

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, DECEMBER 10, 2015
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

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

Todd Fitts, City Attorney

Reggie Cooper, Fire Chief

Eddie Campa, Police Chief

INVOCATION & PLEDGE: Commissioner Boersma

388. **PRESENTATIONS FROM THE PUBLIC**

Dr. Clyde B. Jackson, 1007 Alvin St., spoke regarding a dead tree in the lot on 1004 Alvin St. He asked for assistance with getting it removed and clearing the lot next to his house.

Elaine Slaughter, 4100 Victory, thanked the Commission for considering the needs of the animal shelter.

Peggy Byassee, 304A St Francis St., spoke regarding sewage backing up into her house. She hopes that steps to solve the problem will be taken.

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

390. **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 November 12, 2015 Regular meeting; and the November 23, 2015 Special-Called meeting.

B. Consider approval of the annual Interlocal Agreement with the Marshall-Harrison County Health District.

- C. Consider approval of an extension of the current bid awards for Water System supplies for the City of Marshall.
- D. Monthly financial report.
- E. Code Enforcement report.

SECOND READING OF ORDINANCES

391. 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.

Commissioner Boersma made a motion to approve 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. Commissioner Moon seconded the motion, which passed with a vote of 7:0.

The Commission engaged in a brief discussion regarding the contract with Republic Industries.

392. 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.

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

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION

393. CONSIDER APPROVAL OF THE REAPPOINTMENTS OF JERRY BENSON AND RUSTY HOWELL TO THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS.

Commissioner Carter made a motion to approve the reappointments of Jerry Benson and Rusty Howell to the Marshall Economic Development Corporation board of directors. Commissioner Calhoun seconded the motion, which passed with a vote of 7:0.

394. CONSIDER APPROVAL OF AN APPOINTMENT TO THE MARSHALL-HARRISON COUNTY HEALTH DISTRICT BOARD OF DIRECTORS.

Lisa Agnor, City Manager, recommended that Reggie Cooper be reappointed to the Marshall-Harrison County Health District Board of Directors.

Commissioner Carter made a motion to approve the reappointment of Reggie Cooper to the Marshall-Harrison County Health District Board of Directors. Commissioner Calhoun seconded the motion, which passed with a vote of 7:0.

395. CONSIDER APPROVAL OF APPOINTMENTS TO THE CIVIL SERVICE COMMISSION.

No action was taken and the appointments to the Civil Service Commission will be discussed at a future meeting. Commissioner Smith asked the City Attorney to provide a general overview of the Civil Service Boards' responsibilities.

396. CONSIDER APPROVAL OF APPOINTMENTS AND REAPPOINTMENTS TO VARIOUS CITY BOARDS, COMMISSIONS, AND COMMITTEES.

Lisa Agnor asked for approval of the appointments and reappointments to various city boards, commissions and committees.

Commissioner Carter made a motion to approve the appointments and reappointments to various city boards, commissions and committees. Commissioner Moon seconded the motion, which passed with a vote of 7:0.

397. CONSIDER ACTION ON A STAFF RECOMMENDATION REGARDING THE UTILIZATION OF CONSTRUCTION MANAGEMENT SERVICES FOR THE RENOVATION OF MEMORIAL CITY HALL.

This item was withdrawn.

398. CONSIDER APPROVAL OF AN EXTENSION OF THE CURRENT CONTRACT, AND AMENDMENT TO THE CURRENT CONTRACT, FOR PICK-UP AND REMOVAL OF LITTER FROM SPECIFIED HIGHWAYS OR STREET RIGHTS-OF-WAY WITHIN THE CORPORATE CITY LIMITS OF MARSHALL.

Lisa Agnor asked for approval of a contract extension with Ben Harber, and amendment to the current contract for pick-up and removal of litter from specified highways or street rights-of-way within the corporate city limits of Marshall.

Commissioners engaged in discussion regarding this item.

Commissioner Mitchell made a motion to approve a contract extension with Ben Harber, and amendment to the current contract for pick-up and removal of litter from specified highways or street rights-of-way within the corporate city limits of Marshall. Commissioner Carter seconded the motion, which passed with a vote of 7:0.

399. CONSIDER AUTHORIZING CITY STAFF TO NEGOTIATE A CONTRACT FOR A PRELIMINARY ARCHITECTURAL CONCEPTUAL DESIGN, WITH ESTIMATED COSTS, FOR AN ANIMAL SHELTER THAT ADEQUATELY MEETS THE NEEDS OF THE CITY OF MARSHALL, RESERVING THE RIGHT TO UTILIZE THE SERVICES OF SAID ARCHITECT TO COMPLETE THE PROJECT IF THE PROJECT IS SO APPROVED.

