

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, MARCH 27, 2014
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

Zephaniah Timmins, District 2

John Flowers, District 3

Bill Marshall, District 4

Charlie Oliver, District 5

Garrett Boersma, District 6

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

103. PRESENTATIONS FROM THE PUBLIC

Donna Maisel, Executive Director of MEDCO, invited the Commissioners to the groundbreaking ceremony for Rio Ammunition, Inc.

Ken Poindexter, 603 Ambassador, spoke as Chairman of the Board of Trustees of the Marshall Public Library, requesting the former Chamber Building at 213 W. Austin to be sold with a minimum bid of \$150,000.

Ginny Harris, 1021 Terrapin Neck Road, spoke representing the Friends of Marshall Public Library, requesting the sale of the property at 213 W. Austin.

104. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items to be withdrawn from the Consent Agenda

105. CONSENT AGENDA

Commissioner Timmins moved to approve the Consent Agenda. Commissioner Moon seconded the motion which passed with a 7:0 vote.

- A. Consider approval of the minutes from the March 6, 2014 Special-Called meeting, and the March 13, 2014 Regular meeting.
- B. Consider awarding a bid to Greenlander, LLC to furnish 'vegetation management services' : - (Herbicide Applications) for the City of Marshall and to authorize the Acting City Manager to execute a contract and agreement with this company.
- C. Consider approval of an agreement with Dr. Jennifer Chandler for Physician Director Services for the Emergency Medical Services System.
- D. Consider approval of an agreement with Municipal Computing Systems for ambulance billing services and computer equipment for the Emergency Medical Services System.

PRESENTATION:

106. PRESENTATION OF A RETIREMENT PLAQUE TO KENNETH ADAMS FOR HIS YEARS OF SERVICE TO THE CITY OF MARSHALL.

Chairman Smith presented a retirement plaque to Kenneth Adams for his 29 years of service to the City of Marshall.

SECOND READING OF ORDINANCES:

107. 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 University

Kenneth Snyder, Acting City Manager, stated he had no new information regarding this agenda item.

Commissioner Timmins 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 7:0 vote.

108. 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)

Kenneth Snyder stated he had no new information regarding this agenda item.

Commissioner Moon moved to approve a request for a Special Use Permit for a riding academy on 19.25 acres of land in the Thomas Iden Survey, A-354. Commissioner Oliver seconded the motion which passed with a 7:0 vote.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION:

109. CONSIDER AUTHORIZING THE CITY STAFF TO SCHEDULE A SEALED BID AUCTION FOR THE PURPOSE OF THE SALE OF THE FORMER CHAMBER OF COMMERCE BUILDING AT 213 W. AUSTIN.

Jack Redmon, Support Services Director, stated that an appraisal had been obtained for the former Chamber of Commerce Building at 213 W. Austin. Based on this appraisal, a minimum bid of \$150,000 will be set for this property.

Commissioner Marshall moved to approve authorizing the City Staff to schedule a sealed bid auction for the purpose of the sale of the former Chamber of Commerce Building at 213 W. Austin. Commissioner Moon seconded the motion which passed with a 7:0 vote.

110. CONSIDER AND ACT ON A REQUEST TO APPROVE AN ENGINEERING WORK ORDER FOR REVISION OF THE FEMA FLOODPLAIN AND FLOODWAY IN TURTLE CREEK, BEGINNING UPSTREAM OF SOUTH WASHINGTON AND EXTENDING DOWNSTREAM, IN THE AMOUNT OF \$25,000 TO FUND THE STUDY AND APPLICATION FOR A FEMA LETTER OF MAP REVISION.

J. C. Hughes, Public Services Director, asked for approval of an engineering work order for revision of the FEMA floodplain and floodway in Turtle Creek, beginning upstream of South Washington and extending downstream, in the amount of \$25,000 to fund the study and application for a FEMA Letter of Map Revision.

The Commission asked questions of J. C. Hughes regarding this agenda item.

Commissioner Timmins moved to approve an engineering work order for revision of the FEMA floodplain and floodway in Turtle Creek, beginning upstream of South Washington and extending downstream, in the amount of \$25,000 to fund the study and application for a FEMA Letter of Map Revision. Commissioner Marshall seconded the motion which passed with a 7:0 vote.

