

MINUTES OF THE REGULAR MEETING OF THE  
CITY COMMISSION OF THE CITY OF MARSHALL  
THURSDAY, OCTOBER 8, 2015  
6:00 PM

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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

Vernia Calhoun, District 5

Garrett Boersma, District 6

Ed Smith, District 7

ABSENT: Michael Mitchell, District 2

ADMINISTRATIVE STAFF PRESENT:

Lisa Agnor, City Manager

Todd Fitts, City Attorney

J.C. Hughes, Public Services Director

Reggie Cooper, Fire Chief

Jack Redmon, Support Services Director

Eddie Campa, Police Chief

Debbie Manuel, Acting City Secretary/Finance Director

Sarah O'Brien, Director of Tourism & Promotions

INVOCATION & PLEDGE: Commissioner Carter

325. **PRESENTATIONS FROM THE PUBLIC**

Steve Flohr, 1013 Stonewall Drive, President of Friends of the Public Library, stated that he is thankful for the replacement of the Library roof and that he believes the interlocal agreement with Harrison County should be approved. He would like in the future for the City to negotiate for gradual increases to represent the usage of the library due to one-third of the recipients of services are from Harrison County residents who reside outside the city limits.

John Wilson, 500 E. Woodland Rd., President of the Marshall Firefighter Association, stated that the Fire Department is supporting the "Care Enough to Wear Pink" campaign to honor Breast Cancer Awareness in the month of October. T-shirts will be available for the public to purchase starting at \$15 while supplies last.

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

327. **CONSENT AGENDA**

**Commissioner Moon made a motion to approve the Consent Agenda. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.**

- A. Consider approval of the minutes from the September 8, 2015 Special-Called meeting; September 10, 2015 Regular meeting; September 14, 2015 Special-Called meeting;

September 17, 2015 Special-Called meeting; September 18, 2015 special-called meeting; and the September 21, 2015 Special-Called meeting.

- B. Consider approval to award a contract to Haltom Construction of Marshall, Texas for street reconstructions and overlays as specified in our 2015 Community Development Block Grant (CDBG) Street Improvement Program, as previously approved by the City Commission.
- C. Consider approval of the extension of a contract to provide janitorial services to various City facilities.
- D. Code Enforcement report.

**PROCLAMATION**

328. PRESENTATION OF A PROCLAMATION DECLARING THE MONTH OF OCTOBER AS "NATIONAL DOMESTIC VIOLENCE AWARENESS MONTH".

Chairman Neal read into record a Proclamation declaring the month of October as "National Domestic Violence Awareness Month" in Marshall, Texas.

The Commission recognized the Boy Scouts of Troop 550.

The Executive Session was taken out of order at the point in the meeting.

**EXECUTIVE SESSION**

329. EXECUTIVE SESSION

A. Pursuant to the Open Meetings Act, Section 551.071 of the Texas Government Code – Consultation with Attorney on a matter in which the duty of the Attorney to the governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

- 1. Discussion regarding issues related to contracts between Norit Americas, Inc., Harrison County, and the City of Marshall.

**Commissioner Moon made a motion to enter into Executive Session. Commissioner Boersma seconded the motion, which passed by a 6:0 vote. The time was 6:15 p.m.**

**Commissioner Moon made a motion to reconvene from Executive Session. Commissioner Calhoun seconded the motion, which passed by a 6:0 vote. The time was 6:30 p.m.**

**ACTION ITEM FOLLOWING EXECUTIVE SESSION**

330. CONSIDER APPROVAL OF A BY-PASS PROJECT RESOLUTION, INCLUDING WATER SUPPLY CONTRACT, WITH CABOT/NORIT AMERICAS, INC.

**Commissioner Boersma made a motion to approve a By-Pass Project resolution, including a water supply contract, with Cabot/Norit Americas, Inc. The motion was seconded by Commissioner Calhoun, which passed by a vote of 6:0.**

**ORDINANCE**

331. CONSIDER APPROVAL OF AN ORDINANCE AMENDING CHAPTER 31 OF THE CODE OF ORDINANCES, REVISING THE SCHEDULE OF WATER AND SEWER RATES, PROVIDING FOR MONTHLY CHARGES, AND PROVIDING AN EFFECTIVE DATE FOR THE REVISED CHARGES.

