MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, AUGUST 22, 2019
6:00 PM

Mayor Terri Brown called the Regular meeting to order in the Commission Chambers, City Hall at 6:00 p.m.

PRESENT:

MAYOR: Terri Brown, District 3

COMMISSIONERS:
Marvin Bonner, District 1
Amy Ware, District 4
Vernia Calhoun, District 5
Doug Lewis, District 7

ABSENT: Gail Beil, District 2
Larry Hurta, District 6

ADMINISTRATIVE STAFF PRESENT:
Mark Rohr, City Manager
Reggie Cooper, Fire Chief
Scott Rectenwald, Acting City Attorney
Cliff Carruth, Police Chief
Jack Redmon, Support Services Director
Randy Pritchard, Support Services Superintendant
Wes Morrison, Community & Economic Development Director
Elaine Altman, City Secretary/Finance Director
Eric Powell, Public Works Director
Mallori James, Tourism & Cultural Arts Director

INVOCATION & PLEDGE: Mayor Brown & Commissioner Ware

221. **CITIZEN COMMENTS**

Kenneth Moon, 807 Wood, spoke regarding the closing of the 700 Block of Wiley Avenue.

Narcy Crosby, 211B N. Bolivar, spoke in support of funding the animal shelter.

Phoenix Albright, 341 Old Elysian Fields Road #2, asked the Commission to maintain open communication regarding the animal shelter.

Rev. Aaron Spencer, 104 Johnson, spoke in opposition of the animal shelter and in support of assistance for the homeless and City infrastructure improvements.

Monty Hudson, PO Box 5981, Longview, spoke in support of the animal shelter and developing a service dog registry. His service dog organization, For Veterans Sake Foundation, offered help and support.

Jerry Cargill, 16877 Hwy 80 East, promoted a partnership between the City and citizens for building the new animal shelter.

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

223. **CONSENT AGENDA**

Commissioner Lewis made a motion to approve the Consent Agenda. Commissioner Ware seconded the motion, which passed with a vote of 5:0.

A. Consider approval of the minutes from the August 8, 2019 Regular meeting.

B. Report regarding the status of the Memorial City Hall renovation project.

C. Monthly financial report.

224. **PUBLIC HEARING**

A. Public Hearing on proposed budget for the 2020 fiscal year and action to adopt the budget or continue consideration of the budget to a future meeting.

Mark Rohr, City Manager, stated this is a procedural matter required per state statute. This gives the public an opportunity to discuss the budget as a whole or an individual item within the budget.

Mayor Brown opened the public hearing.

No one came forward to speak.

Mayor Brown closed the public hearing.

Commissioner Lewis made a motion to continue consideration of the budget to a future meeting. Commissioner Calhoun seconded the motion, which passed with a vote of 5:0.

RESOLUTIONS

225. CONSIDER APPROVAL OF A RESOLUTION ANNOUNCING A PROPOSED TAX RATE OF $0.542160 PER $100 OF VALUATION AND VOTING TO PLACE AN ACTION ITEM TO ADOPT THE TAX RATE ON A FUTURE COMMISSION AGENDA.

Elaine Altman, Finance Director, stated a resolution is required per the Texas Tax Code when the proposed tax rate exceeds the effective tax rate or the rollback tax rate. She asked for approval of this resolution announcing a proposed tax rate of $0.542160 per $100 of valuation and voting to place an action item to adopt the tax rate on a future Commission agenda.

Commissioner Calhoun made a motion to approve the resolution announcing a proposed tax rate of $0.542160 per $100 of valuation and voting to place an action item to adopt the tax rate on a future Commission agenda. Commissioner Lewis seconded the motion, which passed with a vote of 5:0.

226. CONSIDER APPROVAL OF A RESOLUTION SCHEDULING TWO PUBLIC HEARINGS ON THE PROPOSED TAX RATE OF $0.542160 PER $100 OF VALUATION AND TAX INCREASE.

Elaine Altman asked for approval of a resolution scheduling two public hearings on the proposed tax rate of $0.542160 per $100 of valuation and tax increase. The Public Hearings are scheduled for Thursday, September 5, 2019 at 6:00 p.m. and Monday, September 9, 2019 at 6:00 p.m.

Commissioner Lewis made a motion to approve a resolution scheduling two Public Hearings on the proposed tax rate of $0.542160 per $100 of valuation and tax increase. Mayor Brown seconded the motion, which passed with a vote of 5:0.

227. CONSIDER APPROVAL OF A RESOLUTION AUTHORIZING THE MARSHALL POLICE DEPARTMENT TO APPLY FOR THE 2019 EDWARD BYRNE JUSTICE ASSISTANCE GRANT.

Cliff Carruth, Police Chief, asked for approval of a resolution authorizing the Marshall Police Department to apply for funding for the 2019 Edward Byrne Memorial Justice Assistance Grant in the amount of $10,287 to assist with purchasing up to date audio/visual equipment. He stated the Police Department will contribute $2,073 for this equipment purchase.

