

MINUTES OF THE SPECIAL - CALLED MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
TUESDAY, OCTOBER 15, 2013
6:00PM

Chairman Ed Smith called the Special - Called meeting to order in the Commission Chambers, City Hall at 6:00pm.

PRESENT:

CHAIRMAN: Ed Smith, District 7

COMMISSIONERS:

Gloria Moon, District 1

Zephaniah Timmins, District 2

John Flowers, District 3

Charlie Oliver, District 5

Garrett Boersma, District 6

ABSENT: Bill Marshall, District 4

ADMINISTRATIVE STAFF PRESENT:

Frank Johnson, City Manager

Todd Fitts, City Attorney

Kenneth Snyder, Fire Chief

Leland Benoit, Interim Police Chief

Ardis Wright, Assistant City Manager

Lisa Agnor, City Secretary/Finance Director

J. C. Hughes, Public Works Director

Jack Redmon, Parks Director

Anna Lane, Library Director

INVOCATION & PLEDGE: Commissioner Oliver

362. PRESENTATIONS FROM THE PUBLIC

Milly Johnston-Green, 3306 Mary Mack Dr., extended an invitation to the Commission to attend the groundbreaking ceremony for Health Care Express' new office on October 24, 2013 at 11:00 am.

363. PRESENTATION AND DISCUSSION OF DRAFT OF EFFICIENCY STUDY

Chairman Ed Smith introduced David Eisenlohr of Azimuth Group.

David Eisenlohr presented a draft report of the Efficiency Study.

The Commission engaged in discussion and set a deadline of October 25, 2013 for the Commission to address questions to Azimuth Group. The final report is to be presented on November 7 or 11, 2013.

364. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

365. CONSENT AGENDA

Commissioner Timmins moved to approve the Consent Agenda. Commissioner Oliver seconded the motion which passed 6:0.

A. Consider Approval of the minutes from the September 26, 2013 Regular Meeting.

B. Consider approval of a contract(s) to provide janitorial services to various City facilities.

C. Consider approval of an agreement with the Marshall-Harrison County Literacy Center for use of 2013 Community Development Block Grant Funds.

- D. Consider approval of an agreement with Dr. Robert Dickson for Physician Director Services for the Emergency Medical Services System.

RESOLUTION:

366. RESOLUTION R-13-15: CONSIDER APPROVAL OF A RESOLUTION ESTABLISHING A POLICY OF THE CITY OF MARSHALL REGARDING MINORITY-OWNED BUSINESSES AND BUSINESSES OWNED BY ECONOMICALLY DISADVANTAGED PERSONS.

Commissioner Timmins asked the Commission to consider approval of a Resolution establishing a policy of the City of Marshall regarding minority-owned businesses and businesses owned by economically disadvantaged persons.

The Commission engaged in discussion regarding this agenda item.

Commissioner Timmins moved to approve a Resolution establishing a policy of the City of Marshall regarding minority-owned businesses and businesses owned by economically disadvantaged persons. Commissioner Flowers seconded the motion which passed 6:0.

367. CONSIDER APPROVAL OF AN AGREEMENT WITH FLOWERS & ASSOCIATES ARCHITECTS, INC., FOR ARCHITECTURAL SERVICES FOR MEMORIAL CITY HALL PHASE I IN THE AMOUNT OF \$12,200.00.

Chairman Smith stated that Commissioner Flowers could discuss this agreement in his capacity as the prospective architect. The City Attorney and the Commission expressed no objection.

Mr. Flowers asked questions regarding the contract and made suggestions for proposed changes to the agreement.

Mr. Flowers and Dean Searle, in his capacity as Acting City Attorney regarding the matter, will prepare a revised agreement to be presented to the Commission at the October 24, 2013 meeting.

368. CONSIDER APPROVAL OF A LEASE AGREEMENT WITH THE WEISMAN CENTER COOPERATIVE AND CENTRAL PERKS, LLC FOR SPACE IN THE WEISMAN BUILDING.

The Commission engaged in discussion regarding this agenda item.

The Commission would like separate lease agreements for Central Perks, LLC and the Weisman Center Cooperative.

Commissioner Flowers moved to table approval of a lease agreement with the Weisman Center Cooperative and Central Perks, LLC for space in the Weisman Building. Commissioner Oliver seconded the motion which passed 6:0.

This agenda item was tabled.

369. CONSIDER SELECTION OF A CONSULTANT TO CONDUCT A REVIEW OF AND PROVIDE RECOMMENDATIONS ON UPDATES TO THE BRANDING, DEVELOPMENT & MARKETING ACTION PLAN, ALSO KNOWN AS THE TOURISM PLAN, APPROVED IN 2007, AND CONSIDER AUTHORIZING THE CITY MANAGER AND THE CITY ATTORNEY TO NEGOTIATE AN AGREEMENT WITH THE SELECTED CONSULTANT TO BE BROUGHT BACK TO THE CITY COMMISSION FOR APPROVAL AT AN UPCOMING MEETING.

