

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, MAY 28, 2015
6:00 PM

Chairman Eric Neal called the Regular meeting to order in the Commission Chambers, City Hall at 6:02 p.m.

PRESENT:

CHAIRMAN: Eric Neal, District 3

COMMISSIONERS:

Gloria Moon, District 1
LaDarius Carter, District 4
Vernia Calhoun, District 5

Ed Smith, District 7
Garrett Boersma, District 6

ADMINISTRATIVE STAFF PRESENT:

Lisa Agnor, City Manager
J.C. Hughes, Public Services Director
Jack Redmon, Support Services Director
Wes Morrison, Planning & Development Director
Debbie Manuel, Acting City Secretary/Finance Director

Todd Fitts, City Attorney
Reggie Cooper, Fire Chief
Eddie Campa, Police Chief

INVOCATION & PLEDGE: Commissioner Boersma

147. **PRESENTATIONS FROM THE PUBLIC**

William Halliday, 604 Country Club Drive, addressed the infrastructure needs of the City and would like to see a Facilities Committee formed to assess the needs of the library.

Ken Moon, 616 S. Carter, spoke regarding political transparency of the District 2 candidates.

Narcie Crosby, 211 N. Bolivar, asked that pre-commission meeting not be reinstated. She also spoke in support of the Boogie Woogie Program but asked that a decision be delayed until the Tourism Director has an opportunity to evaluate.

Michael Mitchell, 1404 University, addressed the Commission regarding City employees' benefits and salaries. Mr. Mitchell stated that a retaining wall on W. Houston was damaged by the flood and needs to be addressed as soon as possible.

Commissioner Moon made a motion to take agenda items 6A and 6L out of order. Commissioner Carter seconded the motion, which passed with a vote of 6:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION

148. **CONSIDER APPROVAL OF A TAX ABATEMENT AGREEMENT UNDER THE NEIGHBORHOOD EMPOWERMENT ZONE PROGRAM WITH ALAN LAUDERMILK FOR PROPERTY LOCATED AT 707 N. WASHINGTON (GINOCCHIO HOTEL).**

Commissioner Smith made a motion to approve the tax abatement agreement under the Neighborhood Empowerment Zone Program with

Alan Lauder milk for property located at 707 N. Washington (Ginocchio Hotel). Commissioner Moon seconded the motion, which passed with a 6:0 vote.

ORDINANCE

149. **CONSIDER OFFICIAL RATIFICATION OF THE DISASTER DECLARATION DATED MAY 14, 2015.**

Randy Pritchard, Deputy Emergency Management Coordinator, asked for approval of an Ordinance declaring a state of disaster for the City of Marshall.

Commissioner Moon made a motion to approve the Ordinance of the City Commission of the City of Marshall, Texas, declaring a state of disaster for the City of Marshall, Texas and extending the May 14, 2015 disaster declaration previously ordered by the Chairman of the City Commission in accordance with Texas Government Code, Chapter 418; and establishing an effective date. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.

Commissioner Carter read a statement honoring Jennifer Larned (deceased).

150. **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

Commissioner Smith asked for item 4D to be withdrawn from the consent agenda.

Commissioner Boersma made a motion to withdraw item 4D from the consent agenda. Commissioner Moon seconded the motion, which passed with a 6:0 vote.

151. **CONSENT AGENDA**

Commissioner Moon made a motion to approve the Consent Agenda with exception of item 4D. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.

A. Consider approval of the minutes from the May 14, 2015 Regular meeting.

B. Second Reading of Ordinance

1. Consider approval of an Ordinance providing that fees at the City of Marshall Swimming Pool will be set by Resolution of the City Commission.

C. 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 June 1, 2015 and terminating no later than June 30, 2015, with the current water rate structure.

E. Monthly financial report.

F. Code Enforcement report.

RESOLUTION

152. CONSIDER APPROVAL OF A RESOLUTION ADOPTING A FEE SCHEDULE FOR THE CITY OF MARSHALL SWIMMING POOL.

Todd Fitts, City Attorney, asked for approval of a Resolution adopting a fee schedule for the City of Marshall swimming pool.

Commissioner Calhoun made a motion to approve a Resolution adopting a fee schedule for the City of Marshall swimming pool. Commissioner Moon seconded the motion, which passed with a vote of 6:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION

153. CONSIDER AUTHORIZING THE CITY ATTORNEY TO ACT ON AN ENGAGEMENT LETTER WITH DARREN COLEMAN, OF BOON, CALK, ECHOLS, COLEMAN & GOOLSBY, P.L.L.C., TO REPRESENT THE CITY OF MARSHALL IN THE CASE OF *JAMES WATSON V. CITY OF ALLEN, ET ALL*, REGARDING RED LIGHT PHOTO ENFORCEMENT.

Todd Fitts explained that the City of Marshall was named in a lawsuit regarding red light photo enforcement. Mr. Darren Coleman of Boon, Calk, Echols, Coleman & Goolsby, P. L. L. C. has advised the City of Marshall to seek representation of the firm of Taylor, Olson, Adkins, Sralla & Elam as they are representing various other cities in this suit.

Commissioner Boersma made a motion to approve the engagement letter with Taylor, Olson, Adkins, Sralla & Elam to represent the City of Marshall in the case of *James Watson v. City of Allen, et all*, regarding red light photo enforcement. Commissioner Smith seconded the motion, which passed with a vote of 6:0.

