**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

**February 27, 2025**
**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 Amanda Abraham
Councilmember Micah Fenton (remote)
Councilmember Dathaniel Campbell
Councilmember Risa Jordan-Anderson

**ADMINISTRATIVE STAFF PRESENT:**

Melissa Vossmer, Interim City Manager
David Rainwater, 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
Reggie Cooper, Planning & Development Director
Anna Lane, Community & Neighborhood Services Director
Alex Agnor, Economic Development & Strategic Initiatives Director

## 2. Invocation and Pledges

Mayor Ware

## 3. 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.

Abram Allen, 2508 South Garrett, spoke in support of the homeless shelter and for it to remain open.

Richard Williams, 303 W. Burleson, spoke in support of the homeless shelter and for it to remain open.

Nakiara Green, 711 Wiley Ave, spoke in support of the homeless shelter and for it to remain open.

A. Presentation by property owner concerning 303 W. Burleson Street and presentation from Staff. (City Manager and Fire Chief)

**Item 10A was taken out of order and discussed at this point in the meeting.**

Dr. Tracy Andrus, asked the Council to allow the homeless shelter to remain open. Dr. Andrus provided a timeline of events and information regarding various events, documents, and correspondence with the City Staff. Dr. Andrus asked the council to consider allowing the shelter to remain open and give them time to bring it up to code. If the shelter is closed, Dr. Andrus asked the Council to find it in their hearts to make sure the occupants have a place to go.

David Rainwater, Fire Chief, provided a timeline of events and information regarding various events, documents, and correspondence with Dr. Tracy Andrus. Chief Rainwater stated there are several fire-life safety code violations at the shelter and compliance with these codes is nonnegotiable. Chief Rainwater informed the Council of a fire at a homeless shelter in Paris, Texas where five people passed away. This shelter had similar code violations to the homeless shelter in Marshall, Texas.

Councilmember Campbell stated there is no desire to close the homeless shelter but local, state, and federal codes and laws must be followed. Councilmember Abraham agreed with Councilmember Campbell and stated Marshall needs a homeless shelter and mental health facilities. Councilmember Abraham stated a human error occurred in the form, probably from the selection of a drop-down box. Councilmember Abraham mentioned her concern about the safety of the occupants of the shelter because of propane heaters, no windows, one exit, and no mention of carbon monoxide detectors. Councilmember Abraham stated she researched shelters within 20 miles of Marshall to temporarily relocate the occupants.

Chief Rainwater stated staff reached out to the Highway 80 Mission, and they agreed to house the occupants until the homeless shelter is brought up to code.

Councilmember Abraham stated the Council supports Dr. Andrus in his endeavors and that he is doing a good thing and providing a great service to the community, but it needs to be done the right way.

Councilmember Morris asked who is accountable for errors in documentation, if the City has any liability, what all the investigative tools the City Attorney used during his research regarding the Certificate of Occupancy and sale of the property and for more information regarding jail standards having no bearing on city codes or property use for purposes other than as a jail. Scott Rectenwald, City Attorney, stated he used the sales documents and Chief Rainwater's memorandum for his response and that the Texas Commissions on Jail Standards governs what jails have to look like and do.

Councilmember Jordan-Anderson stated she reviewed the documents and there is some confusion. The City had the responsibility of issuing a document to Dr. Andrus, who trusts that document, which the City improperly issued and was incorrect. Councilmember Jordan-Anderson stated Dr. Andrus was under the assumption that he was in good standing, there were several documents stating he was in good standing. Councilmember Jordan-Anderson stated one document was issued for 303 Burleson and the other one for 406 N. Fulton, so there is some confusion as to which is which. Councilmember Jordan-Anderson expressed her concern about the people in the shelter, and stated there are laws that govern, and the shelter should be up-to-date and cover compliance, but she felt the City should be responsible for the faults and wrongness that Dr. Andrus endured for three years. Councilmember Jordan-Anderson stated she would like to go back to the table and discuss a partnership because a homeless center is needed. The Gobus is used for busing homeless individuals to other cities, but the City should be more proactive in finding ways to help citizens.

Councilmember Godfrey asked questions of Chief Rainwater regarding documentation showing no violations in 2020, which was explained to be regarding the usage of office space. If the intention for the building was residential, the entire building would have to have a sprinkler system installed. Councilmember Godfrey asked for compliance information regarding the zoning types and usage. Councilmember Godfrey told Dr. Andrus that fire alarms are needed, and acknowledged someone messed up on the documents, and that Dr. Andrus' understanding was that he could have a shelter there. Councilmember Godfrey stated the City sends people over to be helped and then has their foot on his neck for compliance. Councilmember Godfrey said we need to meet in the middle and partner and do something to help those who are in need. Councilmember Godfrey addressed the need for compliance and acknowledged the steps already taken by Dr. Andrus towards compliance.