111. 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 APRIL 1, 2014 AND TERMINATING NO LATER THAN APRIL 30, 2014 WITH THE CURRENT WATER RATE STRUCTURE.

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

Commissioner Marshall moved to approve an extension of the Short-Term Treated Water Supply Contract with Norit Americas, Inc. for a period commencing April 1, 2014 and terminating no later than April 30, 2014 with the current water rate structure. Commissioner Timmins seconded the motion which passed with a 7:0 vote.

112. DISCUSSION OF UTILIZING GENERAL FUND MONIES TO FUND THE POSITION OF THE CODE ENFORCEMENT OFFICIAL FOR THE CITY OF MARSHALL, AND NO LONGER USE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THIS PURPOSE.

Commissioner Timmins asked to utilize General Fund monies to fund the position of the Code Enforcement Official for the City of Marshall, and no longer use Community Development Block Grant Funds for this purpose.

Kenneth Snyder reported on the funding for the position of Code Enforcement Official for the City of Marshall.

Commissioner Timmins requested that this matter be looked at in the upcoming budget.

113. DISCUSSION AND CONSIDERATION OF THE RECOMMENDATIONS PRESENTED BY THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE REGARDING EXPENDITURES FOR VARIOUS PROJECTS AND PROGRAMS ELIGIBLE UNDER THE 2014 COMMUNITY DEVELOPMENT BLOCK GRANT.

Kenneth Snyder presented the recommendations made by the Community Development Advisory Committee regarding expenditures for various projects and programs eligible under the 2014 Community Development Block Grant.

The Commission engaged in discussion regarding this agenda item and discussed looking to the 2015 Budget to incorporate changes.

Commissioner Timmins left the meeting at this time.

Commissioner Marshall moved to adopt the Community Development Block Grant Budget based on the adopted City Budget. Commissioner Flowers seconded the motion which passed with the following vote:

Ayes 4: Commissioners Boersma, Flowers, Marshall, and Smith

Nays 1: Commissioner Oliver

Abstain 1: Commissioner Moon

114. CONSIDER APPROVAL OF AN AMENDMENT TO THE CITY EMPLOYEE HANDBOOK REGARDING NON-DISCIPLINARY SEPARATION PAY FOR EMPLOYEES WHO ARE SEPARATED FROM EMPLOYMENT DUE TO A REDUCTION IN THE CITY'S WORKFORCE.

Commissioner Marshall moved to table agenda item 7G until the next meeting. Commissioner Moon seconded the motion which passed with a 6:0 vote.

115. DISCUSSION OF CONTINUING FUNDING FOR THE BIRTHPLACE OF BOOGIE WOOGIE PROGRAM.

Commissioner Moon expressed the need to continue funding for the Birthplace of Boogie Woogie Program.

The Commission engaged in discussion regarding this agenda item.

Chairman Smith suggested forming a Committee to develop a plan to go forward, flowing guidelines outlined in the Tourism Update.

Commissioner Moon will serve as Chair of the Committee, with Commissioners Oliver and Boersma also agreeing to serve.

116. REVIEW OF THE UPPER MANAGEMENT TEAM FOR THE CITY OF MARSHALL AND DISCUSSION OF WHY IT DOES NOT REFLECT THE MAKE-UP OF THE CITY.

Commissioner Marshall moved to table agenda item 7I. Commissioner Oliver seconded the motion which passed with a 6:0 vote.

117. MONTHLY FINANCIAL REPORTS.

There were no questions regarding the Monthly Financial Reports.

118. CODE ENFORCEMENT REPORT

Jack Redmon presented the Code Enforcement Report.

119. DISCUSS AN INITIATIVE FROM THE CITY COMMISSION TO ENCOURAGE CITY EMPLOYEES TO SCHEDULE REGULAR SCREENINGS FOR COLORECTAL CANCER.

Commissioner Moon asked the City Department Heads to remind employees to have regular screenings for Colorectal Cancer.

119. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items to be withdrawn from the Consent Agenda

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

- Report regarding the Marshall Convention Center

123. ADJOURNMENT

Commissioner Moon moved to adjourn the meeting. Commissioner Oliver seconded the motion which passed with a 6:0 vote.

APPROVED:



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

ATTEST:



City Secretary

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