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
May 22, 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 06:01 PM.

PRESENT:

Mayor and Council Members:
Mayor Amy Ware
Councilmember Leo Morris
Councilmember Reba Godfrey
Councilmember Micah Fenton
Councilmember Dathaniel Campbell
Councilmember Amanda Abraham

ABSENT: Councilmember Jordan-Anderson **Motion to Excuse: Councilmember Campbell Second: Councilmember Morris Vote: 5:0**

ADMINISTRATIVE STAFF PRESENT:
Cliff Carruth, Police Chief
Scott Rectenwald, City Attorney
Eric Powell, Public Works Director
Randy Pritchard, Support Services Director
Nikki Smith, City Secretary/Payroll Accountant
Marina Garcia-Heredia, Parks & Recreation Director
Alex Agnor, Asst. City Manager/Econ. Dev. & Strat. Init. Director

2. Invocation and Pledges

Mayor Ware

3. Presentations & Proclamations

A. Recognition of Christina Anderson's work on writing of the All American Cities Hall of Fame Application.
Mayor Ware read a certificate recognizing the hard work Christina Anderson put forth for the All American Cities Hall of Fame Application.
Alex Agnor, Assistant City Manager, thanked Christina Anderson for her dedication and continuous hard work for the City of Marshall.

Christina Anderson thanked the Council for their recognition of her work on the All American Cities Hall of Fame Application.

B. Proclamation declaring May 18-24 Annual Public Works Week for 2025.

Mayor Ware read the proclamation and the Council presented it to the Public Works Department.

Eric Powell, Public Works Director, stated the employees deserve the recognition and expressed his appreciation for this proclamation.

Councilmember Abraham joined the meeting remotely at 6:13 PM.

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.

Pamela Dunn, 2500 Scotts Quarter Road, asked the council how to go about getting Scotts Quarter Road paved all the way down, and Ward Street and Hudson Street, and Scotts Addition included in the FY25 Street Improvement Program for paving.

Priscilla Williams, 1702 Rainey, stated she has lived on Rainey Street for 32 years with the only improvement on the street being a pothole filled in occasionally. She would like to see improvement in her area.

Michael Stephens, 1109 Longmeadow, DeSoto, TX, stated he is a contractor building 32 family homes for a project located at 2518 Cooper Street. He is requesting the council assist with this project by working on the infrastructure in the area.

Tony Thomas, 117 Fisher Drive, stated he has lived on Fisher Drive for over 25 years and the street has never been paved completely, just patched. He stated it has water standing for days after it rains, so it needs to be repaved.

Bridget Knighten, 2600 Norwood Street, stated she has lived on Norwood Street for 20 years and the street has only been patched. She would like it to be paved as she feels this would help stop or reduce litter.

Marvin Rhodes, 2304 Palato Drive, stated he has lived on Palato Drive for 30 years and the street has not had proper maintenance in over 30 years. He stated he knows the workload and budget are strained, but asked council to consider paving Palato Drive.

Samuel Knighten, 2600 Norwood Street, stated he has lived on Norwood Street for over 30 years and the street was paved when the school was added, but only that section was addressed. He asked the council to consider paving the rest of Norwood and possibly widening the street.

Boris Nesbitt, 1003 Henry Street, stated that recently that while driving on Henry Street he hit a pothole and cracked his rim. He asked the council to consider having Henry Street repaired.

Amanda Durden, 1606 Ward Street, stated she has lived on Ward Street for 20 years and the street has a section that has never been repaired. She asked the council to consider paving Ward Street because of the wear and tear on cars caused by the bumps.

5. Items to be Withdrawn From Consent Agenda

There were no items withdrawn from the Consent Agenda.

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 Morris made a motion to approve the Consent Agenda. Mayor Ware seconded the motion, which passed by a vote of 6:0.

A. Consider approval of the minutes from the April 28, 2025, Special-Called Council meeting. (City Secretary)

B. Consider approval of the minutes from the May 8, 2025, Regular Council meeting. (City Secretary)

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

There were no items withdrawn from the Consent Agenda.

