

MINUTES OF THE REGULAR MEETING OF THE  
CITY COMMISSION OF THE CITY OF MARSHALL  
THURSDAY, FEBRUARY 23, 2012  
6:30PM

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Chairman Paddie called the Regular meeting to order in the Commission Chambers, City Hall at 6:30pm.

PRESENT:

CHAIRMAN: Chris Paddie, District 6

COMMISSIONERS:

Gloria Moon, District 1	Bill Marshall, District 4
Zephaniah Timmins, District 2	Charlie Oliver, District 5
John Flowers, District 3	Ed Hoffman, District 7

ADMINISTRATIVE STAFF PRESENT:

Frank Johnson, City Manager	Ardis Wright, Assistant City Manager
Todd Fitts, City Attorney	Lisa Agnor, City Secretary/Finance Director
Stan Spence, Police Chief	J. C. Hughes, Public Works Director
Anna Lane, Library Director	Jack Redmon, Parks Director
	Reggie Cooper, Asst. Fire Chief

THE CHAIRMAN PRESENTED THE FOLLOWING AGENDA FOR THE PRE-COMMISSION PUBLIC WORK SESSION:

I. ITEMS LISTED ON THE CITY COMMISSION AGENDA & EMERGENCY ITEMS

None.

II. REQUESTS BY THE CITY COMMISSIONERS FOR ITEMS TO BE PLACED ON A FUTURE AGENDA

- A. Report on Elected Officials Conference.
- B. Discussion regarding the establishment of a scholarship fund for low to moderate income persons for training to obtain a commercial driver's license.
- C. Discuss evaluation and duties of City Manager, City Secretary/Finance Director, City Attorney, and Municipal Court Judge.
- D. Discussion of process involved in returning properties that are chronically delinquent on taxes to the tax roll.
- E. Report on noise nuisance Ordinance.

III. CITY MANAGER REPORTS

City Manager Frank Johnson reviewed the agenda packet with the City Staff and City Commission.

IV. ADJOURNMENT

INVOCATION & PLEDGE: Commissioner Hoffman

68. PRESENTATIONS FROM THE PUBLIC

Janet Cook, 455 Acie Rhodes Road, Executive Director of the Harrison County Historical Museum, asked the Commission not to approve the Resolution establishing a policy for tracking room nights by organizations that receive HOT funds.

Tom Allen, 507 W. Burleson, spoke in support of the work Jack and Nancy Cason have done on the Birthplace of Boogie Woogie Project.

69. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

None.

70. CONSENT AGENDA

**Commissioner Moon moved to approve the following under Consent Agenda. Commissioner Oliver seconded the motion, which passed by a 7:0 vote.**

- A. Consider approval of the minutes from the February 9, 2012 Regular meeting.
- B. Consider approval of the quarterly investment report for the quarter ending December 2011.

71. CONSIDER APPROVAL OF A RESOLUTION ESTABLISHING A POLICY OF THE CITY COMMISSION FOR TRACKING ROOM NIGHTS BY ORGANIZATIONS THAT RECEIVE HOTEL OCCUPANCY TAX FUNDS

This item was tabled at the last meeting and no action was taken by the Commission.

72. PRESENTATION FROM ED MOORE OF SOUTHWEST SECURITIES REGARDING A POSSIBLE REFUNDING OF 2001 AND 2003 WATER AND SEWER REVENUE BONDS

Ed Moore of Southwest Securities presented information regarding the refunding of 2001 and 2003 Water and Sewer Revenue Bonds and stated an ordinance authorizing the debt issuance will be presented to the Commission at the March 8, 2012 meeting.

73. CONSIDER APPROVAL OF A CONTRACT WITH SOUTHWEST SECURITIES FOR FINANCIAL ADVISORY SERVICES FOR THE REFUNDING OF 2001 AND 2003 WATER AND SEWER REVENUE BONDS

Frank Johnson asked for approval of a contract with Southwest Securities for financial advisory services for the refunding of 2001 and 2003 Water and Sewer Revenue Bonds.

**Commissioner Hoffman moved to approve a contract with Southwest Securities for financial advisory services for the refunding of 2001 and 2003 Water and Sewer Revenue Bonds. Commissioner Timmins seconded the motion, which passed by a 7:0 vote.**

74. CONSIDER AUTHORIZING THE CITY ATTORNEY AND THE CITY MANAGER TO NEGOTIATE A CONTRACT BETWEEN JACK AND NANCY CANSON AND THE CITY OF MARSHALL TO CONTINUE THE DEVELOPMENT OF THE BIRTHPLACE OF BOOGIE WOOGIE PROJECT, OR CONSIDER ASSIGNING THE CONTRACT WITH JACK AND NANCY CANSON TO CONTINUE TO DEVELOP THE BIRTHPLACE OF BOOGIE WOOGIE PROJECT TO THE CONVENTION AND VISITOR BUREAU

Frank Johnson stated the Commission is being asked to discuss both options and make a decision on the direction the Commission wants to take regarding the contact for the Birthplace of Boogie Woogie Project.

The Commission engaged in discussion regarding the contract for the development of the Birthplace of Boogie Woogie Project.

