

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 Council Chambers, located at 1716 W. Main Street Gun Barrel City, Texas, on Tuesday, September 24, 2024 at 6:30 PM.

1. **CALL TO ORDER** – Mayor Brian Crull called the meeting to order at 6:30 p.m. and gave the invocation. The Pledge of Allegiance was led by the City Council.
2. **INVOCATION**
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL & QUORUM** – Roll was called and a quorum established. Members present included Mayor Brian Crull and Council members, April Burns, Rita Evans, Jennifer Jacobs, Jay Burson and Ken Foster, who was present virtually.
5. **PROCLAMATIONS**

5.A Proclamation for Texas Teachers' Day – Mayor Brian Crull read the proclamation aloud proclaiming October 5th Gun Barrel City Teachers day and encouraged citizens to show their appreciation to educators on this day.

6. **CITIZEN COMMUNICATIONS (Limited to three minutes)**

Amaris Faith of 155 Pine Bloom advised the petitioners committee to repeal Ordinance No. O-2024-022 was granted the right to circulate a petition under the city charter section 6 and has 30 days to gather at least 200 signatures. The committee expects to fulfill the requirements and let the people vote. Faith gave reasons why people are signing the petition and gave some Q&A from social media she has been receiving. EDC board member Paul McCullough stated a few key points that were not included in the policies for items 10.B & C including the amount that they charge for a loan, penalties on the borrower, and bond protection.

7. **CONSENT AGENDA**

7.A The following reports were included in the consent agenda: August, 5th, 14th & 27th, 2024, meeting minutes, Code Enforcement, Court, EDC July financial, Fire, Parks, Permits and Inspections, Police, Dispatch and Animal Control, Planning, Streets and August 2024 financials.

Jennifer Jacobs made a motion to accept the consent agenda as is. Jay Burson seconded and all members voted yes to approve.

8. **NEW BUSINESS**

- 8.A Public hearing concerning the Texas Community Development Block Grant contract #CDV21-0086. (Mayor)

Mayor Crull opened the public hearing. Grant representative, Wanda Vance advised this is a hearing for an amendment to the CDBG contract where we are going to remove the small street portion that was in the contract due to the city's emergency need to do that portion. Those funds are being moved over to the drainage portion to do a little further down the ditch than was originally planned. There were no comments and the hearing was closed.

- 8.B Consider and take action to approve an agreement with Cedar Creek Lake Cats (CCLC) to hold adoption events in Gun Barrel City. (City Manager)

City Manager, Dr. Angela Smith advised Chapter 112 states that in order to hold adoption events in the city, a humane society must be contracted with the city. Cedar Creek Lake Cats has a contract with the city and is asking to renew for a three year term. A representative from Cedar Creek Lake Cats stated this past year they adopted out about 230 cats out of PetSense.

Jennifer Jacobs made a motion to approve, Rita Evans seconded and all members voted yes to approve.

- 8.C Consider and take action to adopt Ordinance No. O-2024-024 fixing the rate and tax levy for the 2024-2025 fiscal year. (City Treasurer)

Mayor Brian Crull read the ordinance header aloud. City Treasurer Mickie Raney advised Gun Barrel City's tax rate is currently set at zero. This is a budget cover stating that the tax rate is staying the same and its zero.

April Burns made a motion to adopt ordinance no. O-2024-024 fixing the rate and tax levy for the 2024-2025 fiscal year. Rita Evans seconded and all members voted yes to approve.

- 8.D Consider and take action to award the Bank Depository Contract to Prosperity Bank for the period of October 1, 2024, through September 30, 2029. (City Treasurer)

City Treasurer, Mickie Raney advised the city received three bids from local banks for day to day banking for the period of October 2024 through September 2029. The contract cannot exceed more than five years per state law. Currently Prosperity is our current depository contract. Its important to note that we currently do business with all three banks and after careful consideration staff is recommending Prosperity Bank for our depository contract.

April Burns made a motion to award the bank depository contract to Prosperity Bank for the period of October 1, 2024 through September 2029. Rita Evans seconded and all members voted yes to approve.