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

A. Consider approval to enter into a professional services agreement with Hayes Engineering - T&P Stormwater Project - $522,300. (Public Works)

Eric Powell stated this project has been ongoing, the city has been working with Hayes Engineering and a design task order with a scope of work has been developed. This project will be funded out of a grant and loan from the Texas Water Development Board Flood Infrastructure Fund. A background on the storm water retention project was provided showing this project will help to reduce or eliminate flooding in the Highway 59 and Highway 80 intersection area. This is a good project that will benefit the city. It is one of many drainage projects that have been discussed. Eric Powell stated the hope is to show the state board that the city is a good partner to do work with, which will hopefully open doors for additional funding for other projects. The total cost of the project is $3,159,000, with 33-35% of the money received as a grant and the rest paid back at a low interest rate.

Eric Powell asked the council to approve an engineering design work order (W.O. No. MA-25-01) with Hayes Engineering at a cost of $522,300.

Mayor Ware highlighted the funding breakdown of $1,105,650 being the grant amount that does not need to be paid back, and the $2,050,000 is a 0% interest loan to be paid back to the Texas Water Development Board. Mayor Ware also stated the Water Fund and Drainage Utility Fund are separate from the General Fund and the $82,000 per year payment will come from the Water and Drainage Utility Funds.

Councilmember Abraham's remote connection was lost at 6:37 PM.

Councilmember Fenton made a motion to approve entering into a professional services agreement with Hayes Engineering for the T&P Stormwater Project at a

cost of $522,300. Councilmember Morris seconded the motion, which passed by a vote of 5:0.

B. Consider approval of an expenditure for an emergency water main repair on Young St, in the amount of $79,548 performed by Koppl Pipeline Services. (Public Works)

Eric Powell stated that in late January, a call was received from residents on Young Street about a leak. The staff went out and found the leak and tried to put a clamp on it, but it didn't work. A call was made to Koppl to come in to fix the leak.

Eric Powell asked the council to approve emergency expenditures after the fact in the amount of $79,548.

Councilmember Fenton made a motion to approve an expenditure for an emergency water main repair on Young St, in the amount of $79,548 performed by Koppl Pipeline Services. Councilmember Campbell seconded the motion, which passed by a vote of 5:0.

C. Consider an Amendment to an existing KSA agreement for design services related to utility relocations along I20 and SL390 in the amount of $162,903. (Public Works)

Eric Powell stated the I-369 TxDOT project requires the City to get temporary construction easements needed. Eric Poweel reached out to get prices for negotiating temporary construction easements for the two sections which have multiple properties. The price from the companies was received as $34,103 for the I-20 Section and $128,100 for the State Loop 390/Highway 80 Section. This work is beyond the scope of current staff. The funding will come from the TxDOT SIB Loan and attached to the KSA design services agreement.

Councilmember Campbell made a motion to approve an amendment to an existing KSA agreement for design services related to utility relocations along I20 and SL390 in the amount of $162,903. Councilmember Morris seconded the motion, which passed by a vote of 5:0.

D. Consider approval of an expenditure for network equipment to CDW in the amount of $121,421.00. (Support Services)

Randy Pritchard, Support Services Director, stated the budget amendment that was approved at the last meeting addressed items that were not budgeted to be replaced but needed to be replaced. Randy Pritchard asked for approval to purchase and install network equipment for enhancements to the firewall and multiple switches for the facilities from CDW at a cost of $121,421.00.

Randy Pritchard stated this will help with necessary upgrades, the conversion to the .gov, and be more efficient.

Councilmember Campbell made a motion to approve an expenditure for network equipment to CDW in the amount of $121,421.00. Councilmember Fenton seconded the motion, which passed by a vote of 5:0.

E. Consider approval of an Interlocal Agreement for radio services with Harris County Universal Services at a cost of approximately $12,000 annually. (Support Services)

Randy Pritchard stated that Councilmember Abraham was spot on with her points about the previous agreement. It was the wrong agreement. It was a user agreement instead of a partner agreement. The correct agreement has been provided and there are no user fees. Background information about the system and information regarding equipment installation was provided by Randy Pritchard. The radio system covers 43 counties, and once approved CORE in Harris County will grant the City rights to the system. The next steps are for the Harris County Commission to approve the agreement, then assign, program, install and provide training on the radios. There are also pending agreements, tower construction with possible remediation, configuration and installation of network and Wi-Fi, and finally testing and training. The anticipated timeframe for completion is this summer. Randy Pritchard asked council to approve and execute the Interlocal Agreement for radio services with Harris County Universal Services.

