

MINUTES OF THE REGULAR MEETING OF THE  
CITY COMMISSION OF THE CITY OF MARSHALL  
THURSDAY, MAY 10, 2018  
6:00 PM

---

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

PRESENT:

CHAIRMAN: Larry Hurta, District 6

COMMISSIONERS:

Gloria Moon, District 1

Gail Beil, District 2

Terri Brown, District 3

William Halliday, District 4

Vernia Calhoun, District 5

ABSENT: Doug Lewis, District 7

ADMINISTRATIVE STAFF PRESENT:

Jack Redmon, Acting City Manager

Todd Fitts, City Attorney

J.C. Hughes, Public Services Director

Reggie Cooper, Fire Chief

Cory Smith, Communications/HR Coordinator

Wes Morrison, Community & Economic Development Director

Elaine Altman, City Secretary/Finance Director

Cliff Carruth, Police Chief

INVOCATION & PLEDGE: Commissioner Beil

158. **MINUTES**

A. Consider approval of the minutes from the April 26, 2018 Special- Called meeting and the April 26, 2018 Regular meeting.

**Commissioner Moon made a motion to approve the minutes from the April 26, 2018 Regular meeting. Commissioner Beil seconded the motion, which passed with a vote of 6:0.**

**CANVASS ELECTION**

159. **CONSIDER APPROVAL OF A RESOLUTION CANVASSING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 5, 2018.**

Todd Fitts, City Attorney, read the results of the May 5, 2018 General Election into record.

**Commissioner Moon made a motion to approve a resolution canvassing the results of the General Election held on May 5, 2018. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.**

**OATH OF OFFICER AND BOND APPROVAL**

160. **ISSUE OATH OF OFFICER FOR COMMISSIONERS REPRESENTING DISTRICTS 5, 6, AND 7.**

Todd Fitts administered the Oath of Office for the Commissioners representing Districts 5, and 6. The Oath of Office for the Commissioner representing District 7 will be administered at a later date.

161. CONSIDER APPROVAL OF BONDS FOR COMMISSIONERS REPRESENTING DISTRICTS 5, 6, AND 7.

Elaine Altman, City Secretary, stated the City Charter requires a \$5,000 bond for each Commissioner and asked for approval of bonds for Commissioners representing Districts 5, 6, and 7.

**Commissioner Moon made a motion to approve the bonds for Commissioners representing Districts 5, 6, and 7. Commissioner Brown seconded the motion, which passed with a vote of 6:0.**

EXECUTIVE SESSION

162. PURSUANT TO THE OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE, SECTION 551.074 (PERSONNEL) – DISCUSSION OF CHAIRMAN, OR MAYOR, AND ACTING CHAIRMAN, OR MAYOR PRO-TEM, FOR THE CITY COMMISSION.

**Commissioner Beil made a motion to enter into Executive Session. Commissioner Moon seconded the motion, which passed with a vote of 6:0. The time was 6:05 p.m.**

**Commissioner Moon made a motion to reconvene from Executive Session. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0. The time was 6:20 p.m.**

ELECTION OF CHAIRMAN AND ACTING CHAIRMAN

163. CONSIDER ELECTION OF THE CHAIRMAN, OR MAYOR, FOR THE CITY COMMISSION.

**Chairman Hurta made a motion to table this item until Commissioner Lewis is present. Commissioner Moon seconded the motion, which passed with a vote of 6:0.**

164. CONSIDER ELECTION OF THE ACTING CHAIRMAN, OR MAYOR PRO-TEM, FOR THE CITY COMMISSION.

**Chairman Hurta made a motion to table this item until Commissioner Lewis is present. Commissioner Calhoun seconded the nomination, which passed with a vote of 6:0.**

165. CITIZEN COMMENTS

Shannon Durosa, Executive Director Longview Animal Shelter, spoke regarding Longview Animal Shelter's opening experience and gave her recommendations for Marshall's new animal shelter facility.

Nancy Stone, 1113 Larry Drive, spoke in support of a new animal shelter facility.

Chris Kemper, Longview Animal Control Director, spoke of Longview's experience with their new animal shelter and their community involvement.