Chairman Neal made a motion to authorize City staff to negotiate a contract for a preliminary architectural conceptual design, with estimated costs, for an animal shelter that adequately meets the needs of the City of Marshall, reserving the right to utilize the services of said architect to complete the project if the project is so

approved. Commissioner Carter seconded the motion, which passed with a vote of 7:0.

400. CONSIDER AUTHORIZING CITY STAFF TO DISSEMINATE A REQUEST FOR PROPOSALS FROM QUALIFIED CONSULTANTS FOR A COMPREHENSIVE COMPENSATION STUDY.

Commissioner Boersma stated his reasons for requesting this agenda item.

Commissioner Boersma made a motion to authorize City staff to disseminate a Request for Proposals from qualified consultants for a comprehensive compensation study. Commissioner Moon seconded the motion.

Chairman Neal asked questions of Commissioner Boersma regarding this item.

This item passed with a vote of 7:0.

401. CONSIDER AUTHORIZING THE CITY MANAGER TO PROVIDE PERMISSION ON BEHALF OF THE CITY FOR HISTORICAL MARKER PLACEMENT ON CITY PROPERTY.

Commissioner Boersma asked for the City Manager to be authorized to provide permission on behalf of the City for historical marker placement on City property.

Commissioner Mitchell made a motion to authorize the City Manager to provide permission on behalf of the City for historical marker placement on City property. Commissioner Moon seconded the motion, which passed with a vote of 7:0.

402. DISCUSSION OF AND CONSIDERATION OF THE SALE OF UNUSED CITY PROPERTIES.

Commissioner Boersma asked for an update on the sale of unused City properties.

Lisa Agnor stated that she had asked Todd Fitts, City Attorney, to outline the procedures and options that are available to a City for selling property and Jack Redmon, Support Services Director, to provide a list of properties that will best serve the City in order to generate the most funds from the sale of those properties.

Todd Fitts explained the procedures and options available to the City for selling property.

The Commission engaged in discussion regarding this item.

403. DISCUSSION OF AND CONSIDERATION OF RENOVATING SMITH PARK.

Commissioner Mitchell presented information regarding the renovation of Smith Park.

Commissioners asked questions of Jack Redmon regarding this item.

Commissioner Mitchell made a motion to approve renovations of Smith Park with any remaining funds from the General Obligation Bonds, Series 2007.

Jack Redmon stated that there was not enough money left in the bond fund to renovate Smith Park but he was willing to get an estimate for the cost of renovating Smith Park.

Commissioner Mitchell withdrew his motion.

404. DISCUSSION REGARDING THE SALE OF WINE AND BEER AT OAKLAWN MUNICIPAL GOLF COURSE.

Commissioner Mitchell stated his reasons for requesting this agenda item.

Lisa Agnor requested time to get cost estimates for licenses, fees, insurance, and staffing needs.

Commissioner Carter spoke in opposition of this item.

405. REPORT ON THE PLACEMENT AND COST OF ALL AMERICA CITY SIGNAGE THROUGHOUT THE CITY OF MARSHALL.

Christina Anderson presented a report on the placement and cost of All America City signage throughout the City of Marshall.

406. REPORT ON THE POSSIBLE IMPLEMENTATION OF THE PROMISE NEIGHBORHOODS AND CHOICE NEIGHBORHOODS INITIATIVES WITHIN THE CITY OF MARSHALL.

Commissioner Calhoun presented information on the possible implementation of the Promise Neighborhoods and Choice Neighborhoods initiatives within the City of Marshall.

Lisa Agnor stated that the City is not eligible for funding from the Choice Neighborhoods initiative because the City does not manage housing development.

Commissioners engaged in discussion regarding this item.

407. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

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

- Report on the number of citizens participating in the Service Line Warranty program sponsored by the National League of Cities.
- Report regarding the feasibility of converting to an automated fixed base (antenna) water meter reading system.
- Update on City's Annexation Plan.

409. ADJOURNMENT

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

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APPROVED:

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

ATTEST:

Acting City Secretary

**Ordinances: O-15-10
 O-15-11**

MINUTES OF THE SPECIAL-CALLED MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
MONDAY, DECEMBER 21, 2015
8:30 AM

Chairman Eric Neal called the Special-Called meeting to order in the Commission Chambers, City Hall at 8:30 a.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

Jack Redmon, Support Services Director

Debbie Manuel, Acting City Secretary/Finance Director

ORDINANCES

410. CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE 2015 ANNUAL BUDGET TO APPROPRIATE FUNDS FOR PROJECTS APPROVED BY THE CITY COMMISSION.

