MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, MAY 9, 2013
6:30 PM

Chairman Smith called the Regular Meeting to order in the Commission Chambers, City Hall at 6:30 p.m.

PRESENT:

CHAIRMAN: 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:

Frank Johnson, City Manager
Todd Fitts, City Attorney
Kenneth Snyder, Fire Chief
Leland Benoit, Asst. Police Chief
Ardis Wright, Assistant City Manager
Lisa Agnor, City Secretary/Finance Director
J.C. Hughes, Public Works Director
Jack Redmon, Parks Director
Anna Lane, Library Director

THE 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

City Manager, Frank Johnson reviewed the agenda packet with the City Staff and City Commissioners.

IV. ADJOURNMENT

INVOCATION & PLEDGE: Commissioner Boersma

167. PRESENTATIONS FROM THE PUBLIC

Aaron Burgess, Blocker Road , asked that North Washington not be closed for rallies. He presented a petition signed by 22 business and property owners affected by the street closing.

168. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA.

There were no items withdrawn from the Consent Agenda.

169. CONSENT AGENDA

Commissioner Timmins moved to approve the following under Consent Agenda. Commissioner Oliver seconded the motion, which passed by a 7:0 vote.

A. Approval of the minutes of the Regular City Commission Meeting of April 25, 2013

170. PROCLAMATIONS

A. Proclamation designating the week of May 19-25, 2013 as "National Public Works Week" in the City of Marshall, Texas

J.C.Hughes recognized employees present from the Public Works Department.

Chairman Smith expressed appreciation on behalf of the City and the Commission for the work done by the employees of the Pubic Works Department. He read the Proclamation into the record.

B. Proclamation designating May 13-18, 2013 as "Police Week" in the City of Marshall, Texas and further designating that May 15, 2013 be observed as "Peace Officers Memorial Day" in Marshall, Texas.

Leland Benoit, Acting Police Chief, stated that the Peace Officers Memorial Day Services will be held on May 15, 2013.

Chairman Smith read the Proclamation designating May 13-18 as Police Week and designating May 15, 2013 as Peace Officers Memorial Day. He then expressed the Commission's appreciation for their service.

PUBLIC HEARING AND ORDINANCE APPROVAL

171. 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)

Frank Johnson presented the proposed zoning ordinance. He said the Planning and Zoning Commission voted 5:0 in favor of this request to rezone.

Chairman Smith opened the public hearing and called on anyone wishing to speak in favor of the rezoning request to come forward at this time.

No one spoke in favor of the request.

Chairman Smith called on anyone wishing to speak in opposition to the request to come forward at this time.

No one spoke in opposition to the request.

Chairman Smith closed the public hearing.

Commissioner Marshall moved to approve the Ordinance as presented. Commissioner Flowers seconded the motion, which passed by a 7:0 vote. (requires second reading)

172. 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

Frank Johnson said he had no additional information regarding this proposed Ordinance.

Commissioner Marshall moved for approval of the Ordinance as presented. Commissioner Flowers seconded the motion, which passed by a 7:0 vote. (requires second reading)

173. APPROVAL OF THE 2013 HOTEL OCCUPANCY TAX FUND CONTRACT WITH THE MARSHALL CONVENTION AND VISITOR BUREAU

Frank Johnson stated that he and the City Attorney have been working with the CVB, finalizing terms of the contract. He said the CVB has requested a revision to the contract wherein the additional funding of $85,000 provided for in the contract would be used for general operations in the amount of $45,000, with the remaining $40,000 being used for the 2013 Wonderland of Lights Festival.

Ed Michel presented proposed use of funds and addressed questions from the Commission.

The Commission engaged in some discussion regarding the proposed contract and the changes presented.

Commissioner Timmins moved to approve the contract with the revisions as presented. Commissioner Flowers seconded the motion, which passed by a 7:0 vote.

174. REPORT FROM JACK AND NANCY CANSON REGARDING THE RECENT BIRTHPLACE OF BOOGIE WOOGIE HERITAGE FESTIVAL

Jack and Nancy Canson presented a report on the Birthplace of Boogie Woogie Heritage Festival. They also announced that the Boogie Woogie Gospel Jubilee would be held on Sunday, July 21st from 2:00 p.m. until 4:00 p.m.

175. AMENDED GUIDELINES FOR THE COMMUNITY DEVELOPMENT BLOCK, GRANT HOUSING REHABILITATION PROGRAM

Frank Johnson explained that the amended guidelines have been presented and a public hearing regarding same has been held.

Commissioner Boersma moved for approval of the amended guidelines for the Community Development Block Grant Housing Rehabilitation Program. Commissioner Moon seconded the motion, which passed by a 7:0 vote.

176. REPORT ON SUPPLIERS AND VENDORS PAID $50,000 OR MORE IN THE 2012 FISCAL YEAR

Commissioner Marshall expressed his concerns regarding the contracts with the large suppliers and vendors. Commissioner Marshall also requested dates the current contracts were put in place and the number of times they have been extended.

177. REPORT ON THE STATUS OF THE DISCUSSION REGARDING POSSIBLE SCOPE OF WORK AND FEE PROPOSAL FROM DESTINATION DEVELOPMENT, INC. FOR AN EVALUATION OF IMPLEMENTATION OF RECOMMENDATIONS IN THE TOURISM PLAN

This item was withdrawn.

At this point agenda item 8g was taken out of order.

178. REPORT ON LABOR COSTS FOR CONTRACTORS TO DEMOLISH DILAPIDATED STRUCTURES

Commissioner Boersma thanked the City Staff for the information provided regarding this agenda item, and stated his reasons for requesting this agenda item.

179. DISCUSSSION OF AND CONSIDER DIRECTING THE CITY MANAGER TO PREPARE A BUDGET AMENDMENT TO APPROPRIATE $50,000 FROM GENERAL FUND UNOBLIGATED RESERVES FOR THE PURPOSE OF DEMOLISHING DILAPIDATED STRUCTURES

Commissioner Marshall stated the citizens are looking to the City to do something about the dilapidated structures in our City. He requested that the Commission consider appropriating an additional $50,000 for this purpose.

The Commission engaged in discussion regarding this agenda item, and City Staff noted concern regarding continued depletion of excess reserves.

Commissioner Timmins moved to direct the City Manager to prepare a Budget Amendment to appropriate $65,000 from General Fund Unobligated Reserves for the purpose of demolishing dilapidated structures. Commissioner Oliver seconded the motion.

The motion carried by the following vote:
ayes: 5
noes: 2 Chairman Smith and Commissioner Boersma

180. DISCUSSION OF THE AMOUNT OF TIME IN ADVANCE OF A MEETING THAT INFORMATION IS RECEIVED BY COMMISSIONERS FOR THEIR REVIEW

Commissioner Flowers stated that in his opinion if there is an action item on the agenda, and new information is provided after the Agenda has been posted, the vote on that item should be delayed to a future meeting.

181. UPDATE ON STATUS OF HB1148, HB1149, AND SB1364 RELATED TO CENTER POINT ENERGY

Chairman Smith gave an update on the status of HB1148, HB1149 AND SB1364.

182. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the consent agenda.

183. REQUESTS FOR ITEMS TO BE PLACED ON FUTURE AGENDA

Policy on street closings

184. ADJOURNMENT

Commissioner Timmins moved for adjournment. Commissioner Moon seconded the motion, which passed by a 7:0 vote.

APPROVED:

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

ATTEST:

City Secretary

Ordinances: O-13-03 & O-13-04