

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, SEPTEMBER 26, 2013
6:30PM

Acting Chairman Zephaniah Timmins called the Regular meeting to order in the Commission Chambers, City Hall at 6:30pm.

PRESENT:

ACTING CHAIRMAN: Zephaniah Timmins, District 2

COMMISSIONERS:

Gloria Moon, District 1
John Flowers, District 3
Bill Marshall, District 4

Charlie Oliver, District 5
Garrett Boersma, District 6

ABSENT: Ed Smith, District 7

ADMINISTRATIVE STAFF PRESENT:

Frank Johnson, City Manager
Todd Fitts, 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

Report on the interest rates earned by other cities on their investments

III. CITY MANAGER REPORTS

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

IV. ADJOURNMENT

INVOCATION & PLEDGE: Commissioner Flowers

340. PRESENTATIONS FROM THE PUBLIC

Ginny Harris, 1021 Terrapin Neck Road, presented questions from the Friends of the Public Library regarding the sale of the Chamber of Commerce Building.

341. RECESS TO CONDUCT THE CITY OF MARSHALL EMPLOYEE BENEFITS TRUST MEETING

Commissioner Moon moved to recess to conduct the City of Marshall Employee Benefits Trust meeting. Commissioner Boersma seconded the motion which passed 6:0.

342. RECONVENE THE CITY COMMISSION MEETING

Commissioner Marshall moved to reconvene the City Commission meeting. Commissioner Moon seconded the motion which passed 6:0.

343. ITEMS TO BE WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

344. CONSENT AGENDA

Commissioner Marshall moved to approve the Consent Agenda. Commissioner Oliver seconded the motion which passed 6:0.

- A. Consider approval of the minutes from the September 12, 2013 Regular Meeting and the September 13, 2013 Special – Called Meeting
- B. Consider approval of the renewal of the interlocal agreement with Harrison County related to the Star Boot Camp Program
- C. Consider approval of the quarterly investment reports for the first quarter ending March 31, 2013 and the second quarter ending June 30, 2013

345. CONSIDER AWARDING A BID TO PURCHASE THREE (3) NEW HARLEY DAVIDSON POLICE PACKAGE MOTORCYCLES

Assistant City Manager Ardis Wright asked for approval to award a bid to purchase three new Harley Davidson Police Package Motorcycles from the Harley Shop of Longview at a total net cost of \$11,700.

The Commission engaged in discussion regarding this agenda item.

Commissioner Marshall moved to approve awarding a bid to purchase three new Harley Davidson Police Package Motorcycles from the Harley Shop of Longview at a total net cost of \$11,700. Commissioner Flowers seconded the motion which passed 6:0.

346. CONSIDER ACCEPTING PROPOSALS AND AWARDING BIDS REGARDING EARLY WARNING OUTDOOR SIRENS

Ardis Wright asked for approval to accept a proposal submitted by Mobile Communications of Tyler to provide three electromechanical outdoor warning sirens with the 65 foot poles and installation for the total amount of \$102,750.00 and to accept a proposal submitted by Advantis, LLC of Marshall to provide the radio control systems for the three electromechanical outdoor warning sirens for the amount of \$22,000.00.

The Commission engaged in discussion and asked staff to report back with the basis for bid specifications.

Commissioner Marshall moved to table this agenda item for four weeks and get an analysis of what other cities are doing regarding early warning outdoor sirens and what kind of early warning outdoor sirens they have. Commissioner Flowers seconded the motion which passed 6:0.

347. CONSIDER APPROVAL OF AN AGREEMENT WITH FLOWERS & ASSOCIATES ARCHITECTS, INC. FOR ARCHITECTURAL SERVICES FOR MEMORIAL CITY HALL PHASE I IN THE AMOUNT OF \$12,200.00

The Commission agreed this agenda item will be for discussion only.

Todd Fitts, City Attorney, addressed questions regarding this agenda item and the Commission engaged in discussion.

348. CONSIDER AND ACT ON A REQUEST TO APPROVE CHANGE ORDER #2 TO A CONTRACT WITH REYNOLDS & KAY, LTD., RELATED TO THE 2013 STREET IMPROVEMENT PROGRAM, TO AMEND AND ADD STREETS TO THE 2013 STREET IMPROVEMENT PROGRAM

J. C. Hughes, Public Works Director, asked for approval Change Order #2 to a contract with Reynolds & Kay, LTD., related to the 2013 Street Improvement Program, to amend and add streets to the 2013 Street Improvement Program.

