MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, JANUARY 12, 2012
6:30PM

Chairman Paddie called the Regular meeting to order in the Commission Chambers, City Hall at 6:30pm.

PRESENT:

CHAIRMAN: Chris Paddie, District 6

COMMISSIONERS:

Gloria Moon, District 1
Zephaniah Timmins, District 2
John Flowers, District 3
Bill Marshall, District 4
Charlie Oliver, District 5
Ed Hoffman, District 7

ADMINISTRATIVE STAFF PRESENT:

Frank Johnson, City Manager
Todd Fitts, City Attorney
Stan Spence, Police Chief
Kenneth J. Snyder, Fire Chief
Anna Lane, Library Director
Ardis Wright, Assistant City Manager
Lisa Agnor, City Secretary/Finance Director
J. C. Hughes, Public Works Director
Jack Redmon, Parks Director

THE CHAIRMAN PRESENTED THE FOLLOWING AGENDA FOR THE PRE-COMMISSION PUBLIC WORK SESSION:

I. ITEMS LISTED ON THE CITY COMMISSION AGENDA & EMERGENCY ITEMS

None.

II. REQUESTS BY THE CITY COMMISSIONERS FOR ITEMS TO BE PLACED ON A FUTURE AGENDA

A. Discuss HOT funds use including procedures taken to ensure compliance with requirements to meet dual requirement that funds (1) are expended in support of tourism are in accordance with 1 of the 9 areas authorized by the law and (2) puts heads in beds. Discuss how the City verifies that recipients of the funds show they are in compliance with these requirements. Discuss what process recipients of fund go though to apply for funds.

B. Executive Session to meet with each of the City employees that report to the City Commission to establish performance goals and objectives for 2012.

III. CITY MANAGER REPORTS

City Manager Frank Johnson reviewed the agenda packet with the City Staff and City Commission.

IV. ADJOURNMENT

INVOCATION & PLEDGE: Commissioner Oliver

1. <u>PRESENTATIONS FROM THE PUBLIC</u>

Joseph Morale, 711 Wiley Avenue, updated the Commission on Wiley College activities, thanked the City for work on the handicap ramps and thanked Randy Pritchard for his assistance with making Wiley College a Storm Ready College.

Roxanna Gonzalez, 5204 South East End Blvd, said she was present on behalf of the hotel/motel industry and recommended that the agreement with Jack and

Nancy Canson on the agenda for this meeting be tabled for further review. She also requested the City implement a heads in beds tracking mechanism for all the entities receiving Hotel Occupancy Taxes.

2. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

None.

3. CONSENT AGENDA

Commissioner Hoffman moved to approve the following under Consent Agenda. Commissioner Oliver seconded the motion, which passed by a 7:0 vote.

A. Approval of the minutes from the December 8, 2011 Regular meeting; the December 19, 2011 Special-Called meeting; and the December 20, 2011 Special-Called meeting.

B. Consider approval of a one year extension to the Code RED reverse 911 dialing system service agreement.

4. RESOLUTION R-12-01: AMENDING AND ADOPTING THE CITY OF MARSHALL INVESTMENT POLICY

City Manager Frank Johnson asked for approval of a Resolution amending and adopting the City of Marshall Investment policy.

Commissioner Timmins moved to approve a Resolution amending and adopting the City of Marshall Investment policy. Commissioner Oliver seconded the motion, which passed by a 7:0 vote.

5. RESOLUTION R-12-02: SECTION 504 RESOLUTION TO ESTABLISH A 504 GRIEVANCE PROCEDURE AND DESIGNATE THE CITY MANAGER AS THE FAIR HOUSING/EQUAL OPPORTUNITY /SECTION 504 COORDINATOR FOR TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE DEPARTMENT OF HOUSING AND URBAN AFFAIRS

Public Works Director J. C. Hughes stated that Resolutions R-12-02, R-12-03, and R-12-04 are companion items to close out the emergency generator grant and asked for approval of a Section 504 Resolution to establish a 504 Grievance Procedure and designate the City Manager as the Fair Housing/Equal Opportunity/Section 504 Coordinator for Texas Community Development Block Grant Program and the Department of Housing and Urban Affairs.

Commissioner Timmins moved to approve a Section 504 Resolution to establish a 504 Grievance Procedure and designate the City Manager as the Fair Housing/Equal Opportunity/Section 504 Coordinator for Texas Community Development Block Grant Program and the Department of Housing and Urban Affairs. Commissioner Oliver seconded the motion, which passed by a 7:0 vote.

6. RESOLUTION R-12-03: AN EXCESSIVE FORCE RESOLUTION, AS REQUIRED BY THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM AND THE DEPARTMENT OF HOUSING AND URBAN AFFAIRS

J. C. Hughes asked for approval of an Excessive Force Resolution, as required by the Texas Community Development Block Grant Program and the Department of Housing and Urban Affairs.