Megan Benson, Assistant Director of foster and adoptions for Friends of Marshall Animals, 148 Jewel Gooch Rd., spoke in support of Plan U for the new animal shelter facility.

Jana Hernandez, 5182 Bucksherrod Rd, spoke in support of the larger, updated animal shelter plan.

Lee Disotell, 35 Pine Burr Circle, spoke in support of a state of the art animal shelter.

Belinda Wiggins, 2511 Aspen, Longview, stated Longview citizens would help support the Marshall Animal Shelter.

Ed Smith, 38 Pine Burr Circle, spoke regarding funding for the animal shelter.

Elaine Slaughter spoke in support of Plan U and partnering with the private sector to raise funds.

Christina Anderson, 211 W. Austin, spoke in support of maintaining a full-time Amtrak Customer Service Representative at the Marshall Depot Amtrak station.

Robert Wood, 2516 Holmes Rd, spoke in opposition to the mobile home zoning changes.

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

Item C was withdrawn from the Consent Agenda.

167. **CONSENT AGENDA**

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

A. Consider and act on a request to approve a construction contract to replace the Sweep Arm in Bio Tower #1 at the Waste Water Treatment Plant.

B. Consider and act on a request to approve a construction contract to replace a portion of an 8" Water Line #1 on Mary Mack Drive between West Martindale Drive and West Carolanne, with John Wright Construction of Henderson, Texas at a cost of \$34,970.

168. **PUBLIC HEARING AND ORDINANCE APPROVAL**

A. Conduct a public hearing and consider an ordinance amending the zoning map regarding a 3.062 acre tract of land from A-E (Agriculture – Estate) to MH (Mobile Home). The subject property is located on the south side of Loop 390, north of Lona Lane and west of Pinehurst Drive, commonly known as 4950 West Loop 390.

Wes Morrison, Community & Economic Development Director, asked for approval of an ordinance regarding a zoning map amendment for a 3.062 acre tract of land from A-E (Agriculture – Estate) to MH (Mobile Home). The subject property is located on the south side of Loop 390, north of Lona Lane and west of Pinehurst Drive, commonly known as 4950 West Loop 390. He stated the applicant currently has two mobile homes on the property and is requesting the zoning change to put a third mobile home on the property. He stated the Planning and Zoning Commission recommended denial by a vote of 6:0 and the neighborhood presented a petition against the request with 17% in opposition of the request.

Commissioners asked questions of Wes Morrison regarding this item.

Chairman Hurta opened the public hearing.

No one came forward to speak.

Chairman Hurta closed the public hearing.

**Commissioner Beil made a motion to deny an ordinance amending the zoning map regarding a 3.062 acre tract from A-E (Agriculture – Estate) to MH (Mobile Home). Commissioner Halliday seconded the motion, which passed with a vote of 6:0.**

### **PROCLAMATION**

169. PRESENTATION OF A PROCLAMATION DESIGNATING THE WEEK OF MAY 21 – MAY 27, 2018 AS NATIONAL PUBLIC WORKS WEEK IN THE CITY OF MARSHALL – THEME THIS YEAR IS “PUBLIC WORKS CONNECTS US”.

J.C. Hughes, Public Services Director, recognized the employees of the Public Works Department and all departments that service the community. He asked the Commission to present the Public Works Department with a Proclamation honoring them for their hard work throughout the year. He asked the Public Works employees present to come forward to receive the proclamation.

Chairman Hurta read a Proclamation designating the week of May 21<sup>st</sup> – May 27<sup>th</sup>, 2018 as National Public Works Week in the City of Marshall – theme this year is “Public Works Connects Us”.

170. PRESENTATION OF A PROCLAMATION DESIGNATING THE WEEK OF MAY 13 – MAY 19, 2018 AS “POLICE WEEK” IN MARSHALL, TEXAS AND FURTHER DESIGNATING THAT MAY 15, 2018 BE OBSERVED AS “PEACE OFFICERS MEMORIAL DAY” IN MARSHALL, TEXAS.

Cliff Carruth, Police Chief, stated the Marshall Police Department will have a memorial service on May 16, 2018 from 12-1 at the Visual Art Center. He invited the Commissioners, City Staff, and the public to attend this event.