Councilmember Abraham asked about the Certificate of Occupancy for the shelter. The application given is for offices, but there is not one on file for a shelter, and there should be two applications and digital certificates.

Councilmember Jordan-Anderson asked if 303 Burleson was grandfathered in and asked Dr. Andrus what he was requesting from the Council. Dr. Andrus stated he is requesting the City to work with the Tracy Andrus Foundation to generate funds, and to meet to work together to bring shelter to fruition and reach some type of agreement. Councilmember Jordan-Anderson stated we have to by the code regulations, and we have to do what we have to do, but there is a shelter for us to relocate the people to. Councilmember Jordan-Anderson recommended going ahead with the code, giving a deadline to come up with compliance in the interim while working with the city to come up with a way to help with the shelter.

Councilmemebr Campbell mentioned the tremendous response of Dr. Andrus' go-fund me account, but stated the balance must be managed and addressed his concern about who is responsible if something happens at the facility.

Councilmember Jordan-Anderson stated the residents should be moved out as soon as possible because if something happens it would be horrible, and stated if you know better, you do better.

Mayor Ware stated the city staff, Dr. Andrus and his staff and the Council all try to lead with a servant's heart, and she hopes to have a working partnership to reach the goal of having a homeless shelter for the City. Mayor Ware asked for information on the go fund me account which is on the Tracy Andrus website, www.tracyandrusfoundation.com. Mayor Ware asked about which sprinkler system would work for his shelter and about the separation of the men and women in the facility. Mayor Ware asked Dr. Andrus to place the timeline for work, scope of work and cost of work on his website.

City of MARSHALL TEXAS

Office Only
C/O # 1061
Receipt #

## Certificate of Occupancy Permit

| | |
|---|---|
| Project Address: 303 Burleson (WEST) | Date: 7/1/2020 |
| Zoning: C-3 | General Business |
| Property Owner: Tracy Andrus | |

Type of Permit: ☐ Change of Ownership ☒ Change of Occupant ☐ Change of Name ☐ Clean & Show ☐ Other

☐ In-home daycare: Are you the Primary Resident of the Project Address: Yes / No

| Contractor | Address | City, State Zip | Phone |
|---|---|---|---|
| Electric: | | | |
| Plumbing: | | | |
| Building: | | | |

| | |
|---|---|
| Business Name: Andrus Industries | Business Owner: Tracy Andrus |
| Type of Business: Foundation Offices | Phone: 903-412 2762 |

Activities Being Conducted:

| Gas Required | Electric Required | Fire Sprinkled | Fire Alarm | RPZ Installation | Food Served/Prepared |
|---|---|---|---|---|---|
| Yes / No | Yes / No | Yes / No | Yes / No | Yes / No | Yes / No |

**A separate permit is required for each tenant space and/or building**

AN ISSUED PERMIT BECOMES INVALID IF THE WORK ON THE SITE AUTHORIZED BY THE PERMIT DOES NOT COMMENCE WITHIN 180 DAYS OF ISSUANCE, OR IF THE WORK ON THE SITE IS INCOMPLETE DUE TO SUSPENSION OR ABANDONMENT 180 DAYS AFTER THE WORK COMMENCED. **ALL PERMITS REQUIRE A FINAL INSPECTION.** 903

I HEREBY CERTIFY THAT I AM AN AUTHORIZED AGENCT OF THE OWNER, AND HAVE THE OWNER'S CONSENT TO ENTER ONTO THE PROPERTY TO COMPLETE THE WORK. AFTER CLOSE REVIEW OF THIS APPLICATION, I FURTHER CERTIFY THAT THE INFORMATION PROVIDED IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. THE WORK SHALL COMPLY WITH ALL PROVISIONS OF LAWS AND ORDINANCES, WHETHER SPECIFIED OR NOT. THE GRANT OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY FEDERAL, STATE, OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

Printed Name of Applicant: Tracy Andrus Date: 7/1/2020
Signature of Applicant:

