

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, JUNE 27, 2013
6:30PM

Chairman Ed Smith called the Regular meeting to order in the Commission Chambers, City Hall at 6:30pm.

PRESENT:

CHAIRMAN: Ed Smith, District 7

COMMISSIONERS:

Gloria Moon, District 1

Zephaniah Timmins, District 2

John Flowers, District 3

Charlie Oliver, District 5

Garrett Boersma, District 6

ABSENT: Bill Marshall, District 4

ADMINISTRATIVE STAFF PRESENT:

Frank Johnson, City Manager

Dean Searle, Acting City Attorney

Kenneth Snyder, Fire Chief

Leland Benoit, Interim 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 to place items on a future agenda.

III. CITY MANAGER REPORTS

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

IV. ADJOURNMENT

INVOCATION & PLEDGE: Commissioner Boersma

213. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

214. CONSENT AGENDA

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

A. Consider Approval of the minutes from the June 13, 2013 Regular Meeting.

B. Consider awarding a bid to Brenntag Southwest, Inc. of Longview, Texas to furnish 'gas chlorine' to the City of Marshall.

Chairman Smith requested items 9a, 9b, 10a, and 10b be taken out of order. **Commissioner Timmins moved to take items 9a, 9b, 10a, and 10b out of order. Commissioner Oliver seconded the motion, which was approved 6:0.**

EXECUTIVE SESSION:

Commissioner Moon moved to enter into Executive Session. Commissioner Timmins seconded the motion, which was approved 6:0. The time was 6:34pm.

215. PURSUANT TO THE OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE, SECTION 551.074 – PERSONNEL - CONVENE IN EXECUTIVE SESSION FOR DISCUSSION OF APPOINTING AN ACTING CITY ATTORNEY.
216. PURSUANT TO OPEN MEETINGS ACT, TEXAS GOVERNMENT CODE, SECTIONS 551.071 – CONSULTATION WITH ATTORNEY – CONVENE IN EXECUTIVE SESSION TO DISCUSS CONTEMPLATED LITIGATION REGARDING PREVIOUS ARCHITECTURAL DESIGN CONTRACT FOR MEMORIAL CITY HALL (Commissioner Flowers left the conference room during this item.)

Commissioner Moon moved to reconvene from Executive Session. Commissioner Oliver seconded the motion, which passed 6:0. The time was 7:10 pm.

217. CONSIDER APPOINTMENT OF AN ACTING CITY ATTORNEY

Commissioner Moon moved to appoint Dean Searle as Acting City Attorney while Todd Fitts is incapacitated. Commissioner Flowers seconded the motion, which passed 6:0.

218. CONSIDER AUTHORIZING THE ACTING CITY ATTORNEY TO CORRESPOND WITH THE FORMER ARCHITECT FOR THE MEMORIAL CITY HALL PROJECT REGARDING THE CITY OF MARSHALL'S EXPECTATIONS FOR INFORMATION TO BE PROVIDED UNDER THE ARCHITECTURAL DESIGN CONTRACT.

Commissioner Timmins moved to authorize the Acting City Attorney to write a letter to the former architect for the Memorial City Hall project regarding the City of Marshall's expectations for information to be provided under the architectural design contract. Commissioner Oliver seconded the motion. Motion passed 5:0:1 with Commissioner Flowers abstaining.

219. PRESENTATIONS FROM THE PUBLIC

There were no presentations from the public.

PUBLIC HEARING:

220. ORDINANCE O-13-07: A REQUEST TO REZONE 0.536 ACRES OF LAND IN THE HENRY TEAL SURVEY, BEING ALL OF LOT 6 OF THE E.E. GLASS SUBDIVISION, R-2 SINGLE FAMILY DETACHED DWELLING DISTRICT TO C-3 GENERAL BUSINESS DISTRICT.

Location: 2901 E. End Blvd. North

Applicant: Ronnie Wayne Oney

Chairman Smith opened the Public Hearing. No one came forward to speak either in favor or in opposition of the request. Chairman Smith closed the public hearing.

Frank Johnson, City Manager, stated that the Planning and Zoning Committee voted 6:0 in favor of the request.

Commissioner Timmins moved to approve the request to rezone 0.536 acres of land in the Henry Teal survey, being all of lot 6 of the E.E. Glass subdivision, R-2 single family detached dwelling district to C-3 general business district. Commissioner Oliver seconded the motion, which passed 6:0.

221. DISCUSSION OF AN CONSIDER AUTHORIZING THE CITY ATTORNEY TO PREPARE AN AGREEMENTS WITH CANSON AND CANSON TO PROVIDE SERVICES TO CONTINUE TO DEVELOP THE BIRTHPLACE OF BOOGIE WOOGIE PROGRAM FOR JULY 1, 2013 THROUGH DECEMBER 31, 2013.

This item was withdrawn from the agenda.

222. REPORT ON MAINTENANCE OF PROPERTY AT HERNDON AND SPEED STREETS RECENTLY ACQUIRED BY THE MARSHALL INDEPENDENT SCHOOL DISTRICT.

Commissioner Moon thanked Bo Ellis, Main Street Manager, for information provided on the maintenance of property at Herndon and Speed streets recently acquired by the Marshall Independent School District.

223. REPORT ON STATUS OF VARIOUS FUNDS MAINTAINED BY THE CITY OF MARSHALL.

Commissioner John Flowers explained his reason for requesting a report of various funds maintained by the City of Marshall.

224. DISCUSSION AND CONSIDER APPROVAL OF MONTHLY FINANCIAL REPORT.

Lisa Agnor, Finance Director, answered questions regarding the monthly financial report.

225. DISCUSSION OF AND CONSIDER APPROVAL OF CODE ENFORCEMENT REPORT.

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

226. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the consent agenda.

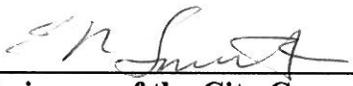
227. REQUESTS FROM COMMISSIONERS FOR ITEMS TO BE PLACED ON FUTURE AGENDAS

No items were requested by the Commissioners to be placed on future agendas.

228. ADJOURNMENT

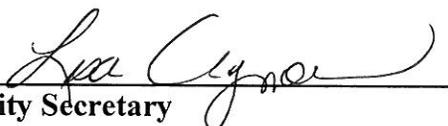
Commissioner Moon made a motion to adjourn. Commissioner Oliver seconded the motion, which passed 6:0.

APPROVED:



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

ATTEST:



City Secretary

Ordinance:

**BUDGET WORKSHOP – DISCUSSION OF GOALS FOR 2014
BUDGET**