

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, MARCH 24, 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:

Michael Mitchell, District 2	LaDarius Carter, District 4
Vernia Calhoun, District 5	Garrett Boersma, District 6
Ed Smith, District 7	

ABSENT: Gloria Moon, District 1

ADMINISTRATIVE STAFF PRESENT:

Lisa Agnor, City Manager	Todd Fitts, City Attorney
J.C. Hughes, Public Services Director	Reggie Cooper, Fire Chief
Jack Redmon, Support Services Director	Eddie Campa, Police Chief
Wes Morrison, Planning & Development Director	
Debbie Manuel, Acting City Secretary/Finance Director	
Sarah O'Brien, Director of Tourism & Promotions	

INVOCATION & PLEDGE: Commissioner Carter

96. **PRESENTATIONS FROM THE PUBLIC**

Sherri Young, 2500 Waubun Street, spoke in support of a new animal shelter.

Lee Disotell, 35 Pine Burr Circle, spoke in support of a new animal shelter.

Elaine Slaughter, 4100 Victory Drive, spoke in support of the new animal shelter volunteer program.

Amanda Smith, 38 Pine Burr Circle, invited the Commission to attend the 2016 Healthfest.

Steven McFarland, 4311 Elysian Fields Road, spoke in regard to the 2016 Strategic Plan.

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

98. **CONSENT AGENDA**

Commissioner Calhoun made a motion to approve the Consent Agenda. Commissioner Mitchell seconded the motion, which passed with a 6:0 vote.

A. Consider approval of the minutes from the March 10, 2016 Regular meeting.

- B. Monthly financial report.
- C. Consider approval of quarterly investment reports.
- D. Code Enforcement report.

PROCLAMATION

99. PRESENTATION OF A PROCLAMATION DECLARING THE MONTH OF APRIL, 2016 AS "SEXUAL ASSAULT AWARENESS AND PREVENTION MONTH" IN THE CITY OF MARSHALL.

Commissioner Boersma presented a Proclamation declaring the month of April, 2016 as "Sexual Assault Awareness and Prevention Month" in the City of Marshall to Denver Thomas, representative of the Women's Center of East Texas.

SECOND READING OF ORDINANCE

100. CONSIDER APPROVAL OF AN ORDINANCE AMENDING SECTION 14-19 OF THE CODE OF ORDINANCES, SPECIFICALLY RELATED TO GARBAGE, TRASH, AND WEEDS WITHIN THE CITY OF MARSHALL.

There was no additional information for the second reading of this Ordinance.

Commissioner Mitchell made a motion to approve the Ordinance amending section 14-19 of the Code of Ordinances specifically related to garbage, trash, and weeds within the City of Marshall. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.

RESOLUTION

101. CONSIDER APPROVAL OF A RESOLUTION SETTING AN ADDITIONAL FEE FOR COLLECTION OF COSTS ON FINES AND FEES IN MUNICIPAL COURT.

Lisa Agnor, City Manager, asked for approval of a Resolution setting an additional fee for collection of costs on fines and fees in Municipal Court.

Commissioner Boersma made a motion to approve the Resolution setting an additional fee for collection costs on fines and fees in Municipal Court. Commissioner Smith seconded the motion, which passed with a vote of 6:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION

102. CONSIDER APPROVAL OF APPOINTMENTS TO THE MARSHALL IMAGE ADVISORY BOARD.

Wes Morrison, Director of Planning & Development, asked for approval of the appointments of Kelli Clayton, Julio Rodriguez, and John Endicott to fill three of the four vacancies on the Marshall Image Advisory Board.

Commissioner Carter made a motion to approve the appointments of Kelli Clayton, Julio Rodriguez, and John Endicott to the Marshall

Image Advisory Board. Commissioner Calhoun seconded the motion, which passed with a 6:0 vote.

103. CONSIDER APPROVAL TO AWARD A CONTRACT FOR STREET RECONSTRUCTIONS AND OVERLAYS AS SPECIFIED IN OUR 2016 STREET IMPROVEMENT PROGRAM.

J.C. Hughes, Director of Public Services, asked for approval to award a contract for street reconstructions and overlays as specified in our 2016 Street Improvement Program to Lone Star Equipment Co. of Henderson, TX, at a total cost of \$1,494,784.10.

Commissioners asked questions of J.C. Hughes regarding this item.

Commissioner Calhoun made a motion to award a contract for street reconstructions and overlays as specified in our 2016 Street Improvement Program to Lone Star Equipment Co. of Henderson, TX. Commissioner Mitchell seconded the motion, which passed with a 6:0 vote.

