

**MINUTES**  
**Regular Meeting of the City Council**  
**Municipal Building**  
**West 3<sup>rd</sup> Street and Texas Boulevard**  
**Texarkana, Texas**  
**Monday, February 22, 2010**  
**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**

The following Councilmembers were present:

Derrick McGary	Councilmember, Ward 1
Willie Ray	Councilmember, Ward 2
Tina Veal-Gooch	Councilmember, Ward 3
Bob Bruggeman	Councilmember, Ward 4
Scott Norton	Councilmember, Ward 5
Robin Court	Councilmember, Ward 6 Via Videoconference: University of Texas George Sanchez Building, Room 324 1912 Speedway, Austin, Texas 78721

Also present were: F. Larry Sullivan, CEO/City Manager, Shirley Jaster, Officer Ed Emilia, Craig Lindholm, Chief Shiner, Charlie Bassett, Danny Presley, Rose Stewart, Vicki Melde, Pam Burns, Kerry Meredith, Robby Robertson, Jerry Sparks, David Orr; Chief Simms, Steve Ramsey, Chris Black.

**Closed Session (6:10 p.m.)**

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. Returned at 7:30 p.m.

**Invocation**

The Invocation was given by Councilmember Derrick McGary.

**Pledge to the Flag**

Pledge led by Councilmember Derrick McGary.

## **Presentations**

Keep Texarkana Beautiful Beautification Awards.

Home of the Month: Todd and Michelle Shores, 3 Dreyer Place.

Business of the Month: St. James Episcopal Church, Father Anderson.

Jerry Sparks gave an Economic Development update.

Shirley Jaster gave an update on RoseHill condemned houses; N. University East approach.

## **Open Forum**

Dr. Sullivan introduced Naomi Byrnes, Executive Director of HATT.

## **Consideration / Approval of Consent Agenda Items**

1. Consider approval of the minutes of the regular meeting held on January 25, 2010.
2. Consider Ordinance No. 022-10 allowing the sale of advertising on the solar waste compactors and recycling containers.
3. Consider Ordinance No. 023-10 authorizing the CEO/City Manager to enter into a contract with Texas Department of State Health Services, Cardiovascular Health and Wellness (CHW) Program to provide funding for a community education program to increase the knowledge of signs and symptoms of a stroke.
4. Consider Ordinance No. 024-10 authorizing the CEO/City Manager to enter into a contract with Bowie County for the purpose of election equipment.
5. Consider Resolution No. 025-10 authorizing the placement of the appropriate signs to enforce the Texas Transportation Code 545.425 statute, Use of Wireless Communication Device, in a school zone.
6. Consider Ordinance No. 026-10 authorizing the construction of the Pecan Ridge housing development through the Texas Department of Housing and Community Affairs Tax Credit program.
7. Consider Ordinance No. 030-10 amending Chapter 2 "Article VII Building and Standards Commission, Section 2-101 "Memberships" of the Code of Ordinances.
8. Consider Ordinance No. 031-10 renaming Morris Lane between Summerhill Road and Cowhorn Creek Road to Galleria Oaks Drive.
9. Consider Ordinance 032-10 authorizing the CEO/City Manager to enter into a contract with Techline Sports Lighting and Musco Sports Lighting for the lights at Spring Lake Park and Karr Park.
10. Consider Ordinance No. 033-10 authorizing the CEO/City Manager to enter into a lease purchase agreement with Dell Marketing, L. P. for the City of Texarkana, Texas.
- 11.
12. Consider Ordinance No. 035-10 authorizing the CEO/City Manager to enter into a lease purchase agreement with Quest Communications for Cisco Systems hardware and switch equipment.
13. Consider Ordinance No. 036-10 authorizing the CEO/City Manager to enter into a lease purchase agreement with Dell ASAP Software for the Texarkana, Texas Water Department's portion.
- 14.
15. Consider Ordinance No. 038-10 amending Chapter 11, Garbage, Littering, & Vegetation in the Code of Ordinances.
16. Consider Ordinance No. 039-10 authorizing the CEO/City Manager to enter into a lease purchase agreement with Quest Communications for Cisco Systems hardware and switch equipment for the Texarkana, Texas Water Department's portion.
17. Consider Ordinance No. 040-10 TWU authorizing the CEO/City Manager to enter into a lease purchase agreement with Dell Marketing, L. P. for the Texarkana, Texas Water Department.
18. Consider Ordinance No. 041-10 authorizing the adoption of an Interlocal Cooperation Agreement between Bowie County, Texarkana College, Texarkana Independent School District, and the City of Texarkana providing the means for one taxing unit to acquire title to properties from other taxing units.
19. Consider Ordinance No. 044-10 authorizing the CEO/City Manager to enter into a contractual agreement with Whitten Civil Engineering, Inc. for professional engineering services related to the Texas A&M University East approach.

