

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, JANUARY 28, 2016
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
Sarah O'Brien, Tourism & Promotions Director

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

INVOCATION & PLEDGE: Commissioner Boersma

27. **PRESENTATIONS FROM THE PUBLIC**

Tony Crosby, 211 N. Bolivar, stated that he is glad that progress is being made on Memorial City Hall. He would like to encourage City Staff to keep the public informed about the project.

Narcie Crosby, 211 N. Bolivar, thanked Lisa Agnor, City Manager, for speaking to the League of Women Voters and asked for library improvements to be considered for a formal funding proposal.

Lynellen Carmony, 3201 S. Washington Ave., spoke on behalf of Vickie Brooks, regarding her understanding that money had been earmarked for an animal shelter.

Chairman Neal made a statement of fact regarding money not being specified for an animal shelter. During the budget deliberations, a Capital line item was established for Capital Outlay. A discussion was held regarding these funds, with no consensus as to where to allocate them other than Capital Outlay. Commissioner Smith stated that there would be a difference among some of the Commissioners as to what the facts were related to the budget.

Delores Munden, 507 Pumpkin Center Rd., spoke regarding the need for an animal shelter.

Chris Slaughter, 4100 Victory Dr., stated that the animal shelter needed to be addressed. He stated that when Marshall builds a new shelter it could possibly obtain grants to provide for the costs of initial animal care to adopted animals, and that there should be an educational program for spaying and neutering animals.

Julianne Campbell, 5105 Hwy 43 S., stated that she would like for the City to look at positive, successful shelters in other cities that could be possible models for the City. She believes that most people in the community want a new shelter.

Leo Morris, 505 S. Carter, spoke against a new animal shelter, stating that the current facility should be repaired, and that funding should be used on other urgent projects.

Gail Beil, 500 Henley Perry, spoke in support of a new animal shelter, stating that the present condition of the animal shelter is poor.

Commissioner Boersma thanked Lisa Agnor for representing the City well during the State of the City address and the City Staff for the progress that is being made in the City.

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

Item C was withdrawn from the Consent Agenda.

29. **CONSENT AGENDA**

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

A. Consider approval of the minutes from the January 11, 2016 Special-Called meeting; and the January 14, 2016 Regular meeting.

B. Consider approval of Change Order #1 for 2015 Street Improvement Program.

PROCLAMATION

30. **PRESENTATION OF A PROCLAMATION DECLARING THE MONTH OF FEBRUARY AS "BLACK HISTORY MONTH" IN MARSHALL, TEXAS.**

Commissioner Moon presented a Proclamation declaring the month of February as "Black History Month" in Marshall, Texas to Mrs. Charles Wilson, local NAACP president.

SECOND READING OF ORDINANCE

31. **CONSIDER APPROVAL OF AN ORDINANCE ADOPTING A THREE-YEAR ANNEXATION PLAN FOR THE CITY OF MARSHALL.**

Wes Morrison, Director of Planning & Development, stated that he had no additional information for the second reading of this Ordinance.

Commissioner Boersma made a motion to approve the Ordinance adopting the Three-Year Annexation Plan for the City of Marshall. Commissioner Moon seconded the motion.

Commissioners asked questions of Wes Morrison regarding the Three-Year Annexation Plan.

This item passed with a vote of 7:0.

ORDINANCE

32. CONSIDER APPROVAL OF AN ORDINANCE CALLING FOR A SPECIAL ELECTION FOR THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF MARSHALL AT THE RATE OF ONE-EIGHTH (1/8TH) OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS. THE TAX EXPIRES ON THE FOURTH ANNIVERSARY OF THE DATE OF THIS ELECTION UNLESS THE IMPOSITION OF THE TAX IS REAUTHORIZED.

Lisa Agnor, City Manager, asked for approval of an Ordinance calling for a special election for the reauthorization of the local sales and use tax in the City of Marshall at the rate of one-eighth (1/8th) of one percent to continue providing revenue for maintenance and repair of municipal street. She stated that the tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized. The election will be held on May 7th in conjunction with the General Election.