Councilmember Abraham's remote connection resumed at 6:58 PM.

Councilmember Abraham stated she is comfortable with the new agreement.

Mayor Ware stated that Harrison County is updating their system at the same time as this is a public safety issue and will help eliminate the loss of communication.

Randy Pritchard stated this system will allow for interoperability, allow operations to continue working together, and gives options to continue functioning in case of multiple levels of failure or disruption.

Councilmember Morris made a motion to approve an Interlocal Agreement for radio services with Harris County Universal Services. Councilmember Campbell seconded the motion, which passed by a vote of 6:0.

F. Consider approval of a fuel contract renewal with Pete McArty Oil Company for approximately $346,500. (Support Services)

Randy Pritchard provided background information regarding the contract with Pete McArty Oil Company and stated it allows for a 0.10¢ per gallon profit margin on the wholesale price of fuel. Options with Enterprise were reviewed, but the local option was cheaper. Randy Pritchard noted that fuel usage has been reduced because of the newer and more fuel-efficient vehicles.

Mayor Ware made a motion to approve a fuel contract renewal with Pete McArty Oil Company. Councilmember Campbell seconded the motion, which passed by a vote of 6:0.

G. Consider approval of the updated Marshall Vision Statement, Mission Statement and FY26 Budget Priorities and Reaffirmation of Marshall's Core Values. (City Manager)

Alex Agnor thanked the council for their engagement and enthusiasm during the pre-planning budget sessions. Alex Agnor stated the sessions allowed council to have the priorities for the upcoming year and the budget discussed. The discussion with Ron Cox started with revisions to the vision statement, then the Mission Statement was updated, followed by the reaffirmation of the core values. Alex Agnor listed the priorities/focus areas: Improve Infrastructure, Improve Community Appearance, Invest in our Workforce, Improve Customer Services and Improve Communication. Alex Agnor asked for approval of and formal adoption of the updated vision, mission, core values and priorities/focus areas.

Councilmember Godfrey asked if this would repeal and sever ordinance O-19-03, adopted February 28, 2019, regarding the 2043 comprehensive plan. If the plan addresses the items, they would be updated in the document, but the ordinance would not be repealed since this item is not an ordinance.

Alex Agnor stated the ordinance would be reviewed to see if any updates need to be brought back to council.

Councilmember Godfrey made a motion to approve the updated Marshall Vision Statement, Mission Statement and FY26 Budget Priorities and Reaffirmation of Marshall's Core Values. Councilmember Morris seconded the motion, which passed by a vote of 6:0.

H. Discussion and action, if appropriate, on the FY2025 Street Improvement Program ($1,500,000). (Public Works)

Eric Powell stated this item was presented at the request of the council to discuss the selection process for the Street Improvement Program. A sample selection criteria model was provided to give some points of discussion. Streets are the largest, most expensive asset and are costly to maintain and repair. There are underlying issues to consider regarding street selection, including, but not limited to, underground infrastructure, drainage, connectivity, accessibility, and sidewalks. Funding for streets has to be planned for, and staff members are looking at various funding mechanisms.

Mayor Ware thanked Eric Powell for providing the requested maps and lists, which he informed the council were based on the original method, using only the Pavement Condition Index (PCI) for ranking. The top five to six streets on the list had a water line/main replaced in 2024, and the process and methodology in place were to reconstruct and overlay the street the following year.

The newest PCI data should be available in mid-June. Eric Powell explained the process of analysis for PCI, which gives a ranking of the roads from zero to 100 after they are studied foot by foot.

Councilmember Campbell asked how many linear miles we have in the City, which would be approximately 202 center lane miles, or about 410 lane miles.

Mayor Ware verified this item is on the agenda to discuss how to proceed, what to include and how to value the pieces for the street list.

Councilmember Godfrey asked for the location to be considered as the process that has been used previously for the streets has resulted in only one side of town being addressed. Councilmember Godfrey asked Eric Poweel how he does the PCI.

Mayor Ware stated PCI only started in 2020.

