

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, NOVEMBER 8, 2012
6:30PM

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

PRESENT:

CHAIRMAN: Ed Smith, District 7

COMMISSIONERS:

Gloria Moon, District 1

Charlie Oliver, District 5

Zephaniah Timmins, District 2

Garrett Boersma, District 6

John Flowers, District 3

ABSENT: Commissioner Bill Marshall, District 4

ADMINISTRATIVE STAFF PRESENT:

Frank Johnson, City Manager

Ardis Wright, Assistant City Manager

Todd Fitts, City Attorney

Lisa Agnor, City Secretary/Finance Director

Kenneth J. Snyder, Fire Chief

J. C. Hughes, Public Works Director

Stan Spence, Police Chief

Jack Redmon, Parks Director

Anna Lane, Library Director

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

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

There were no emergency items.

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

There were no requests for items to be placed on a future agenda.

III. CITY MANAGER REPORTS

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

IV. ADJOURNMENT

INVOCATION & PLEDGE: Commissioner Boersma

409. PRESENTATIONS FROM THE PUBLIC

Mary Coleman, 405 VanZandt, expressed her concerns about dilapidated houses and overgrown yards near her home.

Ed Michel, CVB Executive Director, thanked the City Staff for their assistance with the Wonderland of Lights and gave an update on advertising for the festival.

Skip Thomas, 500 E. Merritt, asked the Commission to give careful consideration regarding the Memorial City Hall renovation project.

Chairman Smith recognized a student leadership group from Wiley College in attendance. Ladonna Gout with Wiley College thanked the Commission for allowing the group to observe the meeting.

410. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

- B. Consider approval of the annual interlocal agreement with Harrison County for exchange of services.
- D. Consider approval of an agreement with the East Texas Council on Alcoholism and Drug Abuse (ETCADA) for use of 2013 General Funds.
- F. Consider approval of an agreement with the ARC of Harrison County for use of 2013 General Funds.
- G. Consider approval of an agreement with the Harrison County Historical Museum for use of 2013 Hotel/Motel Occupancy Tax funds.
- H. Consider approval of an agreement with the Marshall Regional Arts Council for use of 2013 Hotel/Motel Occupancy Tax funds.
- I. Consider approval of an agreement with the Michelson Museum of Art for use of 2013 Hotel/ Motel Occupancy Tax funds.

Commissioner Oliver moved to remove the items B, D, F, G, H, and I from the Consent Agenda. Commissioner Timmins seconded the motion, which passed by a 6:0 vote.

411. CONSENT AGENDA

Commissioner Timmins moved to approve the following under Consent Agenda. Commissioner Boersma seconded the motion, which passed by a 6:0 vote.

- A. Consider approval of the minutes from the October 23, 2012 Town Hall Meeting, the October 25, 2012 Special-Called Meeting, and the October 25, 2012 Regular Meeting.
- C. Consider approval of an agreement with The Bridge of Compassion for use of 2013 General Funds.
- E. Consider approval of an agreement with Marshall's My Friend's House for use of 2013 General Funds.

412. RESOLUTION R-12-21: CHANGING THE FEES AT OAK LAWN MUNICIPAL GOLF COURSE.

City Manager Frank Johnson presented the Resolution decreasing the fees at Oak Lawn Municipal Golf Course. Mr. Johnson stated that the City Staff does not recommend the fee decrease.

The Commission engaged in discussion regarding this item.

Commissioner Boersma moved to approve the Resolution changing the fees at Oak Lawn Municipal Golf Course and Commissioner Flowers seconded the motion. After further discussion between the Commission and a member of the Harrison County Golf Association regarding the recommended fees, Commissioner Boersma withdrew his motion and Commission Flower withdrew the second.

Commissioner Timmins moved to approve a Resolution with the golf course fees remaining at the current fee structure with the exception of the monthly fee changing from \$75.00 to \$60.00. Commissioner Oliver seconded the motion, which passed by a 6:0 vote.

413. CONSIDER AND ACT ON A REQUEST TO AWARD A CONTRACT FOR THE 2010/11/12 COMMUNITY DEVELOPMENT BLOCK GRANT AND STREET OVERLAY IMPROVEMENT PROGRAM

Public Works Director J. C. Hughes asked for approval to award a contract for the 2010/11/12 Community Development Block Grant and Street Overlay Improvement Program to Advanced Paving Acquisition, LLC, in the amount of \$466,095.55.

The Commission engaged in discussion regarding this item.

Commissioner Timmins moved for approval to award a contract for the 2010/11/12 Community Development Block Grant and Street Overlay Improvement Program to Advanced Paving Acquisition, LLC, in the amount of \$466,095.55. Commissioner Moon seconded the motion, which passed by a 6:0 vote.

