MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, SEPTEMBER 22, 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
Zephaniah Timmins, District 2
Bill Marshall, District 4
Charlie Oliver, District 5

ABSENT: John Flowers, District 3
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

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

347. PRESENTATIONS FROM THE PUBLIC

John Bogue, 605 Buffo Street, spoke in support of fully funded health insurance for retirees.

Cindy Holmes, 1082 Old Hwy. 80, Hallsville, TX, spoke in support of fully funded health insurance for retirees and asked Commission to take a closer look at the budget to fund the insurance.

Keith Fletcher, 207 S. Fulton, spoke in support of fully funded health insurance for retirees and asked the Commission to look at the budget again to find the money to continue to offer this benefit.

Aaron Younger, 505 E. Merritt St., said employees worked looking forward to the benefit of fully funded retiree health insurance.

348. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

None.

349. CONSENT AGENDA

Commissioner Marshall moved to approve the following under Consent Agenda. Commissioner Oliver seconded the motion, which passed by a 5:0 vote.

A. Consider approval of the minutes of the Regular meeting of September 8, 2011, and Special-Called meeting of September 13, 2011.

350. PROCLAMATION DECLARING OCTOBER 2011 AS "NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH" IN MARSHALL, TEXAS

Chairman Paddie presented a proclamation to representatives from the Women's Center of East Texas. Chairman Paddie read the proclamation declaring October 2011 as "National Domestic Violence Awareness Month" in Marshall, Texas.

ORDINANCES

351. ORDINANCE O-11-12: LEVYING AD VALOREM TAXES FOR 2011 FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF MARSHALL, TEXAS, FOR THE 2012 FISCAL YEAR; AND PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES

Frank Johnson asked for approval of an Ordinance levying ad valorem taxes for 2011 for the use and support of the Municipal government of the City of Marshall, Texas, for the 2012 fiscal year; and providing for apportioning each levy for specific purposes.

Commissioner Moon moved that the property tax rate be increased by the adoption of a tax rate of $0.47604, which is effectively a 3.2 percent increase in the tax rate and the Ordinance be approved levying ad valorem taxes for 2011 for the use and support of the 2012 fiscal year and providing for apportioning each levy for specific purposes. Commissioner Marshall seconded the motion, which passed by a 5:0. (Second reading required.)

352. ORDINANCE O-11-13: MAKING APPROPRIATIONS FOR THE SUPPORT OF THE CITY OF MARSHALL, TEXAS FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2012 AND ENDING DECEMBER 31, 2012, APPROPRIATING MONEY TO A SINKING FUND TO PAY INTEREST AND PRINCIPAL DUE ON THE CITY'S INDEBTEDNESS; AND ADOPTING THE ANNUAL BUDGET OF THE CITY OF MARSHALL, TEXAS FOR THE 2012 FISCAL YEAR

Frank Johnson asked for approval of an Ordinance making appropriations for the support of the City of Marshall, Texas for the fiscal year beginning January 1, 2012 and ending December 31, 2012, appropriating money to a sinking fund to pay interest and principal due on the city's indebtedness; and adopting the annual budget of the City of Marshall, Texas for the 2012 fiscal year.

Commissioner Timmins moved to approve an Ordinance making appropriations for the support of the City of Marshall, Texas for the fiscal year beginning January 1, 2012 and ending December 31, 2012, appropriating money to a sinking fund to pay interest and principal due on the city's indebtedness; and adopting the annual budget of the City of

Marshall, Texas for the 2012 fiscal year. Commissioner Oliver seconded the motion, which passed by a 5:0 vote. (Second reading required.)