Chairman Hurta read the Proclamation designating the week of May 13<sup>th</sup> – 19<sup>th</sup>, 2018 as “Police Week” in Marshall, Texas and further designating that May 15, 2018 be observed as “Peace Officers Memorial Day” in Marshall, Texas.

### **ORDINANCE**

171. CONDUCT A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE REGARDING A ZONING MAP AMENDMENT FOR A 1.322 ACRE TRACT OF LAND FROM R-2 (SINGLE-FAMILY RESIDENTIAL) TO R-3 (SINGLE-FAMILY RESIDENTIAL). THE SUBJECT PROPERTY IS LOCATED ON THE SOUTH SIDE OF BELL STREET, TO THE WEST OF BELL STREET AND CALVERT DRIVE INTERSECTION, LOCATED IN THE 900 BLOCK OF BELL STREET.

Wes Morrison asked for approval of an ordinance regarding a zoning map amendment for a 1.322 acre tract of land from R-2 (Single-family Residential) to R-3 (Single-family Detached Residential). He stated the

public hearing was previously conducted and therefore only required a vote from the Commission.

**Commissioner Beil made a motion to approve an ordinance amending the zoning map regarding a 1.322 acre tract from R-2 (Single-family Residential) to R-3 (Single-family Residential). Commissioner Brown seconded the motion, which passed with a vote of 6:0.**

172. CONSIDER AND ACT ON A REQUEST TO APPROVE AN ORDINANCE AMENDING CHAPTER 27, ARTICLE IV – TRAFFIC CODE OF THE CITY OF MARSHALL CODE OF ORDINANCES TO AMEND SCHOOL ZONE SIGNAGE TO ESTABLISH 20 MPH SCHOOL ZONES FROM 7:00 AM – 4:30 PM (MONDAY – FRIDAY) IN EXISTING ELEMENTARY SCHOOL ZONES AND INSTALL SIGNAGE TO ACCOMMODATE AND PROVIDE FOR UNIFORM REGULATION IN ALL ELEMENTARY SCHOOL ZONES IN MARSHALL, TEXAS AND DECLARING AN EMERGENCY.

J.C. Hughes asked for approval of an ordinance amending Chapter 27, Article IV – Traffic Code of the City of Marshall Code of Ordinances. He stated this will amend school zone signage to establish 20 MPH school zones from 7:00 AM – 4:30 PM (Monday – Friday) in existing elementary school zones and install signage to accommodate and provide for uniform regulation in all elementary school zones, public and private.

**Commissioner Beil made a motion to approve an ordinance amending Chapter 27, Article IV – Traffic Code of the City of Marshall Code of Ordinances to establish 20 MPH school zones. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.**

**Commissioner Beil made a motion to approve this ordinance under emergency status. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.**

#### **SECOND READING OF ORDINANCE**

173. CONDUCT A PUBLIC HEARING AND CONSIDER AN ORDINANCE APPROVING A SPECIFIC USE PERMIT TO ALLOW A CHURCH AND PRIVATE DAY CARE USE AT PROPERTY LOCATED AT THE NORTHWEST CORNER OF POPLAR STREET AND CALLOWAY STREET, BEING 2.2 ACRES AND BOUNDED TO THE NORTH BY WRIGHT STREET AND ON THE WEST BY TYMAN STREET, COMMONLY KNOWN AS 1315 CALLOWAY STREET.

Wes Morrison stated there was no new information regarding this item and no public hearing was needed for the second reading.

**Commissioner Moon made a motion to approve an ordinance approving a specific use permit to allow a church and private day care at 1315 Calloway Street. Commissioner Beil seconded the motion, which passed with a vote of 6:0.**

#### **RESOLUTION**

174. CONSIDER APPROVAL OF A RESOLUTION SUPPORTING THE LONGVIEW HABITAT FOR HUMANITY IN ITS EFFORTS OF APPLYING FOR AN “AFFORDABLE HOUSING PROGRAM” GRANT THROUGH THE FEDERAL HOME LOAN BANK OF DALLAS.

Wes Morrison asked for approval of a resolution supporting the Longview Habitat for Humanity in its efforts of applying for an “Affordable Housing Program” grant through the Federal Home Loan Bank of Dallas. He stated Longview has recently been approved to take Marshall in as part of their service area.

