

MINUTES OF THE REGULAR MEETING OF THE  
CITY COMMISSION OF THE CITY OF MARSHALL  
THURSDAY, NOVEMBER 12, 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

Garrett Boersma, District 6

Michael Mitchell, District 2

Vernia Calhoun, District 5

Ed Smith, 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

Debbie Manuel, Acting City Secretary/Finance Director

Sarah O'Brien, Director of Tourism & Promotions

Todd Fitts, City Attorney

Reggie Cooper, Fire Chief

Eddie Campa, Police Chief

INVOCATION & PLEDGE: Commissioner Boersma

362. **RECESS TO CONDUCT THE CITY OF MARSHALL EMPLOYEE BENEFITS TRUST MEETING.**

**Commissioner Mitchell made a motion to recess the Regular City Commission Meeting to conduct the City of Marshall Employee Benefits Trust Meeting. Commissioner Boersma seconded the motion, which passed with a vote of 5:0.**

Commissioners Moon and Carter entered the meeting during the City of Marshall Benefit Trust Meeting.

363. **RECONVENE THE CITY COMMISSION MEETING.**

**Commissioner Moon made a motion to reconvene the Regular City Commission Meeting. Commissioner Mitchell seconded the motion, which passed with a vote of 7:0.**

**PRESENTATION**

364. **PRESENTATION FROM EAST TEXAS BAPTIST UNIVERSITY HONORS SPEECH STUDENTS ON POSSIBLE CITY INITIATIVES.**

Commissioner Carter introduced the Honors Speech students from East Texas Baptist University. The students made presentations to the City Commission.

Chairman Neal thanked the students for their presentations.

365. **PRESENTATIONS FROM THE PUBLIC**

Cynthia Leleko, 505 Belle Court, spoke regarding the planned expenditures for the HOT funds. She stated that she is unsure that Get Healthy Marshall is an effective event to bring in tourists.

Ron Munden, 507 Pumpkin Center Road, stated that he thinks Get Healthy Marshall qualifies for HOT funds.

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

367. **CONSENT AGENDA**

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

A. Consider approval of the minutes from the October 15, 2015 Special-Called meeting; the October 22, 2015 Regular meeting; the October 24, 2015 Special-Called meeting; and the October 27, 2015 Special-Called meeting.

**PUBLIC HEARING AND ORDINANCE APPROVAL**

368. **S-15-01: A REQUEST FOR A SPECIAL USE PERMIT TO CONSTRUCT AN ANTENNA FOR A LOW FREQUENCY RADIO STATION AT A MAXIMUM HEIGHT OF 180 FEET, TO BE LOCATED AT THE IGLESIA CRISTO ESPERANZA VIVA, 209 W. PINECREST.**

Wes Morrison, Planning & Development Director, presented the Ordinance for a Special Use Permit to construct an antenna for a low frequency radio station at a maximum height of 180 feet, to be located at the Iglesia Cristo Esperanza Viva, 209 W. Pinecrest. He recommended approval of this Ordinance.

Commissioners asked questions of Wes Morrison regarding this item.

Chairman Neal opened the Public Hearing and asked anyone wishing to speak in regards to this Ordinance to come forward.

No one came forward.

Chairman Neal closed the Public Hearing.

**Commissioner Carter made a motion to approve a Special Use Permit to construct an antenna for a low frequency radio station at a maximum height of 180 feet, to be located at the Iglesia Cristo Esperanza Viva, 209 W. Pinecrest. Commissioner Calhoun seconded the motion, which passed with a vote of 7:0.**

**ORDINANCE**

369.

CONSIDER APPROVAL OF AN ORDINANCE AMENDING CHAPTER 14, GARBAGE, TRASH, AND WEEDS OF THE CODE OF ORDINANCES, REVISING THE SCHEDULE OF REFUSE RATES, PROVIDING FOR MONTHLY CHARGES, AND ESTABLISHING AN EFFECTIVE DATE OF DECEMBER 1, 2015.

J.C. Hughes, Public Services Director, asked for approval of an Ordinance amending Chapter 14, Garbage, Trash, and Weeds of the Code of Ordinances, revising the schedule of refuse rates, providing for monthly charges, and establishing an effective date of December 1, 2015.

Commissioners asked questions of J.C. Hughes regarding this item.

**Commissioner Calhoun made a motion to approve the Ordinance amending Chapter 14, Garbage, Trash, and Weeds of the Code of Ordinances, revising the schedule of refuse rates, providing for monthly charges, and establishing an effective date of December 1, 2015. Commissioner Mitchell seconded the motion, which passed with a vote of 7:0.**

#### RESOLUTIONS

370. CONSIDER APPROVAL OF A RESOLUTION TO CAST VOTES FOR THE HARRISON CENTRAL APPRAISAL DISTRICT BOARD OF DIRECTORS.

Lisa Agnor, City Manager, asked for approval of a Resolution regarding casting the votes for the Harrison Central Appraisal District Board of Directors.

