

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, JANUARY 12, 2017
6:00 PM

Chairman Eric Neal called the Regular meeting to order in the Commission Chambers, City Hall at 6:00 p.m.

PRESENT:

CHAIRMAN: Eric Neal, District 3

COMMISSIONERS:

Gloria Moon, District 1
LaDarius Carter, District 4
Larry Hurta, District 6

Michael Mitchell, District 2
Vernia Calhoun, District 5
Doug Lewis, District 7

ADMINISTRATIVE STAFF PRESENT:

Lisa Agnor, City Manager
J.C. Hughes, Public Services Director
Jack Redmon, Support Services Director
Wes Morrison, Planning & Development Director
Elaine Altman, City Secretary/Finance Director
Carolyn Howard, Tourism & Promotions Director

Todd Fitts, City Attorney
Reggie Cooper, Fire Chief
Eddie Campa, Police Chief

INVOCATION & PLEDGE: Commissioner Carter

1. **PRESENTATIONS FROM THE PUBLIC**

Narcie Crosby, 211 N. Bolivar, asked the Commission to use their microphones when speaking to allow the audience to hear them better.

2. **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

3. **CONSENT AGENDA**

Commissioner Hurta made a motion to approve the Consent Agenda. Commissioner Mitchell seconded the motion, which passed with a vote of 7:0.

- A. Consider approval of the minutes from the December 8, 2016 Regular meeting; the December 15, 2016 Special-Called meeting; and the December 16, 2016 Special-Called meeting.
- B. Consider a report on the number of citizens participating in the Service Line Warranty program as sponsored by the National League of Cities.
- C. Consider approval of a Treated Water Supply Contract with General Cable Industries, Inc.
- D. Code Enforcement report.
- E. Monthly financial report.

PRESENTATION

4. PRESENTATION OF A RETIREMENT PLAQUE TO DARRYL GRIFFIN FOR HIS YEARS OF SERVICE TO THE CITY OF MARSHALL.

Commissioner Carter presented a retirement plaque to Darryl Griffin for his years of service to the City of Marshall Police Department and expressed appreciation for his service.

RESOLUTIONS

5. CONSIDER APPROVAL OF A RESOLUTION SUSPENDING THE EFFECTIVE DATE FOR NINETY DAYS IN CONNECTION WITH THE RATE INCREASE FILING OF SOUTHWESTERN ELECTRIC POWER COMPANY ON OR ABOUT DECEMBER 16, 2016; REQUIRING THE REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; AUTHORIZING PARTICIPATION IN THE COALITION OF SIMILARLY SITUATED CITIES; AUTHORIZING INTERVENTION AND PARTICIPATION IN RELATED RATE PROCEEDINGS; AUTHORIZING THE RETENTION OF SPECIAL COUNSEL; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

Todd Fitts, City Attorney, discussed and asked the Commission to approve a Resolution suspending the effective date for ninety days in connection with the rate increase filing of Southwestern Electric Power Company on or about December 16, 2016; requiring the reimbursement of municipal rate case expenses; authorizing participation in the coalition of similarly situated cities; authorizing intervention and participation in related rate proceedings; authorizing the retention of special counsel; finding that the meeting complies with the Open Meetings Act; making other findings and provisions related to the subject; and declaring an effective date.

Commissioner Mitchell made a motion to approve the Resolution as posted. Commissioner Moon seconded the motion.

Commissioners asked questions of Todd Fitts regarding this item.

This item passed with a vote of 7:0.

6. CONSIDER APPROVAL OF A RESOLUTION ADOPTING THE CITY OF MARSHALL INVESTMENT POLICY.

Elaine Altman, City Secretary/Finance Director, asked for approval of a Resolution adopting the City of Marshall Investment Policy.

Commissioners asked questions of Elaine Altman regarding this item.

Commissioner Mitchell made a motion to approve the Resolution adopting the City of Marshall Investment Policy. Commissioner Moon seconded the motion.

The Commission engaged in further discussion regarding this item.

This item passed with a vote of 7:0.

PUBLIC HEARING AND ORDINANCE APPROVAL

7. **Z-16-07: CONDUCT A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE ZONING MAP REGARDING A REZONING REQUEST FOR A 0.241 ACRE TRACT OF LAND FROM R-3 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO MH (MOBILE HOME) DISTRICT. THE SUBJECT PROPERTY IS GENERALLY LOCATED ON THE EAST SIDE OF BOONE STREET, AND ON THE NORTH SIDE OF EAST TEDDY STREET, SPECIFICALLY DEFINED AS 802 BOONE STREET.**

Wes Morrison, Planning & Development Director, asked for approval of an Ordinance amending the zoning map regarding a rezoning request for a 0.241 acre tract of land from R-3 (Single Family Residential) district to MH (Mobile Home) district. The subject property is generally located on the east side of Boone Street, and on the north side of East Teddy Street, specifically defined as 802 Boone Street. He stated that the Planning and Zoning Commission voted 6:0 in favor of the Ordinance.

The Commission engaged in a discussion regarding this item.

Chairman Neal opened the public hearing.

No one came forward to speak.

Chairman Neal closed the public hearing.

The Commission engaged in further discussion regarding this item.