Dr. Sullivan pulled Item No. 11; Councilmember Veal-Gooch pulled Item No. 14.

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

The following Councilmembers voted:

Ayes: McGary, Ray, Veal-Gooch, Bruggeman, Norton, Court

Noes: None

**Pulled Items:**

11. Consider Ordinance No. 034-10 authorizing the CEO/City Manager to enter into a Microsoft Enterprise agreement with Dell ASAP Software for the City of Texarkana, Texas.

Dr. Sullivan explained the amendment was to add the Fire Department.

A motion was made by Councilmember Bruggeman that the consent item be approved, seconded by Councilmember Veal-Gooch.

The following Councilmembers voted:

Ayes: McGary, Ray, Veal-Gooch, Bruggeman, Norton, Court

Noes: None

14. Consider Ordinance No. 037-10 authorizing the CEO/City Manager to enter into a contract with MVBA for court collections.

Captain Presley explained the contract.

A motion was made by Councilmember McGary that the consent item be approved, seconded by Councilmember Veal-Gooch.

The following Councilmembers voted:

Ayes: McGary, Ray, Veal-Gooch, Bruggeman, Norton, Court

Noes: None

**Action / Discussion Items**

1. Consider Ordinance No. 028-10 amending PD-02-13 for Site Plan Approval to allow an office building on Lot 6, Block 6, Richmond Development Fifth Subdivision, located at 4413 Morris Lane. Justin Ingram, Agency Manager for the Bowie County Farm Bureau, owners.

Mayor Mayo declared the public hearing open.  
Justin Ingram spoke for item.  
Mayor Mayo declared the public hearing closed.

A motion was made by Councilmember Norton that this item be approved, seconded by Councilmember Bruggeman. 8:10 p.m.

The following Councilmembers voted by:

Ayes: McGary, Ray, Veal-Gooch, Bruggeman, Norton, Court

Noes:

2. Consider Ordinance No. 029-10 renewing a Specific Use Permit to allow the continued location of manufactured home on part of Lot 9, West Texarkana Garden Addition, located at 422 South Kenwood Road. O.E. Sutton, owner. Greg and Teresa Sutton, agents.

Mayor Mayo declared the public hearing open.  
Teresa Sutton present to speak for item.  
Mayor Mayo declared the public hearing closed.

A motion was made by Councilmember Ray that this item be approved, seconded by Councilmember McGary. 8:17 p.m.

The following Councilmembers voted by:  
Ayes: McGary, Ray, Veal-Gooch, Bruggeman, Norton, Court  
Noes:

3. Discussion and consideration of Ordinance No. 019-10 authorizing the issuance of "City of Texarkana, Texas Combination Tax and Revenue Certificates of Obligation, Series 2010" and resolving other matters incident and related thereto.

Mayor Mayo postponed for Marcy 22, 2010 Regular Council Meeting.

4. Consider Resolution No. 027-10 appointing the Initial TIRZ Advisory Board for a two year term and a chairman for a one year term.

