

**Jean Birmingham Council
Chambers, City Hall**
401 South Alamo
Marshall, TX 75670
903-935-4421



Members
Amy Ware, District 4 - Mayor
Risa Jordan-Anderson, District 1
Leo Morris, District 2
Dathaniel Campbell, District 3
Reba Godfrey, District 5
Amanda Abraham, District 6
Micah Fenton, District 7

MINUTES
PLEASE SILENCE ALL DEVICES
REGULAR CITY COUNCIL MEETING
September 26, 2024
6:00 PM

1. Call to Order and Roll Call

Mayor Amy Ware called the Regular meeting to order in the Council Chambers, City Hall at 6:00 PM.

PRESENT:

Mayor and Council Members:

Mayor Amy Ware
Councilmember Leo Morris
Councilmember Reba Godfrey
Councilmember Amanda Abraham
Councilmember Micah Fenton
Councilmember Dathaniel Campbell

ABSENT: Councilmember Risa Jordan-Anderson **Motion to Excuse: Councilmember Abraham Second: Councilmember Godfrey Vote: 6:0**

ADMINISTRATIVE STAFF PRESENT:

Terrell Smith, City Manager	Dawn Jones, Finance Director
Eric Powell, Public Works Director	Scott Rectenwald, City Attorney
Randy Pritchard, Support Services Director	
Nikki Smith, City Secretary/Payroll Accountant	
Marina Garcia-Heredia, Parks & Recreation Director	
Anna Lane, Community & Neighborhood Services Director	
Alex Agnor, Economic Development & Strategic Initiatives Director	

2. Invocation and Pledges

Mayor Ware.

3. Presentations & Proclamations

- A. Recognition of the September Yard of the Month winners.
Anna Lane, Community & Neighborhood Services Director, recognized the September 2024 Yard of the Month recipients; residential property 200 Shirley Street owned by Clark & Marty Kambrick & the commercial property 1210 E. Pinecrest Drive, Austin

Bank. Anna Lane stated this is the last month for this award for 2024 and mentioned other ways to keep Marshall beautiful.

- B. Proclamation designating October 1, 2024 as National Night Out in Marshall, TX. Mayor Ware read the proclamation designating October 1, 2024 as National Night Out in Marshall, Texas and presented it to members of the Marshall Police Department.

Jeff Boyd, Assistant Chief of Police, provided information regarding the background for National Night Out and activities held during the event at the Marshall Convention Center on October 1, 2024.

- C. Presentation of the Employee of the 3rd Quarter 2024. (Employee Engagement)
Demond Williams, Employee Engagement Committee, presented Edward Irving, Parks & Recreation, with the Employee of the 3rd Quarter 2024 award. Demond Williams thanked KMHT for being the sponsor for the Employee of the 3rd Quarter 2024.
- D. Presentation of a proclamation declaring the month of October 2024 as "Domestic Violence Awareness Month" in the City of Marshall. (Mayor Ware)
Mayor Ware read the proclamation declaring the month of October 2024 as "Domestic Violence Awareness Month" in the City of Marshall, Texas and presented it to members of the Women's Center of East Texas.

4. Citizen Comments

Texas Government Code, Sec. 551.007 requires that a governmental body must allow each member of the public who desires to address the body regarding an item on the agenda the opportunity to do so before or during the body's consideration of the item. The "Citizens Comments" portion of the meeting meets the requirements of this law and is the public's opportunity to speak on any item on the agenda. Those who wish to speak are requested to fill out a public comment form and will have three (3) minutes to speak unless additional time has been requested.

There were no citizen comments.

5. Items to be Withdrawn From Consent Agenda

Items D, E, F and G were withdrawn.

6. Consent Agenda

The items on the Consent Agenda require little or no deliberation by the Council. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations, a copy of which is filed with the minutes of the meeting. A Councilmember may remove items from the Consent Agenda by making such request prior to a motion and vote on the Consent Agenda.

Councilmember Abraham made a motion to approve the Consent Agenda.