J.C. Hughes, Public Services Director, asked for approval of an Ordinance amending Chapter 31 of the Code of Ordinances, revising the schedule of water and sewer rates, providing for monthly charges, and providing an effective date for the revised charges of December 1, 2015, for the rate adjustment. Mr. Hughes said the increase is 3% for both water and sewer rates.

**Commissioner Moon made a motion to approve an Ordinance amending Chapter 31 of the Code of Ordinances, revising the schedule of water and sewer rates, providing for monthly charges, and providing an effective date for the revised charges. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.**

**RESOLUTIONS**

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

Lisa Agnor, City Manager, explained that this Resolution allows the City to nominate up to five individuals for the Harrison Central Appraisal District Board of Directors.

Commissioner Smith recommended that City staff contact the County Commissioners to get the name of their nominee in order to possibly nominate the same individual in order to have someone that will represent both the City and the County. Commissioner Boersma agreed with Commissioner Smith's recommendation.

333. CONSIDER APPROVAL OF A RESOLUTION REGARDING THE SALE OF PROPERTY TO THE MARSHALL INDEPENDENT SCHOOL DISTRICT AND TO AUTHORIZE THE CITY MANAGER TO EXECUTE THE DEED AND ALL DOCUMENTS NECESSARY TO CONVEY THE CITY OF MARSHALL'S INTEREST IN THIS PROPERTY.

Lisa Agnor asked for approval of a Resolution regarding the sale of property to the Marshall Independent School District and to authorize the City Manger to execute the deed and all documents necessary to convey the City of Marshall's interest in this property. Lisa Agnor stated that MISD would pay any back taxes on the property.

**Commissioner Calhoun made a motion to approve the Resolution regarding the sale of property to the Marshall Independent School District and to authorize the City Manager to execute the deed and all documents necessary to convey the City of Marshall's interest in the property. Commissioner Moon seconded the motion, which passed with a vote of 6:0.**

**CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION**

334. **CONSIDER APPROVAL OF AN INTERLOCAL AGREEMENT WITH HARRISON COUNTY FOR PUBLIC LIBRARY SERVICES.**

Lisa Agnor asked for approval of an Interlocal Agreement with Harrison County for Public Library Services in the amount of \$50,600.

**Commissioner Calhoun made a motion to approve an Interlocal Agreement with Harrison County for Public Library Services. Commissioner Moon seconded the motion.**

Commissioner Boersma stated that the City is in a position now to organize thoughts and positions regarding Interlocal Agreements and encouraged staff to consider organizing information in order for it to be submitted for the County's consideration.

**This item passed with a vote of 6:0.**

335. **CONSIDER APPROVAL OF AN INTERLOCAL AGREEMENT WITH HARRISON COUNTY FOR ANIMAL SHELTER SERVICES.**

Lisa Agnor asked for approval of an Interlocal Agreement with Harrison County for Animal Shelter Services in the amount of \$39,100.

**Commissioner Moon made a motion to approve an Interlocal Agreement with Harrison County for Animal Shelter Services. Commissioner Boersma seconded the motion, which passed with a vote of 6:0.**

336. **CONSIDER APPROVAL OF THE PURCHASE OF A TYMCO MODEL 600 REGENERATIVE AIR STREET SWEEPER THROUGH THE HOUSTON-GALVESTON AREA COUNCIL (HGAC) PURCHASING CO-OP, UTILIZING UNALLOCATED GENERAL FUND RESERVES.**

J.C. Hughes asked for approval of the purchase of a TYMCO Model 600 Regenerative Air Street Sweeper through the Houston-Galveston Area Council (HGAC) purchasing co-op at a cost of \$204,280, utilizing Unallocated General Fund Reserves. J.C. Hughes stated that the delivery time would be 3-4 months.

**Commissioner Boersma made a motion to approve the purchase of a TYMCO Model 600 Regenerative Air Street Sweeper. Commissioner Moon seconded the motion.**

The Commission engaged in a brief discussion regarding this item.