Mayor Mayo declared the public hearing open.  
Appointments made by Mayor

- |                        |  |
|------------------------|--|
| 1) Kelly Mitchell,     | TIRZ #1 and #2; Chair (one year term);                 |
| 2) Jason Thomson,      | TIRZ #1 and #2;  |
| 3) Corey Floyd,        | TIRZ #1 and #2;  |
| 4) Stacy Yates,        | TIRZ #1 and #2;  |
| 5) Josh Andrus,        | TIRZ #1 and #2;  |
| 6) Judge James Carlow, | TIRZ #1 and #2; Bowie County                           |
| 7) John Tidwell,       | TIRZ #1, Pleasant Grove ISD and<br>TIRZ #2 - At Large; |
| 8) Jenell Ingram,      | TIRZ #1 - At Large and #2 Texarkana College            |
| 9) Paul Miller,        | TIRZ #1 and #2 Texarkana ISD                           |

Mayor Mayo declared the public hearing closed.

A motion was made by Councilmember Ray that this item be approved, seconded by Councilmember Bruggeman. 8:19 p.m.

The following Councilmembers voted by:  
Ayes: McGary, Ray, Veal-Gooch, Bruggeman, Norton, Court  
Noes:

Councilmember Veal-Gooch stepped out from 8:20 p.m. to 8:22 p.m.

5. Consider Ordinance No. 042-10 authorizing the CEO/City Manager to appoint Police Chief Dan Shiner as Police Chief/Director of Public Safety for the City of Texarkana, Texas.

Mayor Mayo declared the public hearing open.  
Dr. Sullivan spoke on item.  
Mayor Mayo declared the public hearing closed.

A motion was made by Councilmember Bruggeman that this item be approved, seconded by Councilmember Court. 8:28 p.m.

The following Councilmembers voted by:  
Ayes: McGary, Ray, Veal-Gooch, Bruggeman, Norton, Court  
Noes:

6. Council consideration and authorization of Ordinance No. 045-10 providing authority for the CEO/City Manager to negotiate an “agreed upon procedures” engagement with an independent firm of certified public accountants.

Mayor Mayo declared the public hearing open.

Mayor Mayo declared the public hearing closed.

A motion was made by Councilmember Norton that this item be approved, seconded by Councilmember McGary. 8:29 p.m.

The following Councilmembers voted by:  
Ayes: McGary, Ray, Veal-Gooch, Bruggeman, Norton, Court  
Noes:

### **Appointments to Boards and Commissions**

A motion was made by Councilmember Court that Christi Adams be appointed to the Library Commission.

A motion was made by Councilmember McGary that the above appointments be made, seconded by Councilmember Veal-Gooch.

Ayes: McGary, Ray, Veal-Gooch, Bruggeman, Norton, Court  
Noes:

A motion was made by Councilmember Norton that Corey Floyd, Jim Cook, and Dan Boyles be appointed to the Building and Standards Commission.

A motion was made by Councilmember Bruggeman that the above appointments be made, seconded by Councilmember Veal-Gooch.

Ayes: McGary, Ray, Veal-Gooch, Bruggeman, Norton, Court  
Noes:

### **Reports/Information/Review Items**

Councilmember Veal-Gooch wants everyone to keep a record of the complaints regarding the recycling program and those that are requesting additional trash cans.

Councilmember Bruggeman wants the City to look into a cheaper way to get rid of yard waste (cheaper bags).

Vicki Melde said the City is looking for cheaper bags. On the last Saturday of the month from 8 a.m. to 2 p.m. the City will have a clean-up day at specific locations.

### **Closed Session (8:40 p.m.)**

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- § 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

**No Action Taken**

Councilmember Bruggeman left at 9:30 p.m.

**Adjournment 9:45 p.m.**

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

The following Councilmembers voted:

Ayes: McGary, Ray, Veal-Gooch, Norton

Noes: None

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**Kerry Meredith, CITY SECRETARY**

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**Stephen A. Mayo, MAYOR**