

MINUTES OF THE SPECIAL-CALLED MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, DECEMBER 19, 2013
5:30PM

Chairman Ed Smith called the Special-Called meeting to order in the Commission Chambers, City Hall at 5:30 pm.

PRESENT:

CHAIRMAN: Ed Smith, District 7

COMMISSIONERS:

John Flowers, District 3
Bill Marshall, District 4

Charlie Oliver, District 5
Garrett Boersma, District 6

ABSENT: Gloria Moon, District 1

Zephaniah Timmins, District 2

ADMINISTRATIVE STAFF PRESENT:

Frank Johnson, City Manager
Todd Fitts, City Attorney
Kenneth Snyder, Fire Chief
Leland Benoit, Interim Police Chief

Lisa Agnor, City Secretary/Finance Director
J. C. Hughes, Public Works Director
Jack Redmon, Parks Director
Anna Lane, Library Director

467. PRESENTATIONS FROM THE PUBLIC

Kenneth Adams, 244 PR 4035, read a note from the family of William Hurd. Mr. Adams also spoke in opposition to reduction in the holidays for City employees.

Joey Hudson, 104 Waverly, asked the Commission consider not reducing the number of City Holidays. He also encouraged the Commission to begin every meeting with a prayer and pledge.

Mrs. Charles Wilson, 706 Whetstone, asked the Commission to vote against reducing the City Holidays.

Commissioner Flowers entered the meeting at this point.

SECOND READING OF ORDINANCES:

470. O-13-12: A REQUEST FOR A SPECIAL USE PERMIT ON 5.312 ACRES OF LAND, BEING LOTS 1-4, 5, 6, 7, OF SOUTH HIGHLANDS ADDITION, AND OL 257C OF THE SW, FOR AN ARCADE

Location: 116 W. Pinecrest Dr.
Applicant: Tina Livingston

Frank Johnson, City Manager, stated there was no new information.

Commissioner Marshall moved to approve a request for a special use permit on 5.312 acres of land being lots 1-4, 5, 6, 7, of the South Highlands Addition, and OL 257C of the SW, for an arcade. Commissioner Flowers seconded the motion, which passed 5:0.

471. O-13-13: A REQUEST TO REZONE APPROXIMATELY 8.02 ACRES OF LAND IN THE JAMES HARRIS SURVEY, A-12 FROM A-E AGRICULTURE AND ESTATE DISTRICT TO C-2 RETAIL BUSINESS DISTRICT

Location: 2000 East Loop 390 North
Applicant: Brad Howlett

Frank Johnson stated there was no new information.

Commissioner Flowers moved to approve a request to rezone approximately 8.02 acres of land in the James Harris Survey, A-12 from A-E Agriculture and Estate District to C-2 Retail Business District. Commissioner Marshall seconded the motion which passed 5:0.

472. O-13-14: CONSIDER APPROVAL OF AN AMENDMENT TO SECTION 2B, ARTICLE III, AMBULANCE TRANSFER SERVICES, OF THE CODE OF ORDINANCES OF THE CITY OF MARSHALL

Chief Kenneth Snyder stated there was no new information.

Commissioner Marshall moved to approve an amendment to Section 2B, Article III, Ambulance Transfer Services, of the Code of Ordinances of the City of Marshall. Commissioner Boersma seconded the motion which passed 5:0.

ORDINANCES:

473. O-13-16: CONSIDER APPROVAL OF AN AMENDMENT TO THE 2013 ANNUAL BUDGET TO PROVIDE FOR YEAR-END ADJUSTMENTS IN SELECTED DEPARTMENTS

Frank Johnson asked for approval of an Amendment to the 2013 Annual Budget to provide for year-end adjustments in selected departments.

Commissioner Marshall moved to approve an Amendment to the 2013 Annual Budget to provide for year-end adjustments in selected departments. Commissioner Oliver seconded the motion, which passed 5:0.

474. O-13-17: CONSIDER APPROVAL OF AN AMENDMENT TO THE 2013 ANNUAL BUDGET TO PROVIDE FOR ADDITIONAL EXPENDITURES APPROVED BY THE CITY COMMISSION IN THE HOTEL/MOTEL OCCUPANCY TAX FUND AND EQUIPMENT REPLACEMENT FUND.

