MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF MARSHALL
DECEMBER 8, 2022
6:00 PM

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

PRESENT:

MAYOR: Amy Ware, District 4

COUNCIL MEMBERS:

Marvin Bonner, District 1
Leo Morris, District 2
Jennifer Truelove, District 3
Reba Godfrey, District 5
Amanda Abraham, District 6
Micah Fenton, District 7

ADMINISTRATIVE STAFF PRESENT:

Terrell Smith, City Manager
Christol Hall, HR Manager
Reggie Cooper, Fire Chief
Cliff Carruth, Police Chief
John Clark, Plans Examiner
Dawn Jones, Finance Director
Eric Powell, Public Works Director
Scott Rectenwald, Acting City Attorney
Nikki Smith, City Secretary/Payroll Accountant

INVOCATION & PLEDGE:

PRESENTATIONS & PROCLAMATIONS

262. PRESENTATION OF CERTIFICATES TO OUTGOING BOARD MEMBERS.

Mayor Ware read the names of outgoing members of the various City boards, commissions and committees. Certificates will be sent out.

263. PRESENTATION OF CERTIFICATES TO CITIZEN'S POLICE ACADEMY GRADUATES.

Cliff Carruth, Police Chief, presented certificates to the graduates of the Citizen's Police Academy.

264. **CITIZEN COMMENTS**

There were no Citizen Comments.

265. **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

266. **CONSENT AGENDA**

Councilmember Truelove made a motion to approve the Consent Agenda. Councilmember Godfrey seconded the motion, which passed with a vote of 6:0.

A. Consider approval of the minutes from the November 10, 2022 Regular meeting.

B. Consider approval of a resolution designating an official newspaper for the City of Marshall for fiscal year 2023.

C. Consider amendments to the Investment Policy and approval of a resolution adopting the City of Marshall Investment Policy.

267. **<u>CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA</u>**

There were no items withdrawn from the Consent Agenda.

<u>PUBLIC HEARING & ORDINANCE</u>

268. <u>CONDUCT A PUBLIC HEARING AND MAKE A RECOMMENDATION TO THE CITY COUNCIL REGARDING A REZONING REQUEST FOR A 5.00 ACRE (PARCEL # R000020037) AND A 27.22 ACRE (PARCEL # R000020038) TRACT OF LAND IN THE JAMES HARRIS SURVEY A-12. FROM A&E (AGRICULTURE AND ESTATE) TO I-2 (HEAVY INDUSTRY). LOCATED IN THE 1800 BLOCK OF EAST LOOP 390 NORTH.</u>

John Clark, Plans Examiner, asked for the approval of an ordinance regarding a rezoning request for a 5.00 acre (parcel # R000020037) and a 27.22 acre (parcel # R000020038) tract of land in the James Harris Survey A-12. From A&E (Agriculture and Estate) to I-2 (Heavy Industry). Located in the 1800 Block of East Loop 390 North. The Planning and Zoning Commission approved the change by a vote of 5:0.

Councilmember Morris arrived at this point in the meeting.

Mayor Ware opened the public hearing.

Dianne Seal, 2109 Fairway Lane, realtor for property, provided information regarding plans for property.

Mayor Ware closed the public hearing.

Councilmembers asked questions and discussed.

Councilmember Morris made a motion to approve an ordinance regarding a rezoning request for a 5.00 acre (parcel # R000020037) and a 27.22 acre (parcel # R000020038) tract of land in the James Harris Survey A-12. From A&E (Agriculture and Estate) to I-2 (Heavy Industry). Councilmember Fenton seconded the motion, which passed with a vote of 7:0.

<u>ORDINANCE</u>

269. <u>CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE 2022 ANNUAL BUDGET TO PROVIDE FOR YEAR-END ADJUSTMENTS IN SELECTED DEPARTMENTS.</u>

Dawn Jones, Finance Director, asked for approval of an ordinance amending the 2022 annual budget to reallocate $35,000 from M&O to salary & wages for the Municipal Drainage Fund.