Commissioner Carter made a motion to approve the Ordinance calling for a special election for the reauthorization of the local sales and use tax in the City of Marshall at the rate of one-eighth (1/8th) of one percent to continue providing revenue for maintenance and repair of municipal streets. Commissioner Moon seconded the motion, which passed with a 7:0 vote.

RESOLUTIONS

33. CONSIDER APPROVAL OF A RESOLUTION CALLING FOR A JOINT ELECTION AGREEMENT WITH THE MARSHALL INDEPENDENT SCHOOL DISTRICT FOR THE MAY 7, 2016 GENERAL ELECTION.

Lisa Agnor asked for approval of a Resolution calling for a Joint Election Agreement with the Marshall Independent School District for the May 7, 2016 General Election.

Commissioner Carter made a motion to approve the Resolution calling for a Joint Election Agreement with the Marshall Independent School District for the May 7, 2016 General Election. Commissioner Mitchell seconded the motion, which passed with a vote of 7:0.

34. CONSIDER APPROVAL OF A RESOLUTION ORDERING A GENERAL ELECTION FOR CITY COMMISSIONER DISTRICTS 5, 6, AND 7.

Lisa Agnor asked for approval of a Resolution ordering a General Election for City Commissioner Districts 5, 6, and 7 to be held on May 7, 2016.

Commissioner Calhoun made a motion to approve the Resolution ordering a General Election for City Commissioner Districts 5, 6, and 7. Commissioner Mitchell seconded the motion, which passed with a 7:0 vote.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION

35. CONSIDER APPROVAL OF A RIGHT-OF-WAY ENCROACHMENT AGREEMENT FOR PROPERTY LOCATED AT 307 S. WELLINGTON STREET.

Wes Morrison asked for approval of a right-of-way encroachment agreement for property located at 307 S. Wellington Street.

Commissioner Moon made a motion to approve a right-of-way encroachment agreement for property located at 307 S. Wellington Street. Commissioner Calhoun seconded the motion, which passed with a vote of 7:0.

36. DISCUSSION OF AND CONSIDERATION OF THE REPAIR OR REPLACEMENT OF THE CURRENT RADIO COMMUNICATIONS SYSTEM USED BY THE CITY OF MARSHALL.

Eddie Campa, Police Chief, requested the Commission to consider the repair or replacement of the current radio communications system used by the City of Marshall.

Lisa Agnor stated that City Staff would like the Commission's approval to go out for bids for a replacement system. She also discussed possible funding sources.

Commissioners asked questions of City Staff regarding this item.

Commissioner Carter made a motion to approve City Staff to go out for bids for the replacement of the current radio communications system used by the City of Marshall. 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 Smith
Nays 0:	
Abstain 1:	Commissioner Boersma

37. DISCUSSION OF AND CONSIDERATION OF THE IMPLEMENTATION OF A SALES TAX AUDIT.

Commissioner Boersma asked for consideration to authorize City Staff to disseminate for a Request for Proposals for the implementation of a sales tax audit.

Chairman Neal made a motion to authorize City Staff to disseminate an RFP for a sales tax audit. Commissioner Carter seconded the motion, which passed with a vote of 7:0.

38. DISCUSSION OF AND CONSIDERATION OF FUNDING AND CONSTRUCTION OF AN ANIMAL SHELTER FACILITY.

Commissioner Boersma stated his reasons for requesting this agenda item.

Commissioner Smith presented the Commission with a video message from Katie Jarl, Texas State Director of the Humane Society of the United States, regarding the status of the animal shelter. He also read a statement which he had prepared in support of building a new animal shelter.

Commissioner Calhoun stated that the City has many needs, and the current facility should be repaired and a new animal shelter should be placed on the Strategic Plan.

