

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, DECEMBER 8, 2011
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	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	Jack Redmon, Parks Director
Kenneth J. Snyder, Fire Chief	

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. Discussion of two (2) Charter Amendments to be on ballot in May 2012.
- B. Discussion of options available regarding Type A and Type B Economic Development Corporations.

III. CITY MANAGER REPORTS

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

IV. ADJOURNMENT

INVOCATION & PLEDGE: Commissioner Bill Marshall

445. PRESENTATIONS FROM THE PUBLIC

John Wilborn, 1808 University, thanked the Commission for the opportunity to serve on the MEDCO Board.

446. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

None.

447. 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 of the Special-Called meeting November 21, 2011.
- B. Approval of the annual interlocal agreement with Harrison County for exchange of services.

448. PRESENTATION OF A RETIREMENT PLAQUE TO CLARENCE MADEWELL FOR HIS YEARS OF SERVICE TO THE CITY OF MARSHALL

Chairman Paddie presented a retirement plaque to Clarence Madewell.

449. PRESENTATION OF RECOMMENDATION BY THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION FOR APPOINTMENT TO THE MEDCO BOARD

MEDCO Chairman Leslie Chambers presented the following recommendations for appointments to the MEDCO Board: 1) re-nomination of Kathy Wood for another three-year term, and 2) nomination of Anthony Coleman to replace John Wilborn.

John Wilborn voiced his support for the nominations.

450. PRESENTATION OF RECOMMENDATION BY THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION FOR AN AMENDMENT TO MEDCO'S BYLAWS

MEDCO Chairman Leslie Chambers presented recommended changes to the MEDCO bylaws, to be considered for action at a future meeting, as follows:

4.01 The Board shall consist of five (5) Directors, each of whom shall be appointed by the Commission and each of whom must be a full time resident of Harrison County, Texas, and if employed or self employed be employed in, by, or own, manage or operate a business or venture located in Harrison County Texas. No elected official of any political subdivision of the state of Texas may be appointed to or serve on the Board.

4.05 The City Manager, the Mayor and the Mayor Pro Tem or their designated representatives shall serve as ex-officio members of the Board and may participate in all discussions and deliberations of the Board. Ex-officio members shall not hold voting rights on the Board.

PUBLIC HEARINGS

451. ORDINANCE O-11-16: REZONE LOTS 9-15, OF BLOCK 60 OF THE GREGG ADDITION, BEING 1.047 ACRES OF LAND, FROM R-3 SINGLE FAMILY DETACHED TO R-6 DUPLEX, TRIPLEX, QUADRAPLEX (JOE STEPHENS – 2900-2912 PARK DRIVE)

City Manager Frank said the Planning and Zoning Commission voted 6:0 in favor of this request and asked for approval of an Ordinance to rezone Lots 9-15, of Block 60 of the Gregg Addition, being 1.047 acres of land, from R-3 Single Family Detached to R-6 Duplex, Triplex, Quadraplex.

Chairman Paddie opened the Public Hearing and asked for anyone wishing to speak in favor of this item to come forward.

Joe Stephens, 133 FM 1998, spoke in favor of the rezoning and thanked the Commission for their consideration.

Chairman Paddie asked for anyone wishing to speak against this item to come forward.

No one came forward to speak against this item.

Chairman Paddie closed the Public Hearing.

Commissioner Timmins moved to approve an Ordinance to rezone Lots 9-15, of Block 60 of the Gregg Addition, being 1.047 acres of land, from R-3 Single Family Detached to R-6 Duplex, Triplex, Quadraplex. Commissioner Moon seconded the motion, which passed by a 7:0 vote. (Second reading required)

452. REQUEST TO REZONE 4.089 ACRES OF LAND, BEING PART OF ABSTRACT 20 IN THE BETHANY ROGERS SURVEY, FROM AE-AGRICULTURE AND ESTATE TO MH-MOBILE HOME (GLEN D. COLEMAN – 6241 U.S. HIGHWAY 80 EAST)

Item withdrawn.