Commissioner Moon moved to approve an Excessive Force Resolution, as required by the Texas Community Development Block Grant Program and the Department of Housing and Urban Affairs. Commissioner Timmins seconded the motion, which passed by a 7:0 vote.

7. RESOLUTION R-12-04: ESTABLISHING CITIZENS COMPLAINT PROCEDURES AND DESIGNATING THE CITY MANAGER AS COMMUNITY DEVELOPMENT COORDINATOR

J. C. Hughes asked for approval of a Resolution establishing Citizens Complaint Procedures and designating the City Manager as Community Development Coordinator.

Commissioner Timmins moved to approve a Resolution establishing Citizens Complaint Procedures and designating the City Manager as Community Development Coordinator. Commissioner Moon seconded the motion, which passed by a 7:0 vote.

8. PRESENTATION BY A REPRESENTATIVE OF THE NATIONAL WEATHER SERVICE REGARDING THE CITY OF MARSHALL ACHIEVING THE DESIGNATION OF A STORM READY CITY

Randy Pritchard, Emergency Management Coordinator, introduced Armanda Garza, Meteorologist for the Weather Forecast Office in Shreveport, LA. Mr. Garza stated that Marshall is one of six cities in northeast Texas to achieve the designation of a Storm Ready City and presented the City with a Storm Ready Certificate.

9. PRESENTATION OF THE 2012 BUDGET FOR THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION

Leslie Chambers, MEDCO Chairman, presented the 2012 Marshall Economic Development Corporation Budget.

10. APPROVAL OF AN APPOINTMENT TO THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS TO COMPLETE THE UNEXPIRED TERM OF BILL MARSHALL

Leslie Chambers, MEDCO Chairman, asked for approval of the appointment of Jerry Benson to the Marshall Economic Development Corporation Board of Directors for a one year term to fill the unexpired term of Bill Marshall.

Commissioner Hoffman moved to approve the appointment of Jerry Benson to the Marshall Economic Development Corporation Board of Directors to complete the unexpired term of Bill Marshall. Commissioner Timmins seconded the motion, which passed by a 7:0 vote.

11. APPROVAL OF AN AGREEMENT WITH JACK AND NANCY CANSON FOR SERVICES TO CONTINUE TO DEVELOP AND PROMOTE THE BIRTHPLACE OF BOOGIE WOOGIE PROJECT, INCLUDING COORDINATING BOOGIE WOOGIE PERFORMANCES WITH MEETINGS AND CONFERENCES SCHEDULED BY THE CONVENTION AND VISITOR BUREAU

Frank Johnson asked for approval of an agreement with Jack and Nancy Canson for services to continue to develop and promote the birthplace of Boogie Woogie, pointing out two additional provisions in the agreement and new work tasks contained in the contract.

Jack Canson discussed the proposed contract and outlined activities planned for the promotion of Boogie Woogie.

Commissioner John Flowers stated that he would like this item to be tabled to allow additional time for review.

Commissioner Timmins moved to table the approval of an agreement with Jack and Nancy Canson for services to continue to develop and promote the Birthplace of Boogie Woogie project, including coordinating Boogie Woogie performances with meetings and conferences scheduled by the Convention and Visitor Bureau. Commissioner Flowers seconded the motion, which passed by the following vote:

Ayes: 6
Nays: 1, Commissioner Oliver

THE FOLLOWING ITEM WAS TAKEN OUT OF ORDER:

12. DISCUSSION OF OPTIONS AVAILABLE REGARDING TYPE A AND TYPE B ECONOMIC DEVELOPMENT CORPORATIONS

Frank Johnson presented options available regarding Type A and Type B Economic Development Corporations.

Commissioners engaged in discussion regarding the Type A and Type B Economic Development Corporations.

A Town Hall Meeting for citizens' input was scheduled for Thursday, January 19, 2012, 6:00pm at the Marshall Convention Center.

13. APPROVAL OF THE ANNUAL AGREEMENT WITH HARRISON COUNTY JUVENILE SERVICES FOR LITTER PICK-UP IN THE CITY'S PARKS

Assistant City Manager Ardis Wright asked for approval of the annual agreement with Harrison County Juvenile Services for litter pick-up in the City's park.

Commissioner Hoffman moved to approve the annual agreement with Harrison County Juvenile Services for litter pick-up in the City's parks. Commissioner Moon seconded the motion, which passed by a 7:0 vote.

14. AUTHORIZING THE CITY ATTORNEY AND THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF MARSHALL IN ACCEPTING A DONATION FROM SWEPCO OF THE FORMER SWEPCO WAREHOUSE BUILDING AND ADJACENT GROUNDS AT THE SOUTHEAST CORNER OF WEST FANNIN AND SOUTH FULTON

Frank Johnson asked for approval to authorize the City Attorney and the City Manager to act on behalf of the City of Marshall in accepting a donation from SWEPCO of the former SWEPCO warehouse building and adjacent grounds at the southeast corner of West Fannin and South Fulton.