104. DISCUSSION OF AND CONSIDERATION OF THE CONVENTION AND VISITOR BUREAU LEASE AGREEMENT FOR USE OF SPACE AT 301 N. WASHINGTON.

Sarah O'Brien, Director of Tourism & Promotions, asked for consideration of the Convention and Visitor Bureau lease agreement for use of space at 301 N. Washington. She stated that the current lease expires in May, 2016 and discussed other possible options available, including possible renovation of the Perkins Building.

Commissioners asked questions of City Staff regarding this item.

Commissioner Carter made a motion to authorize City Staff to negotiate either a month to month or short term, up to one year, lease with the Bradbury Group. Commissioner Mitchell seconded the motion, which passed with a vote of 6:0.

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

Lisa Agnor asked for approval of appointments of Narcie Crosby, Chris Horsley, and John Thompson to the Civil Service Commission.

Commissioner Carter made a motion to approve appointments to the Civil Service Commission. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.

106. CONSIDER AUTHORIZING STAFF TO NEGOTIATE AN AGREEMENT FOR THE PERFORMANCE OF A COMPENSATION, CLASSIFICATION, AND BENEFIT STUDY FOR THE CITY OF MARSHALL.

Lisa Agnor asked for authorization of Staff to negotiate an agreement for the performance of a Compensation, Classification, and Benefit Study for the City of Marshall with Ray Associates from Austin, TX, at a total cost of \$38,393.00 plus expenses not to exceed \$5,000.00.

Commissioners asked questions of Human Resources Manager Cherilyn Johnston regarding this item.

Chairman Neal made a motion not to move forward with the Benefit Study. Commissioner Mitchell seconded the motion.

Commissioners engaged in discussion regarding this item.

This motion failed with the following vote:

Ayes: Chairman Neal and Commissioner Mitchell

Nays: Commissioners Smith, Carter, Boersma and Calhoun

Commissioner Boersma made a motion to approve authorizing the Staff to move forward in negotiating an agreement for this Compensation and Benefit Study. Commissioner Smith seconded the motion, which passed with the following vote:

Ayes: Commissioners Smith, Carter, Boersma and Calhoun

Nays: Chairman Neal and Commissioner Mitchell

107. DISCUSSION REGARDING A PROPOSED STRATEGIC PLAN FOR THE CITY OF MARSHALL.

Lisa Agnor presented a proposed Strategic Plan for the City of Marshall.

A Strategic Plan Workshop was scheduled for April 5, 2016 at 6:30 p.m.

The Commission engaged in discussion regarding this item.

108. REPORT REGARDING ESTIMATED COSTS FOR THE RENOVATION OF VARIOUS CITY FACILITIES.

Jack Redmon, Director of Support Services, presented a report regarding estimated costs for the renovation of various City facilities.

Commissioners asked questions of Jack Redmon regarding this item.

109. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

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

- Update on Memorial City Hall

EXECUTIVE SESSION

111. EXECUTIVE SESSION

A. Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071 – Consultation with Attorney to discuss matters related to pending litigation related to Wright, et al vs. City of Marshall Civil Action No. 2:15-CV-279, U.S. District Court, Eastern District (Marshall Division).

Commissioner Carter made a motion to enter into Executive Session. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0. The time was 7:35 p.m.

Commissioner Boersma made a motion to reconvene from the Executive Session. Commissioner Mitchell seconded the motion, which passed with a vote of 6:0. The time was 8:00 p.m.

ACTION ITEM FOLLOWING EXECUTIVE SESSION

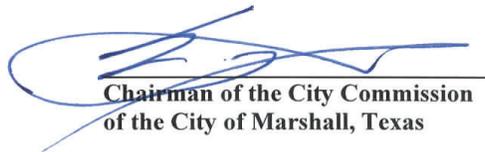
112. CONSIDER ACTION AS A RESULT OF EXECUTIVE SESSION DISCUSSION REGARDING PENDING LITIGATION RELATED TO WRIGHT, ET AL VS. CITY OF MARSHALL.

Commissioner Carter made a motion to approve the proposed settlement as outlined by Council and authorize the City Manager to enter into any agreements deemed necessary to fulfill the settlement. Commissioner Boersma seconded the motion, which passed with a vote of 6:0.

113. **ADJOURNMENT**

Commissioner Carter 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-16-06
Resolutions: R-16-04**