

MINUTES
Regular Meeting of the City Council
Municipal Building
West 3rd Street and Texas Boulevard
Texarkana, Texas
Monday, May 24, 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 On Way
Willie Ray	Councilmember, Ward 2 On Way
Tina Veal-Gooch	Councilmember, Ward 3
Bob Bruggeman	Councilmember, Ward 4
Scott Norton	Councilmember, Ward 5
Josh Davis	Councilmember, Ward 6

Also present were: F. Larry Sullivan, CEO/City Manager, Shirley Jaster, Officer Ed Emilia, Craig Lindholm, Chief Shiner, Vicki Melde, Pam Burns, Kerry Meredith, City Secretary, Jerry Sparks, Danny Presley.

Closed Session (6:08 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.

Roll Call: The following Councilmembers were present at 7:08 p.m.:

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
Josh Davis	Councilmember, Ward 6

Invocation and Pledge

The Invocation was led by Councilmember Derrick McGary. The Pledge was led by Boy Scout Troop 16.

Appointments to Boards and Commissions

Councilmember Ray recommended that Richard Thurston be appointed to the Housing Authority Board of Texarkana, Texas.

A motion was made by Councilmember McGary that the above appointment be made, seconded by Councilmember Bruggeman.

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

Presentations

Keep Texarkana Beautiful Beautification Awards
Home of the Month: R. Hector – 401 Whitaker
Business of the Month: Westgate Car Wash – 3501 Summerhill Road
Liberty Eylau Girls State Tract Team Recognition-Received Certificates
Pleasant Grove Boys Golf Team Recognition-Received Certificates
Rosehill Volunteer Recognition- The Church of Jesus Christ of Latter Day Saints

Open Forum

7:23 p.m.

Joel Campisi thanked the council for the Town Hall meeting the previous Monday. Mr. Campisi thinks communication is needed for Texarkana to grow and suggested one town hall meeting a month along with one council meeting and would like the people to choose the topics.

7:27 p.m.

Phillip Scarborough referred to a copy of the May 8, 2010 Texarkana Gazette regarding a quote from the Mayor stating "...unclear who is responsible for incorrect data." He stated he didn't understand the clarity of reason why the city wants to get rid of Mr. King.

Dr. Sullivan said the City is obligated to protect the employee and can't respond to personnel issues.

Consideration / Approval of Consent Agenda Items

1. Consider approval of the minutes of the regular meeting held on April 26, 2010.
2. Consider approval of the minutes of the special meeting held on May 17, 2010.
3. Consider approval of the minutes of the special meeting held on May 20, 2010.
4. Consider Ordinance No. 83-2010 authorizing the CEO/City Manager to enter into a contractual agreement with the successful bidder, R. K. Hall Construction, for the Old Boston Road Project.
5. Consider Ordinance No. 84-2010 authorizing the CEO/City Manager to enter into a contract with Texas Department of State Health Services for the purpose addressing expenses to support recovery activities associated with Hurricanes Ike and/or Dolly.
6. Consider Ordinance No. 85-2010 authorizing the approval to declare the property at 2508 James Street surplus to the needs of the City and authorizing sale of property by sealed bid.

7. Consider Ordinance No. 86-2010 authorizing the destruction of certain police records that are within the guidelines of the state records retention requirement.
8. Consider Resolution No. 87-2010 approving and authorizing the CEO/City Manager to execute all documents necessary for officially naming the I30 Bridge connecting University Drive as "H. Ross Perot Bridge."

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, Davis

Noes: None

Pulled Items:

9. Consider Ordinance No. 88-2010 authorizing the CEO/City Manager to enter into an agreement with the Texas Department of Transportation for right of way acquisition for the FM 2240 (Moore's Lane) Project.

This item was pulled by the Mayor. Dr. Sullivan explained. Councilmembers Veal-Gooch, Davis, and Bruggeman commented and inquired.

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

The following Councilmembers voted:

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

Noes: None

Action / Discussion Items

1. Public Hearing and consider Ordinance No. 078-2010 rezoning the north ½ of Lot 2 and all of Lots 3 & 4, Block I-2, Tilson and Pitchers Addition, located in the 1200 block of Lee Street Commercial to SF-3. Charles McGee, owner.

Mayor Mayo declared the public hearing open.
Charles and Natasha McGee spoke on behalf of this item.
Councilmember Ray asked where on Lee Street the property was.
Councilmember McGary inquired if the train being that close bothered them. Mr. McGee said it did not.
Councilmember Veal-Gooch asked about the design of the home; stated it was beautiful.
Shirley Jaster explained item.
Mayor Mayo declared the public hearing closed.

A motion was made by Councilmember McGary that this item be approved, seconded by Councilmember Ray. 7:53 p.m.

