

MINUTES
Regular Meeting of the City Council
Municipal Building
West 3rd Street and Texas Boulevard
Texarkana, Texas
Monday, February 23, 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, Robby Robertson, Kerry Meredith, City Secretary.

Appointments to Boards and Commissions

Planning & Zoning appointment:

Dianna Patterson Kinsey

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

The following Councilmembers voted:

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

Noes: None

Presentations

Chief Shiner presented awards from the Police Department for the following:

Officer Greg Walker received a "Life Saving Award"
Officer Justin Jewell received a "Meritorious Conduct Award"
Officer Jake Klar received a "Meritorious Conduct Award"
Officer Jordan Looney received a "Meritorious Conduct Award"
Officer James Dean received a "Life Saving Award"

Open Forum

Bradley Johnson of 1418 Olive spoke on double wide homes in the city limits (saying there was an ordinance against it). Spoke on budget items regarding the senior citizens and thinks there needs to be an addition to the building and more employees there. He requested a report on the status of his home from Dr. Sullivan and Craig Lindholm.

Consideration / Approval of Consent Agenda Items

1. Consider approval of the minutes of the special meeting held on January 26, 2009.
2. Acknowledge receipt and review of the 2008 Texarkana, Texas Police Department Racial Profiling Report as required by the Texas Code of Criminal Procedure.
3. Consider Ordinance No. 014-09 authorizing the destruction of certain Health Department records.
4. Consider Ordinance No. 015-09 authorizing the CEO/City Manager to enter into a contract with the City of Texarkana, Arkansas to renew the Emergency Management Coordinator services for the City of Texarkana, Arkansas.
5. Consider Ordinance No. 016-09 authorizing the CEO/City Manager to enter into an agreement with the City of Texarkana, Arkansas for Secretary/Receptionist services for the Criminal Investigation Division.
6. Consider Ordinance No. 023-09 authorizing the CEO/City Manager to enter into a contract with a supplier for powdered activated carbon for water and wastewater treatment.
7. Moved to end of Action Items

8. Consider Ordinance No. 025-09 authorizing the destruction of certain Staff Legal Department records.
9. Consider Ordinance No. 026-09 authorizing the CEO/City Manager to enter into a contract with Bowie County for the purpose of leasing election equipment.

Changes: Item No. 1 on the agenda states the date "January 16, 2009" and should read "January 26, 2009.

Pull Item No. 7 and place at the end of the Action Items on the agenda.

A motion was made by Councilmember Bruggeman that the consent agenda be approved with the above mentioned changes, seconded by Councilmember Stewart.

The following Councilmembers voted:

Ayes: McGary, Ray, Stewart, Bruggeman, Norton, Court
Noes: None

Action / Discussion Items

A. Zoning Items

1. Public Hearing and consider Ordinance No. 017-09 granting a Specific Use Permit to allow the location of a double wide HUD code manufactured home on a .077 acre tract of land in the R.E. Sevey HRS, A-523 (Tract 13-2), located at 2508 Buchanan Road, Texarkana, Texas. Pamela Rekow, owner. Tyler Martin, Rollin Homes, agent.

Mayor Mayo declared the public hearing open.

Tyler Martin spoke on behalf of the owner.

Mayor Mayo declared the public hearing closed.

City Secretary Kerry Meredith read the caption to this ordinance.

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

2. Public Hearing and consider Ordinance No. 018-09 rezoning a 3.71 acre tract of land in the Willis Oldham HRS, A-458 (part of Tract 152), located at 5409 North State Line Avenue, Texarkana, Texas. Agriculture to SF-3. Mrs. Gerald Greene, owner. Anna Fielder, agent.

Mayor Mayo declared the public hearing open.

Anna and Peter Fielder spoke on this item.
Gregg Torrence of St. James spoke in support of 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 Stewart that the consent agenda be approved, seconded by Councilmember Ray.

The following Councilmembers voted:

Ayes: McGary, Ray, Stewart, Bruggeman, Norton, Court
Noes: None

3. Public Hearing and consider Ordinance No. 019-09 granting a Specific Use Permit to allow the location of a single wide HUD code manufactured home on a 3.71 acre tract of land in the Willis Oldham HRS, A-458 (part of Tract 152), located at 5409 North State Line Avenue, Texarkana, Texas. Mrs. Gerald Greene, owner. Anna Fielder, agent.

Mayor Mayo declared the public hearing open.

Anna Fielder 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 Court that the consent agenda be approved, seconded by Councilmember Stewart.

The following Councilmembers voted:

Ayes: McGary, Ray, Stewart, Bruggeman, Norton, Court
Noes: None

4. Public Hearing and consider Ordinance No. 020-09 rezoning Lot 2, Block 1, Eldridge 3rd Addition, located at 2315 Main Street, Texarkana, Texas. MF-1 to SF-3. Donny Cole, owner. Ronnie Olson, agent. (Due to P Z & denial, a ¾ vote will be required by City Council to approve this request)

Mayor Mayo declared the public hearing open.

Wayne Donnely of Infinity homes spoke on this item.
Richard Herrington spoke against this item.
Mike Pearson spoke in favor of this item.
Tyrone Dollerhide spoke in favor of 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 Stewart that the consent agenda be approved, seconded by Councilmember Court.

The following Councilmembers voted by roll call:

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

Noes: None

5. Public Hearing and consider Ordinance No. 021-09 granting a Specific Use Permit to allow the location of a double wide HUD code manufactured home on Lot 2, Block 1, Eldridge 3rd Addition, located at 2315 Main Street, Texarkana, Texas. Donny Cole, owner. Ronnie Olson, agent. (Due to P Z & denial, a ¾ vote will be required by City Council to approve this request)

Mayor Mayo declared the public hearing open.

Mayor Mayo declared the public hearing closed.

City Secretary Kerry Meredith read the caption to this ordinance.

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

The following Councilmembers voted by roll call:

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

Noes: None

B. Other Items

6. Consider Ordinance No. 022-09 to vacate and abandon the east 8 feet of a 16 foot utility easement located on Lot 8, Block 4, Deerfield Subdivision, located at 6103 Deerfield Drive. Gregg and Dosha Anderson, owners.

Mayor Mayo declared the public hearing open.

Gregg and Dosha Anderson 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 Stewart that the consent agenda be approved, seconded by Councilmember Bruggeman.

The following Councilmembers voted:

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

Noes: None

7. Consider Ordinance No. 024-09 to provide authority for the intent to issue long-term debt for a number of capital projects across the City and to begin a replacement fund for the City's fleet.

CEO/City Manager Dr. Larry Sullivan spoke on this item.

Councilmember Court noted the EDA Grant for Morris Lane.

Councilmember Bruggeman suggested the item be tabled.

Ms. Ray asked about the Re-investment Act. Dr. Sullivan responded that that had been done.

Councilmember Norton commented on the events and projects happening in town and the need for funding.

A motion was made by Councilmember Bruggeman that the item be postponed, seconded by Councilmember Stewart.

City Secretary Kerry Meredith read the caption to this Ordinance.

The following Councilmembers voted:

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

Noes: None

City Council Discussion w/ City Manager and Staff

Interstate 30; Blue Ribbon Committee Update; Community Redevelopment and Grants Update presented by Craig Lindholm; Warrant Updates by Chief Shiner;

X. Adjournment

A motion was made by Councilmember Bruggeman that this meeting be adjourned, seconded by Councilmember Norton. 9:45 p.m.

The following Councilmembers voted:

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

Noes: None

Stephen A. Mayo, MAYOR

Kerry Meredith, CITY SECRETARY