Eric Powell stated that the PCI scan done in 2020 is used to list the ranking. Currently, he does not use location. What is used is the PCI, then there is consideration of what is under the street. A filter can be processed to include hydrants, pressure, volume & delivery, 0-100 ranking, A-Z, and/or undersized water mains to create the list for each year. Then the department can take what streets the budget can accomplish from the list. If there was a tiebreaker needed, another filter to be used could be the location of critical facilities. Other ranking criteria to use could include whether the street has a park, transportation hub, city facility, school, etc. on it.

Councilmember Campbell thanked citizens for expressing their concerns and frustrations. The council's number one goal is infrastructure, but in the past basic upkeep has been avoided or neglected. Councilmember Campbell stated that based on the linear feet there is a 42-year turnaround for roads in general, which would cost approximately $63 million to replace all roads. The life of a road is about 35 years without a lot of traffic. A road with a lot of traffic would last about 28–30 years, and the city can only do about 4 miles per year at this time.

Eric Powell said the city has to add preventative maintenance and overlays which will reduce the amount available for full reconstruction.

Councilmember Godfrey stated her concern is that streets have been done and money has been spent mainly on one location and the other streets have been neglected or not paved. If streets have the same PCI number, how are they chosen? The method of alphabetical order is not working, whatever criteria we are using is not working. Councilmember Godfrey noted that the 2043 comprehensive plan left out Scott's Addition. Councilmember Godfrey said it was shared with her that the city addresses small streets in some areas and larger streets in other areas. In the past four years, money has been spent on part of a street, and then we go back the next year and do another part instead of trying to cover other areas.

Councilmember Abraham stated PCI should be the starting place, then use judgment calls on traffic flows. The huge problem is that $1 million doesn't make a dent, at some point we might have to take out a bond. Suggested that each councilmember gets to recommend/assign 1 or 2 streets each year.

Councilmember Fenton said that it needs to be taken into consideration that underground infrastructure can hinder a project.

Mayor Ware stated that several areas don't have water mains for hydrants. There are a total of 68 miles of undersized water mains. Mayor Ware agreed that the worst streets should be fixed first, it doesn't matter what district the streets are in. The council will need to make sure there is money set aside for an item, if the item is not budgeted, it's not a priority.

Councilmember Godfrey stated most money shouldn't be spent in one area and another area neglected. Eighteen of the 34 streets listed in the preliminary list have been worked on for the last four years in a row. Councilmember Godfrey named several streets that are bad and can hardly be driven on and are almost impassable.

Councilmember Abraham asked how many streets can be done in a year, which was determined to depend on linear feet, which changes each year, but the average is about four miles each year.

Councilmember Campbell offered to cultivate work based on the future. The PCI is scientific data. Use that data and start at zero. If there is no residence or driven on, put it on the backburner. Look at all the districts and see where streets are ranked as zero, divide the budget by seven and start from there. Councilmember Campbell pointed out that the city has a full-time crew working on patching and pothole repairs.

Councilmember Godfrey stated if you drive the streets, the places with the lowest numbers are the streets mentioned in the citizen comments.

Councilmember Campbell stated the data should be used, and start at streets with a zero ranking, not looking at the district.

Alex Agnor stated the proposal of Councilmember Campbell could be used. Frustrations and concerns have been heard regarding the preliminary list having issues that were unknown and then trying to find a suitable alternative street that is similar in linear feet without consideration to which district it is located. The suggestion could be that the section of street, or entire street, that has to be removed from the list for whatever reason, is to be replaced with a street within the same district that meets all the criteria of the initial street.

Mayor Ware asked to consider if the water main is not scheduled to be replaced within so many years to go ahead and fix the road.

Councilmember Campbell stated he would like to see that if there are waterlines that are under a road that are a zero, then those waterlines should be repaired first.

Councilmember Morris thanked the citizens for lending their voice. It seems citizens have voiced their concerns regarding areas of neglect to no avail in most instances. Councilmember Morris gave an example of a conversation he had with a citizen who said he was told a machine was broken, but Councilmember Morris saw staff with the machine the next day. Many citizens are calling with their concerns, and Councilmember Morris expressed concern that they are being brushed off or lied to. On Carolanne, the pavement was done in two ways on two sides of the street. The total equals a long street, so other short streets were not able to be done. Councilmember Morris questioned why streets are being done in certain areas but not in others. It is understood that not all streets need to be repaired.