- 8.E Consider and take action to name an official newspaper for the 2024-2025 fiscal year. (City Secretary)

City Secretary, Janet Dillard advised per section 30 of the code the City Council shall annually name an official newspaper. For the past six years, The Monitor has been named however each year I reach out to both The Monitor and the Athens Daily Review for consideration. Both are circulated in the city and have proven a great working relationship with the city. The recommendation was to name The Monitor again this year.

Jennifer Jacobs made a motion to name The Monitor as the official newspaper. April Burns seconded and all members voted yes to approve.

- 8.F Consider and take action to adopt Ordinance No. O-2024-025 amending sections 34.02 and 156.121(a) of the Gun Barrel City Code of Ordinances. (City Manager)

Mayor Brian Crull read the ordinance header aloud. City Manager, Dr. Angela Smith gave a timeline of the history of realigning board terms and adding alternates stating this was first approved in January of 2024. Smith stated in one-on-one conversations with Council there was a desire to repeal the alternates portion of that ordinance but to allow the start dates to stay as October 1. This ordinance will repeal the alternates but allow the start date to stay the same. Smith stated at the last meeting there was not an ordinance to repeal the previously adopted ordinance and that is required.

April Burns made a motion to adopt Ordinance No. O-2024-025 amending sections 34.02 and 156.121(a). Rita Evans seconded and all members voted yes to approve.

- 8.G Consider and take action to adopt Resolution No. R-2024-011 establishing an Ordinance Review Committee. (City Manager)

Mayor Brian Crull read the resolution header aloud. City Manager, Dr. Angela Smith advised on June 27th, discussion of forming an ordinance review committee consisting of two Council members, a Planning and Zoning Chair and appointee and two citizens was not approved by Council. This item was asked to be added to another agenda by two Council members and was not approved. On September 4th during the work session we had another discussion and there was a general consensus from Council to go ahead and move forward with forming the committee with a total of 12 members, which is two from each elected official. Staff had the City Attorney draft a resolution which was included in the packet. Smith stated this committee will start with the ordinances we have on our list that have issues and we will save the land uses until the very end because we are in the process of applying for a grant that would update our comprehensive plan and would provide updates to all of our zoning. Jay Burson believed getting a consensus from 12 members sounds unrealistic and felt this committee would be unqualified regarding aspects such as drainage. Burson stated a suggestion was

made by someone to look at a law firm to address main issues such a drainage so he would like to table the item and look at this further.

Jay Burson made a motion to table. Rita Evans seconded and the motion passed with the following vote. Burns-No, Evans-Yes, Jacobs-No, Burson-Yes, Foster-Yes.

Further discussion was had regarding what this committees purpose would be and it was noted it wouldn't be to evaluate things such as drainage, it would be to evaluate things by citizens of this city who know what's best for our community. It was suggested that Council start taking a section of the ordinance and working through them on their own if there isn't a consensus to establish this committee.

8.H Consider and take action to make appointments to the Ordinance Review Committee. (City Manager)

Jay Burson made a motion to table this item, Ken Foster seconded and the motion passed with the following vote. Burns-No, Evans-Yes, Jacobs-No, Burson-Yes, Foster-Yes.

8.I Consider and take action to make appointments to the Economic Development Corporation Board of Directors. (City Manager)

City Manager, Dr. Angela Smith advised in a meeting prior to this one, Council discussed candidates. A list of nominations from a consensus of Council members present at the meeting prior was given including applicants Roy Key, Linda Rankin, Lisa Matthews and Sue Alexander.

April Burns made a motion to appoint Roy Key, Kinda Rankin, Lisa Matthews and Sue Alexander to the Economic Development Corporation. Jennifer Jacobs seconded and all members voted yes to appoint.

8.J Consider and take action to make appointments to the Planning and Zoning Commission. (City Manager)

City Manager, Dr. Angela Smith advised the consensus at the prior meeting among Council members was to appoint Ava Towner and Scott Coleman and leave the other two vacancies open, repost the vacancies, take applications again and come back for consideration.

Jennifer Jacobs made a motion to nominate Ava Towner and Scott Coleman. Jay Burson nominated Rob Rea, April Burns disagreed and confirmed a motion was already on the table. April Burns seconded and the motion passed with the following vote. Burns-Yes, Evans-Yes, Jacobs-Yes, Burson-No, Foster-No.