Please have the following departments sign in order stated

| | Inspection Dept | Signature | Approved / Denied | Date |
|---|---|---|---|---|
| 1 | Zoning In Office | John W. Clark | Yes / No | 7/1/2020 |
| 2 | Fire Marshal 903-935-4580 | | Yes / No | 11/9/2020 |
| 3 | Health Dept. 903-935-4427 | Not Applicable | ~~Yes / No~~ | N/A |
| 4 | Building 903-935-4455 | | Yes / No | 11-10-20 |

This handout is for informational purposes only and should not be relied on in place of official regulations and/or policies. The City of Marshall makes no representations, guarantees, or warranties as to the accuracy, completeness, currency, or suitability of the information provided via the handout. Customers and citizens are personally responsible for complying with all local, state and federal laws pertaining to projects within the City. Copies of the City of Marshall adopted codes and Zoning Ordinances can be found on the city website at www.marshalltexas.net or at the City of Marshall Planning & Development Department located at 401 S. Alamo St., Marshall, TX 75672.

11/10/2020 https://www.iworq.net/iworq/0_Pages/popupEditLetterPrint.php?sid=RBPMGMRPIJRHLBMIQEGHNDGLHG600&id=14380757&k=9910...

City of MARSHALL TEXAS

## CERTIFICATE OF OCCUPANCY

This certificate issued pursuant to the requirements of Section 301 of the 2015 International Building Code certifying that at the time of issuance, this structure was in compliance with the various ordinances of the City regulating building construction or use for the following:

| | | | |
|---|---|---|---|
| **Permit No:** | 1061 | **Contractor:** | |
| **Permit Type:** | Certificate of Occupancy | **Address:** | |
| **Date:** | 11/10/2020 | **City/State/Zip:** | |
| **Address:** | 406 N FULTON | **Phone:** | |
| **City/State/Zip:** | Marshall, TX 101038 | **Gas:** | Yes |
| **Zoning:** | C-3 | **Electric:** | Yes |
| **Square Footage:** | 16000 | **Plumbing:** | Yes |
| **Occupancy Type:** | Group R (Residential) | **Fire Alarms:** | Yes |
| **Owner:** | ANDRUS TRACY | **Fire Sprinklerl:** | Yes |
| **Applicant:** | ANDRUS INDUSTRIES | **Consumer Health:** | No |
| **Phone:** | 903-472-2762 | | |

Director of Community and Economic Development

This placard must be placed in a conspicuous place on the premises.

Exhibit I

https://www.iworq.net/iworq/0_Pages/popupEditLetterPrint.php?sid=RBPMGMRPIJRHLBMIQEGHNDGLHG600&id=14380757&k=9910&letterlinkid=7... 1/1

**CITY OF MARSHALL**
**AGENCY IN GOOD STANDING**

The City requires that subrecipients are in good standing with the City of Marshall and not debarred from receiving Federal funds.

1. The Agency, Executive Officer and Board of Directors are not debarred from receiving Federal grants, contracts or employment.
2. The Agency, Executive Officer and Board of Directors are not debarred from receiving City of Marshall grants, contracts or employment.
3. The Agency, Executive Officer and Board of Directors are in good standing with the City of Marshall in terms of not being in arrears on payments due the City.
4. The Agency's facility/facilities is/are in compliance with local building codes, including ADA regulations, and has/have relevant Certificate(s) of Occupancy.

Added 2023?

Printed Name and Title

Signature

Date

Exhibit II

PY 2025 CDBG Agency Funding Application
PO Box 698 | Marshall, TX 75671 | (903) 935-4453
www.marshalltexas.net

This content is from the eCFR and is authoritative but unofficial.

☐ Displaying title 24, up to date as of 2/11/2025. Title 24 was last amended 2/11/2025.

**Title 24 —Housing and Urban Development**
**Subtitle B —Regulations Relating to Housing and Urban Development**
**Chapter V**
**—Office of Assistant Secretary for Community Planning and Development, Department of Housing and Urban Development**
**Subchapter C —Community Facilities**
**Part 570 —Community Development Block Grants**
**Subpart C —Eligible Activities**

Exhibit III

**§ 570.202 Eligible rehabilitation and preservation activities.**

(a) *Types of buildings and improvements eligible for rehabilitation assistance.* CDBG funds may be used to finance the rehabilitation of:

(1) Privately owned buildings and improvements for residential purposes; improvements to a single-family residential property which is also used as a place of business, which are required in order to operate the business, need not be considered to be rehabilitation of a commercial or industrial building, if the improvements also provide general benefit to the residential occupants of the building;

(2) Low-income public housing and other publicly owned residential buildings and improvements;

(3) Publicly or privately owned commercial or industrial buildings, except that the rehabilitation of such buildings owned by a private for-profit business is limited to improvement to the exterior of the building, abatement of asbestos hazards, lead-based paint hazard evaluation and reduction, and the correction of code violations;

(4) Nonprofit-owned nonresidential buildings and improvements not eligible under § 570.201(c); and

(5) Manufactured housing when such housing constitutes part of the community's permanent housing stock.