Councilmember Abraham stated she liked Councilmember Campbell's proposal.

Councilmember Godfrey stated she would like to have the lowest streets, regardless of the district they are in, to take priority.

Councilmember Abraham reaffirmed that the lowest streets, with zero rankings, in all districts would be divided by seven equally. It was further clarified that if a district had no streets with a zero ranking, the funding would be yielded to other districts.

Alex Agnor stated it seems the consensus is for staff to go with the lowest level PCI score, and move forward with that in mind. Once the updated PCI data is received, staff will compile it and come back at a future meeting to present the preliminary list. It is understood that if a street is removed, the street replacing it is the next one on the list with the lowest score that matches the length, volume, linear feet, etc.

Mayor Ware asked Eric Powell to provide council members with the new list once it is available for them to have time to drive the roads.

Eric Powell said he would bring a list of the worst-rated streets in subsections. Eric Powell asked how the council would like to break a tie. It was suggested to have the street be looked at in person or let the council member of that district decide.

Councilmember Abraham asked if the PCI rating was for the entire street or if it was in sections. The rating is broken down into segments, but as the roads are repaired, the sections become one segment. If a road has a section with a zero rating and the next section is a one, go ahead and address it so it is not piecemealed.

Councilmember Campbell suggested color-coding the streets on a map to see a 1-5-year plan.

Eric Powell stated that for roads that are in bad shape, but are scheduled for late in year two or three, a thin layer of asphalt can be placed on the road to smooth it out and make it more drivable or passable.

9. Discussion and Reports for City Council Consideration and Direction

A. Presentation on Work Completed / Work Not Funded - 2” Water Line Replacement Program (Councilwoman Godfrey, Councilman Morris)

Eric Powell provided a summary of year one of a 20-year program to replace undersized watermains throughout the City. The initial program started in the area of Lions Parks and used ARPA funds. This item is a review of a completion report to see what was done, where, and the total cost. A discussion can be held to determine where to go next, what it looks like and funding issues, as no funding is provided for this year's budget. Eric Powell stated efforts are being made to do some of the work in-house to try to keep moving forward.

Councilmember Godfrey asked if PCI was used to choose the waterline replacement, and it was not. Councilmember Godfrey asked which streets were complete, and it was stated they were provided on the list in the packet highlighted in blue. Councilmember Godfrey stated East Wright was not done and asked about the process of payment for the project.

Councilmember Campbell asked if the waterline is replaced and the street needs to be replaced, is money used from the street funding, which was explained that no, the funds are kept separate.
Efforts are made for street improvement money to not be used for water main repairs. In future projects, money will be set aside for street repairs within the waterline repair funds.

Councilmember Godfrey asked for East Wright to be double-checked as it may have been abandoned.

10. Executive Session

Councilmember Godfrey made a motion to convene in Executive Session. Councilmember Morris seconded the motion, which by a vote of 6:0. The time was 8:59 PM.

A. An executive session pursuant to Texas Govt. Code Section 551.071 to consult with the City Attorney to seek advice on pending or contemplated litigation and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Lawsuit filed by Garnett Johnson against the City of Marshall.

B. An executive session pursuant to Texas Govt. Code Section 551.071 to consult with the City Attorney to seek advice on pending or contemplated litigation and on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter: Settlement agreement with Alan Ritchey, Inc.
Councilmember Campbell made a motion to reconvene from the Executive Session. Councilmember Godfrey seconded the motion, which by a vote of 6:0. The time was 9:53 PM.

11. Action Item Following Executive Session

A. Consider action regarding discussion from the executive session item regarding a settlement agreement with Alan Ritchey, Inc.
Mayor Ware made a motion to permit the City Attorney, Scott Rectenwald, to negotiate a modification of the settlement with Alan Ritchey, Inc. for the property to be left in a condition deemed acceptable to the City, subject to the Council's approval. Councilmember Godfrey seconded the motion, which passed by the following vote:

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

12. Adjournment

Councilmember Godfrey made a motion to adjourn. Councilmember Morris 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