

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, JUNE 25, 2020
12:00 PM

Mayor Terri Brown called the Regular meeting to order in the Commission Chambers, City Hall at 12:00 p.m.

PRESENT:

MAYOR: Terri Brown, District 3

COMMISSIONERS:

Marvin Bonner, District 1
Amy Ware, District 4
Larry Hurta, District 6

Leo Morris, District 2
Vernia Calhoun, District 5

ABSENT: Doug Lewis, District 7 (excused)

ADMINISTRATIVE STAFF PRESENT:

Mark Rohr, City Manager
Scott Rectenwald, Acting City Attorney
Randy Pritchard, Support Services Superintendent
Wes Morrison, Community & Economic Development Director
Elaine Altman, City Secretary/Finance Director
Eric Powell, Public Works Director
Stormy Nickerson, Management Analysis/Communications Coordinator
Cliff Carruth, Police Chief

INVOCATION & PLEDGE: Mayor Brown

141. **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

142. **CONSENT AGENDA**

Commissioner Calhoun made a motion to approve the Consent Agenda. Commissioner Ware seconded the motion, which passed with a vote of 6:0.

- A. Consider approval of the minutes from the June 11, 2020 Regular meeting.
- B. Monthly financial report.
- C. Consider appointments to the Planning & Zoning Commission to fill expired terms.

SECOND READING OF ORDINANCES

143. **CONSIDER AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP REGARDING A 3.00 ACRE TRACT OF LAND IN THE HENRY TEAL SURVEY A-704, FROM R-3 (SINGLE FAMILY DETACHED) AND A&E (AGRICULTURE AND ESTATE) TO C-3 (GENERAL BUSINESS). THE SUBJECT PROPERTY IS GENERALLY LOCATED ON THE SOUTH SIDE OF HOLMES ROAD AND ON THE EAST SIDE OF EAST END BLVD. NORTH (U. S. HIGHWAY 59), MORE COMMONLY KNOWN AS 2810 EAST END BLVD. NORTH.**

Wes Morrison, Community & Economic Development Director, stated there was no new information regarding this item.

Commissioner Calhoun made a motion to approve an ordinance amending the official zoning map regarding a 3.00 acre tract of land in the Henry Teal Survey A-04, from R-3 (Single Family Detached) and A&E (Agriculture and Estate) to C-3 (General Business). Mayor Brown seconded the motion, which passed with a vote of 6:0.

This item was taken out of order at this point in the meeting due to audio difficulties.

144. **CITIZEN COMMENTS**

Wayne Hunter, 308 Murphy Drive, spoke in opposition regarding this item. He expressed concerns with destruction of the road, traffic and erosion. He asked the commission to delay the vote and visit the property.

Tommy Shirley, 314 Murphy Drive, voiced his concerns with traffic, erosion and property values regarding the proposed zoning change.

SECOND READING OF ORDINANCES

145. **CONSIDER AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP REGARDING A .984 ACRE TRACT OF LAND IN THE ASA LANGFORD SURVEY A-400, FROM PD (PLANNED DEVELOPMENT) TO R-6 (DUPLEX, TRIPLEX, QUADRAPLEX). THE SUBJECT PROPERTY IS GENERALLY LOCATED ON THE SOUTH SIDE OF MURPHY DRIVE AND ON THE WEST SIDE OF SOUTH GARRETT STREET, MORE COMMONLY KNOWN AS 316 MURPHY DRIVE.**

Wes Morrison stated there was no new information regarding this item.

Commissioners asked questions and discussed.

Wes Morrison stated the maximum number of units for this tract of land is eight (8), a 10' buffer is required and there are not enough units to warrant a traffic study.

Commissioner Bonner made a motion to table this pending Commission inspection. Commissioner Hurta seconded the motion, which failed with the following vote:

**Ayes: Commissioner Bonner and Hurta
Nays: Mayor Brown, Commissioners Ware, Calhoun and Morris**

Commissioner Calhoun made a motion to approve an ordinance amending the official zoning map regarding a .984 acre tract of land in the ASA Langford Survey A-400, from PD (Planned Development) to R-6 (Duplex, Triplex, Quadraplex). Commissioner Morris seconded the motion, which passed with a vote of 6:0.

RESOLUTION

146. **CONSIDER A RESOLUTION AUTHORIZING THE APPROVAL OF A DESIGN/BUILD CONTRACT FOR THE DEVELOPMENT, DESIGN, AND CONSTRUCTION OF A NEW ANIMAL ADOPTION CENTER.**

Mark Rohr, City Manager, provided a background for a resolution authorizing the approval of a design/build contract. The Adoption Center

Advisory Committee reviewed proposals and recommended Berry and Clay Construction, at a maximum cost of \$78,650, for the development and design of a new animal adoption center. The contract states the design process will be complete in two (2) months, construction in eight (8) months and allows for a penalty phase for every day they exceed the maximum amount of time allotted for construction of the project, which would be \$1,000 per day.

Scott Rectenwald, Acting City Attorney, explained modifications to the contract, stating it would better protect the City.

Mr. Berry, Berry and Clay Construction, spoke regarding this contract.

Commissioners asked questions and discussed.

Commissioner Hurta made a motion to approve a resolution authorizing the approval of a design/build contract with Berry and Clay Construction for the development and design of a new animal adoption center. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.

147. **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

148. **EXECUTIVE SESSION**

A. An Executive session pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code under Section 551.074 Personnel Matters: Discussion and consideration of results of annual evaluation of City Secretary/Finance Director.

Commissioner Calhoun made a motion to convene into Executive Session. Mayor Brown seconded the motion, which passed with a vote of 6:0. The time was 12:49 p.m.

The Commission reconvened from Executive Session. The time was 2:39 p.m.

149. **ADJOURNMENT**

Commissioner Calhoun made a motion for adjournment. Commissioner Bonner seconded the motion, which passed with a vote of 6:0.

APPROVED:



Mayor of the City Commission
of the City of Marshall, Texas

ATTEST:



Deputy City Secretary

Ordinances: O-20-18
O-20-19
Resolution: R-20-12