View Table of Contents for Part 570 — Community Development Block Grants

(b) *Types of assistance.* CDBG funds may be used to finance the following types of rehabilitation activities, and related costs, either singly, or in combination, through the use of grants, loans, loan guarantees, interest supplements, or other means for buildings and improvements described in paragraph (a) of this section, except that rehabilitation of commercial or industrial buildings is limited as described in paragraph (a)(3) of this section.

(1) Assistance to private individuals and entities, including profit making and nonprofit organizations, to acquire for the purpose of rehabilitation, and to rehabilitate properties, for use or resale for residential purposes;

(2) Labor, materials, and other costs of rehabilitation of properties, including repair directed toward an accumulation of deferred maintenance, replacement of principal fixtures and components of existing structures, installation of security devices, including smoke detectors and dead bolt locks, and renovation through alterations, additions to, or enhancement of existing structures and improvements, abatement of asbestos hazards (and other contaminants) in buildings and improvements that may be undertaken singly, or in combination;

(3) Loans for refinancing existing indebtedness secured by a property being rehabilitated with CDBG funds if such financing is determined by the recipient to be necessary or appropriate to achieve the locality's community development objectives;

(4) Improvements to increase the efficient use of energy in structures through such means as installation of storm windows and doors, siding, wall and attic insulation, and conversion, modification, or replacement of heating and cooling equipment, including the use of solar energy equipment;

(5) Improvements to increase the efficient use of water through such means as water savings faucets and shower heads and repair of water leaks;

(6) Connection of residential structures to water distribution lines or local sewer collection lines;

(7) For rehabilitation carried out with CDBG funds, costs of:

(i) Initial homeowner warranty premiums;

(ii) Hazard insurance premiums, except where assistance is provided in the form of a grant; and

(iii) Flood insurance premiums for properties covered by the Flood Disaster Protection Act of 1973, pursuant to § 570.605.

(8) Costs of acquiring tools to be lent to owners, tenants, and others who will use such tools to carry out rehabilitation;

## 4. Items to be Withdrawn From Consent Agenda

There were no items withdrawn from the Consent Agenda.

## 5. 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 Godfrey made a motion to approve the Consent Agenda. Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 7:0.**

A. Consider approval of the minutes from the February 13, 2025 Regular Council meeting. (City Secretary)

B. Consider approval of the minutes from the February 20, 2025 Special-Called meeting. (City Secretary)

C. Consider approval of the 2025 interlocal agreement with Marshall Harrison County Health District. (Finance)

D. Consider approval of the reappointment of a member to the Planning & Zoning Commission. (Planning)

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

There were no items withdrawn from the Consent Agenda.

**7. Ordinance**

A. **O-25-07** Consider approval of an ordinance amending the FY24 Annual Budget. (Finance)
Kristina Hamilton, Assistant Finance Director, asked council to approve an ordinance amending the FY24 annual budget for the one-time stipend.

**Mayor Ware was not present for this item.**

**Councilmember Godfrey made a motion to approve O-25-07 an ordinance amending the FY24 Annual Budget. Councilmember Campbell seconded the motion, which passed by a vote of 6:0.**

B. **O-25-08** Consider approval of an ordinance amending the FY25 Annual Budget. (Finance)
Kristina Hamilton asked for approval of an amendment to the FY25 annual budget.

**Councilmember Abraham made a motion to approve O-25-08 an ordinance amending the FY25 Annual Budget). Councilmember Godfrey seconded the motion, which passed by a vote of 7:0.**

**8. Resolution**

A. **R-25-06** Consider approval of a resolution authorizing the Police Department to apply for funding under the 2025 Justice Assistance Grant administered by the Office of the Governor. (Police)

Cliff Carruth, Police Chief, asked for approval of a resolution authorizing the Police Department to apply for funding under the 2025 Justice Assistance Grant by the Office of the Governor for a key management system at a cost of $13,784,50.