**Chairman Neal moved to cast the 228 votes for the Harrison Central Appraisal District Board of Directors for Ken Goolsby. Commissioner Carter seconded the motion.**

The Commission engaged in a brief discussion regarding this item.

**This item passed with a vote of 7:0.**

371. CONSIDER APPROVAL OF A RESOLUTION CREATING, CONSOLIDATING AND ADOPTING A SCHEDULE OF FEES PERTAINING TO BUILDING REGULATIONS – CHAPTER 7 OF THE CITY OF MARSHALL CODE OF ORDINANCES.

Wes Morrison asked for approval of a Resolution creating, consolidating and adopting a schedule of fees pertaining to Building Regulations – Chapter 7 of the City of Marshall Code of Ordinances.

Commissioners asked questions of Wes Morrison regarding this item.

**Commissioner Moon made a motion to approve a Resolution creating, consolidating and adopting a schedule of fees pertaining to Building Regulations. Commissioner Mitchell seconded the motion, which passed with a 7:0 vote.**

372. CONSIDER APPROVAL OF A RESOLUTION SETTING THE RATES AND FEES FOR FIRE AND RESCUE SERVICE FEES PROVIDED BY THE CITY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS CONDUCTED IN STRICT COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

Reggie Cooper, Fire Chief, asked for approval of a Resolution setting the rates and fees for fire and rescue service fees provided by the City; finding that the meeting at which this Resolution was passed was conducted in strict compliance with the Texas Open Meetings Act; repealing all Ordinances in conflict herewith; and establishing an effective date.

**Commissioner Mitchell made a motion to approve a Resolution setting the rates and fees for fire and rescue service fees provided by the City; and establishing an effective date. Commissioner Carter seconded the motion, which passed with a vote of 7:0.**

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

373. CONSIDER APPROVAL OF A CONTRACT WITH FIRE RECOVERY USA FOR BILLING SERVICES RELATED TO THE COLLECTION OF FIRE/RESCUE AND FIRE ALARM SERVICE FEES.

Reggie Cooper asked for approval of a contract with Fire Recovery USA for billing services related to the collection of fire/rescue and fire alarm service fees.

**Commissioner Calhoun made a motion to approve a contract with Fire Recovery USA for billing services. Commissioner Moon seconded the motion, which passed with a vote of 7:0.**

374. CONSIDER APPROVAL OF THE PURCHASE OF A NEW PUMPER TRUCK FOR THE MARSHALL FIRE DEPARTMENT.

Reggie Cooper asked for approval of the purchase of a Pierce, Enforcer, Pumper for the Marshall Fire Department from Siddons-Martin Emergency Group in the amount of \$596,380.00, and related equipment in the amount of \$93,620.00 for a total cost of \$690,000.00. Funding for this purchase will be provided for in the 2017 Budget.

Chief Cooper requested a signed letter of intent-to-purchase to provide to Siddons-Martin Emergency Group, in order to lock in the quoted price of the Pumper Truck.

Commissioners asked questions of Reggie Cooper regarding this item.

**Commissioner Carter made a motion to approve the purchase of a new pumper truck for the Marshall Fire Department. Commissioner Mitchell seconded the motion, which passed with a vote of 7:0.**

375. CONSIDER APPROVAL TO AWARD A BID FOR EXTERIOR CLEANING AND PAINTING OF THE CITY HALL BUILDING.

Lisa Agnor asked for approval to award the bid for exterior cleaning and painting of the City Hall building to Butler Construction in the amount of \$24,500.00. Butler Construction was the low bidder for the project.

**Commissioner Carter made a motion to approve awarding the bid for exterior cleaning and painting of the City Hall building to Butler Construction. Commissioner Moon seconded the motion.**

Commissioners asked questions of City Staff regarding this item.

**This item passed with a vote of 7:0.**

376. CONSIDER APPROVAL OF THE ALLOCATION OF 2016 HOTEL/MOTEL OCCUPANCY TAX FUNDS.

Sarah O'Brien, Director of Tourism & Promotions, asked for approval of the allocation of 2016 Hotel/Motel Occupancy Tax funds.

The Commission engaged in discussion regarding this item.

**Commissioner Carter made a motion to approve the allocation of 2016 Hotel/Motel Occupancy Tax funds. Commissioner Moon seconded the motion.**

The Commission engaged in further discussion regarding this item.

