

MINUTES OF THE REGULAR MEETING OF THE  
CITY COMMISSION OF THE CITY OF MARSHALL  
THURSDAY, AUGUST 14, 2014  
6:00PM

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Acting Chairman Garrett Boersma called the Regular meeting to order in the Commission Chambers, City Hall at 6:00pm.

PRESENT:

ACTING CHAIRMAN: Garrett Boersma, District 6

COMMISSIONERS:

Gloria Moon, District 1

Bill Marshall, District 4

Zephaniah Timmins, District 2

Vernia Calhoun, District 5

John Flowers, District 3

ABSENT: Ed Smith, District 7

ADMINISTRATIVE STAFF PRESENT:

Kenneth Snyder, Acting City Manager

Lisa Agnor, City Secretary/Finance Director

Todd Fitts, City Attorney

J. C. Hughes, Public Services Director

Wes Morrison, Planning &  
Development Director

Jack Redmon, Support Services Director

INVOCATION & PLEDGE: Commissioner Timmins

276. PRESENTATIONS FROM THE PUBLIC

John Hedrick, ETCOG Director of Transportation, asked the Commission to table item 9C and let ETCOG come back with a proposal for the Go Bus for 2015.

Dorothy Meadows, 411 Johnson, Apt. M, discussed the importance of the Go Bus to her and the community.

Laverta Davidge, 3303 S. Washington, asked what the City can do regarding an overgrown lot and deteriorating house by her business.

Leo Morris, 4500 Victory Dr., spoke in support of continued funding for the Go Bus.

277. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

278. CONSENT AGENDA

**Commissioner Moon moved to approve the Consent Agenda. Commissioner Timmins seconded the request which passed with a vote of 6:0.**

A. Consider approval of the minutes from the July 22, 2014 Special-Called meeting, and the July 24, 2014 Regular meeting.

**PRESENTATION:**

279. PRESENTATION OF A RETIREMENT PLAQUE TO BESSIE SELLERS FOR HER YEARS OF SERVICE TO THE MARSHALL POLICE DEPARTMENT.

Acting Chairman Garrett Boersma presented a retirement plaque to Bessie Sellers for her years of service to the Marshall Police Department.

**SECOND READING OF ORDINANCE:**

280. O-14-10: A REQUEST TO REZONE APPROXIMATELY 2.417 ACRES OF LAND IN THE ANDERSON WHETSTONE SURVEY A-747, AND ALSO BEING PART OF OL 273 SOUTH WEST FROM R-2 SINGLE FAMILY DETACHED DWELLING DISTRICT TO R-7 DUPLEX DWELLING DISTRICT.

Location: 2200 Block Lancaster Dr.  
Applicant: Rhett Skinner

Todd Fitts, City Attorney, stated a petition had been presented late and City Staff needs additional time to determine the appropriate action.

This agenda item was postponed until the next meeting.

**ORDINANCE:**

281. O-14-11: CONSIDER APPROVAL OF AN ORDINANCE AMENDING SECTION 13-A-26 OF THE CODE OF ORDINANCES TITLED "FOOD MANAGER QUALIFICATION AND FOOD HANDLER TRAINING".

Wes Morrison, Planning and Development Director, asked for approval of an Ordinance amending Section 13-A-26 of the Code of Ordinances titled "Food Manager Qualification and Food Handler Training".

**Commissioner Moon moved to approve an Ordinance amending Section 13-A-26 of the Code of Ordinances titled "Food Manager Qualification and Food Handler Training". Commissioner Calhoun seconded the motion which passed with a 6:0 vote.**

**RESOLUTION:**

282. CONSIDER APPROVAL OF A RESOLUTION PLACING THE FUNDING OF THE BIRTHPLACE OF BOOGIE WOOGIE PROGRAM ON THE NOVEMBER 2014 ELECTION BALLOT FOR A VOTE BY THE CITIZENS OF MARSHALL.

Commissioner Marshall explained his reasons for wanting to place the funding of the Birthplace of Boogie Woogie Program on the November 2014 Election Ballot.

Commissioner Moon wants the Commission to allow the Boogie Woogie Program Advisory Committee to complete their recommendations before a decision is made regarding this agenda item.

The Commission engaged in discussion regarding this agenda item.

**Commissioner Moon moved to disapprove the Resolution placing the funding of the Birthplace of Boogie Woogie program on the November 2014 Election Ballot for a vote by the citizens of Marshall.**

The Commission continued to discuss this agenda item.

**Commissioner Moon withdrew her motion.**

No further action was taken regarding this agenda item.

**CITY MANAGER REPORTS AND REQUESTS FOR CITY  
COMMISSION CONSIDERATION:**

283. DISCUSSION OF AND CONSIDERATION OF DIRECTING THE STAFF TO PREPARE A BUDGET AMENDMENT TO APPROPRIATE FUNDING FOR STORM WATER DRAINAGE REPAIRS AT 1101 SALLIE SUE FROM GENERAL FUND UNOBLIGATED RESERVES, AS A RESULT OF CREEK EROSION OUTSIDE ASSIGNED DRAINAGE EASEMENT.