Commissioner Timmins moved to approve authorizing the City Attorney and the City Manager to act on behalf of the City of Marshall in accepting a donation from SWEPCO of the former SWEPCO warehouse building and adjacent grounds at the southeast corner of West Fannin and South Fulton. Commissioner Flowers seconded the motion, which passed by a 7:0 vote.

15. APPOINTMENTS TO VARIOUS CITY BOARDS AND COMMISSIONS

Frank Johnson stated that he made his recommendations for appointments to

various City Boards and Commissions at the last meeting. He said Commissioner Oliver would like Eva Oliver considered for appointment to the Library Board of Trustees.

Commissioners engaged in discussion about the appointment to the Library Board of Trustees.

Commissioner Marshall moved to approve all nominees for appointments to various City Boards and Commissions as presented by the City Manager, with the exception of the appointments to the Library Board of Trustees. Commissioner Hoffman seconded the motion, which passed by 7:0 vote.

Commissioner Oliver moved to approve all nominees for appointments to the Library Board of Trustees as presented by the City Manager, with the exception of replacing the appointment of Steve Flohr with the appointment of Eva Oliver to the Library Board of Trustees. Commissioner Timmins seconded the motion, which passed by a 7:0 vote.

16. APPROVAL OF A REVISED TAX ABATEMENT AGREEMENT FOR 209 EAST AUSTIN

Bo Ellis, Main Street Manager, asked for approval of a revised tax abatement agreement for 209 East Austin.

Commissioner Timmins moved to approve a revised tax abatement agreement for 209 East Austin. Commissioner Oliver seconded the motion, which passed by a 7:0 vote.

17. AUTHORIZING CITY STAFF TO ADVERTISE FOR LEASE OF OAK LAWN MUNICIPAL GOLF COURSE TO A VENDOR TO PROVIDE MANAGEMENT, OPERATION, AND MAINTENANCE SERVICES OR TO ADVERTISE FOR THE SALE OF OAK LAWN MUNICIPAL GOLF COURSE

Parks Director Jack Redmon asked the Commission to authorize City staff to advertise for the lease of Oak Lawn Municipal Golf Course to a vendor to provide management, operation, and maintenance services or to advertise for the sale of Oak Lawn Municipal Golf Course.

Commissioner Marshall moved to approve authorizing City staff to advertise for the lease of Oak Lawn Municipal Golf Course, as a golf course, to a vendor to provide management, operation, and maintenance services. Commissioner Hoffman seconded the motion, which passed by the following vote:

Ayes: 6
Nays: 1, Commissioner Flowers

18. APPROVAL OF AN AMENDMENT TO THE CITY COMMISSION TRAVEL POLICY TO ADD A PROVISION THAT THE CITY WILL PAY FOR OVERNIGHT LODGING FOR A COMMISSIONER WHO ELECTS TO DRIVE TO AND FROM A CONFERENCE OR MEETING LOCATION THAT IS MORE THAN AN EIGHT HOUR DRIVE AWAY FROM MARSHALL AS DETERMINED BY COMPUTER MAPPING PROGRAMS AVAILABLE ON-LINE

Commissioner Timmins asked for approval of an amendment to the City Commission Travel Policy to add a provision that the City will pay for overnight lodging for a Commissioner who elects to drive to and from a conference or meeting location that is more than an eight hour drive away from Marshall as determined by computer mapping programs available on-line.

Commissioner Timmins moved for approval of an amendment to the City Commission Travel Policy to add a provision that the City will pay for overnight lodging for a Commissioner who elects to drive to and from a conference or meeting location that is more than an eight hour drive away from Marshall as determined by computer mapping programs available on-line. Commissioner Moon seconded the motion, which passed by the following vote:

Ayes: 4
Nays: 3, Commissioners Marshall, Hoffman, and Paddie

19. DISCUSSION OF PROPOSED AMENDMENTS TO THE CITY OF MARSHALL'S CHARTER

The City Manager reviewed three amendments to the City's Charter that have been proposed for consideration; (1) Delete all sections in the Charter that refer to the School Board, (2) Amend the Charter to reflect the 1985 court order that the City elect seven Commissioners from single member districts, and (3) Amend the Charter to add a section to the Charter addressing obligations, duties, and limitations of Commissioners.

The Commission engaged in discussion about the proposed amendments to the City of Marshall's Charter.

20. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

None.

21. REQUESTS FROM COMMISSIONERS FOR ITEMS TO BE PLACED ON FUTURE AGENDAS

A. Report on and discussion of items that require a favorable vote by voters in an election to be enacted.

22. ADJOURNMENT

Commissioner Hoffman moved for adjournment. Commissioner Oliver seconded the motion, which passed by a 7:0 vote.

APPROVED:

Chairman of the City Commission
of the City of Marshall, Texas

ATTEST:

City Secretary

Resolutions: R-12-01, R-12-02, R-12-03, R-12-04