Commissioner Mitchell made a motion to approve the Ordinance as posted. Commissioner Moon seconded the motion, which failed with the following vote:

Ayes: 3, Commissioners Mitchell, Moon and Calhoun

Nays: 4, Chairman Neal, Commissioners Lewis, Hurta and Carter

8. **Z-16-08: CONDUCT A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE ZONING MAP REGARDING A REZONING REQUEST FOR A 3.76 ACRE TRACT OF LAND FROM A-E (AGRICULTURE AND ESTATE) DISTRICT TO R-5 (SINGLE FAMILY ATTACHED) DISTRICT AS WELL AS A 102.41 ACRE TRACT OF LAND FROM A-E (AGRICULTURE AND ESTATE) DISTRICT TO R-2 (SINGLE FAMILY DETACHED) DISTRICT. THE SUBJECT PROPERTY IS GENERALLY LOCATED ON THE SOUTH SIDE OF KINGS ROAD, AND ON THE EAST SIDE OF WEST PINECREST DRIVE.**

Wes Morrison asked for approval of an Ordinance amending the zoning map regarding a rezoning request for a 3.76 acre tract of land from A-E (Agriculture and Estate) district to R-5 (Single Family Attached) district as well as a 102.41 acre tract of land from A-E (Agriculture and Estate) district to R-2 (Single Family Detached) district. The subject property is generally located on the south side of Kings Road, and on the east side of West Pinecrest Drive. He stated that the Planning and Zoning Commission voted 6:0:1 in favor of the Ordinance.

Commissioners asked questions of Wes Morrison regarding this item.

Chairman Neal opened the public hearing.

No one came forward to speak.

Chairman Neal closed the public hearing.

Commissioner Carter made a motion to approve the Ordinance as posted. Commissioner Lewis seconded the motion, which passed with a vote of 7:0.

9. Z-16-09: CONDUCT A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE ZONING MAP REGARDING A REZONING REQUEST FOR A 0.774 ACRE TRACT OF LAND FROM A-E (AGRICULTURE AND ESTATE) DISTRICT TO C-2 (RETAIL BUSINESS) DISTRICT. THE SUBJECT PROPERTY IS GENERALLY LOCATED ON THE NORTH SIDE OF VICTORY DRIVE, SPECIFICALLY DEFINED AS 5409 VICTORY DRIVE.

Wes Morrison asked for approval of an Ordinance amending the zoning map regarding a rezoning request for a 0.774 acre tract of land from A-E (Agriculture and Estate) district to C-2 (Retail Business) district. The subject property is generally located on the north side of Victory Drive, specifically defined as 5409 Victory Drive. He stated that the Planning and Zoning Commission voted 6:0 in favor of the Ordinance.

The Commission engaged in a discussion regarding this item.

Chairman Neal opened the public hearing.

No one came forward to speak.

Chairman Neal closed the public hearing.

Commissioner Mitchell made a motion to approve the Ordinance as posted. Commissioner Calhoun seconded the motion, which passed with a vote of 7:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION

10. CONSIDER AND RESPOND TO A REPORT REGARDING PROPOSED 2017 STREET IMPROVEMENT PROGRAM.

J.C. Hughes, Public Services Director, presented a report regarding the proposed 2017 Street Improvement Program.

Commissioners asked questions of J.C. Hughes regarding this item. J.C. asked the Commissioners to get back to him with changes and recommendations.

11. CONSIDER APPROVAL OF AN ENGINEERING WORK ORDER FOR THE 2017 STREET IMPROVEMENTS PROGRAM.

J.C. Hughes asked for approval of an Engineering Work Order with Hayes Engineering, Inc. The work order is for engineering and construction inspection for the 2017 Street Improvements Program at a cost of \$110,000.

Commissioner Mitchell made a motion to approve an Engineering Work Order with Hayes Engineering, Inc. for engineering and construction inspection for the 2017 Street Improvements Program at a cost of \$110,000. Commissioner Lewis seconded the motion, which passed with a vote of 7:0.

12. CONSIDER AND RESPOND TO A STATUS REPORT OF THE WATER, WASTE WATER, AND DRAINAGE MASTER PLAN PROJECTS.

J.C. Hughes presented a status report of the Water, Waste Water, and Drainage Master Plan projects.

The Commission engaged in a discussion regarding this item.

13. CONSIDER AND RESPOND TO A STATUS REPORT ON THE WATER METERING SYSTEM PROJECT.

J.C. Hughes presented a status report on the Water Metering System project.

14. REPORT REGARDING THE STATUS OF THE MEMORIAL CITY HALL RENOVATION PROJECT.

Lisa Agnor, City Manager, and Jack Redmon, Support Services Director, presented a report regarding the status of the Memorial City Hall renovation project.

Commissioners asked questions of City Staff regarding this item.

15. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

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

- Report on the number of citizens participating in the Service Line Warranty program as sponsored by the National League of Cities. (Commissioner Calhoun)
- Report regarding future events to be promoted by Tourism and Promotions. (Commissioner Moon)
- Report regarding 2016 Wonderland of Lights. (Commissioner Mitchell)
- Report regarding the status of renovations at the Marshall Public Library. (Commissioner Calhoun)
- Report on the purchase of iPads for City Commissioners. (Commissioner Hurta)
- Report regarding mental health services available to City emergency personnel. (Commissioner Mitchell)
- Report regarding Texas Department of Transportation Highway Traffic Signals. (Commissioner Mitchell)

17. ADJOURNMENT

Commissioner Moon made a motion for adjournment. Commissioner Calhoun seconded the motion, which passed with a vote of 7:0.

APPROVED:

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

ATTEST:

City Secretary

**Ordinances: O-17-01
O-17-02
O-17-03
Resolutions: R-17-01
R-17-02**