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
October 24, 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 06:00 PM.

PRESENT:

Mayor and Council Members:
Mayor Amy Ware
Councilmember Leo Morris
Councilmember Reba Godfrey
Councilmember Micah Fenton
Councilmember Dathaniel Campbell
Councilmember Risa Jordan-Anderson

ABSENT: Councilmember Amanda Abraham Motion to Excuse: Councilmember Godfrey Second: Councilmembe Jordan-Anderson Vote: 6:0

ADMINISTRATIVE STAFF PRESENT:
Melissa Vossmer, Interim City Manager
Reggie Cooper, Fire Chief
Cliff Carruth, Police Chief
Dawn Jones, Finance Director
Eric Powell, Public Works Director
Scott Rectenwald, City Attorney
Christol Hall, HR/Civil Service Director
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. Presentation of the Employee of the Month - October. (Employee Engagement Committee)

Demond Williams, Employee Engagement Committee, stated the Employee of the Month for October, sponsored by Butler Construction, is Antwane Hicks, Public Works.

4. **Recess to conduct the City of Marshall Employee Benefits Trust meeting**

Councilmember Godfrey made a motion to convene into the City of Marshall Employee Benefits Trust meeting. Councilmember Campbell seconded the motion, which passed by a vote of 6:0.

5. **Reconvene the City Council Meeting**

This Council reconvened the Regular Council meeting at 6:19 PM.

6. **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.

Jeanna White, 108 Admins St., spoke regarding packs of aggressive and dangerous dogs roaming various areas within the City of Marshall. Jeanna White stated she received a response to an open records request showing no citations issued for dog bites or leash law violations.

Martha Dyar, 107 E Merritt St., spoke regarding assistance she received from Lt. Ames with the Marshall Police Department regarding animal complaint issues but stated the issues still exists. Martha Dyar presented Facebook posts from her neighborhood group discussing the ongoing issue of aggressive and dangerous dog packs roaming the City.

Jeff Thompson, 211 Ann Dr., spoke regarding the issue of packs of aggressive and dangerous dogs attacking smaller animals and the damage done to locations and properties when chasing and attacking the smaller animals.

Jill Wright, 4506 Briarwood Terrace, requested Council to come up with a solution or a plan to enforce rules, and responsibilities of keeping animals on the owner's property to protect the animal and others.

Leslie Langley, 1940 Liberty Church Rd., Marshall Square Runners, asked Council to put teeth in the laws or to create an ordinance to help enforce laws and rules to address the issue of roaming packs of aggressive and dangerous dogs.

Paul Turner, 214 E. Houston, Suite 100, packs of dogs have killed cats outside of offices in downtown. Paul Turner would like Council and Staff to devise a plan to address this issue.

Daniel Smoke, 603 W. Houston, asked for Council and Staff to address the issue of aggressisve dogs reproducing within the City of Marshall and asked for focus on addressing dog fighting issues and enforce spaying and neutering pets.

June Alexander, 513 W. Crockett, stated she has had numerous cats killed in her yard, the

Police Department was contacted and the issue continues to exist. June Alexander stated she has also been attacked by aggressive and dangerous dogs roaming the City of Marshall.

7. **Items to be Withdrawn From Consent Agenda**

Items F and G were withdrawn from the Consent Agenda by Councilmember Godfrey. Item H was withdrawn from the Consent Agenda by Staff to be brought back at a future meeting.

8. **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 Fenton made a motion to approve Consent Agenda. Councilmember Morris seconded the motion, which Passed by a vote of 6:0.

A. Consider approval of the minutes from the September 23, 2024 Special-Called meeting and the September 26, 2024 Regular Council meeting. (City Secretary)

B. Consider approval of a resolution authorizing an annexation, service, and development agreement between the City of Marshall, Texas and the Marshall Economic Development Corporation. (Economic Development & Strategic Initiatives; Marshall EDC)

C. Consider approval of a resolution updating bank signatory on tender for payment. (Finance)

D. Consider approval of an expenditure in excess of $50,000 for the removal of silt\sediment at WTP clearwells. (Public Works)

E. Consider approval of a contract with New In Blue for electronic citation writer software for Police, Fire Marshal and Code Enforcement. (Police)

9. **Consideration of Items Withdrawn From the Consent Agenda**

F. Consider approval of an oil and gas lease with RFE ETX IV, LLC, on 96.698 gross acres of City of Marshall Property in various tracts. (City Attorney)
Councilmember Godfrey stated her reasons for pulling this item.

Scott Rectenwald, City Attorney, provided information regarding the effects on the surface of the various tracts.