Lisa Agnor, City Manager, asked for approval of an Ordinance amending the 2016 Annual Budget to appropriate funds for projects approved by the City Commission.

Commissioner Smith made a motion to approve an Ordinance amending the 2015 Annual Budget to appropriate funds for projects approved by the City Commission. Commissioner Moon seconded the motion, which passed with a vote of 7:0.

411. CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE 2015 ANNUAL BUDGET TO PROVIDE FOR YEAR-END ADJUSTMENTS IN SELECTED DEPARTMENTS.

Lisa Agnor asked for approval of an Ordinance amending the 2015 Annual Budget to provide for year-end adjustments in selected departments.

Commissioner Smith made a motion to approve an Ordinance amending the 2015 Annual Budget to provide for year-end adjustments in selected departments. Commissioner Moon seconded the motion, which passed with a vote of 7:0.

REQUEST FOR CITY COMMISSION CONSIDERATION

412. CONSIDER APPROVAL OF A CONTRACT WITH FLOWERS AND ASSOCIATES, ARCHITECTS, FOR A PRELIMINARY ARCHITECTURAL CONCEPTUAL DESIGN, WITH ESTIMATED COSTS, FOR AN ANIMAL SHELTER THAT ADEQUATELY MEETS THE NEEDS OF THE CITY OF MARSHALL, RESERVING THE RIGHT TO

UTILIZE THE SERVICES OF SAID ARCHITECT TO COMPLETE THE PROJECT IF THE PROJECT IS SO APPROVED.

Lisa Agnor asked for approval of a contract with Flowers and Associates, Architects, for a preliminary architectural conceptual design, with estimated costs, for an animal shelter that adequately meets the needs of the City of Marshall, reserving the right to utilize the services of said architect to complete the project if the project is so approved.

The Commission engaged in discussion regarding this item.

Commissioner Boersma made a motion to approve a contract with Flowers and Associates, Architects, for a preliminary architectural conceptual design, with estimated costs, for an animal shelter that adequately meets the needs of the City of Marshall, reserving the right to utilize the services of said architect to complete the project if the project is so approved. Commissioner Carter seconded the motion, which passed with a vote of 7:0.

413. ADJOURNMENT

Commissioner Carter 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:

Acting City Secretary

O-15-12

O-15-13

MINUTES OF THE SPECIAL-CALLED MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
TUESDAY, DECEMBER 22, 2015
8:30 AM

Chairman Eric Neal called the Special-Called meeting to order in the Commission Chambers, City Hall at 8:30 a.m.

PRESENT:

CHAIRMAN: Eric Neal, District 3

COMMISSIONERS:

Michael Mitchell, District 2
Vernia Calhoun, District 5
Ed Smith, District 7

LaDarius Carter, District 4
Garrett Boersma, District 6

ABSENT: Gloria Moon, District 1

ADMINISTRATIVE STAFF PRESENT:

Lisa Agnor, City Manager
Debbie Manuel, Acting City Secretary/Finance Director

SECOND READING OF ORDINANCES

414. CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE 2015 ANNUAL BUDGET TO APPROPRIATE FUNDS FOR PROJECTS APPROVED BY THE CITY COMMISSION.

Commissioner Smith made a motion to approve items 2A and 2B as posted. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.

415. CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE 2015 ANNUAL BUDGET TO PROVIDE FOR YEAR-END ADJUSTMENTS IN SELECTED DEPARTMENTS.

Commissioner Smith made a motion to approve this Ordinance in conjunction with Agenda Item 2A, which was seconded by Commissioner Calhoun and passed with a vote of 6:0.

REQUEST FOR CITY COMMISSION CONSIDERATION

416. CONSIDER APPROVAL OF A CONTRACT WITH FLOWERS AND ASSOCIATES, ARCHITECTS, FOR A PRELIMINARY ARCHITECTURAL CONCEPTUAL DESIGN, WITH ESTIMATED COSTS, FOR AN ANIMAL SHELTER THAT ADEQUATELY MEETS THE NEEDS OF THE CITY OF MARSHALL, RESERVING THE RIGHT TO UTILIZE THE SERVICES OF SAID ARCHITECT TO COMPLETE THE PROJECT IF THE PROJECT IS SO APPROVED.

Chairman Neal stated that this item was addressed at the Special-Called meeting held on December 21, 2015 and did not require any further discussion.

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December 22, 2015

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417.

ADJOURNMENT

Commissioner Carter made a motion for adjournment. Commissioner Mitchell seconded the motion, which passed with a vote of 6:0.

APPROVED:

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

ATTEST:

Acting City Secretary

O-15-12

O-15-13