**Councilmember Godfrey made a motion to approve R-25-06 a resolution authorizing the Police Department to apply for funding under the 2025 Justice Assistance Grant administered by the Office of the Governor. Councilmember Jordan-Anderson seconded the motion, which passed by a vote of 7:0.**

**9. Action Items for City Council Consideration**

A. Consider approval of a design task order for Halff to perform a complete master plan for the City's Water Treatment Facility ($281,000). (Public Works)

Eric Powell, Public Works Director, asked for approval of a design task order for Halff to complete a Water Treatment Facility Master Plan. Eric Powell stated the state likes, or desires, to see Master Plans when deciding what entities will receive grant funding and, with a Master Plan in place, we will be able to prioritize what needs to be done. Eric Powell explained the selection process of the review committee for the six bids that were received.

**Councilmember Godfrey made a motion to approve a design task order for Halff to perform a complete Master Plan for the City's Water Treatment Facility at a cost of $281,000. Councilmember Campbell seconded the motion, which passed by a vote of 7:0.**

B. Consider approval to award the contract for Greenwood Cemetery Maintenance to Canseco Lawn & Tree in an amount not to exceed $50,000. (Parks & Recreation)

Alex Agnor, Assistant City Manager, asked the council to approve to allow the Interim City Manager to finalize and execute a contract not to exceed $50,000. Alex Agnor stated the contract would be an annual contract of $5,000 a month for 10 months, March-December, that can be renewed four (4) times.

**Councilmember Campbell made a motion to approve authorizing the Interim City Manager to finalize and execute a contract for Greenwood Cemetery Maintenance for an amount not to exceed $50,000. Councilmember Jordan-Anderson seconded the motion, which passed by the following vote:**
**Ayes: 6, Mayor Ware, Councilmembers Campbell, Jordan-Anderson, Fenton, Abraham, and Godfrey**
**Nays: 1, Councilmember Morris**

C. Consider action on approving or rejecting bids for the Capital Improvement Plan of Corrective Measure for the Marshall Police Department. (Support Services)

Randy Pritchard, Support Services Director, stated three bids were received for the Capital Improvement Plan of Corrective Measures for the Marshall Police Department, and asked for approval to award the bid to Tegrity Contractors at a cost not to exceed $433,777.00.

A discussion was had regarding how long the issues at the police department have been ongoing. The timeline for completion of corrective measures has not been finalized at this time.

**Councilmember Godfrey made a motion to approve a bid for the Capital Improvement Plan of Corrective Measures for the Marshall Police Department to be awarded to Tegrity Contractors at a cost not to exceed $433,777.00. Councilmember Campbell seconded the motion, which passed by a vote of 7:0.**

**10. Discussion and Reports for City Council Consideration and Direction**

B. Marketing Marshall Program Presentation (Economic Development & Strategic Initiatives)

Alex introduced Jennifer McWilliams and Glenn Duncan, partners with the Marketing Marshall Program, who provided a video regarding the coverage area of Texas, Louisiana, Arkansas and Oklahoma. Jennifer McWilliams and Glenn Duncan stated there were 5,054,819 digital impressions in 2024, including the "Live from Wonderland" segment. Jennifer McWilliams and Glenn Duncan discussed the commercial productions planned for the City of Marshal and stated that once they are created the City retains them and can distribute and share them for marketing purposes with various groups.

C. Discussion regarding the calendar of events for the FY26 budget process. (Finance)

Kristina Hamilton provided the draft calendar for the FY26 budget process to allow council to know what all the process entails and to provide an opportunity to plan and prepare for possible budget workshops.

D. Presentation of the City of Marshall Financial Report for the period ending December 31, 2024. (Finance)

Dawn Jones, Finance Director, provided information on the December 31, 2024, financial report.

Councilmembers asked what the annual allocations were composed of, and requested an itemized breakdown to be provided.

E. Presentation of the City of Marshall Investment Report Fourth Quarter 2024. (Finance)

Kristina Hamilton provided a review of the 2024 statement of cash & investments.

Councilmembers asked about items being listed with a zero balance, which was explained to have had monies in previous years.

**11. Executive Session**

**Councilmember Godfrey made a motion to convene in Executive Session. Councilmember Morris seconded the motion, which passed by a vote of 7:0. The time was 8:52 PM.**

A. An Executive Session pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code under Section 551.074 Personnel Matters: Discuss or deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Manager

**12. Action Item Following Executive Session**

**The council reconvened from the Executive Session. The time was 9:29 PM.**

A. Consider action regarding discussion from the executive session.
There was no action taken regarding the discussion from the Executive Session.

## 13. Adjournment

**Councilmember Godfrey made a motion to adjourn. Councilmember Campbell seconded the motion, which passed by a vote of 7:0.**

APPROVED:

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

ATTEST:

______________________________
City Secretary