The following Councilmembers voted by:

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

Noes:

2. Public Hearing and consider Ordinance No. 079-2010 granting a Specific Use Permit to allow the location of one HUD code manufactured home to be used as one single family residence on north ½ of Lot 2 and all of 3 & 4, Block I-2, Tilson & Pitcher's 2nd Addition, located in the 1200 block of Lee Street. Charles McGee, owner.

Mayor Mayo declared the public hearing open.
Shirley Jaster explained part 2 of the first item.
Mayor Mayo declared the public hearing closed.

A motion was made by Councilmember McGary that this item be approved, seconded by Councilmember Ray. 7:53 p.m.

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

3. Public Hearing and consider Ordinance No. 080-2010 rezoning 5.65 acres in the Twitty Nursery Subdivision, located south of 4815 West 7th Street. Temporary Commercial to Commercial. City of Texarkana, Texas, agent.

Mayor Mayo declared the public hearing open.
Shirley Jaster explained.
Mayor Mayo declared the public hearing closed.

A motion was made by Councilmember Ray that this item be approved, seconded by Councilmember Veal-Gooch. 7:54 p.m.

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

4. Public Hearing and consider Ordinance No. 081-2010 rezoning an 11 acre tract of land located at the northeast corner of a 59.965 acre tract of land located in the G. Brinlee HRS, A-18, located at 2925 Pleasant Grove Road. Temporary Single Family-1 to Multiple Family-2. Caldera One East, LLC, owner. Richard Reynolds, agent.

Mayor Mayo declared the public hearing open.
Jay Graham spoke on behalf of item.
Councilmember Norton inquired about entrances. Mr. Graham responded.
Councilmember Veal-Gooch asked about start date. Mr. Graham stated late fall.
Councilmember Bruggeman stated he had visited the potential housing complexes for A&M and the vacancy rates are low. Councilmember Bruggeman inquired about the number of units. Mr. Graham stated there were 168 units.
Councilmember Veal-Gooch thanked Mr. Graham for saving as many trees as they could.
Mayor Mayo declared the public hearing closed.

A motion was made by Councilmember Ray that this item be approved, seconded by Councilmember Veal-Gooch. 7:55 p.m.

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

5. Discussion and consideration of Ordinance No. 19-2010 authorizing the issuance of "City of Texarkana, Texas Combination Tax and Revenue Certificates of Obligation, Taxable Series 2010" and resolving matters incident and related thereto.

Mayor Mayo declared the public hearing open.

Dr. Sullivan explained.

Councilmember Veal-Gooch asked if taxable bonds affected the tax payer. Dr. Sullivan stated it did not.

Councilmember Davis asked about funding and collateral (surplus, waterworks). Dr. Sullivan said that surplus and waterworks were a last resort.

Councilmember Veal-Gooch asked how long ago were the funds dedicated. Charles Bassett sated 2005. Dr. Sullivan explained they could not use in General Fund. Jeff Lewis stated it was state law. Councilmember Davis asked if the funds build up to the convention center. Dr. Sullivan responded. Councilmember Veal-Gooch inquired whether or not it was local tax payer money. Dr. Sullivan explained it was the taxes paid from those that occupied the hotels; and council can adjust the occupancy rate. Councilmember Veal-Gooch stated she was concerned about the long term risk for the City. Jeff Lewis stated the firm had made sure the City was protected.

Cliff Robertson asked if Texarkana, Arkansas had rescinded their offer to build a convention center.

Mayor Mayo stated he had not heard.

Mayor Mayo declared the public hearing closed.

A motion was made by Councilmember Norton that this item be approved, seconded by Councilmember Bruggeman. 8:06 p.m.

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

Reports/Information/Review Items

Dr. Sullivan gave report to council regarding one meeting a month versus two meetings a month. Dr. Sullivan recommended quarterly town hall meetings within the wards with specific topics. Councilmember Bruggeman encouraged town hall meetings and would like to be second (Councilmember Norton has first one scheduled).

Benjamin Dennis wanted to know how many special meetings. He requests more communication with all the council, not just each ward.

Natalie Nichols stated the turnout might be more if they did not have to wait an hour while council was in closed. Mayor Mayo said the paper states that 6 p.m. is for closed.

Councilmember Veal-Gooch wanted to know about a marketing plan for the city.

Dr. Sullivan informed council that the proposed amended Waste Management contract will be coming up in July.

Mayor Mayo asked that the staff put something on the next agenda to show how accessible City Council is.

Adjournment 9:07 p.m.

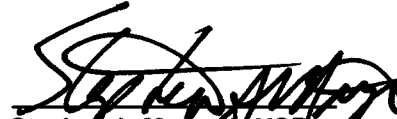
A motion was made by Councilmember Bruggeman that this meeting be adjourned, seconded by Councilmember McGary.

The following Councilmembers voted:

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

Noes: None


Kerry Meredith, CITY SECRETARY


Stephen A. Mayo, MAYOR