Randy Pritchard, Support Services Director, provided information regarding the locations of the tracts.

Councilmember Godfrey made a motion to approve an oil and gas lease with RFE

ETX IV, LLC, on 96.698 gross acres of City of Marshall Property in various tracts. Councilmember Campbell seconded the motion, which Passed by a vote of 6:0.

G. Consider approval of a contract to May Recreation for adding an inclusive play area & equipment at Lions Park. (Parks & Recreation)

Marina Garcia-Heredia, Parks & Recreation Director, provided information regarding the request to approve a contract to May Recreation for adding an inclusive play area & equipment at Lions Park, allowing all children to be able to access the play area. Marina Garcia-Heredia stated the cost for the ADA compliant inclusion equipment and activities would be $79,982.

Councilmember Godfrey made a motion to approve a contract to May Recreation for adding an inclusive play area & equipment at Lions Park at a cost of $79,982. Councilmember Fenton seconded the motion, which passed by a vote of 6:0.

H. Consider approval for awarding Halff the task of developing a Master Plan and site plans for the City Arena. (Parks & Recreation)

This item was withdrawn.

10. Public Hearing & Ordinance

A. Conduct a public hearing and consider approval of a petition to institute annexation proceedings to enlarge and extend the boundary limits of said city to include the following described territory, to-wit: Tract 1: All that certain 6.0 acre tract of land in the S SHOTO Survey Abst 632, described in that Warranty Deed from Home and Garden Party, Ltd., et al to Marshall Economic Development Corporation, dated October 24, 2006 and recorded at Vol. 3474, Page 144; and Tract 2: All that certain 72.55 acre tract of land in the S SHOTO Survey Abst 632, described in that Warranty Deed from Unitex Properties, Inc., et al to Marshall Economic Development Corporation, dated 10/24/2006 and recorded at Vol. 3474, Page 169. (Economic Development & Strategic Initiatives; Marshall EDC)

Alex Agnor, Strategic Initiatives and Economic Development Director, provided information regarding a petition to institute annexation. Alex Agnor stated the financial impact - pay ESD3 $593.

Public Hearing - no one spoke

Councilmembers asked questions and discussed.

B. Consider approval of an ordinance annexing the hereinafter described territory to the City of Marshall, Harrison County, Texas, and extending the boundary limits of said City so as to include said hereinafter described property within said city limits, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all of the acts, ordinances, resolutions, and regulations of said City; and adopting a service plan or agreement. (Economic Development & Strategic Initiatives; Marshall EDC)

Councilmember Godfrey made a motion to approve an ordinance annexing the hereinafter described territory to the City of Marshall, Harrison County, Texas, and extending the boundary limits of said City so as to include said hereinafter described property within said city limits, and granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said

inhabitants by all of the acts, ordinances, resolutions, and regulations of said City; and adopting a service plan or agreement. Councilmember Campbell seconded the motion, which passed by a vote of 6:0.

C. Conduct a public hearing and consider approval of an ordinance regarding a rezoning request for 3306 Meadow Lane from Agriculture and Estate (AE) to Multi-Family Residential (MF) (Z-24-05). (Planning & Development)
Reggie Cooper, Fire Chief, asked for approval of an ordinance regarding a rezoning request for 3306 Meadow Lane from Agriculture and Estate (AE) to Multi-Family Residential (MF). Reggie Cooper stated 29 notices were sent out with 10 being returned, one response in favor and nine (9) responses in opposition to the request. The Planning & Zoning Commission approved the request by a vote of 5:0.

Mayor Ware opened the public hearing.

Risa Jordan-Anderson, 113 Fisher Dr., Councilmember District 1recused herself from the vote. Risa Jordan-Anderson spoke in opposition to the rezoning of 3306 Meadow Lane. Risa Jordan-Anderson is concerned regarding further drainage issues due to property changes based on the types of buildings allowed by the zoning change.

Mayor Ware closed the public hearing.

Councilmembers asked questions and discussed.

Councilmember Campbell made a motion to approve an ordinance regarding a rezoning request for 3306 Meadow Lane from Agriculture and Estate (AE) to Multi-Family Residential (MF) (Z-24-05). Councilmember Fenton seconded the motion, which passed by a vote of 5:0.

11. Ordinance

A. Consider Approval of an Ordinance Amending the FY24 Annual Budget. (Finance)
Kristina Hamilton, Assistant Finance Director, explained the need for the budget amendment and highlighted the changes requested for the fiscal year 2024 budget.