Commissioner Boersma made the following motion:

- That we authorize and instruct City staff to compile a list of potential sites for the location of a new animal shelter and provide this report to the commission in Executive Session no later than Feb. 11, 2016.
- That we authorize City staff to work with the architect to finalize the conceptual plans / program for the new animal shelter no later than Feb. 11, 2016. This feedback will consider input from City Commissioners and members of our community. After reviewed by the City Commission, the City Commission will consider authorizing City staff to engage the architect to complete the architectural plans and specifications no later than March 21, 2016.
- That we authorize city staff to issue Certificates of Obligation in an amount sufficient to pay for the costs to construct a new animal shelter facility. The Certificates of Obligation will not be issued until after architectural plans and specifications are complete and construction bids are received. The amount of the Certificates of Obligation will not exceed \$2 million.
Commissioner Smith seconded the motion.

The Commission engaged in further discussion regarding this item.

The motion failed with the following vote:

Ayes: 2, Commissioners Boersma and Smith

Nays: 5, Chairman Neal, Commissioners Carter, Moon, Calhoun, and Mitchell

39. DISCUSSION OF AND CONSIDERATION OF AUTHORIZING CITY STAFF TO DISSEMINATE A REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES RELATED TO THE PREPARATION OF A CURRENT COMPREHENSIVE STREET, WATER, SEWER, AND DRAINAGE MASTER PLAN.

Chairman Neal asked for consideration of authorizing City Staff to disseminate a Request for Qualifications for engineering services related to the preparation of a current comprehensive Street, Water, Sewer, and Drainage Master Plan.

Commissioner Boersma made a motion to approve authorizing City Staff to disseminate a Request for Qualifications for engineering services related to the preparation of a current comprehensive Street, Water, Sewer, and Drainage Master Plan. Commissioner Calhoun seconded the motion, which passed with a vote of 7:0.

Commissioner Carter excused himself from the meeting after the final action item.

40. REPORT ON THE STATUS OF THE PROGRESS OF CONVERTING TO AN AUTOMATED FIXED BASE (ANTENNA) WATER METER READING SYSTEM.

Chairman Neal asked for a report on the status of the progress of converting to an automated fixed base (antenna) water meter reading system.

J.C. Hughes, Director of Public Services, stated that he has RFQ and RFP samples and will try to have them completed for the second meeting in February.

The Commission asked questions of J.C. Hughes regarding this item.

41. REPORT REGARDING THE ANNUAL DRINKING WATER QUALITY REPORT.

Commissioner Moon asked for a report regarding the Annual Drinking Water Quality Report.

J.C. Hughes presented information regarding this item.

42. REPORT REGARDING THE POSSIBILITY OF PURCHASING AN OUTDOOR ELECTRONIC SIGN FOR CITY HALL.

Commissioner Calhoun stated her reasons for asking for a report regarding the possibility of purchasing an outdoor electronic sign for City Hall. City staff presented information on possible outdoor signs.

43. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

C. Report on the Oaklawn Municipal Golf Course for the fourth quarter of 2015.

Commissioner Boersma explained why he wanted this item withdrawn and stated that he would like to receive further detail for the year-end report.

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

- Discussion of and consideration of a Staff recommendation regarding the purchase of an outdoor sign for City Hall.
- Report regarding income/expenses of the Oaklawn Municipal Golf Course and a discussion regarding the golf course and its operations.
- Consider approval of an Ordinance establishing that any unused budgeted funds which have been allocated to infrastructure improvements be automatically rolled over into the following year's budget.
- Consider approval of an Ordinance calling for a ballot referendum regarding the construction of a new Animal Shelter facility, funded by a tax increase.
- Consider approval of an Ordinance calling for a ballot referendum regarding the construction of a new Animal Shelter facility, funded by existing revenues/funds.
- Report from Staff regarding what the minimum operational costs would be for a new Animal Shelter facility.

45. ADJOURNMENT

Commissioner Moon made a motion for adjournment. Commissioner Calhoun 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

**Ordinances: O-16-02
 O-16-03
Resolutions: R-16-02
 R-16-03**