

MINUTES
Regular Meeting of the City Council
Municipal Building
West 3rd Street and Texas Boulevard
Texarkana, Texas
Monday, January 26, 2009
6:00 p.m.

An Open Meeting will be held concerning the following subject:

Call to Order by Mayor Mayo, Roll Call, Establishment of Quorum

Closed Session

The City Council will convene in closed session pursuant to one or more of the following sections of the Texas Open Meetings Act (Chapter 551 of the Texas Government Code):

- | | |
|-----------|--|
| § 551.071 | Private consultation with the Legal Counsel |
| § 551.072 | Discussing or deliberating purchase, exchange, lease or value of real property |
| § 551.073 | Discussing or deliberating negotiated contract for prospective gift or donation |
| § 551.074 | Discussing or deliberating appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint or charge against an officer or employee |
| § 551.076 | Discussing or deliberating the deployment or specific occasions for implementation of security personnel or devices |
| § 551.084 | Investigation; exclusion of witness from a hearing during examination of another witness |
| § 551.087 | Discussing economic development negotiations or offer of financial or other incentives to business prospects |

The City Council will reconvene in open session at 7:00 p.m. to take any final action, decision, or vote on a matter deliberated in closed session.

Invocation

The Invocation was given by Councilmember Derrick McGary.

Pledge to the Flag

Pledge led by Councilmember McGary.

Roll Call

The following Councilmembers were present:

| | |
|----------------|--|
| Derrick McGary | Councilmember, Ward 1 |
| Willie Ray | Councilmember, Ward 2 |
| Brent Stewart | Councilmember, Ward 3 (Arrived at 6:15 p.m.) |
| Bob Bruggeman | Councilmember, Ward 4 |
| Scott Norton | Councilmember, Ward 5 |
| Robin Court | Councilmember, Ward 6 |

Also present were: F. Larry Sullivan, CEO/City Manager, Shirley Jaster, Charlie Bassett, CFO, Police Chief Shiner, Officer Ed Emelia, Richard Seymour, Pam Burns, Craig Lindholm, Kyle Dooley, Kerry Meredith, City Secretary.

Appointments to Boards and Commissions

Library Commission Reappointments:

Anne Burke, Robin Court and Dr. Bob Bell

A motion was made by Councilmember Ray that the consent agenda be approved, seconded by Councilmember Bruggeman.

The following Councilmembers voted:

Ayes: McGary, Ray, Stewart, Bruggeman, Norton, Court

Noes: None

Open Forum

Kenny Icenhower from Texas Department of Transportation discussed the Interstate 30 project and frontage roads.

Will Ellis spoke on the I-30 construction; trash & recycling.

John Cook spoke on Make A Difference Day in 2008; thanked the City for the Phillip McDougal Trail; Partnership for the Pathway Marathon on March 1, 2009.

Consideration / Approval of Consent Agenda Items

Consider approval of the minutes of the special meeting held on December 15, 2008.

Consider Ordinance No. 001-09 authorizing the destruction of certain police records.

Consider Ordinance No. 004-09 authorizing the amendment to the Code of Ordinances, Chapter 10, Article IV, Section 10-63, Permits, license or certificates.

Consider Ordinance No. 005-09 calling a regular City Election on Saturday, May 9, 2009 for the purpose of electing Councilmembers for Wards Two, Three and Five.

Consider Ordinance No. 006-09 authorizing the CEO/City Manager to enter into a Joint Election Agreement with Pleasant Grove Independent School District for the purpose of the May 2009 Election.

Consider Ordinance No. 007-09 authorizing the CEO/City Manager to enter into a Joint Election Agreement with Liberty Eylau Independent School District for the purpose of the May 2009 Election .

Consider Resolution No. 009-09 authorizing the CEO/City Manger to sign a letter of support for the Legislative Agenda for Funding the Texas Commission on the Arts.