This agenda item was withdrawn at the request of Acting City Manager, Kenneth Snyder.

284. DISCUSSION OF AND CONSIDERATION OF DIRECTING THE STAFF TO PREPARE A BUDGET AMENDMENT TO APPROPRIATE \$50,000 FROM GENERAL FUND UNOBLIGATED RESERVES FOR THE DEMOLITION OF DILAPIDATED STRUCTURES.

Commissioner Marshall asked for a Budget Amendment to appropriate \$50,000 from General Fund Unobligated Reserves for the demolition of dilapidated structures.

Wes Morrison presented a report on progress of demolition of dilapidated structures and funding for demolition of dilapidated structures. Wes Morrison stated there is \$82,000 available for demolition.

No further action was taken regarding this agenda item.

285. DISCUSSION OF AND CONSIDERATION OF DIRECTING THE ACTING CITY MANAGER TO NOTIFY THE EAST TEXAS COUNCIL OF GOVERNMENTS OF THE CITY OF MARSHALL'S INTENT TO TERMINATE THE INTERLOCAL AGREEMENT FOR PUBLIC TRANSPORTATION SERVICES (GOBUS) EFFECTIVE OCTOBER 31, 2014.

Kenneth Snyder, Acting City Manager, stated this item was placed on the Agenda to determine if the Commission wanted to direct him to terminate the Interlocal Agreement for Public Transportation Services (Go Bus) effective October 31, 2014.

The Commission engaged in discussion regarding this agenda item.

Commissioner Moon asked to table this agenda item in order to obtain additional information.

The Commission continued to engage in discussion regarding this item.

No further action was taken regarding this agenda item.

286. DISCUSSION OF AND CONSIDERATION OF DIRECTING THE ACTING CITY MANAGER TO NOTIFY HARRISON COUNTY JUVENILE SERVICES OF THE CITY OF MARSHALL'S INTENT NOT TO RENEW THE INTERLOCAL AGREEMENT FOR FUNDING OF THE STAR BOOT CAMP PROGRAM FOR THE 2015 FISCAL YEAR.

Kenneth Snyder stated that this item was placed on the agenda to determine if the Commission wanted to direct him to not renew the Interlocal Agreement for funding of the Star Boot Camp Program for the 2015 Fiscal Year.

Acting Chairman Boersma called on Judge Jim Ammerman to discuss the Star Boot Camp Program.

Judge Ammerman stated the Star Boot Camp is extremely effective in dealing with juveniles and preventing crime. He presented an overview of the program to the Commission.

The Commission engaged in discussion regarding this agenda item.

No further action was taken regarding this agenda item.

287. DISCUSSION REGARDING AN AMENDMENT TO THE CITY EMPLOYEE OVERTIME POLICY AS RELATED TO MANDATORY HOLIDAYS IN PAY PERIOD.

This item was withdrawn from the Agenda.

288. DISCUSSION REGARDING THE TEMPORARY WAIVER OF SEWER TAP FEES.

J.C. Hughes, Public Services Director, discussed considering the temporary waiver of sewer tap fees.

The Commission engaged in discussion with J.C. Hughes regarding this agenda item.

The Commission would like to pursue moving forward with a temporary waiver of sewer tap fees.

289. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

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

- Report from Marshall Economic Development Corporation regarding their procedure to notify the public of employment opportunities at new businesses which come to Marshall through MEDCO's efforts
- Report regarding Memorial City Hall
- Discussion regarding financial reporting requirements for entities which receive funding from the City of Marshall
- Discussion regarding the 2014-2015 interlocal agreement with Harrison County

**EXECUTIVE SESSION:**

291. EXECUTIVE SESSION:

**The Executive Session was withdrawn from the agenda.**

- A. Pursuant to the Open Meetings Act, Chapter 551, Texas Government Code, Section 551.071 – Consultation with Attorney to discuss matters related to pending or contemplated litigation regarding the previous architectural design contract for Memorial City Hall.
- B. Pursuant to the Open Meetings Act, Section 551.071 of the Texas Government Code – Consultation with Attorney on a matter in which the duty of the Attorney to the governmental Body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.
  - 1. Discussion regarding issues related to contracts between Norit Americas, Inc., Harrison County, and the City of Marshall.

292. ADJOURNMENT

**Commissioner Timmins moved to adjourn the meeting. Commissioner Moon seconded the motion which passed with a vote of 6:0.**

**APPROVED:**

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

**ATTEST:**

  
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**City Secretary**

Ordinance: O-14-11

**BUDGET WORKSHOP – DISCUSSION OF 2015 BUDGET**