Councilmember Campbell made a motion to approve an Ordinance Amending the FY24 Annual Budget. Councilmember Godfrey seconded the motion, which passed by a vote of 6:0.

12. City Manager Reports and Requests for City Council Consideration

A. Discussion concerning End of the Year One-Time Payments to Employees. (Council)
Melissa Vossmer, Interim City Manager, explained the reason for placing this item on the agenda and asked the Council to provide guidance and direction for this item.

Council and Staff engaged in discussion regarding End of the Year One-Time Payments to Employees.

Council directed Staff to provide scenarios based on a one-time payment being issued in Fiscal Year 2024 as a stand-alone check, with the gross amount the same for all employees.

B. Discussion concerning roaming dogs in the City. (Council)

Melissa Vossmer, stated she has heard a variety of issues from the citizens. Chief Carruth is working on a plan to address the issues and hopes to bring the report to the December meeting.

Councilmembers engaged in discussion regarding this item.

C. Consider a Request from Councilmembers Jordan - Anderson and Morris to Direct Staff to Study the possibility of changing Washington St. to One-way beginning at Grand Ave. (Council)

Councilmembers stated their reasons for requesting this item.

Eric Powell, Public Works Director, provided information regarding the process for changing Washington Street from a two-way road to a one-way road. Eric Powell stated the process would take approximately one year to study and implement and changes decided upon.

D. Wonderland of Lights 2024 Update. (Main Street)

Lacy Burson, Main Street Manager, provided an update regarding the opening ceremonies, events and activities for Wonderland of Lights 2024. Lacy Burson provided information regarding current donations from sponsors and in kind donations from local businesses and ways for the community to volunteer.

E. Consider approval of a contract for WWTP Excess Overflow Pump Installation. (Public Works)

Cory Owen, Assistant Director of Public Works, provided information regarding the need to approve a contract for the installation of the overflow pump at the Wastewater Treatment Plant. Cory Owen asked for approval to award the contract for installation to RBIS, Inc. at a cost of $149,700.

Councilmembers asked questions and discussed.

Councilmember Godfrey made a motion to approve a contract for WWTP Excess Overflow Pump Installation to RBIS, Inc. at a cost of $149,700. Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 6:0.

F. Report regarding Raw Water Pump Station Update. (Public Works)

Cory Owen provided a timeline of events regarding the creation of a bypass pump setup at the Raw Water Pump Station and the work still to be done.

G. Consider approval of project acceptance and closeout - Streetscape Project on 300/400 block of N Washington. (Public Works)

Eric Powell stated the 300/400 block of N Washington has been completed and requested acceptance and closeout of the Streetscape Project and release of retainage to Hayes Engineering in the amount of $50,290.77.

Councilmembers asked questions and discussed.

Councilmember Godfrey made a motion to approve the project acceptance and closeout of the Streetscape Project on the 300/400 blocks of N Washington.

Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 6:0.

H. Consider Providing Direction on Hours Worked per Week by the Interim City Manager. (Administration)

Melissa Vossmer asked for directions on updating the hours worked per week for the contract for her through SGR.

Councilmembers engaged in discussion.

Council provided direction to authorize up to 60 hours per week, if needed, and for the Mayor to authorize additional hours if needed for emergencies.

Mayor Ware made a motion to approve providing for up to 60 hours per week by the Interim City Manager, with the exception of any emergencies as made known to the Council. Councilmember Godfrey seconded the motion, which passed by a vote of 6:0.

I. Consider approval for an adjustment in funding of $175,000 for the Water Meter Replacement Project. (Finance)

Dawn Jones, Finance Director, provided information regarding an adjustment needed for funding the Water Meter Replacement Project. Dawn Jones asked for approval to increase the funding by $175,000 paid from additional interest earned.

Councilmember Godfrey made a motion to approve an adjustment in funding of $175,000 for the Water Meter Replacement Project. Mayor Ware seconded the motion, which passed by a vote of 6:0.

J. Consider the approval of an expenditure for the repairs and testing of the Convention Center water shedding and drainage. (Support Services)

Randy Pritchard provided information regarding the need for approval of an expenditure for repairs and testing of the Convention Center water shedding and drainage issues. Randy Pritchard asked for approval to fund the repairs and testing at a cost of $121,762.00 to be paid from HOT Funds.

Mayor Ware made a motion to approve an expenditure for the repairs and testing of the Convention Center water shedding and drainage at a cost of $121,762.00. Councilmember Godfrey seconded the motion, which passed by a vote of 6:0.

13. Adjournment

Councilmember Godfrey made a motion for adjournment. Councilmember Campbell 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