

MINUTES OF THE SPECIAL-CALLED MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
MONDAY, NOVEMBER 7, 2011
6:30PM

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

PRESENT:

CHAIRMAN: Chris Paddie, District 6

COMMISSIONERS:

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

ADMINISTRATIVE STAFF PRESENT:

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

None.

III. CITY MANAGER REPORTS

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

IV. ADJOURNMENT

INVOCATION & PLEDGE: Commissioner Moon

424. PRESENTATIONS FROM THE PUBLIC

Ed Michel, 301 N. Washington, invited the Commissioners to attend the 25th Anniversary of the Wonderland of Lights beginning November 23rd.

425. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

None.

426. CONSENT AGENDA

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

A. Approval of the minutes of the Regular meeting October 27, 2011.

B. Approval of the quarterly investment reports for the quarters ending June 30, 2011 and September 30, 2011.

- C. Approval of an agreement with The Bridge of Compassion for use of 2012 General Funds.
- D. Approval of an agreement with Marshall's My Friend's House, Inc. for use of 2012 General Funds.
- E. Approval of an agreement with East Texas Council on Alcoholism and Drug Abuse (ETCADA) for use of 2012 General Funds.
- F. Approval of an agreement with the Women's Center of East Texas for use of 2012 General Funds.
- G. Approval of an agreement with the ARC of Harrison County for use of 2012 General Funds.
- H. Approval of an agreement with the Marshall Depot, Inc. for use of 2012 Hotel/Motel Occupancy Tax Funds.
- I. Approval of an agreement with the Michelson Museum of Art for use of 2012 Hotel/Motel Occupancy Tax Funds.
- J. Approval of an agreement with the Marshall Regional Arts Council for use of 2012 Hotel/Motel Occupancy Tax Funds.
- K. Approval of an agreement with the Harrison County Historical Museum for use of 2012 Hotel/Motel Occupancy Tax Funds.

427. PRESENTATION OF RETIREMENT PLAQUES TO CLARENCE MADEWELL AND JERRY PONDER FOR THEIR YEARS OF SERVICE TO THE CITY OF MARSHALL

Chairman Chris Paddie presented a retirement plaque to Jerry Ponder for his years of service to the City. Clarence Madewell was unable to attend.

428. APPROVAL OF A REQUEST TO AWARD A CONSTRUCTION CONTRACT FOR REPLACEMENT OF THE TRICKLING FILTER #1 SWEEP ARM AT THE WASTE WATER TREATMENT PLANT DUE TO FATIGUE FAILURE OF THE 100-FOOT DIAMETER SWEEP ARM AND APPROVE THE USE OF WATER FUND RESERVES TO FUND THE REPAIR

Public Works Director J. C. Hughes asked for approval to award a construction contract, in the amount of \$113,000 to McKinney & McMillen of Jacksonville, TX, for replacement of the Trickling Filter #1 Sweep Arm at the Waste Water Treatment Plant due to fatigue failure of the 100-foot diameter sweep arm and for approval of the use Water Fund Reserves to fund the repair.

Commissioner Hoffman moved to award a construction contract for replacement of the Trickling Filter #1 sweep arm at the Waste Water Treatment Plant due to fatigue failure of the 100-foot diameter sweep arm and to approve the use of Water Fund Reserves to fund the repair. Commissioner Flowers seconded the motion, which passed by a 7:0 vote.

429. DISCUSSION OF DEVELOPMENT PLANS AND FINANCING FOR THE PROPERTY OWNED BY THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION AT HIGHWAY 59 AND INTERSTATE 20

Leslie Chambers, MEDCO Board Chairman, said that MEDCO is asking approval to complete Phase II of the Industrial Park at Hwy. 59 and I-20. Mrs. Chambers stated that Phase II includes road development (approximately 1200

feet), partial storm water drainage, utilities and easements. She stated that projected cost for Phase II is \$884,197 and the total development cost for Phase I, II and III is \$3,425,763. Mrs. Chambers stated that MEDCO would like to address the Commission again next month for consideration of Phase III of the project.

The Commission engaged in general discussion with MEDCO and their representatives regarding development plans and financing for this project.

THE FOLLOWING TWO ITEMS WERE TAKEN OUT OF ORDER.