353. RESOLUTION R-11-22: DENYING THE RATE INCREASE, RATE PLAN, AND DEFERRED ACCOUNTING ORDER PROPOSED BY SOUTHWESTERN ELECTRIC POWER COMPANY AND AUTHORIZING THE CITY TO PARTICIPATE WITH CITIES ADVOCATING REASONABLE DEREGULATION (CARD) IN PROCEEDINGS BEFORE THE PUBLIC UTILITY COMMISSION REGARDING THIS MATTER

Frank Johnson asked for approval of a Resolution denying the rate increase, rate plan, and deferred accounting order proposed by Southwestern Electric Power Company and authorizing the City to participate with Cities Advocating Reasonable Deregulation (CARD) in proceedings before the Public Utility Commission regarding this matter.

Commissioner Timmins moved to approve a Resolution denying the rate increase, rate plan, and deferred accounting order proposed by Southwestern Electric Power Company and authorizing the City to participate with Cities Advocating Reasonable Deregulation (CARD) in proceedings before the Public Utility Commission regarding this matter. Commissioner Oliver seconded the motion, which passed by a 5:0 vote.

354. CONSIDER APPROVAL OF A RESOLUTION REGARDING NOMINATIONS FOR DIRECTORS OF THE HARRISON CENTRAL APPRAISAL DISTRICT

Frank Johnson explained the nomination process for directors of the Harrison Central Appraisal District. No action was taken on this item.

355. SEMI-ANNUAL REPORT BY THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION

Donna Maisel, MEDCO Executive Director, presented the MEDCO semi-annual report.

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

Donna Maisel, MEDCO Executive Director, asked approval of an agreement for Economic Development Assistance for Project Quick Site, in the amount of $287,000. She said this agreement will allow MEDCO to deed a five acre tract of land to this company after a four year contractual period in exchange for job creation.

Commissioner Timmins moved to approve an expenditure in excess of $50,000.00 by the Marshall Economic Development Corporation. Commissioner Oliver seconded the motion, which passed by a 5:0 vote.

357. APPROVAL OF AMENDMENTS TO THE AGREEMENT WITH THE MARSHALL HARRISON COUNTY LITERACY COUNCIL FOR USE OF 2010-2011 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

Frank Johnson asked for approval of amendments to the agreement with the Marshall Harrison County Literacy Council for use of 2010-2011 Community Development Block Grant funds.

Commissioner Oliver moved to approve amendments to the agreement with the Marshall Harrison County Literacy Council for use of 2010-2011 Community Development Block Grant funds. Commissioner Timmins

seconded the motion, which passed by a 5:0 vote.

358. NOMINATION OF CANDIDATES FOR HARRISON CENTRAL APPRAISAL DISTRICT DIRECTOR

Withdrawn.

359. PRESENTATION BY JEWEL ROSS-FERGUSON, GIRL SCOUTS OF AMERICA GOLD AWARD CANDIDATE, REGARDING HER PROJECT IN CITY PARK

Jewel Ross-Ferguson, Girl Scouts of American Gold Award Candidate, gave a presentation regarding her project in City Park.

Michelle Brannon, Girl Scout Gold Adviser, commended Miss Ross-Ferguson on the countless hours put into her project.

360. APPROVAL OF A REQUEST TO DECLARE AND FUND AN EMERGENCY REPAIR AND ENGINEERING TO TRICKLING FILTER #1 SWEEP ARM AT THE WASTE WATER TREATMENT PLANT DUE TO FATIGUE FAILURE OF THE 100-FOOT DIAMETER SWEEP ARM

Public Works Director J. C. Hughes asked for approval of a request to declare and fund an emergency repair and engineering to Trickling Filter #1 sweep arm at the Waste Water Treatment Plant due to fatigue failure of the 100-foot diameter sweep arm.

Commissioner Marshall moved to approve a request to declare and fund an emergency repair and engineering to Trickling Filter #1 sweep arm at the Waste Water Treatment Plant due to fatigue failure of the 100-foot diameter sweep arm. Commissioner Timmins seconded the motion, which passed by a 5:0 vote.