**Commissioner Calhoun made a motion to approve a resolution supporting the Longview Habitat for Humanity in its efforts of applying for an “Affordable Housing Program” grant through the Federal Home Loan Bank of Dallas. Commissioner Moon seconded the motion, which passed with a vote of 6:0.**

175. CONSIDER APPROVAL OF A RESOLUTION EXPRESSING SUPPORT TO MAINTAIN A FULL-TIME AMTRAK CUSTOMER SERVICE REPRESENTATIVE AT THE AMTRAK PASSENGER STATION IN THE MARSHALL DEPOT.

Commissioner Beil asked for approval of a resolution expressing support to maintain or, at the very least, extend the employment of a full-time Amtrak Customer Service Representative at the Amtrak passenger station in the Marshall Depot.

**Commissioner Beil made a motion to approve a resolution expressing support to maintain a full-time Amtrak ticket agent at the Amtrak passenger station in the Marshall Depot. Commissioner Brown seconded the motion.**

She stated on June 12<sup>th</sup> the Chamber would host an afterhours train ride to Dallas.

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

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

176. CONSIDER APPROVAL TO AWARD VARIOUS BIDS RELATED TO SELLING CITY PROPERTY AS ADVERTISED FOR BID 2018-001/SALE OF CITY PROPERTY.

Wes Morrison asked for approval to accept bids for the following property:

W. Emory, the highest bid was for \$1,000  
 US 59 received no bids  
 Lucille Street, the highest bid was for \$2,500

**Commissioner Beil made a motion to approve awarding various bids related to selling city property as advertised for BID 2018-001. Commissioner Calhoun seconded the motion**

Commissioners asked questions of Wes Morrison regarding this item.

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

177. CONSIDER APPROVAL OF A FAÇADE IMPROVEMENT GRANT APPLICATION.

Wes Morrison asked for approval of a Façade Improvement Grant application from B&C Cleaners for improvements to the parking area facing South Washington. Wes stated this project will cost \$2,100 and if approved, the City’s portion would be \$1,050. He stated Marshall

Downtown Development Corporation recommended approval of this request.

**Commissioner Beil made a motion to approve a Façade Improvement Grant application for B&C Cleaners. Commissioner Brown seconded the motion**

Commissioners asked questions regarding the Façade Improvement Grant program.

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

178. DISCUSSION OF AND CONSIDERATION OF ANIMAL SHELTER FACILITY OPTIONS SCHEME U AND SCHEME P.

Jack Redmon, Acting City Manager, asked the Commission to decide which scheme they want the City to move forward with for a cost report to be prepared.

**Commissioner Beil made a motion to table the decision of which scheme to move forward with until all Commissioners are present to vote.**

Commissioner Beil asked the community to continue fundraising efforts for the new animal shelter facility. She stated private funds would be needed in order to move forward with either shelter.

**Chairman Hurta seconded the motion.**

A workshop was scheduled for 5:00 p.m. Wednesday, May 16, 2018.

The Commission engaged in discussion regarding this item.

Commissioner Calhoun asked for the amount in the animal shelter donation account. Elaine Altman stated the current balance is \$5,673.

**This item was tabled with the following vote:**

**Ayes: 5, Chairman, Hurta, Commissioner Beil, Moon, Brown, and Calhoun**

**Nays: 1, Commissioner Halliday**

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

Jack Redmon stated fundraising efforts now total \$238,975. He stated beam repairs have started, and final concrete pours are scheduled for the basement. He also mentioned the numerous pending submittals such as flooring, handrails, and colors of interior items.

180. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

C. Report regarding the status of zoning change request for 2017.

Commissioner Halliday requested the City Attorney be consulted in the future regarding possible recommendations for compliance with zoning changes.

**Commissioner Halliday made a motion to approve the report regarding the status of zoning change request for 2017. Commissioner Beil seconded the motion, which passed with a vote of 6:0.**

181. **ADJOURNMENT**

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

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
**City Secretary**

- Ordinances: O-18-06**
- O-18-07**
- O-18-08**
- O-18-09**
- Resolutions: R-18-10**
- R-18-11**
- R-18-12**