Commissioner Marshall moved to approve Change Order #2 to a contract with Reynolds & Kay, LTD., related to the 2013 Street Improvement Program, to amend and add streets to the 2013 Street Improvement Program. Commissioner Moon seconded the motion which passed 6:0.

349. CONSIDER APPROVAL OF A LEASE AGREEMENT WITH THE WEISMAN CENTER COOPERATIVE AND CENTRAL PERKS, LLC FOR SPACE IN THE WEISMAN BUILDING

This agenda item was withdrawn.

350. REPORT ON AND DISCUSSION OF ETHICS POLICIES USED BY VARIOUS CITIES, COUNTIES, AND THE TEXAS DEPARTMENT OF TRANSPORTATION

The Commission engaged in discussion regarding this agenda item.

The Commission requested City Staff provide them with a copy of the Commissioners Handbook along with the date it was adopted and a copy of the employee handbook.

The Commission chose to address items G and H together.

351. REPORT ON IS IT ALLOWED FOR A CITY EMPLOYEE TO GET PAID FOR ANOTHER JOB AT THE SAME TIME AS THEY ARE A PAID EMPLOYEE OF THE CITY OF MARSHALL. AN EMPLOYEE WOULD BE WHEN A CITY EMPLOYEE IS AT WORK AND IS BEING PAID IS IT ALLOWED FOR HIM/HER TO GO DO PAID MAINTENANCE WORK FOR A VOLUNTEER FIRE DEPARTMENT AT THE SAME TIME? WOULD THEY BE INSTANTLY TERMINATED IF THIS OCCURRED?

352. REPORT ON IS IT ALLOWED FOR A CITY EMPLOYEE TO GET PAID DURING WORKING HOURS TO DO ANOTHER PUBLIC SECTOR JOB SUCH AS A PAID CONSULTANT, ELECTED STATE OFFICIAL, SCHOOL DISTRICT EMPLOYEE, OR ELECTED COUNTY OFFICE

Commissioner Flowers asked questions regarding these agenda items.

353. REPORT ON ACTIVITIES OF THE COMMISSION COMMITTEE REGARDING ASSISTANCE TO BUSINESSES OWNED BY MINORITY AND DISADVANTAGED PERSONS

Commissioner Moon called on Bo Ellis, Main Street Manager, who reported on the activities of the Commission Committee regarding assistance to businesses owned by minority and disadvantaged persons.

354. REPORT ON DETAILS REGARDING THE POSSIBLE SALE OF THE CHAMBER OF COMMERCE BUILDING AT 213 WEST AUSTIN

Commissioner Oliver inquired as to the condition of the Chamber of Commerce building at 213 W. Austin.

The Commission engaged in discussion regarding this agenda item.

355. REPORT ON CONVERSION OF STREET LIGHTS TO LED LIGHTING

J. C. Hughes stated that the City is in process of preparing a report on costs associated with conversion of street lights to LED lighting.

The Commission engaged in discussion regarding this agenda item.

356. DISCUSSION OF WHAT TO DO WITH VACANT HOUSES THAT ARE ON THE HOUSING REHABILITATION WAITING LIST TO PREVENT FURTHER DETERIORATION OF THE STRUCTURES

Commissioner Marshall stated that five houses on the Housing Rehabilitation Waiting List are vacant.

The Commission engaged in discussion regarding this agenda item.

The City Staff will come back with an outline of the issues regarding this agenda item and suggestions on ways to approach addressing these issues.

357. MONTHLY FINANCIAL REPORT

Commissioner Marshall asked if the Monthly Financial Report could be changed to reflect year to date budget divided by twelve then multiplied by the number of months represented in the report.

358. CODE ENFORCEMENT REPORT

Bo Ellis presented the Code Enforcement Report.

359. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

360. REQUEST FROM COMMISSIONERS FOR ITEMS TO BE PLACED ON FUTURE AGENDAS

- Report on the Library Endowment Fund
- Report regarding how other communities handle opportunities of minority-owned businesses and businesses owned by economically disadvantaged persons in order to establish a resolution

361. ADJOURNMENT

Commissioner Oliver moved to adjourn. Commissioner Flowers seconded the motion which passed 6:0.

APPROVED:



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

ATTEST:



City Secretary