Consider Ordinance No. 010-09 authorizing the CEO/City Manager to enter into a Joint Election Agreement with the Texarkana Independent School District for the purpose of the May 2009 Election.

Consider Ordinance No. 011-09 authorizing the CEO/City Manager to enter into a Joint Election Agreement with the Red Lick Independent School District for the purpose of the May 2009 Election.

Consider Ordinance No. 012-09 authorizing the amendment to the Code of Ordinances, Chapter 12, Article III, Section 12-50, Swimming Pool Permits.

Consider Ordinance No. 013-09 authorizing the CEO/City Manager to seek and employ from Economic Development funds an individual to work with the City to promote economic development in the City of Texarkana, Texas.

A motion was made by Councilmember McGary that the consent agenda be approved, seconded by Councilmember Ray.

The following Councilmembers voted:

Ayes: McGary, Ray, Stewart, Bruggeman, Norton, Court

Noes: None

Action / Discussion Items

A. Zoning Items

(Remove from Table) Public Hearing and consider Ordinance No. 008-09 rezoning an approximate 6 acre tract of land being part of Lot 5, all of Lot 6 and part of Lot 7, Parkview Addition, located on Century Lane near North Park Road. Agriculture to PUR. Matt Barber, owner. Kayla Wood, MTG Engineering, and Bobby Howell, agents. (Due to P & Z denial, a $\frac{3}{4}$ vote will be required to approve this request)

This Item tabled by developer prior to meeting.

Public Hearing and consider Ordinance No. 002-09 amending PD-08-9(2F-1): Site Plan Approval to allow a duplex development on Lot 10B, West Texarkana Garden Addition (2.649 acres), located in the 900 block of Westlawn Drive. Texarkana, Texas. James Burks, owner.

Mayor Mayo declared the public hearing open.

Shirley Jaster spoke on this item.

Mayor Mayo declared the public hearing closed.

City Secretary Kerry Meredith read the caption to this ordinance.

A motion was made by Councilmember Ray that the consent agenda be approved, seconded by Councilmember McGary.

The following Councilmembers voted:

Ayes: McGary, Ray, Stewart, Bruggeman, Norton, Court

Noes: None

Public Hearing and consider Ordinance No. 003-09 rezoning a 15.065 acre tract of land in the M.F. Jones HRS, A-945 and the J.H. Hodge HRS, A-702, located north of 8517 North Kings Highway and west of Pleasant Grove Baptist Church (Jones Lane), Texarkana, Texas. Temporary Single Family-1 to PD-Two Family-2. Oceanfront Investment Group, owner. Jim Brower, Jr., agent.

Mayor Mayo declared the public hearing open.

Jim Brower spoke on this item.

Mayor Mayo declared the public hearing closed.

City Secretary Kerry Meredith read the caption to this ordinance.

A motion was made by Councilmember Norton that the consent agenda be approved, seconded by Councilmember Court.

The following Councilmembers voted:

Ayes: McGary, Ray, Stewart, Bruggeman, Norton, Court

Noes: None

City Manager Report

Dr. Sullivan reported that the information on the Rail Road will be available in February; Blue Ribbon Committee; Debt Service Projects Package; Covey Training; Infrastructure Projects; Introduction of Executive Director for Riverbend Water Resources, John Jarvis (not present).

Closed Session 8:40 p.m.

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- § 551.076 Discussing or deliberating the deployment or specific occasions for implementation of security personnel or devices
- § 551.084 Investigation; exclusion of witness from a hearing during examination of another witness
- § 551.087 Discussing economic development negotiations or offer of financial or other incentives to business prospects

X. Adjournment

A motion was made by Councilmember Bruggeman that this meeting be adjourned, seconded by Councilmember Norton.

The following Councilmembers voted:

Ayes: McGary, Ray, Stewart, Bruggeman, Norton, Court

Noes: None

Stephen A. Mayo, MAYOR

Kerry Meredith, CITY SECRETARY