Frank Johnson, City Manager, asked for approval to authorize the City Manager and the City Attorney to negotiate an agreement with Great Destination Strategies to conduct a review of and provide recommendations on updates to the Branding, Development & Marketing Action Plan. The agreement will be brought back to the Commission for approval.

Commissioner Flowers moved to approve to authorize the City Manager and City Attorney to negotiate an agreement with Great Destination Strategies to conduct a review of and provide recommendations on updates to the Branding, Development & Marketing Action Plan. Commissioner Timmins seconded the motion which passed 6:0.

370. CONSIDER AUTHORIZING THE STAFF TO OBTAIN AN APPRAISAL OF THE FORMER CHAMBER OF COMMERCE BUILDING AT 213 WEST AUSTIN.

Frank Johnson asked for approval to authorize the Staff to obtain an appraisal of the former Chamber of Commerce Building at 213 West Austin.

The Commission engaged in discussion.

No action was taken regarding this agenda item.

371. CONSIDER AUTHORIZING THE STAFF TO OBTAIN BIDS FOR RADIO EQUIPMENT TO ACHIEVE REQUIRED INTEROPERABILITY IN EMERGENCY COMMUNICATIONS IN VARIOUS CITY DEPARTMENTS.

Frank Johnson asked for approval to authorize the staff to obtain bids for radio equipment to achieve required interoperability in emergency communications in various City departments.

The Commission engaged in discussion regarding this agenda item.

Commissioner Timmins moved to approve to authorize the staff to obtain bids for radio equipment to achieve required interoperability in emergency communications in various City departments. Commissioner Moon seconded the motion. The motion passed with the following vote:

**Ayes: Commissioner Timmins, Moon, Smith, Oliver, Boersma
Nays: Commissioner Flowers**

The Commission agreed to address agenda items 7F and 7I, postponing all other agenda items to the October 24, 2013 scheduled meeting, due to time considerations.

372. CONSIDER AND ACT ON A REQUEST TO APPROVE A CONSTRUCTION CONTRACT FOR REPLACEMENT OF APPROXIMATELY 2,000 LINEAR FEET OF 6-INCH WATER LINE ON LINWOOD DRIVE, AND APPROVE FUNDING FROM ACCT. #15 – WATER BOND FUNDS.

J. C. Hughes, Public Works Director, asked for approval of a construction contract for replacement of approximately 2,000 linear feet of 6-inch water line on Linwood Drive and approval of funding from Account #15 – Water Bond Funds.

Commissioner Timmins moved to approve a construction contract for replacement of approximately 2,000 linear feet of 6-inch water line on Linwood Drive and funding from Account #15 – Water Bond Funds. Commissioner Moon seconded the motion which passed 6:0.

373. CONSIDER AND ACT ON A REQUEST TO APPROVE A SERVICE CONTRACT TO PERFORM A STREET LIGHT INVENTORY AND BILLING AUDIT.

This agenda item was postponed.

374. REPORT ON THE LIBRARY ENDOWMENT FUND

This agenda item was postponed.

375. CONSIDER APPOINTING BUTCH LAKE AND JIMMY ROBERTSON TO THE ZONING BOARD OF ADJUSTMENT.

Commissioner Timmins moved to appoint Butch Lake and Jimmy Robertson to the Zoning Board of Adjustment. Commissioner Moon seconded the motion which passed 6:0.

376. REPORT ON NEEDED APPOINTMENTS TO THE VARIOUS CITY BOARDS, COMMISSIONS, AND COMMITTEES.

This agenda item was postponed.

377. REPORT ON PROJECTED YEAR-END REVENUES AND EXPENDITURES FOR THE GENERAL FUND AND THE UTILITY FUND FOR THE 2013 FISCAL YEAR.

This agenda item was postponed.

378. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA.

There were no items withdrawn from the Consent Agenda.

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

- Report on any other funds regarding the Library
- Report on Nepotism Policies.

EXECUTIVE SESSION:

380. PURSUANT TO OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE, SECTIONS 551.071 – CONVENE IN EXECUTIVE SESSION TO DISCUSS MATTERS PENDING OR CONTEMPLATED LITIGATION.
- A. Discussion of response to the Texas Municipal League Intergovernmental Risk Pool regarding pending claim
 - B. Discussion of settlement negotiations regarding construction of new Police Station

Commissioner Timmins moved to enter into Executive Session. Commissioner Oliver seconded the motion which passed 6:0. The time was 8:55 pm.

Commissioner Timmins moved to reconvene from the Executive Session. Commissioner Oliver seconded the motion which passed 6:0. The time was 9:45 pm.

381. ADJOURNMENT

Commissioner Timmins moved to adjourn. Commissioner Moon seconded the motion which passed 6:0.

APPROVED:



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

ATTEST:



City Secretary

Resolution: R-13-15