**This item passed with a 6:0 vote.**

337. **CONSIDER APPROVAL OF THE PURCHASE OF A TRACTOR AND FLAIL MOWER THROUGH THE HOUSTON-GALVESTON AREA COUNCIL (HGAC) AND BUY-BOARD PURCHASING CO-OPS, UTILIZING UNALLOCATED GENERAL FUND RESERVES.**

J.C. Hughes asked for approval of the purchase of a Tractor and Flail Mower through the Houston-Galveston Area Council (HGAC) and Buy-Board purchasing co-ops at a cost of \$115,371.49, utilizing Unallocated General Fund Reserves.

Commissioners asked questions of J.C. Hughes.

**Commissioner Boersma made a motion to approve the purchase of a Tractor and Flail Mower. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.**

338. CONSIDER AUTHORIZING CITY STAFF TO ADVERTISE FOR BIDS FOR ROOF REPLACEMENT AND EXTERIOR PAINTING OF THE CITY HALL BUILDING.

Jack Redmon, Support Services Director, asked for authorization to advertise for bids for roof replacement and exterior painting of the City Hall building, explaining that this would be funded with the Street Light Audit funds received and that it would be two separate bids.

Lisa Agnor stated that the advertisement will run this Sunday, October 11, 2015 with the bid opening scheduled for Monday, October 26, 2015.

**Commissioner Boersma made a motion to approve authorizing City staff to advertise for bids for roof replacement and exterior painting of the City Hall building. Commissioner Moon seconded the motion.**

Commissioner Boersma asked questions of Jack Redmon regarding roof replacement.

**This item passed with a vote of 6:0.**

339. CONSIDER APPROVAL TO DISSOLVE THE CONVENTION CENTER ADVISORY BOARD.

Sarah O'Brien, Director of Tourism & Promotions, asked for approval to dissolve the Convention Center Advisory Board and explained her reasons for this recommendation.

**Commissioner Carter made a motion to approve dissolving the Convention Center Advisory Board. Commissioner Moon seconded the motion.**

The Commission engaged in a brief discussion regarding this item.

**This item passed with a vote of 6:0.**

340. REPORT ON NEEDED APPOINTMENTS TO THE VARIOUS CITY BOARDS, COMMISSIONS, AND COMMITTEES.

Lisa Agnor presented a report announcing the needed appointments to the various City boards, commissions, and committees. Lisa Agnor stated that City staff will follow up with advertising in the newspaper to inform the public in order for them to volunteer to serve on any of the boards, commissions or committees if they so choose. Lisa Agnor stated that there will be a time to recommend appointments in November and voting for the appointments in December.

The Commission engaged in discussion regarding this item.

341. REPORT ON THE SCHEDULED QUARTERLY NEIGHBORHOOD CLEAN SWEEP PROGRAMS.

J.C. Hughes presented a report regarding the area and activities that are scheduled for the first event under this new program, which is scheduled to begin Saturday, November 7, 2015 from 9:30a.m. - 11:30a.m. at Bella Wyatt Park.

Lisa Agnor stated that the whole City will be covered in five quarters with the cleanup days scheduled to take place on the first Saturday in the second month of the quarter.

Commissioner Calhoun stated that she liked the progress of this program.

342. DISCUSSION REGARDING ESTABLISHING OR CREATING A YOUTH ADVISORY COUNCIL.

Commissioner Carter gave a presentation regarding the possible establishment of a Youth Advisory Council, including the qualifications, structure and responsibilities of the council.

The Commission engaged in a discussion regarding this item and expressed interest in pursuing the possibility of creating a Youth Advisory Council.

343. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

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

- Report on the status of the implementation of the OpenGov financial transparency program.
- Report on the status of implementations recommended in the Efficiency Study and savings that have been realized from those implementations.

Commissioner Carter recognized J.C. Hughes, Sarah O'Brien, Reggie Cooper, Jesus Campa, and City staff for their efforts on National Night Out.

Lisa Agnor reminded the Commission and community members that the Fire Ant Parade will be on Saturday, October 10, 2015 at 10 a.m. with the All-America City delegation serving as Grand Marshal and that there will be a Special Called Meeting held on Thursday, October 15, 2015 regarding Memorial City Hall.

345. ADJOURNMENT

**Commissioner Calhoun made a motion for adjournment. Commissioner Moon seconded the motion, which passed with a vote of 6:0.**

**APPROVED:**

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

**ATTEST:**

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**Acting City Secretary**

**Ordinance:     O-15-09**  
**Resolutions:   R-15-22**