**Commissioner Timmins moved to authorize the City Attorney and the City Manager to negotiate a contract between Jack and Nancy Canson and the City of Marshall to continue the development of the Birthplace of Boogie Woogie Project. Commissioner Oliver seconded the motion, which passed by the following vote:**

**Ayes: 4**

**Nays: 3, Commissioners Flowers, Marshall, Paddie**

75. CONSIDER APPROVAL OF A REQUEST BY THE CONVENTION AND VISITOR BUREAU FOR THE CITY OF MARSHALL TO PARTICIPATE AS AN ASSOCIATE IN THE NATIONAL ENDOWMENT FOR THE ARTS "OUR TOWN" GRANT APPLICATION AND PROVIDE \$2,000 IN IN-KIND CONTRIBUTIONS TO THE PROGRAM IF THE GRANT IS AWARDED

Ed Michel, Executive Director of the Convention and Visitor Bureau, asked for approval of a request by the Convention and Visitor Bureau for the City of Marshall to participate as an associate in the National Endowment for the Arts "Our Town" Grant application and provide \$2,000 in in-kind contributions to the program if the grant is awarded.

**Commissioner Hoffman moved to approve a request by the Convention and Visitor Bureau for the City of Marshall to participate as an associate in the National Endowment for the Arts "Our Town" Grant application and provide \$2,000 in in-kind contributions to the program if the grant is awarded. Commissioner Flowers seconded the motion, which passed by a 7:0 vote.**

76. DISCUSSION OF AND CONSIDERATION OF ACTION ON CONTENT OF A RESOLUTION TO BE CONSIDERED AT A SPECIAL CALLED MEETING TO CALL A SPECIAL ELECTION REGARDING A TYPE A ECONOMIC DEVELOPMENT CORPORATION, A TYPE B ECONOMIC DEVELOPMENT CORPORATION, ADJUSTMENTS TO THE ONE-HALF CENT SALES TAX FOR ECONOMIC DEVELOPMENT, AND/OR ENACTMENT OF A STREET MAINTENANCE TAX

Frank Johnson asked the Commission for guidance on how the Commission wants to proceed in addressing the possibility of a Special Election regarding a Type A Economic Development Corporation, a Type B Economic Development Corporation, adjustments to the one-half cent sales tax for economic development, and/or enactment of a street maintenance tax.

**Commissioner Timmins moved to consider action on content of a Resolution to call a Special Election regarding reducing the rate of the local sales and use tax in the City of Marshall dedicated for the benefit of a Type A Economic Development Corporation from one-half (1/2) of one percent to three-eighths (3/8) of one percent, and adopting a local sales and use tax in the City of Marshall at the rate of one-eighth (1/8) of one percent to provide revenue for maintenance and repair of municipal streets. Commissioner Moon seconded the motion.**

The Commission engaged in discussion regarding this item agenda item.

**The motion passed by the following vote:**

**Ayes: 4**

**Nays: 2, Commissioners Marshall, Oliver**

**Abstained: 1, Commissioner Hoffman**

77. PRESENTATION ON AND DISCUSSION OF CARE OF GREENWOOD CEMETERY

Parks Director Jack Redmon made a presentation on the care of Greenwood Cemetery.

Connie Hartley Preas, 10505 Skyridge Drive, Conroe, Texas 77385, spoke about the condition of Greenwood Cemetery and asked that the City of Marshall explore alternatives to maintain the cemetery.

78. CONSIDER APPROVAL OF AN APPOINTMENT TO THE PLANNING AND ZONING COMMISSION TO COMPLETE AN UNEXPIRED TERM

Frank Johnson asked for approval of the appointment of Sherrie Young to complete an unexpired term on the Planning and Zoning Commission.

**Commissioner Hoffman moved to appoint Sherrie Young to the Planning and Zoning Commission to complete an unexpired term. Commissioner Moon seconded the motion, which passed by a 7:0 vote.**

79. DISCUSSION OF EXPENDITURE OF CITY FUNDS AND CHANGES IN BUDGETS SINCE 2004

Commissioner Timmins explained his reason for asking for this item to be placed on the agenda. Frank Johnson provided the Commission a report on major changes in revenues and expenditures between 2004 and 2012.

80. REPORT ON STATUS OF U.S. ARMY RESERVE CENTER AT 1209 EAST PINECREST

Frank Johnson stated that the Army has updated their schedule and the date has been moved to October 2012 for transfer of the Army Reserve Center property to the City.

81. MONTHLY FINANCIAL REPORT

There were no questions regarding the Monthly Financial Report.

82. CODE ENFORCEMENT REPORT

Main Street Manager Bo Ellis presented the Code Enforcement Report.

83. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

None.

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

- A. Discussion of eliminating workshop meeting prior to Regular City Commission meetings.
- B. Resolution as companion item to a street maintenance tax being considered at a Special Election.

85. ADJOURNMENT

**Commissioner Marshall moved for adjournment. Commissioner Flowers seconded the motion, which passed by a 7:0 vote.**

**APPROVED:**



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

**ATTEST:**

  
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**City Secretary**