Commissioner Calhoun made a motion to approve a resolution authorizing the Marshall Police Department to apply for funding for the 2019 Edward Byrne Memorial Justice Assistance Grant. Commissioner Lewis seconded the motion, which passed with a vote of 5:0.

228. CONSIDER APPROVAL OF A RESOLUTION DIRECTING CITY ADMINISTRATION TO INITIATE THE DESIGN/BUILD METHOD FOR THE CONSTRUCTION OF THE NEW ANIMAL ADOPTION CENTER.

Mark Rohr spoke on the Design-Build Method approved by the Commission during a previous meeting, stating this was the first step of the 10 step process. He asked for approval of this resolution directing City Staff to initiate the Design/Build method for construction of a new Animal Adoption Center and to proceed accordingly.

Commissioners asked questions and discussed.

Commissioner Lewis made a motion to approve a resolution that directs City Staff to initiate the Design/Build method for construction of a new Animal Adoption Center and to proceed accordingly. Commissioner Ware seconded the motion, which passed with a vote of 5:0.

Mark mentioned Harrison County's contribution of $39,100 for operating the animal shelter would remain the same.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION

229. CONSIDER APPROVAL TO AWARD VARIOUS BIDS RELATED TO SELLING CITY PROPERTY AS ADVERTISED FOR BID# 2019-003/SALE OF PROPERTY.

Wes Morrison, Community & Economic Development Director, stated the Commission approved staff selling surplus property in July, in particular the City Annex located at 303 W. Burleson and the Visual Arts Center located at 208 E. Burleson. The minimum bids were set at $240,000 and $225,000 respectively. The silent bids were opened on August 20th which revealed one qualified bid of $226,000 for the Visual Art Center from Fred Badalamente. The bid packet requires payment by August 27th if approved. Commissioners asked questions and discussed.

Commissioner Bonner made a motion to award the Visual Art Center to the bid that was received. Commissioner Calhoun seconded the motion, which passed with a vote of 5:0.

230. CONSIDER APPROVAL OF A CONTRACT EXTENSION FOR LIQUID CAUSTIC SODA.

Eric Powell, Public Works Director, stated the current contract with Brenntag Southwest expires on September 14, 2019 and asked for approval of an extension through September 2020. He stated Brenntag Southwest has agreed to hold its existing price.

Commissioners asked questions and discussed.

Commissioner Lewis made a motion to approve extending the current contract for Liquid Caustic Soda through September 2020. Commissioner Calhoun seconded the motion, which passed with a vote of 5:0.

231. CONSIDER APPROVAL AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH HARRISON COUNTY REGARDING FUNDS ALLOCATED TO THE CITY UNDER THE 2019 BYRNE JUSTICE ASSISTANCE GRANT PROGRAM.

Cliff Carruth asked for approval to authorize the City Manager to enter into a Memorandum of Understanding with Harrison County regarding funds allocated to the City under the 2019 Byrne Justice Assistance Grant program.

Commissioner Lewis made a motion to approve authorization for the City Manager to enter into a Memorandum of Understanding with Harrison County regarding funds allocated to the City under the 2019 Byrne Justice Assistance Grant program. Mayor Brown seconded the motion, which passed with a vote of 5:0.

232. CONSIDER APPROVAL OF THE SALE OF CITY SURPLUS PROPERTY BY PUBLIC AUCTION.

Jack Redmon, Support Services Director, provided a list of surplus vehicles and miscellaneous equipment. He asked for approval to sell these items via public auction.

Commissioner Lewis made a motion to approve the sale of City surplus property by public auction. Commissioner Calhoun seconded the motion, which passed with a vote of 5:0.

233. DISCUSSION OF ALTERNATE DATES FOR CITY COMMISSION MEETINGS IN OCTOBER.

Mark Rohr stated the Mayor and several City Staff members will attend the TML Conference in October which causes a scheduling conflict for the City Commission meeting on October 10th. Since October has five Thursdays, he asked the Commission to consider rescheduling that meeting.

Commissioner Calhoun made a motion hold a meeting on October 3rd, if needed. Commissioner Lewis seconded the motion, which passed with a vote of 5:0.

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

There were no items withdrawn from the Consent Agenda.

235. **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: Interview with City Prosecutor candidate.

Commissioner Calhoun made a motion to enter into Executive Session. Commissioner Lewis seconded the motion, which passed with a vote of 6:0. The time was 6:45 p.m.

The meeting was reconvened at 7:27 p.m.

236. **ADJOURNMENT**

Commissioner Calhoun made a motion for adjournment. Commissioner Ware seconded the motion, which passed with a vote of 5:0.

APPROVED:

Terri W. Brown

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

ATTEST:

E Allman

City Secretary

**Resolutions: R-19-19
R-19-20
R-19-21
R-19-22**