

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, MARCH 13, 2014
6:00PM

Acting Chairman Zephaniah Timmins called the Regular meeting to order in the Commission Chambers, City Hall at 6:00pm.

PRESENT:

ACTING CHAIRMAN: Zephaniah Timmins, District 2

COMMISSIONERS:

Gloria Moon, District 1
John Flowers, District 3

Bill Marshall, District 4
Garrett Boersma, District 6

ABSENT: Ed Smith, District 7
Charlie Oliver, District 5

ADMINISTRATIVE STAFF PRESENT:

Kenneth Snyder, Acting City Manager
Todd Fitts, City Attorney
Reggie Cooper, Interim Fire Chief
Leland Benoit, Interim Police Chief

Lisa Agnor, City Secretary/Finance Director
J. C. Hughes, Public Services Director
Jack Redmon, Support Services Director

INVOCATION & PLEDGE: Commissioner Boersma

87. PRESENTATIONS FROM THE PUBLIC

Guadalupe Garcia, 4607 Five Notch Road, had questions regarding mobile food trucks.

Rick Hurlburt, 418 Douglas Drive, Hallsville, spoke in support of a new Animal Shelter.

88. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

89. CONSENT AGENDA

Commissioner Marshall moved to approve the Consent Agenda. Commissioner Flowers seconded the motion which passed with a 5:0 vote.

- A. Consider approval of the minutes from the February 25, 2014 Special-Called meeting, and the February 27, 2014 Regular meeting.
- B. Consider approval of a contract with the Harrison County Elections Administrator for the May 10, 2014 City General Election.
- C. Consider approval of a contract with the Harrison County Elections Administrator for the special election on Local Option Election for the legal sale of mixed beverages in restaurants by food and beverage holders only.
- D. Consider approval of the annual agreement with Harrison County Juvenile Services for litter pickup in the City's parks.

PUBLIC HEARINGS AND ORDINANCE APPROVALS:

90. O-14-03: REQUEST TO REZONE LOTS 1-4 OF BLOCK 3 IN THE JARVIS ADDITION, FROM R-3 SINGLE FAMILY DETACHED DWELLING DISTRICT TO C-3 GENERAL BUSINESS DISTRICT.

Location: 906 North Grove
Applicant: East Texas Baptist University

J.C. Hughes, Public Services Director, stated that the Planning and Zoning Commission voted 4:0 in favor of this request.

Acting Chairman Zephaniah Timmins opened the public hearing and called on anyone wishing to speak in favor of the request.

Ned Calvert, Vice President for Administration and Finance at ETBU, informed the Commission of the anticipated use of this property.

Acting Chairman Timmins called on anyone wishing to speak in opposition to the request.

No one came forward to speak in opposition to the request.

Acting Chairman Timmins closed the Public Hearing.

Commissioner Boersma moved to approve a request to rezone Lots 1-4 of Block 3 in the Jarvis Addition, from R-3 Single Family Detached Dwelling District to C-3 General Business District. Commissioner Flowers seconded the motion which passed with a vote of 5:0.

91. O-14-04: REQUEST FOR A SPECIAL USE PERMIT FOR A RIDING ACADEMY ON 19.25 ACRES OF LAND IN THE THOMAS IDEN SURVEY, A-354.

Location: 2609 Fern Lake Cut-Off
Applicant: Sheryl Fogle (Dayspring Therapeutic Equestrian Center of Harrison County)

J.C. Hughes stated that the Planning and Zoning Commission voted 3:0:1 in favor of this request.

Acting Chairman Zephaniah Timmins opened the public hearing and called on anyone wishing to speak in favor of the request.

Frances Hurley, 2701 Waubun, spoke in favor of this request.

Acting Chairman Timmins called on anyone wishing to speak in opposition to the request.

No one came forward to speak in opposition to the request.

Acting Chairman Timmins closed the Public Hearing.

Commissioner Moon moved to approve the request for a Special Use Permit for a Riding Academy on 19.25 acres of land in the Thomas Iden Survey, A-354. Commissioner Flowers seconded the motion which passed with a vote of 5:0.

RESOLUTION:

92. R-14-06: CONSIDER APPROVAL OF A RESOLUTION CANCELING THE CITY ELECTION FOR THE OFFICE OF CITY COMMISSIONER IN DISTRICT 5, WHICH WAS TO BE HELD ON MAY 10, 2014.

Lisa Agnor, City Secretary/Finance Director, asked for approval of a Resolution cancelling the City Election for the Office of City Commissioner in District 5, which was to be held on May 10, 2014.

Commissioner Marshall moved to approve a Resolution cancelling the City Election for the Office of City Commissioner in District 5, which was to be held on May 10, 2014. Commissioner Moon seconded the motion which passed with a vote of 5:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION:

93. CONSIDER APPROVAL OF THE ANNUAL INTERLOCAL AGREEMENT WITH THE MARSHALL-HARRISON COUNTY HEALTH DISTRICT.

Kenneth Snyder, Acting City Manager presented the Annual Interlocal Agreement with the Marshall-Harrison County Health District.

