



CITY OF TEXARKANA
CITY COUNCIL
MINUTES • SEPTEMBER 10, 2018

Council Chambers
Regular Meeting
6:00 PM

220 TEXAS BLVD.
TEXARKANA, TX 75501

I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

Attendee Name	Title	Status	Arrived
Bob Bruggeman	Mayor	Present	
Jean H. Matlock	Ward 1	Present	
Mary Hart	Ward 2	Present	
Betty Williams	Ward 3	Present	
Christie Alcorn	Ward 4	Present	
Bill Harp	Ward 5	Present	
Josh Davis	Ward 6	Present	

City Staff: City Manager Shirley Jaster, Jennifer Evans, Kyle Dooley, Kristin Peeples, Eric Schlotter, Karey Parker, David Orr, Lisa Thompson, Robby Robertson, Kevin Davenport, Ryan Durham, Garrett Baker, Micah Birchfield, Bill Parker, Brandon Uselton, Wesley Belk, John Bunting, J.D. Phillips, Jennifer Strayhorn, and Jerry Sparks.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER BETTY WILLIAMS
III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST
Upcoming City Council Meetings:

Monday, September 24, 2018 at 6:00 p.m.

Monday, October 8, 2018 at 6:00 p.m.

Monday, October 22, 2018 at 6:00 p.m.

Parks & Recreation Events:

September 15 th	Fall Baseball League Begins	Spring Lake Park
September 15 th	Fall Soccer League Begins	Wallace Park
September 22 nd	Chiari & Syringomyelia Foundation Walk	Spring Lake Park
September 22 nd	Texas A&M-Texarkana Softball Showcase	Spring Lake & Wallace Parks
September 29 th	Alzheimer's Walk	Spring Lake Park

September 29th Kickball Tournament

Wallace Park

More Parks & Recreation information can be found on the city website
<<http://www.ci.texarkana.tx.us>> or by calling (903) 798-3978.

The Four States Fair Parade will be held in downtown Texarkana on Saturday, September 14th. The parade will begin at the corner of Hazel and Broad Streets at 10:00 a.m.

Proclamation Presentation

IT Professionals Day - September 18, 2018

Mayor Bruggeman read the proclamation to IT staff in appreciation for the support they provide staff. Texarkana Water Utilities IT Manager Kevin Davenport thanked the City Council for recognizing the hard work his staff does everyday and proudly accepted the proclamation.

RESULT:	CLOSE ACTION
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Appointments to Boards & Commissions

There were no appointments made to any board or commission.

IV. ITEMS FOR CONSIDERATION

Consent Items

(6:12 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Called Special Meeting of the City Council held on August 24, 2018 at 10:00 AM.
2. Consider approval of the minutes of the Budget Workshop Meeting of the City Council held on August 27, 2018 at 5:15 PM.
3. Consider approval of the minutes of the Regular Meeting of the City Council held on August 27, 2018 at 6:00 PM.

4. Ordinance No. 2018-104 approving the cancellation of the November 6, 2018 general election for a Mayor, a Council Member for Ward One (1), a Council Member for Ward Four (4), and a Council Member for Ward Six (6) as all candidates are unopposed.

Public Hearing:

Council Vote: September 10, 2018

5. Resolution No. 2018-105 authorizing the City Manager to enter into a contract for the Wagner Creek at Highway 82 Sewer Trunk Main Replacement in an amount not to exceed \$264,925.86.

Public Hearing:

Council Vote: September 10, 2018

Open Forum: Comments from the public (Limit 5 minutes each)

There were no public comments made at Open Forum.

Action Items

6. Ordinance No. 2018-076 amending the budget estimate of the revenues and expenditures for the fiscal year ending September 30, 2018 and adopting the budget and appropriating resources for the fiscal year beginning October 1, 2018 and ending September 30, 2019.

Public Hearing: August 13, 2018

Council Vote: September 10, 2018

The Mayor asked the City Secretary to proceed with a roll call vote.

(6:15 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Hart, Ward 2
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

7. Ordinance No. 2018-085 fixing the tax rate and levy in and for the City of Texarkana, Texas, for the fiscal year ending September 30, 2019 upon all taxable property in the City of Texarkana, Texas.

Public Hearing: August 27, 2018

Council Vote: September 10, 2018

Motion language was as follows: "...that the property tax rate be increased by the adoption of a tax rate of 0.7000, which is effectively a 1.18% increase in the tax rate".

Kristin Peebles clarified that there is no proposed increase in the tax rate. The tax rate for fiscal year 2019 will remain the same as fiscal year 2018. Specific language is required because of the increased property valuation.

The Mayor asked the City Secretary to proceed with a roll call vote.
(6:18 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Harp, Ward 5
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

8. Resolution No. 2018-086 ratifying the recently adopted budget that contains a property tax rate that raises more total property taxes than the previous year.

Public Hearing: August 27, 2018
Council Vote: September 10, 2018

The Mayor asked the City Secretary to proceed with a roll call vote.
(6:19 p.m.)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Hart, Ward 2
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

V. FIRST BRIEFINGS

1. Resolution No. 2018-106 authorizing the City Manager to execute an amendment which provides for the extension of the Perot Theatre Management Agreement.

Public Hearing: September 24, 2018
Council Vote: September 24, 2018

David Orr briefed this agenda item.

RESULT:	MOVED FORWARD	Next: 9/24/2018 6:00 PM
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2. Ordinance No. 2018-107 amending the Code of Ordinances, Chapter 36, "Public Amusements and Special Events", Section 36-1 "Definitions", by amending Section 36-1, "Definitions", deleting the word "parades" from the definition of "special events".

Public Hearing: September 24, 2018
Council Vote: September 24, 2018

City Manager Jaster briefed this agenda item.

RESULT: MOVED FORWARD

Next: 9/24/2018 6:00 PM

VI. PUBLIC HEARINGS - NONE

VII. ITEMS FOR DISCUSSION

Staff Updates - None

VIII. ADMINISTRATIVE COMMENTS

1. City Council

Council Member Davis said a memorial celebration in honor and remembrance of September 11, 2001 will be held on September 11th at 7:30 a.m. at the Texarkana Regional Airport terminal building.

2. City Staff

Staff had no administrative comments for council.

IX. CLOSED SESSION

The City Council convened in closed session pursuant to section 551.071 of the Texas Government Code for a private consultation with the City Attorney regarding City Charter Article VI and annexation ordinances.

X. RECONVENED INTO OPEN SESSION

On behalf of the City Council, City Attorney Lewis made summary comments in regards to a prepared statement that council would provide to the media and Texarkana citizens.

In part, the statement reads: *The City Council of the City of Texarkana, Texas met in closed session during their regularly scheduled council meeting on September 10, 2018 to consult with the City Attorney regarding City Charter Article VI and annexation ordinances.*

Based on case law dating back 40 years, no citizen petition or referendum under a home-rule charter can be used to repeal annexation ordinances. Texas law prohibits use of home-rule city charter referendum procedures to repeal annexation ordinances. Texas law does not authorize the City Council to act on the referendum petitions, to repeal the annexation ordinances, or to submit the ordinances to a city-wide vote.

The City Council has carefully deliberated on the issue of annexation of seven separate areas of land, allowing for public hearings and comment, and taking the opinions of those in the affected areas into consideration.

The City Attorney added that, since the city charter does not apply, City Secretary Jennifer Evans has no duty, under the charter, to do anything with the referendum petitions.

XI. ADJOURNMENT

A motion was made to adjourn the meeting.
6:55 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bill Harp, Ward 5
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman



Jennifer Evans
City Secretary



Bob Bruggeman
Mayor