**This item passed with the following vote:**

**Ayes 6: Chairman Neal, Commissioner Moon, Mitchell, Carter, Calhoun, and Boersma**

**Nays 0:**

**Abstain 1: Commissioner Smith**

377. CONSIDER APPROVAL OF GUIDELINES FOR THE CITY OF MARSHALL TO BE DESIGNATED AS A FILM FRIENDLY TEXAS COMMUNITY.

Sarah O'Brien asked for approval of guidelines for the City of Marshall to be designated as a Film Friendly Texas community.

**Commissioner Boersma made a motion to approve the guidelines for the City of Marshall to be designated as a Film Friendly Texas community. Commissioner Moon seconded the motion, which passed with a vote of 7:0.**

378. REPORT REGARDING A PROPOSED DRAFT OF THE 2016 STREET IMPROVEMENT PROGRAM.

J.C. Hughes presented a report regarding a proposed draft of the 2016 Street Improvement Program.

Commissioners asked questions of J.C. Hughes regarding this item.

379. CONSIDER APPROVAL OF A WORK ORDER FOR PROFESSIONAL SERVICES FOR ENGINEERING AND CONSTRUCTION INSPECTION FOR THE 2016 STREET IMPROVEMENT PROGRAM.

J.C. Hughes asked for approval of a Work Order for Professional Services by Hayes Engineering, Inc. for engineering and construction inspection for the 2016 Street Improvement Program at a cost of \$100,000.00.

Commissioners asked questions of J.C. Hughes regarding this item.

**Commissioner Moon made a motion to approve a Work Order for Professional Services by Hayes Engineering, Inc. for engineering and construction inspection for the 2016 Street Improvement Program. Commissioner Calhoun seconded the motion, which passed with a vote of 7:0.**

380. RECOMMENDATIONS FOR APPOINTMENTS TO VARIOUS CITY BOARDS, COMMISSIONS, AND COMMITTEES.

Lisa Agnor presented a report regarding recommendations for appointments to the various City boards, commissions, and committees.

The Commission engaged in discussion regarding this item.

381. REPORT FROM STAFF REGARDING A THREE-YEAR ANNEXATION PLAN IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE.

Wes Morrison presented a preliminary Three-Year Annexation Plan in accordance with Texas Local Government Code.

Commissioners asked questions of Wes Morrison regarding this item.

382. REPORT ON THE STATUS OF IMPLEMENTATIONS RECOMMENDED IN THE EFFICIENCY STUDY AND SAVINGS THAT HAVE BEEN REALIZED AS A RESULT OF THOSE IMPLEMENTATIONS.

Commissioner Moon stated her reasons for requesting this agenda item.

Lisa Agnor provided information to members of the City Commission regarding the Efficiency Study implementations. Commissioners asked questions of Lisa Agnor regarding the information provided.

383. REPORT ON THE STATUS OF I-69 IN TEXAS AND I-369 IN HARRISON COUNTY.

J.C. Hughes presented a report on the status of I-69 in Texas and I-369 in Harrison County.

The Commission engaged in discussion regarding this item.

384. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

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

- Report on possible implementation of the Choice Neighborhood and Promise Neighborhood Programs.
- Discussion of and consideration of the sale of unused City properties.

386. ADJOURNMENT

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

**APPROVED:**

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

**ATTEST:**

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**Acting City Secretary**

**Ordinances:   O-15-10  
                  O-15-11  
Resolutions:  R-15-23  
                  R-15-24  
                  R-15-25**

MINUTES OF THE SPECIAL-CALLED MEETING OF THE  
CITY COMMISSION OF THE CITY OF MARSHALL  
MONDAY, NOVEMBER 23, 2015  
8:00 A.M.

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This Special-Called meeting convened at the Harrison County Airport, Marshall, Texas, at 8:00 a.m.

PRESENT:

CHAIRMAN: Eric Neal, District 3

COMMISSIONERS:

Gloria Moon, District 1  
Ed Smith, District 7

Garrett Boersma, District 6

ABSENT: LaDarius Carter, District 3  
Michael Mitchell, District 2

Vernia Calhoun, District 5

ADMINISTRATIVE STAFF PRESENT:

Lisa Agnor, City Manager

387. **TOUR OF THE AUSTIN, TEXAS ANIMAL CENTER FACILITY**

Members of the City Commission and City Staff traveled to Austin, Texas for a tour of the Austin Animal Center facility, located at 7201 Levander Loop, Building A. This was not a formal meeting, and no business of the City of Marshall was transacted or voted upon.

Following completion of the tour of the Austin Animal Center facility, members of the City Commission and City Staff returned to the Harrison County Airport, where the meeting was adjourned.

**APPROVED:**

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

**ATTEST:**

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City Secretary