Councilmember Fenton seconded the motion, which passed by a vote of 6:0.

- A. Consider approval of the minutes from the September 12, 2024 Regular Council meeting. (City Secretary)
- B. Consider approval of a contract for Chief Wastewater Plant Operator 2024. (Public Works)

- C. Consider approval of the design and construction services agreement with Schaumburg and Polk for engineering services related to the TWDB CWSRF project. (Public Works)

7. Consideration of Items Withdrawn From the Consent Agenda

- D. Consider approval of the acceptance of the 2024 Street Improvement Program and release of retainage. (Public Works)
Councilmember Godfrey stated her reasons for pulling this item from the Consent Agenda.

Councilmembers asked questions and discussed.

Eric Powell, Public Works Director, provided information regarding the completion of the 2024 Street Improvement Program and release of retainage.

Councilmember Godfrey made a motion to approve the acceptance of the 2024 Street Improvement Program and release of retainage. Councilmember Abraham seconded the motion, which passed by a vote of 6:0.

- E. Consider approval of the purchase of a new mid-size sewer jetting truck for the Distribution and Collection Division from a Buy Board vendor. (Public Works)
Councilmember Godfrey stated her reasons for pulling this item.

Eric Powell provided information regarding the purchase of a new mid-sized sewer jetting truck.

Councilmember Godfrey made a motion to approve the purchase of a new mid-size sewer jetting truck for the Distribution and Collection Division from a Buy Board vendor. Councilmember Abraham seconded the motion, which passed by a vote of 6:0.

- F. Consider approval of a contract for Sports LED Lighting Improvements at Airport Park. (Parks & Recreation)

Marina Garcia-Heredia provided background information on the lighting improvements at a cost of \$1,059,000.00. Marina Garcia-Heredia provided warranty information and an installation timeline.

Councilmembers asked questions and discussed.

Councilmember Godfrey made a motion to approve a contract for Sports LED Lighting Improvements at Airport Park. Councilmember Fenton seconded the motion, which passed by a vote of 6:0.

- G. Consider approval of a contract for Fencing Improvements at Airport Park. (Parks & Recreation)

Marina Garcia-Heredia provided information regarding a contract for fencing improvements at Airport Park with T & N Fence Construction at a cost of \$260,690. Marina Garcia-Heredia provided company information and a timeline for completion of installation.

Councilmembers asked questions and discussed.

Jeremy Northum, T & N Fence Construction provided information regarding the materials used.

Councilmember Godfrey made a motion to approve a contract for Fencing Improvements at Airport Park. Councilmember Fenton seconded the motion, which passed by a vote of 6:0.

8. Public Hearing & Ordinance

- A. Conduct a public hearing and consider approval of an ordinance to adopt the annual budget of the City of Marshall, Texas for the 2025 fiscal year. (Finance)
Kristina Hamilton, Assistant Finance Director, provided information regarding updates to the fiscal year 2025 budget. Kristina Hamilton stated the total budget amount is \$48,958,831.

Mayor Ware opened the public hearing.

No one came forward to speak.

Mayor Ware closed the public hearing.

Councilmembers asked questions and discussed.

Terrell Smith, City Manager, stated the budget would be reviewed at the end of the year to determine if a one-time bonus would be available to employees.

Councilmember Abraham made a motion to approve an ordinance to adopt the annual budget of the City of Marshall, Texas for the 2025 fiscal year. Councilmember Fenton seconded the motion, which passed by the following vote:

**Ayes: 5, Mayor Ware, Councilmembers Abraham, Fenton, Morris and Campbell
Nays: 1, Councilmember Godfrey**

- B. Conduct a public hearing and consider approval of an ordinance affixing and levying 2024 ad valorem taxes for the use and support of the municipal government of the City of Marshall for the 2025 fiscal year at a rate of \$0.579079 per \$100 of property value, *which is effectively a 5.47 percent increase in the tax rate. The tax rate of \$0.579079 will raise more taxes for maintenance and operations than last year's tax rate.* (Economic Development & Strategic Initiatives)
Alex Agnor, Economic Development & Strategic Initiatives Director, asked for approval of an ordinance affixing and levying 2024 ad valorem taxes for the use and support of the municipal government of the City of Marshall, Texas, for the 2025 fiscal year at a rate of \$0.579079 per \$100 of property value, *which is effectively an 5.47 percent increase in the tax rate. The tax rate of \$0.579079 will raise more taxes for maintenance and operations than last year's tax rate.* Alex Agnor explained the breakdown of the M&O and I&S rates.