361. APPROVAL OF A REQUEST TO ISSUE CHANGE ORDER #3 TO THE 2011 STREET IMPROVEMENT PROGRAM INCREASING THE CONTRACT QUANTITY TO PROVIDE FOR RECONSTRUCTION OF THE NORTHERN SEGMENT OF CALLUM STREET FROM WEST HOUSTON SOUTHWARD TO INMAN STREET; RESULTING IN A CONTRACT INCREASE OF $57,000.00

Frank Johnson said improvements to Callum Street were to be funded with General Funds and CDBG funds. Due to the fact that CDBG funds for street improvements have not been released at this time, Mr. Johnson asked for the use of General Reserve Funds to fund the portion that was to be paid with CDBG funds. He said that the specific ordinance to appropriate this money will be placed on a future agenda if the commission is agreeable.

J. C. Hughes asked for approval of a request to issue Change Order #3 to the 2011 Street Improvement Program increasing the contract quantity to provide for reconstruction of the northern segment of Callum Street from West Houston southward to Inman Street. He said the total contract increase would be $63,200.50

Commissioner Timmins moved to approve Change Order #3 to the 2011 Street Improvement Program increasing the contract quantity to provide for reconstruction of the northern segment of Callum Street from West Houston southward to Inman Street; resulting in a contract increase of $63,200.50. Commissioner Oliver seconded the motion, which passed by a 5:0 vote.

362. REPORT ON THE PLAN FOR USE OF MEMORIAL CITY HALL

Item postponed to a future agenda.

363. REPORT ON COMPENSATION TO ELECTED OFFICIALS IN OTHER CITIES

Commissioner Moon asked Frank Johnson to report on this item. Frank Johnson summarized what other cities provide to elected officials to assist them in performance of their duties. Commissioner Moon asked Mr. Johnson to look to see what the City could do to assist Commissioners in doing their jobs more efficiently, such as paperless agendas and packets.

364. DISCUSSION OF POSSIBLE JOINT MEETING WITH THE SCHOOL BOARD

Commissioner Moon said that she believes that the City and the School Board are two vital groups within the community that need to communicate and would like to have a joint meeting.

Frank Johnson said he would discuss the subject with Dr. Bruce Gearing and report back to the Commission.

365. SETTING A DATE FOR ANOTHER TOWN HALL MEETING

Frank Johnson said this item was on the agenda to set a date for a Town Hall Meeting. The Commissioners decided to wait to set a date until Mr. Johnson speaks the School Board about a joint meeting.

366. REPORT ON RECYCLING IN VARIOUS CITY FACILITIES

Commissioner Marshall offered suggestions on how to enhance recycling at various City facilities.

Frank Johnson said he would report back to the Commission in a couple of months on the status of a recycling plan.

367. REPORT ON STATUS OF CONSTRUCTION PROJECTS: ENERGY EFFICIENCY IMPROVEMENTS AT CONVENTION CENTER; SANFORD STREET BRIDGE REPLACEMENT; MEMORIAL CITY HALL RENOVATION

J. C. Hughes gave a report on the Energy Efficiency Improvements at the Convention Center and on the Sanford Street Bridge Replacement. Jack Redmon, Parks Director, reported on the Memorial City Hall Renovations.

368. CODE ENFORCEMENT REPORT

Frank Johnson presented the Code Enforcement Report.

369. MONTHLY FINANCIAL REPORT

There were no questions regarding the Monthly Financial Report.

370. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

None.

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

A. Report on status of CDBG Funds.
B. Report on the Housing Program.
C. Report on amending the current contract with MEDCO for operation and management of the Business Development Center and Center for Applied Technology to place all financial responsibilities with MEDCO.

372. ADJOURNMENT

Commissioner Marshall moved for adjournment. Commissioner Oliver seconded the motion, which passed by a 5:0 vote.

APPROVED:

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

ATTEST:

City Secretary

Ordinances: O-11-12, O-11-13
Resolutions: R-11-22