

MINUTES OF THE SPECIAL-CALLED MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, MARCH 19, 2015
6:00PM

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

PRESENT:

CHAIRMAN: Ed Smith, District 7

COMMISSIONERS:

Gloria Moon, District 1
John Flowers, District 3
Bill Marshall, District 4

Vernia Calhoun, District 5
Garrett Boersma, District 6

ADMINISTRATIVE STAFF PRESENT:

Kenneth Snyder, Acting City
Manager
Todd Fitts, City Attorney
Reggie Cooper, Fire Chief

Lisa Agnor, City Secretary/Finance
Director
Jack Redmon, Support Services Director
Wes Morrison, Planning & Development
Director

Captain John Best, Police
Department

INVOCATION & PLEDGE: Commissioner Boersma

61. PRESENTATIONS FROM THE PUBLIC

There were no presentations from the public.

62. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

63. CONSENT AGENDA

Commissioner Moon moved to approve the Consent Agenda. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.

- A. Consider approval of the minutes from the February 20, 2015 Special-Called meeting and the February 26, 2015 Regular meeting.
- B. Consider approval of the annual agreement with Harrison County Juvenile Services for litter pickup in the City's parks.
- C. Consider approval of a contract and agreement (Extension #1) between the City of Marshall and Pete McCarty Oil Company, Inc. for the supply of unleaded and diesel fuel for City vehicles.
- D. Code Enforcement report.

PRESENTATION

64. PRESENTATION OF A RETIREMENT PLAQUE TO RUFUS WILLIAMS FOR YEARS YEARS OF SERVICE TO THE CITY OF MARSHALL

Chairman Smith presented a plaque to retiring City employee, Rufus Williams and expressed the City's appreciation for his years of service.

SECOND READING OF ORDINANCE:

65. O-15-02: CONSIDER APPROVAL OF AN ORDINANCE PROVIDING FOR RENTAL OF 95-GALLON ROLLING CARTS FOR REFUSE AND/OR RECYCLING USE AT \$2.00 PER CART PER MONTH.

Acting City Manager, Kenneth Snyder, said that there was no new information to present regarding this ordinance.

Commissioner Marshall moved to approve an Ordinance providing for rental of 95-gallon rolling carts for refuse and/or recycling use at \$2.00 per cart per month. Commissioner Moon seconded the motion, which passed with a vote of 6:0.

RESOLUTION:

66. CONSIDER APPROVAL OF A RESOLUTION CALLING FOR THE CANCELLATION OF THE CITY GENERAL ELECTION FOR DISTRICT 1.

Lisa Agnor, City Secretary/Finance Director, said that this Resolution cancels the election for District 1, as Commissioner Moon is unopposed. This Resolution also declares the re-election of Commissioner Moon to the position of Commissioner in District 1.

Commissioner Marshall moved to approve a Resolution calling for the cancellation of the City General Election for District 1. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION:

67. CONSIDER APPROVAL OF A NEW DRUG AND ALCOHOL-FREE WORKPLACE POLICY FOR THE CITY OF MARSHALL.

Kenneth Snyder, Acting City Manager, reviewed the proposed new Drug and Alcohol-Free Workplace policy for the City of Marshall.

The Commission asked questions of Kenneth Snyder, Human Resources Manager, Cheryl Johnston, and City Attorney, Todd Fitts regarding this item. The Commission requested that the staff prepare and come back with an amendment to the policy regarding mandatory 'reasonable suspicion' training for supervisory personnel.

Commissioner Marshall moved to approve the proposed new Drug and Alcohol-Free Workplace policy for the City of Marshall. Mayor Pro-Tem Boersma seconded the motion, which passed with a vote of 6:0.

68. DISCUSSION REGARDING REVISION OF THE CITY CHARTER AND CONSIDER ESTABLISHING A COMMITTEE TO STUDY, EVALUATE, AND PREPARE RECOMMENDATIONS FOR REVISION OF THE CITY CHARTER.

Commissioner Marshall stated that he would like to see the City Charter revised and to establish a committee to begin this process.

The Commission engaged in discussion of this agenda item with the City Attorney and City Staff.

Commissioner Marshall stated that he would like to see a Charter Review Committee formed, composed of three City Commissioners who would work to

establish the process for the Charter Election, define ballot wording, and to outline what the process will be for naming citizens to serve on the Charter Revision Commission.