Mayor Ware opened the public hearing.

No one came forward to speak.

Mayor Ware closed the public hearing.

Councilmembers asked questions and discussed.

Mayor Ware moved that the property tax rate be increased by the adoption of a tax rate of \$0.579079, which is effectively a 5.47 percent increase in the tax rate. Councilmember Fenton seconded the motion, which passed by the following vote:

**Ayes: 5, Mayor Ware, Councilmembers Abraham, Fenton, Morris and Campbell
Nays: 1, Councilmember Godfrey**

9. Ordinance

- A. Consider approval of an ordinance adopting the 2025 Comprehensive Fee Schedule. (Finance)

Kristina Hamilton provided information regarding the comprehensive fee schedule. Kristina Hamilton summarized the various increases and additions in fees for Fiscal Year 2025 and asked the Council for approval of the ordinance setting the fees for Fiscal Year 2025.

Councilmembers asked questions and discussed.

Councilmember Fenton made a motion to approve an ordinance adopting the 2025 Comprehensive Fee Schedule. Councilmember Morris seconded the motion, which passed by a vote of 6:0.

- B. Discuss and consider adoption of an ordinance authorizing the Issuance of City of Marshall, Texas Utility System Revenue Bonds, Series 2024, in the principal amount of \$11,350,000 and awarding the sale of such Bonds to the Texas Water Development Board. (Finance)

Kristina Hamilton provided background information on the application process and projects for funding. Kristina Hamilton introduced John Martin, Hilltop Securities, who provided information regarding an ordinance authorizing the issuance of City of Marshall, Texas Utility System Revenue Bonds, Series 2024, in the amount of \$11,350,000 and awarding the sale of such bonds to the Texas Water Development Board.

Councilmembers asked questions and discussed.

Councilmember Godfrey made a motion to approve an ordinance authorizing the Issuance of City of Marshall, Texas Utility System Revenue Bonds, Series 2024, in the principal amount of \$11,350,000 and awarding the sale of such Bonds to the Texas Water Development Board. Councilmember Abraham seconded the motion, which passed by a vote of 6:0.

10. Resolution

- A. Discuss and consider adoption of a resolution authorizing and directing the establishment of a Construction Account with Depository Bank pursuant to a Bond Ordinance; appointing Authorized Signatories with respect to such account; and resolving other matters relating to the subject. (Finance)
This item was withdrawn.

11. City Manager Reports and Requests for City Council Consideration

- A. Presentation of the City of Marshall Audit Report for the 2023 Fiscal Year. (Finance)
Dawn Jones, Finance Director, stated Pattillo, Brown & Hill conducted the City of Marshall audit report for the 2023 fiscal year and provided a recap of the 2022 fiscal year audit and an overview of the 2023 audit findings.

Travis Rogers, CPA and Audit Manager for Pattillo, Brown & Hill, LLP, provided an unmodified opinion of the 2023 fiscal year audit. Travis Rogers stated there was one (1) finding in the audit; the timely reconciliation of the cash which is a carryover from the previous year. The issue has been addressed and improved upon.

Councilmembers asked questions and discussed.

- B. Consider authorizing the City Attorney to begin contract negotiations with the Interim City Manager candidate.
This item was addressed at the Special-Called meeting.

12. Adjournment

Councilmember Godfrey made a motion for adjournment. Councilmember Abraham seconded the motion, which passed by a vote of 6:0.

APPROVED:



Mayor of the City Council
of the City of Marshall, Texas

ATTEST:



City Secretary