Mantle Manors Subdivision. The 2012 payoff amount included 10% compounded interest per year from the filing date.

| Lien Filed | Initial Amount | 2012 Payoff Amount |
|-------------------|-----------------------|---------------------------|
| 1988 | \$ 76.83 | \$ 832.44 |
| 1988 | \$ 22.77 | \$ 246.87 |
| 1995 | \$3,342.00 | \$ 18,581.24 |
| TOTAL | | \$ 19,660.55 |

The prospective buyers had not done a title search on Lot 208 in Mantle Manors prior to trying to purchase the lot. They had approached the City Manager trying to reach a settlement agreement. The City only had \$3,441.60 invested in the liens. He suggested settling for \$5,000 in order to move forward and get this house back on the market. The City Manager said he wouldn't settle for anything less than \$5,000. School taxes were not the City's responsibility.

Hayes was against negotiating a settlement on these liens. He felt by doing so it would give the impression to others who owed liens to the City that if they waited long enough we would settle for a lower amount.

Webster moved to authorize the City Manager to negotiate a settlement of \$5,000 on the liens attached to Lot 208 in Mangle Manors. Baade seconded. Johnson, Webster, Baade and Bevill voted 'aye.' Hayes voted 'no.' The voting resulted in four 'aye' votes and one 'no' vote. Motion carried.

ITEM # 4: Discuss and/or take action to adopt Ordinance #O-2012-008 amending Chapter 31, Subsection 31.01 (B), Annual Council Elections to make it coincide with State law. **(City Secretary)**

By adopting this ordinance, the Code of Ordinances would coincide with State law. If State law were to change the date from the second Saturday in May to the fourth Saturday in May, we would still be covered because it states that the general election shall be held annually on the uniform election date in May.

Johnson moved to adopt Ordinance #O-2012-008. Webster seconded. All Council members voted 'aye.' Motion carried.

ITEM # 5: Discuss and/or take action to adopt Ordinance #O-2012-009 adopting the sixteenth supplement to the Code of Ordinances as published by the American Legal Publishing Corporation. **(City Secretary)**

All ordinances adopted since the fifteenth supplement in 2011 were incorporated into this supplement. The entire Code of Ordinances could also be accessed online.

Baade moved to adopt Ordinance #O-2012-009. Bevill seconded. All Council members voted 'aye.' Motion carried.

ITEM # 6: Discuss and/or take action to amend Chapter 2.00 Employee Responsibilities, Section 2.10 Personal Appearance in the City's Personnel Policy Manual by replacing the current paragraph with sections on Dress Code, Facial Jewelry and Tattoo policies. **(City Manager)**

The City Manager stated that in his last review, they discussed reviewing the Personnel Policies looking at dress code, piercings and vacations. This recommendation was being presented to Council after review by the department heads. They had elaborated on the personal appearance section but had also added sections on facial jewelry and tattoos.

Office personnel were expected to wear business casual attire at all times. Jeans or flip-flops were not acceptable. Frayed or partially destroyed clothing was not allowed. Fridays were considered a dress-down day when employees could wear jeans. During the summer, June, July and August, employees may wear more casual attire for personal comfort. Some departments, Police, Parks and Code, are allowed to wear shorts during the summer if they are issued by the City, pending approval of their supervisor.

Under the facial jewelry policy, no facial jewelry could be worn by employees while on duty. Facial jewelry was defined as jewelry that was worn on the face, nose, eyebrows, eyelids, lips and tongue. The policy didn't prevent the wearing of jewelry on the ears, neck and hands unless restricted by departmental policy or for safety reasons. Ear gauging or stretching of visible body parts was prohibited. The only change suggested to the facial jewelry section was to remove 'etc' from the paragraph.

The tattoo policy was directed towards the hiring of any new employees. Current employees with tattoos were grand fathered. However, if any employee had a tattoo that was offensive to anyone, that employee would be asked to cover it or remove it. No changes were made to the tattoo policy.

Hayes felt the policy was vague. The City Manager said they intentionally made it vague to give the supervisors some flexibility. If the shift supervisor chose to allow employees to wear shorts, it affected all the employees on that shift. Different jobs required a different kind of dress. Hayes felt the policy was just too vague and was concerned about giving the supervisor too much control over who could or could not wear shorts.

Webster moved to amend Chapter 2.00 Employee Responsibilities, Section 2.10 Personal Appearance in the City's Personnel Policy Manual by replacing the current paragraph with sections on Dress Code, Facial Jewelry and Tattoo policies. Baade seconded. Johnson, Webster, Baade and Bevell voted 'aye.' Hayes voted 'no.' The voting resulted in four 'aye' votes and one 'no' vote. Motion carried.

ITEM # 7: Discuss and/or take action to amend Chapter 9.00 Holidays, Section 9.01 General Policy in the City's Personnel Policy Manual by clarifying reporting to work before and after a holiday. **(City Manager)**

Most personnel policies state employee must work the day before and the day after a holiday in order to get paid for that holiday. Our policy did not. The City Manager was recommending that we amend our policy because if an employee calls in at the last minute after a two day holiday, it impacted the work schedule of that department.

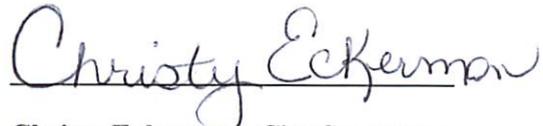
Under the new policy, employees on unpaid leave are not eligible for holiday pay. Employees who are absent without authorized leave on the day immediately preceding or following a scheduled holiday will not be paid for the holiday. Should the employee be unable to work either of these two days because of illness, proof of illness will be required in order to qualify for the paid holiday.

If an employee had previously scheduled vacation days before and after the holiday, he would qualify as having worked. We were trying to discourage those employees that were calling in the day after just because they had spent too many hours on the lake or they just didn't want to come to work.

Johnson moved to amend Chapter 9.00 Holidays, Section 9.01 General Policy in the City's Personnel Policy Manual by including the Ineligibility for Holiday Pay section. Hayes seconded. All Council members voted 'aye.' Motion carried.

The meeting adjourned at 7:10 p.m.

Attest:



Christy Eckerman, City Secretary

Approved:



Paul Eaton, Mayor