The Commission again engaged in discussion regarding this agenda item.

Commissioner Marshall moved to form a Charter Review Committee to begin the process of the revision of the Charter, whose objective will be to define the process and bring a recommendation back to the City Commission for approval.

Commissioner Moon asked questions regarding this motion and the Commission engaged in discussion. Following discussion, Chairman Smith summarized the general process leading up to a possible Charter Election:

- Form a Charter Review Committee of three Commissioners who will bring recommendations back to the City Commission, with a proposal regarding the appointment of several citizens to also assist on this committee;
- This Charter Review Committee would meet to determine whether a new Charter is needed, and if so, bring this recommendation to the City Commission for approval;
- If approved by the City Commission, move forward with an item placed on the ballot for the November, 2015 City General Election, for the election of a group of 15 citizens to serve as a Charter Revision Commission;
- If approved by vote, the elected Charter Revision Commission would meet to review the City Charter and make recommendations to the City Commission regarding revisions to the City Charter;
- If proposed revisions are approved by the City Commission, the proposed revised City Charter could then be placed on the ballot to be voted upon in the City General Election in May, 2016.

Commissioner Marshall stated that he would gladly serve as the chairman of the Commission Charter Committee.

The Commission continued discussion regarding this agenda item.

Chairman Smith and Commissioner Moon also volunteered to serve on the Commission Charter Committee.

The Commission again continued discussion regarding this agenda item.

Commissioner Flowers seconded the motion made by Commissioner Marshall to form a Charter Review Committee, with Commissioner Marshall, Chairman Smith, and Commissioner Moon serving as representatives from the City Commission. The motion passed with a vote of 6:0.

69. DISCUSSION OF AND CONSIDERATION OF POSSIBLE FUNDING FROM THE CITY OF MARSHALL, TO MATCH OTHER FUND-RAISING EFFORTS, TOWARD THE PURCHASE OF A NEW DRUG DOG FOR THE MARSHALL POLICE DEPARTMENT.

Commissioner Marshall stated that the Police Department is currently soliciting donations for the purchase of a second drug dog, which will cost approximately \$25,000.00. Commissioner Marshall proposed that the City should provide a matching amount, not to exceed \$12,500.00, from General Fund reserves, to assist in the purchase of the second drug dog.

Commissioner Marshall moved that the City provide matching funds, not to exceed \$12,500.00, for the purchase of a new drug dog for the Marshall Police Department. The motion was seconded by Commissioner Boersma.

The Commissioner asked questions of Captain John Best, of the Marshall Police Department.

The motion passed by a vote of 6:0.

70. REPORT ON CITY-OWNED BUILDINGS/PROPERTIES AND OTHER PROPERTIES HELD IN TRUST.

Commissioner Boersma thanked the City Staff for compiling and presenting information regarding city-owned buildings/properties and other properties held in trust.

Commissioner Boersma stated that he would like for the City Staff to prioritize and develop a listing of properties that can be sold.

The Commission then asked questions of the City Staff.

Commissioner Marshall stated that he would like to see a plan of action prepared by City Staff regarding what properties to sell.

71. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA.

No items were withdrawn from the Consent Agenda.

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

- An Executive Session to discuss matters regarding Memorial City Hall.
- An Executive Session to discuss issues related to contracts between Norit Americas, Inc., Harrison County, and the City of Marshall.
- Discussion of and consideration of amending the City Commission Travel Policy to provide for the equitable distribution of funds among City Commissioners for conference and training opportunities.

EXECUTIVE SESSION:

73. EXECUTIVE SESSION:

Commissioner Marshall moved to enter into Executive Session. The motion was seconded by Commissioner Calhoun, which passed with a vote of 6:0. The time was 7:10 p.m.

- A. An Executive Session pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code under Section 551.074 Personnel Matters: Discussion regarding the position of City Manager.

The Commission voted to reconvene from Executive Session. The time was approximately 8:40 p.m.

ACTION ITEM FOLLOWING EXECUTIVE SESSION:

74. ACTION ITEM FOLLOWING EXECUTIVE SESSION:

No action taken.

75. **ADJOURNMENT**

Commissioner Boersma moved to adjourn the meeting. Commissioner Calhoun 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

Ordinance: O-15-03

Resolution: R-15-05