Frank Johnson asked for approval of an Amendment to the 2013 Annual Budget to provide for additional expenditures approved by the City Commission in the Hotel/Motel Occupancy Tax Fund and Equipment Replacement Fund.

Commissioner Marshall moved to approve an Amendment to the 2013 Annual Budget to provide for additional expenditures approved by the City Commission in the Hotel/Motel Occupancy Tax Fund and Equipment Replacement Fund. Commissioner Boersma seconded the motion, which passed 5:0.

475. O-13-18: CONSIDER APPROVAL OF AN ORDINANCE AMENDING CHAPTER 14 OF THE CITY CODES OF ORDINANCES, SETTING THE SCHEDULE OF GARBAGE AND SOLID WASTE DISPOSAL FEES, PROVIDING FOR MONTHLY CHARGES, AND PROVIDING AN EFFECTIVE DATE FOR THE RATE ADJUSTMENT

J. C. Hughes, Public Works Director asked for approval of an Ordinance amending Chapter 14 of the City Codes of Ordinances, setting the schedule of garbage and solid waste disposal fees, providing for monthly charges, and providing an effective date for the rate adjustment.

Commissioner Marshall moved to approve an Ordinance amending Chapter 14 of the City Codes of Ordinances, setting the schedule of garbage and solid waste disposal fees, providing for monthly charges, and providing an effective date for the rate adjustment. Commissioner Oliver seconded the motion.

J. C. Hughes addressed questions posed by the Commission regarding this agenda item.

The motion for approval of an Ordinance amending Chapter 14 of the City Codes of Ordinances, setting the schedule of garbage and solid waste disposal fees, providing for monthly charges, and providing an effective date for the rate adjustment passed with a vote of 5:0.

REQUESTS FOR CITY COMMISSION CONSIDERATION:

476. CONSIDER AND ACT ON A RECOMMENDATION TO APPROVE AN EXTENSION OF THE SHORT-TERM TREATED WATER SUPPLY CONTRACT WITH NORIT AMERICAS, INC. FOR A PERIOD COMMENCING JANUARY 1, 2014, AND TERMINATING NO LATER THAN JUNE 30, 2014 WITH THE CURRENT WATER RATE STRUCTURE

J. C. Hughes asked the Commission to approve an extension of the Short-Term Treated Water Supply Contract with Norit Americas, Inc. for a period commencing January 1, 2014, and terminating no later than June 30, 2014 with the current water rate structure.

The Commission engaged in discussion with J. C. Hughes regarding the request.

Chairman Smith asked to amend the contract term to January 1, 2014 through February 28, 2014.

The Commissioner engaged in discussion regarding this agenda item.

Chairman Smith moved to approve the amended recommendation to approve an extension of the Short-Term Treated Water Supply Contract with Norit Americas, Inc. for a period commencing January 1, 2014, and terminating no later than February 28, 2014 with the current water rate structure. Commissioner Flowers seconded the motion, which passed 5:0.

478. CONSIDER REDUCING THE NUMBER OF HOLIDAYS FOR CITY EMPLOYEES FROM 16 TO 10

The Commission engaged in discussion regarding this agenda item.

Commissioner Boersma moved to table this agenda item to allow time to gather additional information. Commissioner Oliver seconded the motion, which passed with the following vote:

**Ayes 4: Commissioners Boersma, Oliver, Flowers, Smith
Nays 0
Abstain 1: Commissioner Marshall**

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

Additional information to be provided regarding City Holidays

Report on the status of the By Pass Project at the Pre-Sedimentation Basin at Fern Lake Cutoff

Report on what the bond required in Section 65 of the City Charter covers for City Commissioners

Water Rate Study to be presented in January

480. ADJOURNMENT

Commissioner Flowers moved to adjourn the meeting. Commissioner Boersma seconded the motion which passed 5:0.

APPROVED:



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

ATTEST:



City Secretary

ORDINANCES: O-13-12
 O-13-13
 O-13-14
 O-13-16
 O-13-17
 O-13-18