414. CONSIDER AND ACT ON A RECOMMENDATION TO APPROVE AN EXTENSION OF THE TREATED WATER SUPPLY CONTRACT WITH NORIT AMERICAS, INC. FOR A PERIOD COMMENCING NOVEMBER 10, 2012 AND TERMINATING DECEMBER 31, 2013 WITH AN AMENDED WATER RATE STRUCTURE

J. C. Hughes asked for approval of an extension of the Treated Water Supply Contract with Norit Americas, Inc. for a period commencing November 10, 2012 and terminating December 31, 2013 with an amended water rate structure of \$1.15 per 1,000 gallons of water.

Commissioner Timmins moved to approve an extension of the Treated Water Supply Contract with Norit Americas, Inc. for a period commencing November 10, 2012 and terminating December 31, 2013 with an amended water rate structure of \$1.15 per 1,000 gallons of water. Commissioner Flowers seconded the motion, which passed by a 6:0 vote.

415. DISCUSSION OF THE CURRENT ARCHITECTS AND ENGINEERS OF RECORD ON THE MEMORIAL CITY HALL PROJECT AND DISCUSSION OF REQUIREMENTS OF STATE LAW REGARDING ARCHITECTS AND ENGINEERS OF RECORD

This item was tabled.

416. DISCUSSION OF PAYMENTS TO THE ARCHITECT WHO PREPARED THE PLANS FOR THE RENOVATION OF MEMORIAL CITY HALL

This item was tabled.

417. DISCUSSION OF MEMORIAL CITY HALL PROJECT INCLUDING LEASE RATES, TOTAL PROJECT COSTS INCLUDING FUTURE PHASES AND FUNDING FOR THESE PHASES, AND PROJECTED REVENUE AND EXPENSES.

This item was tabled.

418. CONSIDER AUTHORIZING DISTRIBUTION OF A REQUEST FOR QUALIFICATIONS FOR ARCHITECTURAL SERVICES FOR THE BIDDING PHASE, THE CONSTRUCTION PHASE, AND DRAWING OR RE-DRAWING PAGES OF PLANS AS NEEDED FOR THE RENOVATION OF MEMORIAL CITY HALL

This item was tabled.

419. RECOMMENDATIONS BY CITY MANAGER REGARDING APPOINTMENTS TO VARIOUS CITY BOARDS AND COMMISSIONS

Frank Johnson provided recommendations regarding appointments to various City Boards and Commissions.

420. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

4B. Consider approval of the annual interlocal agreement with Harrison County for exchange of services.

Chairman Smith expressed his concerns regarding the agreement and recommend changes for the agreement next year.

Commissioner Timmins moved to approve the annual interlocal agreement with Harrison County for exchange of services. Commission Oliver seconded the motion, which passed by a 6:0 vote.

4D. Consider approval of an agreement with the East Texas Council on Alcoholism and Drug Abuse (ETCADA) for use of 2013 General Funds.

This item was tabled

4F. Consider approval of an agreement with the ARC of Harrison County for use of 2013 General Funds.

Frank Johnson addressed Chairman Smith's questions regarding this agenda item.

Commissioner Timmins moved for approval of an agreement with the ARC of Harrison County for use of 2013 General Funds. Commissioner Moon seconded the motion, which passed by a 6:0 vote.

4G. Consider approval of an agreement with the Harrison County Historical Museum for use of 2013 Hotel/Motel Occupancy Tax funds.

This item was tabled.

4H. Consider approval of an agreement with the Marshall Regional Arts Council for use of 2013 Hotel/Motel Occupancy Tax funds.

This item was tabled.

4I. Consider approval of an agreement with the Michelson Museum of Art for use of 2013 Hotel/ Motel Occupancy Tax funds.

This item was tabled.

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

A. Evaluation criteria for City Manager, City Secretary, City Attorney, and the Municipal Court Judge to be scheduled December 13, 2012.

EXECUTIVE SESSION

422. PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.072 – CONVENE IN EXECUTIVE SESSION TO DISCUSS MATTERS RELATED TO THE PURCHASE, EXCHANGE, LEASE, SALE, OR VALUE OF REAL PROPERTY

Commissioner Timmins moved to go into Executive Session, Commissioner Flowers seconded the motion, which passed by a 6:0 vote. (The time was 8:30 pm.)

Commissioner Timmins moved to reconvene from Executive Session. Commissioner Boersma seconded the motion, which passed by a 6:0 vote. (The time was 9:00pm.)

423. CONSIDER AUTHORIZING THE CITY MANAGER TO PURSUE ACQUISITION OF PROPERTY AS DISCUSSED IN EXECUTIVE SESSION

Commissioner Boersma moved to authorize the City Manager to pursue acquisition of property as discussed in Executive Session. Commissioner Flowers seconded the motion, which passed by a 6:0 vote.

424. ADJOURNMENT

Commissioner Moon moved for adjournment. Commissioner Timmins seconded the motion, which passed by a 6:0 vote.

APPROVED:



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

ATTEST:



City Secretary

Resolutions: R-12-21