

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, MAY 23, 2013
6:30 PM

Acting Chairman Timmins called the Regular meeting to order in the Commission Chambers, City Hall at 6:30 p.m.

PRESENT:

ACTING CHAIRMAN: Zephaniah Timmins, District 2

COMMISSIONERS:

Gloria Moon, District 1
John Flowers, District 3
Garrett Boersma, District 6

Bill Marshall, District 4
Charlie Oliver, District 5

ABSENT: Chairman Ed Smith, District 7

ADMINISTRATIVE STAFF PRESENT:

Ardis Wright, Assistant 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
Anna Lane, Library Director

THE ACTING CHAIRMAN PRESENTED THE FOLLOWING AGENDA FOR THE PRE-COMMISSION PUBLIC WORK SESSION:

I. ITEMS LISTED ON THE CITY COMMISSION AGENDA & EMERGENCY ITEMS.

There were no emergency items.

II. REQUESTS BY THE CITY COMMISSIONERS FOR ITEMS TO BE PLACED ON A FUTURE AGENDA

There were no requests by commissioners for items to be placed on a future agenda.

III. CITY MANAGER REPORTS

Assistant City Manager reviewed the agenda packet with the City Staff and City Commissioners.

IV. ADJOURNMENT

INVOCATION & PLEDGE: Commissioner Flowers

185. PRESENTATIONS FROM THE PUBLIC

Leo Morris, 4500 Victory Drive spoke in support of the Memorial City Hall Renovation Project.

186. OATH OF OFFICE AND BOND APPROVAL

A. City Attorney, Todd Fitts issued the Oath of Office to Commissioners: Gloria Moon, District 1, Zephaniah Timmins, District 2, John Flowers, District 3 and Bill Marshall, District 4.

B. Approval of bonds for Commissioners representing Districts 1, 2, 3 and 4.

Commissioner Moon moved for approval of the bonds. Commissioner Boersma seconded the motion, which passed by a 6:0 vote.

187. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

188. CONSENT AGENDA

Commissioner Marshall moved to approve the following under the Consent Agenda. Commissioner Oliver seconded the motion, which passed by a 6:0 vote.

A. Approval of the Minutes from the May 9, 2013 Regular Meeting

B. ORDINANCE O-13-03: TO REZONE 12.28 ACRES OF LAND IN THE PETER WHETSTONE, A-756, JAMES HARRIS, A-12 HENRY TEAL SURVEY, A-704, AND THE THOMAS IDEN SURVEY, A-354, FROM AE-AGRICULTURE AND ESTATE DISTRICT TO I-1 LIGHT INDUSTRY DISTRICT(2500 EAST END BLVD. NORTH – RAYFORD MCCracken)

- C. ORDINANCE O-13-04: AMENDING THE 2013 BUDGET TO APPROPRIATE \$24,750 FROM UNOBLIGATED GENERAL FUND RESERVES TO COVER THE AMOUNT OWED TO THE CITY BY THE CONVENTION AND VISITOR BUREAU FOR CONSTRUCTION OF THE DOWNTOWN RESTROOM BUILDING THAT IS TO BE FORGIVEN

189. PUBLIC HEARING AND ORDINANCE APPROVAL

ORDINANCE O-13-05: TO REZONE 1.162 ACRES OF LAND IN THE THOMAS IDEN SURVEY, A-354, FROM PD-PLANNED DEVELOPMENT TO PD- PLANNED DEVELOPMENT FOR RENTAL STORAGE UNITS (1007 INDIAN SPRINGS RD – CODY HOLLOWAY)

Public Works Director, J.C. Hughes said the Planning and Zoning Commission voted 4:0 in favor of this rezoning request.

Acting Chairman opened the Public Hearing regarding the rezoning and called on anyone wishing to speak in favor of the request to come forward at this time.

Cody Holloway, 1002 S. Bolivar spoke as the applicant making the request.

Acting Chairman Timmins called for anyone wishing to speak in opposition of this request to come forward.

No one spoke in opposition.

Acting Chairman Timmins closed the Public Hearing.

Commissioner Flowers moved to approve the Ordinance as presented. Commissioner Moon seconded the motion, which passed by a 6:0 vote. (Requires second reading)

190. ORDINANCE O-13-06: AMENDING THE 2013 BUDGET TO APPROPRIATE \$65,000 FROM THE GENERAL FUND UNOBLIGATED RESERVES FOR DEMOLITION OF DILAPIDATED STRUCTURES

Assistant City Manager, Ardis Wright, asked for approval of an Ordinance amending the 2013 budget to appropriate \$65,000 from the General Fund Unobligated Reserves for demolition of dilapidated structures.

Commissioner Boersma expressed his concerns on the approach taken with the passage of this Ordinance. He said he would prefer this be addressed during the budget process.

The Commission engaged in discussion regarding this item.

Commissioner Marshall moved to approve the Ordinance as presented. Commissioner Moon seconded the motion, which passed by the following vote:

AYES: 5

NOES: 1 Commissioner Boersma (Requires second reading)

191. RESOLUTION R-13-10: VACATING RAINEY STREET BETWEEN NORTH GROVE STREET AND TIGER DRIVE

J. C. Hughes asked for approval of a Resolution vacating Rainey Street between North Grove and Tiger Drive.

Commissioner Oliver moved to approve the Resolution as presented. Commissioner Flowers seconded the motion, which passed by a 6:0 vote.

192. RESOLUTION R-13-11: ESTABLISHING CONDITIONS FOR PROVIDING AN ADDITIONAL \$85,000 IN HOTEL OCCUPANCY TAX FUNDS TO THE MARSHALL CONVENTION AND VISITOR BUREAU FOR THE 2013 FISCAL YEAR

Ardis Wright asked for approval of the Resolution as stated above.

Commissioner Marshall moved for approval of the Resolution as presented. Commissioner Flowers seconded the motion, which passed by a 6:0 vote.

193. MONTHLY FINANCIAL REPORT

Finance Director, Lisa Agnor addressed questions from the Commission.

194. CODE ENFORCEMENT REPORT

Bo Ellis, Main Street Manager, presented the Code Enforcement Report.

195. ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

196. REQUESTS FOR ITEMS TO BE PLACED ON A FUTURE AGENDA

There were no requests for items to be placed on a future agenda.

197. ADJOURNMENT

Commissioner Oliver moved for adjournment. Commissioner Moon seconded the motion, which passed by a 6:0 vote.

APPROVED:



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

ATTEST:



City Secretary

Ordinances: O-13-03, O-13-04, O-13-05 & O-13-06
Resolutions: R-13-10 , R-13-11

MARSHALL CITY MAYOR AND CITY COMMISSIONERS

We the Business owners and property owners are requesting that all rallies use City Square and North Washington to Rusk st. This would not effect any business that are open on Friday and Saturday.

When you close our business twenty five percent of the weekends of the month you have cut our business like wise.

We the following ask your consideration on this matter.

[Handwritten signature]

Linda McGuire

Hamm J. McDonald

Barbi McDonald

Jaclyn Biedeman

Lay B Dutton

Kita Williams Murray

[Handwritten signature]

Stella Alexander

Willie G. Whitaker

Traci Fisher

Ducky Nichols

Lottie Green

Mina Jones

Paula Green

[Handwritten signature]
W. H. Slusser

[Handwritten signature]
[Handwritten signature]

Baron Byrnes
[Handwritten signature]