453. REQUEST TO REZONE 5.6 ACRES OF LAND, BEING THE RESIDUE OF A 13.81 ACRE TRACT OF ABSTRACT 20 IN THE BETHANY ROGERS SURVEY, FROM AE-AGRICULTURE AND ESTATE TO MH-MOBILE HOME (BRAD FAUCETT – 200 E. LOOP 390 NORTH)

Item withdrawn.

454. RESOLUTION R-11-26: ALL GOODS IN TRANSIT, AS DEFINED IN SECTION 11.253 OF THE TEXAS PROPERTY TAX CODE, SHALL BE SUBJECT TO AD VALOREM TAXATION

Frank Johnson said a required public hearing regarding this agenda item was held at the October 27, 2011 Regular meeting. Mr. Johnson asked for approval of a Resolution regarding all goods in transit, as defined in Section 11.253 of the Texas Property Tax Code, shall be subject to ad valorem taxation.

Commission Oliver moved to approve a Resolution regarding all goods in transit, as defined in Section 11.253 of the Texas Property Tax Code, shall be subject to ad valorem taxation. Commissioner Timmins seconded the motion, which passed by a 7:0 vote.

455. APPROVAL OF A CONTRACT TO F-2 INDUSTRIES TO FURNISH POLYPHOSPHATE CORROSION INHIBITOR FOR WATER TREATMENT FOR THE CITY OF MARSHALL

Assistant City Manager Ardis Wright asked for approval to award a contract to F-2 Industries of Smyrna, TN to furnish Polyphosphate Corrosion Inhibitor for water treatment.

Commissioner Marshall moved to award a contract to F-2 Industries to furnish Polyphosphate Corrosion Inhibitor for water treatment for the City of Marshall. Commissioner Oliver seconded the motion, which passed by a 7:0 vote.

456. 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

Item withdrawn.

457. RECOMMENDATION BY CITY MANAGER REGARDING APPOINTMENTS TO VARIOUS CITY BOARDS AND COMMISSIONS

Item withdrawn.

458. REPORT ON STATUS OF PERSONNEL EVALUATIONS

Commissioner Marshall asked for an update on the status of personnel evaluations. Frank Johnson said implementation began in November and evaluations will occur in the month of the anniversary hire date. He stated that implementation has gone well thus far.

459. DISCUSSION OF USE OF COUNTY TAXES WITHIN THE CITY LIMITS

Commissioner Hoffman asked if the City Manager and City staff were satisfied with the services the City receives from the County for the taxes paid to the County. Frank Johnson stated that he believes everyone is generally satisfied with benefits derived from taxes paid to the County.

460. REPORTS BY COMMISSIONERS ON THE NATIONAL LEAGUE OF CITIES CONFERENCE

Commissioner Hoffman reported on the National League of Cities Conference. Commissioner Marshall and Commissioner Timmins also commented on the conference.

461. DISCUSSION OF COSTS AND BENEFITS OF MEMBERSHIP IN THE NATIONAL LEAGUE OF CITIES

Commissioner Hoffman commented on the cost of the National League of Cities membership and the cost and value of attending conferences sponsored by the NLC.

462. REPORT ON STATUS OF CONSTRUCTION PROJECTS: ENERGY EFFICIENCY IMPROVEMENTS AT CONVENTION CENTER AND MEMORIAL CITY HALL RENOVATION

Frank Johnson stated that the Public Works Director was unable to attend the meeting to report on the Energy Efficient Improvements at the Convention Center. Parks Director Jack Redman reported on the Memorial City Hall Renovations.

463. MONTHLY FINANCIAL REPORT

Lisa Agnor, City Secretary/Finance Director, answered Commission Hoffman's questions about the Monthly Financial Report.

464. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

None.

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

- A. Report on employees' reaction to the evaluation process to determine potential ramifications of implementation of new policy. (February or March meeting)

466. ADJOURNMENT

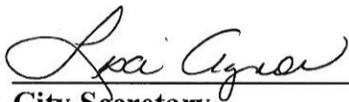
Commissioner Oliver moved for adjournment. Commissioner Hoffman seconded the motion, which passed by a 7:0 vote.

APPROVED:



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

ATTEST:



City Secretary

Ordinances: O-11-16
Resolution: R-11-26