154. DISCUSSION OF AND CONSIDERATION OF THE DISSOLUTION OF THE CURRENT COMMISSION COMMITTEE THAT HAS BEEN ESTABLISHED TO OVERSEE THE RENOVATION OF MEMORIAL CITY HALL.

Chairman Neal asked for consideration of the dissolution of the current Commission Committee that has been established to oversee the renovation of Memorial City Hall.

Commissioner Carter made a motion to approve the dissolution of the current Commission Committee that has been established to oversee the renovation of Memorial City Hall. Commissioner Moon seconded the motion.

The Commission engaged in a discussion regarding the matter.

The motion was passed with a vote of 6:0.

155. DISCUSSION OF AND CONSIDERATION OF ALLOWING THE CURRENT DIRECTOR OF SUPPORT SERVICES, UNDER THE SUPERVISION OF THE CITY MANAGER, TO UNDERTAKE THE RENOVATION OF THE MEMORIAL CITY HALL PROJECT AND ACT IN ACCORDANCE OF CURRENT CITY POLICIES AND PROCEDURES.

Commissioner Smith made a motion to allow the City Manager to undertake the renovation of the Memorial City Hall Project and act in accordance of current City policies and procedures. Commissioner Carter seconded the motion, which passed with a 6:0 vote.

156. CONSIDER THE APPOINTMENT OF A MEMBER OF THE CITY COMMISSION TO FILL A VACANCY ON THE ANIMAL SHELTER COMMISSION COMMITTEE.

Lisa Agnor, City Manager, asked for consideration of the appointment of a member of the City Commission to fill a vacancy on the Animal Shelter Commission Committee.

A brief discussion was held regarding this item.

Commissioner Boersma made a motion to appoint Commissioner Carter to the Animal Shelter Commission Committee. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.

157. DISCUSSION OF AND CONSIDERATION OF RE-INSTATING THE PRE-COMMISSION MEETING WORK SESSION.

Commissioner Moon stated her reasons for requesting this agenda item. The Commission engaged in discussion and no action was taken.

158. DISCUSSION OF AND CONSIDERATION OF THE CONTINUATION OF THE BIRTHPLACE OF BOOGIE WOOGIE PROGRAM.

Commissioner Moon expressed her desire to continue promotion of the Birthplace of Boogie Woogie Program. The Commission engaged in discussion regarding the matter.

Commissioner Carter made a motion to authorize Ms. Sarah O'Brien, Director of Tourism and Promotions, to move forward with the Birthplace of Boogie Woogie Program and to negotiate a contract with Canson & Canson for Commission approval. Commissioner Moon seconded the motion, which passed with a vote of 6:0.

159. DISCUSSION OF AND CONSIDERATION OF INCREASING THE NUMBER OF HOLIDAYS FOR CITY EMPLOYEES.

Commissioner Carter made a motion to table this item. Commissioner Moon seconded the motion, which passed with a vote of 6:0.

160. CONSIDER, RESPOND, AND ACT ON A REPORT REGARDING A STORM WATER MASTER PLAN AND STORM WATER DETENTION PLAN AND POSSIBLE FUNDING METHODS.

J.C. Hughes, Public Services Director, presented a report regarding a Storm Water Master Plan and Storm Water Detention Plan and possible funding methods.

The Commission asked questions of Mr. Hughes regarding this item.

Commissioner Carter made a motion to authorize Mr. Hughes to move forward with researching a Storm Water Master Plan. Commissioner Moon seconded the motion, which passed with a vote of 6:0.

161. RECEIVE A REPORT AND RESPOND REGARDING A PROPOSED DRAFT OF THE 2015 STREET IMPROVEMENT PROGRAM.

J.C. Hughes presented a report regarding a proposed draft of the 2015 Street Improvement Program.

The Commission asked questions of Mr. Hughes regarding this item.

162. DISCUSSION REGARDING AN INTERNSHIP PROGRAM PARTNERSHIP BETWEEN THE CITY OF MARSHALL, MARSHALL HIGH SCHOOL, AND OUR LOCAL COLLEGES AND UNIVERSITIES.

Commissioner Carter expressed his thoughts regarding an internship program partnership between the City of Marshall, Marshall High School, and our local Colleges and Universities.

163. BUDGET CALENDAR FOR PREPARATION OF THE 2016 BUDGET.

Lisa Agnor presented the 2016 Budget Calendar to the City Commission.

164. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

A. Report regarding proposed renovations at the Marshall Public Library building.

Jack Redmon, Support Services Director, presented a report regarding proposed renovations at the Marshall Public Library building.

The Commission engaged in a discussion regarding this agenda item and asked questions of City Staff.

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

Commissioner Calhoun asked Lisa Agnor if she made contact with the representatives for OPENGOV and expressed interest in having this item placed on the agenda for the next meeting.

Lisa Agnor reminded the Commission and the public about City Hall in the Park to be held at Smith Park on June 4, 2015 from 4:00 p.m. to 7:00 p.m.

166. ADJOURNMENT

Commissioner Moon made a motion for adjournment. Commissioner Boersma seconded the motion, which passed with a vote of 6:0.

APPROVED:



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

ATTEST:



Acting City Secretary

Ordinance: O-15-04

O-15-05

Resolution: R-15-13