MINUTES OF THE SPECIAL- CALLED MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
TUESDAY, JULY 9, 2013
5:00 P.M.

Chairman Ed Smith called the Special-Called meeting to order in the Commission Chambers, City Hall at 5:00pm.

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:

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

INVOCATION & PLEDGE: Commissioner Marshall

229. PRESENTATIONS FROM THE PUBLIC

John Bogue, 605 Buffo Drive, asked Commissioners to work together.

Doyle Curry, 501 Harper Drive, addressed the Commission in support of the Birthplace of Boogie Woogie program.

Claudia Laury, 671 Leisure Lane, Waskom, Texas, addressed the Commission in support of the Birthplace of Boogie Woogie program.

Donna Barr, 203 E. Whaley, read letters in support of the Birthplace of Boogie Woogie program from Narcie and Tony Crosby, 211B North Bolivar, and Dr. John Tennison.

Don Hyde, 501 Lansdowne Street, expressed concerns regarding some responses he received in his attempt to obtain information about the Birthplace of Boogie Woogie program.

Kay Clement, 501 Elmwood, addressed the Commission expressing support for the Birthplace of Boogie Woogie program.

230. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

231. CONSENT AGENDA

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

Approval of the minutes of the Regular meeting June 27, 2013

232. SECOND READING OF ORDINANCES

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

Frank Johnson, City Manager, stated there was no new information.

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 Moon seconded the motion, which passed 7:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION.

233. CONSIDER APPROVAL OF AN EXPENDITURE IN EXCESS OF $50,000 BY THE MARSHALL ECONOMIC DEVELOPMENT BOARD (MEDCO)

MEDCO requested this item be withdrawn from the agenda.

234. CONSIDER APPROVAL OF AN APPOINTMENT TO THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION TO COMPLETE AN UNEXPIRED TERM.

MEDCO requested this item be withdrawn from the agenda.

235. DISCUSSION OF AN CONSIDER AUTHORIZING THE CITY ATTORNEY TO PREPARE AN AGREEEMNT 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.

Frank Johnson stated this is on the agenda for discussion and a potential decision.

The Commission engaged in discussion regarding this agenda item.

Commissioner Boersma moved to table authorizing the City Attorney to prepare an agreement 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. Commissioner Flowers seconded the motion.

Commissioner discussion continued concerning the Birthplace of Boogie Woogie program.

Commissioner Boersma called the question.

Commissioner discussion continued concerning the Birthplace of Boogie Woogie program.

Chairman Smith called for the vote on the motion to table authorizing the City Attorney to prepare an agreement 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. The motion failed by the following vote:

Ayes 3: Commissioners Flowers, Smith, and Boersma
Nays 4: Commissioners Marshall, Moon, Timmins, and Oliver

Commissioner Timmins moved to authorize the City Attorney to prepare an agreement 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. Commissioner Oliver seconded the motion, which failed by the following vote:

Ayes 3: Commissioners Timmins, Moon, and Oliver
Nays 3: Commissioners Marshall, Flowers, and Boersma
Abstain 1: Commissioner Smith

236. CONSIDER AND ACT ON A REQUEST TO AWARD A CONTRACT FOR SOLID WASTE AND RECYCLING SERVICES FOR A PERIOD BEGINNING JANUARY 1, 2014 AT SPECIFIED RATES AND SERVICE LEVELS.

J. C. Hughes, Director of Public Works and Water Utilities, presented the City's recommendation to award Solid Waste and Recycling Services to Allied Waste for current service levels, which is the Base RFP bid package, with an added recycling option that allows residents who want to recycle using 95 gallon rolling carts to do so by having a fee of $1 per month added to the refuse portion of the utility bill.

Commissioners engaged in discussion and asked questions of Allied Waste and Progressive Waste representatives present.

Commissioner Timmons moved to enter into a contract for Solid Waste and Recycling Services for a period beginning January 1, 2014 through December 31, 2018 based on the Alternate RFP (once a week 95 gallon cart service for both waste and recycling). Commissioner Marshall seconded the motion.

Commissioners engaged in discussion.

Commissioner Timmons withdrew the motion. Commissioner Marshall withdrew the second.

Commissioner Marshall moved to enter into an agreement with Allied Waste for Solid Waste and Recycling Services for a period beginning January 1, 2014 through December 31, 2018 for the Alternate RFP. Commissioner Moon seconded the motion, which failed after a roll call with the following vote:

Ayes 3: Commissioners Marshall, Moon, and Oliver
Nays 4: Commissioners Boersma, Smith, Timmins, and Flowers

Commissioner Timmins moved to enter into an agreement with Allied Waste for Solid Waste and Recycling Services for a period beginning January 1, 2014 through December 31, 2018 based on City Staff's recommended proposal. Commissioner Flowers seconded the motion, which passed with the following vote:

Ayes 6: Commissioners Moon, Timmins, Flowers, Boersma, Oliver, and Smith
Nays 1: Commissioner Marshall

237. CONSIDER AND ACT ON A REQUEST TO AWARD A CONTRACT TO VIKING CONSTRUCTION, INC. AT A COST OF $248,434.30 FOR THE MICRO-RESURFACING PORTION OF THE 2013 STREET IMPROVEMENT PROGRAM.

J. C. Hughes asked for approval to award a contract to Viking Construction, Inc. at a cost of $248,434.30 for the micro-resurfacing portion of the 2013 Street Improvement Program.

Commissioner Flowers moved to approve the request to award a contract to Viking Construction, Inc. at a cost of $248,434.30 for the micro-resurfacing portion of the 2013 Street Improvement Program. Commissioner Timmins seconded the motion, which passed with a 7:0 vote.

238. CONSIDER AND ACT ON A REQUEST TO AWARD A CONTRACT TO REYNOLDS & KAY, LTD. AT A COST OF $841,465.05 FOR THE STREET RECONSTRUCTS, OVERLAYS, AND COMMUNITY DEVLOPMENT BLOCK GRANT PORTION OF THE 2013 STREET IMPROVEMENT PROGRAM.

J. C. Hughes asked for approval to award a contract to Reynolds & Kay, Ltd. at a cost of $841,846.05 for the street Reconstructs, Overlays, and Community Development Block Grant portion of the 2013 Street Improvement Program, excluding James and Rudd Streets.

Commissioner Timmins moved to approve the request to award a contract to Reynolds & Kay, Ltd. at a cost of $841,846.05 for the street Reconstructs, Overlays, and Community Development Block Grant portion of the 2013 Street Improvement Program, excluding James and Rudd Streets. Commissioner Oliver seconded the motion which passed 7:0.

239. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA.

There were no items withdrawn from the Consent Agenda.

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

A. Update on Housing Rehabilitation Program

B. Request for a report regarding the sewer lines in the City and the number of homes not connected for sewer

C. Report on status of prioritizing streets

D. Report on street maintenance tax collections and authorized expenditures

E. Request to review the Birthplace of Boogie Woogie Program contract.

241. ADJOURNMENT

Commissioner Flowers moved to adjourn. Commissioner Timmins seconded the motion, which passed 7:0.

APPROVED:

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

ATTEST:

City Secretary
Ordinance:

BUDGET WORKSHOP – DISCUSSION OF 2014 BUDGET

We the undersign request that the Marshall City Commission do not enter into any further contracts with Canson and Cason for the promotion of Boogie Woogie or any other related activity.

Shawne Somerford

Phyllis Watson Jr

Leonie Williams

Rhonda Phelps

Steve Phelps

Meredith Jones Knutson

Lindsey Phelps

Sheila Green

Kyle Jamel

Kate Andrews