430. EXECUTIVE SESSION PURSUANT TO SECTION 551.087 OF THE TEXAS GOVERNMENT CODE – DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS TO DISCUSS OR DELIBERATE REGARDING COMMERCIAL OR FINANCIAL INFORMATION THAT THE GOVERNMENTAL BODY HAS RECEIVED FROM A BUSINESS PROSPECT THAT THE GOVERNMENTAL BODY SEEKS TO HAVE LOCATE, STAY, OR EXPAND IN OR NEAR THE TERRITORY OF THE GOVERNMENTAL BODY AND WITH WHICH THE GOVERNMENTAL BODY IS CONDUCTING ECONOMIC DEVELOPMENT NEGOTIATIONS; OR TO DELIBERATE THE OFFER OF A FINANCIAL OR OTHER INCENTIVE BY THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION (MEDCO) TO A BUSINESS PROSPECT CONSIDERING LOCATING ON THE PROPERTY OWNED BY MEDCO ON HIGHWAY 59 SOUTH OF INTERSTATE 20

Commissioner Timmins moved to go into Executive Session. Commissioner Oliver seconded the motion, which passed by a 7:0 vote. The time was 7:45pm.

Commissioner Hoffman called to reconvene from Executive Session. Commissioner Timmins seconded the motion, which passed by a 7:0 vote. The time was 8:10pm.

431. APPROVAL OF AN EXPENDITURE IN EXCESS OF \$50,000 BY THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION

Leslie Chambers, MEDCO Board Chairman, asked for approval of \$884,197 to complete Phase II of the Industrial Park project located Hwy. 59 and I-20.

Commissioner Hoffman moved to approve an expenditure in excess of \$50,000 by the Marshall Economic Development Corporation. Commissioner Marshall seconded the motion, which failed by the following vote:

In Favor: 3

Opposed: 4, Commissioners Moon, Timmins, Flowers, and Oliver

432. CONSIDER APPOINTMENT OF A COMMITTEE TO ADDRESS ROAD, STREET, AND HIGHWAY ISSUES OF INTEREST AND IMPORTANCE TO THE CITY OF MARSHALL

Commissioner Marshall stated that he would like a committee appointed for at least three years to address completing the loop around Marshall. He suggested that the appointments to the committee be made by the Chairman and consist of the following: one City Commissioner, one person from the City Staff, and one citizen.

Commissioner Marshall moved that the Chairman be authorized to form a ad hoc committee and appoint three members for the purposes of lobbying TxDOT and State Officials to complete the loop around Marshall; the

members consisting of a member of the City Commission, a member of the City Staff and a member of the citizenship of Marshall. The term to be three years. Commissioner Timmins seconded the motion, which passed by a 7:0 vote.

433. REPORT ON HOTEL OCCUPANCY TAX REVENUES

Commissioner Flowers asked about the decline in Hotel Occupancy Tax Revenues. Geraldine Mauthe, CVB Director, stated that there has been a decline in court trials in Marshall and an increase in extended stays at hotels, which are not required to pay Hotel Occupancy Tax if staying over 31 days.

434. REPORT ON DEGREE OF BREAKDOWN AVAILABLE FOR SALES TAX COLLECTION

Commissioner Flowers commented on the report on the degree of breakdown available for sales tax collection. Finance Director Lisa Agnor answered questions regarding the information provided.

435. REPORT ON AGREEMENT WITH HARRISON COUNTY JUVENILE SERVICES FOR LITTER PICK UP

Commissioner Timmins stated that the City currently contracts with Harrison County Juvenile Service for litter pick up at the parks. He suggested the City talk with Harrison County Juvenile Services about expanding the contract to include services for litter pick-up in neighborhoods.

436. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

None.

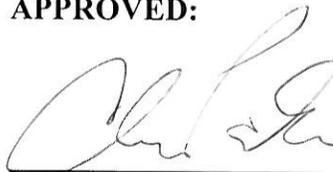
437. REQUESTS FROM COMMISSIONERS FOR ITEMS TO BE PLACED ON FUTURE AGENDAS

- A. Update on the status of implementation of employees evaluations.
- B. Report on validity of Commission vote if circumstances change after vote.

438. ADJOURNMENT

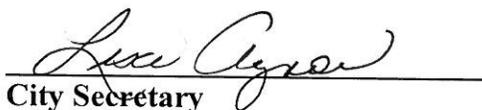
Commissioner Hoffman moved for adjournment. Commissioner Oliver seconded the motion, which passed by a 7:0 vote.

APPROVED:



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

ATTEST:



City Secretary