Todd Fitts, City Attorney, outlined slight changes in the contract for the Commission.

Commissioner Marshall asked questions regarding the contract, which were answered by representatives of the Marshall-Harrison County Health District.

Commissioner Boersma moved to approve the Annual Interlocal Agreement with the Marshall-Harrison County Health District. Commissioner Marshall seconded the motion which passed with a vote of 5:0.

94. CONSIDER REJECTING BIDS FOR LAWN CARE SERVICES.

Lisa Agnor stated that the two bids were received for lawn care service as outlined below:

- 1) Grasshopper Lawn Care presented a proposal per bid specifications in the total bid amount of \$34,900.
- 2) Ben Harber presented a proposal per bid specifications in the total bid amount of \$39,300.

She requested that the Commission reject the bids for lawn care service due to the significant increase in the cost of this service. She stated that lawn care could be provided in-house at a cost savings to the City.

Jack Redmon, Support Services Director, answered questions from the Commission regarding providing lawn care service in-house.

Commissioner Moon moved to reject the bids for Lawn Care Services. Commissioner Flowers seconded the motion which passed with a vote of 5:0.

95. CONSIDER AWARDING A BID FOR FUEL FOR THE CITY OF MARSHALL.

Lisa Agnor stated that two bids were submitted for fuel as outlined below:

(1) Peter McCarty Oil Co., Inc. of Marshall presented a bid proposal to provide the City of Marshall, on an annual basis, approximately 120,000 gallons of 87 octane unleaded fuel and approximately 50,000 gallons of Number 2 diesel fuel in accordance with the bid specifications for the profit margin of \$0.09 per gallon.

(2) East Texas Fuels, Inc. of Marshall presented a “no bid”.

She asked the Commission to award the bid for fuel to Pete McCarty Oil Co., Inc. and to authorize the Acting City Manager to execute the contract/agreement with the company.

The Commission asked questions regarding the agenda item.

Commissioner Marshall moved to award a bid for fuel for the City of Marshall to Pete McCarty Oil Co., Inc., to provide the City of Marshall, on an annual basis, approximately 120,000 gallons of 87 octane unleaded fuel and approximately 50,000 gallons of Number 2 diesel fuel in accordance with the bid specifications for the profit margin of \$0.09 per gallon and to authorize the Acting City Manager to execute the contract with this company. Commissioner Moon seconded the motion which passed with a vote of 5:0.

95. DISCUSSION OF AND CONSIDER SETTING A DATE FOR A TOWN HALL MEETING REGARDING WONDERLAND OF LIGHTS

Kenneth Snyder asked for the Commission to set a date for a Town Hall Meeting regarding 2014 Wonderland of Lights.

The Commission agreed to conduct a Town Hall Meeting on Wednesday, March 26, 2014 at 6:00 PM. The meeting will be held in the Commission Chambers at City Hall.

96. DISCUSSION OF AND CONSIDER SETTING A DATE FOR A REVIEW OF THE EFFICIENCY STUDY.

Commissioner Marshall asked for a Workshop to discuss the Efficiency Study.

The Commission engaged in discussion regarding this agenda item.

The Commission will have a Workshop to review the Efficiency Study April 15, 2014 at 6:00 PM.

96. DISCUSSION OF ATTEMPTING TO RESOLVE ISSUES OR QUESTIONS CONCERNING AGENDA ITEMS PRIOR TO CITY COMMISSION MEETINGS, AS WELL AS POTENTIAL AGENDA ITEMS PRIOR TO BEING PLACED ON A CITY COMMISSION AGENDA.

Commissioner Moon asked the Commissioners to try to get questions regarding agenda items answered prior to City Commission Meetings to cut down on extended meeting time.

The Commission engaged in discussion regarding this agenda item.

97. REPORT ON THE EFFECTIVENESS OF THE CITY STAFF WITH ADDED RESPONSIBILITIES CREATED BY THE CHANGE IN ORGANIZATIONAL STRUCTURE.

Commissioner Moon asked Kenneth Snyder to report on the effectiveness of the City Staff with added responsibilities created by the change in organizational structure.

Kenneth Snyder complimented City Staff on meeting the demands placed on them by added responsibilities.

The Commission engaged in discussion regarding this agenda item.

98. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

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

- Discussion regarding funding for Boogie Woogie
- Commission support of Colon Cancer Screening among City Staff
- Setting a date for City Commission photographs
- Review of the City's upper management team and whether the team reflects the makeup of our City
- Funding for the Code Enforcement Officer from General Fund as opposed to CDBG Grant funds
- Executive Session regarding negotiations with Norit Americas

City Commission Meeting

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Sheet No. 6

100. ADJOURNMENT

Commissioner Moon moved to adjourn the meeting. Commissioner Flowers seconded the motion which passed with a vote of 5:0.

APPROVED:



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

ATTEST:



City Secretary

Ordinance: O-14-03
O-14-04

Resolution: R-14-06