8.K Consider and take action to make appointments to the Park Board. (City Manager)

City Manager, Dr. Angela Smith advised we have three openings. The consensus for nominations included Foster Brady, Shelley Coleman and Renetta Burson.

Jennifer Jacobs made a motion to seat Foster Brady, Shelley Coleman and Renetta Burson. Rita Evans seconded and the motion was approved with the following vote. Burns-Yes, Evans-Yes, Jacobs-Yes, Burson-Recuse, Foster-Yes.

9. PLANNING & ZONING

- 9.A Public hearing on a request from Lily Degarmo to grant a special use permit to perform permanent cosmetics at ETX Inject Cosmetics & Wellness physically located at 1829 W. Main Street, Gun Barrel City, Texas. (Mayor)

Mayor Brian Crull opened the public hearing, being there were no comments, the hearing was closed.

- 9.B Consider and take action to adopt Ordinance No. O-2024-026 granting a change in zoning to General Business District B-2, subject to a special use permit to perform permanent makeup (cosmetic tattooing) at ETX Inject Cosmetics & Wellness, physically located at 1829 West Main Street, Gun Barrel City, Texas. (City Planner)

Mayor Brian Crull read the ordinance header aloud and discussion began. City Planner, Brittany Lewis advised this request was made on August 27, 2024, public notices and letters were sent within the required timeframe, The Planning and Zoning commission voted to recommend approval. Background information was given regarding the business, and distance regulations pertaining to churches and residential areas were discussed.

April Burns made a motion to adopt Ordinance No. O-2024-026 granting a change in zoning to General Business District B-2, subject to a special use permit to perform permanent makeup (cosmetic tattooing) at ETX Inject Cosmetics & Wellness, physically located at 1829 West Main Street, Gun Barrel City, Texas. Jennifer Jacobs seconded and all members voted yes to approve.

10. ECONOMIC DEVELOPMENT

- 10.A Consider and take action to approve an engagement letter with Donald Allman for auditing services for the EDC for FY2024/25. (EDC)

City Manager, Dr. Angela Smith advised this is the annual agreement for our audit. The EDC approved this at their last meeting.

Jennifer Jacobs made a motion to approve an engagement letter with Donald Allman for auditing services for the EDC for fiscal year 24/25. Jay Burson seconded and all members voted yes to approve.

- 10.B Consider and take action to adopt Resolution No. R-2024-009 approving the Gun Barrel City EDC Large Business Incentive Policy. (EDC)

Mayor Brian Crull read the resolution header aloud and discussion began. For the record, both large and small policies were discussed during this item. City Manager, Dr. Angela Smith gave some history on how these policies got to where they are today mentioning committees were formed as well as subcommittees to look at what the EDC had on the books and how they could clean them up. The goal of these policies is to create an umbrella under which we could build programs that could be different for each applicant. It was noted that the small business incentive would be reviewed quarterly and the large would be reviewed once a month. A couple changes were made that were not included in the Council packet including the timeframe of funding if a disaster were to happen. Also, there was a sentence that said the incentive program excludes “national franchises” which was deleted. Smith again advised this is a policy, not a program and it sets the bar that you develop programs under. Jay Burson advised discussion was had during these committee meetings regarding coming up with a way to get collateral, performance bonds or some way to secure loans but didn’t see where those items were in these policies. Smith advised these policies don’t outline these specifically, it give the EDC board the freedom and flexibility to set the guidelines for each performance agreement based on the business that would ultimately come to Council for approval. Back and forth discussion continued regarding requiring some type of security for loans.

April Burns made a motion to adopt Resolution No. R-2024-009 approving the Gun Barrel City EDC Large Business Incentive Policy. Jennifer Jacobs seconded and the motion failed with the following vote. Burns-Yes, Evans-No, Jacobs-Yes, Burson-No, Foster-No.

10.C Consider and take action to adopt Resolution No. R-2024-010 approving the Gun Barrel City EDC Small Business Incentive Policy. (EDC)

April Burns made a motion to adopt Resolution No. R-2024-010 approving the Gun Barrel City EDC Small Business Incentive Policy. Jennifer Jacobs seconded and all members voted yes to approve.

11. ADJOURNMENT – The meeting adjourned at 8:15 p.m.

Attest:


Janet Dillard, City Secretary

Approved:


Brian Crull, Mayor