Councilmembers asked questions and discussed.

Councilmember Godfrey made a motion to approve an ordinance amending the 2022 annual budget to reallocate $35,000 from M&O to salary & wages for the Municipal Drainage Fund. Councilmember Bonner seconded the motion, which passed with a vote of 7:0.

270. CONSIDER A REZONING REQUEST FOR A 0.202 ACRE TRACT OF LAND, BEING THE WEST PART OF LOT 3, BLOCK 23, RAINEY ADDITION, FROM R-3 (SINGLE FAMILY DETACHED) TO R-6 (DUPLEX, TRIPLEX, QUADRAPLEX). THIS PROPERTY IS LOCATED AT 1300 GEORGE GREGG STREET.

John Clark asked for the approval of an ordinance regarding a rezoning request for a 0.202 acre tract of land, being the west part of Lot 3, Block 23, Rainey Addition from R-3 (Single Family Detached) to R-6 (Duplex, Triplex, Quadraplex). This property is located at 1300 George Gregg Street.

Councilmembers asked questions and discussed.

Councilmember Truelove made a motion to approve an ordinance regarding a rezoning request for a 0.202 acre tract of land, being the west part of Lot 3, Block 23, Rainey Addition from R-3 (Single Family Detached) to R-6 (Duplex, Triplex, Quadraplex). Councilmember Godfrey seconded the motion, which passed with a vote of 7:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION

271. HOTEL/MOTEL OCCUPANCY TAX FUNDS OVERVIEW.

This item was withdrawn.

272. CONSIDER APPROVAL OF THE DONATION OF A MARSHALL POLICE DEPARTMENT PATROL CAR TO THE MARSHALL INDEPENDENT SCHOOL DISTRICT POLICE DEPARTMENT.

Cliff Carruth asked for approval to donate a surplus patrol car, Unit 473 a 2012 Dodge Charger Pursuit, to the Marshall Independent School District Police Department.

Councilmembers asked questions and discussed.

Councilmember Fenton made a motion to approve the donation of Marshall Police Department patrol car, Unit 473, to the Marshall Independent School District Police Department. Councilmember Morris seconded the motion, which passed with a vote of 7:0.

273. CONSIDER APPROVAL OF A NOMINEE FOR REAPPOINTMENT TO SERVE A SECOND FULL TERM AS A BOARD MEMBER ON THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION.

Rush Harris, Executive Director of MEDCO, asked for approval of the reappointment of Jeremy Spears to the Marshall Economic Development Corporation Board of Directors.

Councilmember Godfrey made a motion to approve the reappointment of Jeremy Spears to the Marshall Economic Development Corporation Board of Directors. Councilmember Truelove seconded the motion, which passed with a vote of 7:0.

274. CONSIDER APPROVAL OF AN EXPENDITURE IN EXCESS OF $50,000 FOR PROJECT DAC II.

Rush Harris asked for approval of an expenditure in the amount of $100,000 rebate grant for project DAC II. Rush Harris stated this project is an EDC site improvement reimbursement grant for a new commercial building, a coffee shop/nonalcoholic bar, and business(s) in the downtown area.

Councilmembers asked questions and discussed.

Councilmember Godfrey made a motion to approve $100,000 rebate grant for project DAC II. Councilmember Abraham seconded the motion, which passed with a vote of 7:0.

Rush Harris announced the tenant of the property, Joe Pine.

275. CONSIDER APPROVAL OF A HIGH DEMAND JOB TRAINING GRANT BY MARSHALL EDC FOR UP TO $67,500 FOR WILEY COLLEGE, SUBJECT TO FINAL APPROVAL OF THE TEXAS WORKFORCE COMMISSION.

Rush Harris asked for approval of an expenditure of a high demand job training grant by Marshall EDC for up to $67,500 to match a Texas Workforce Commission educational grant to benefit working individuals, twenty-five or older, toward earning a degree and/or obtaining skills in a high demand training area.

Councilmember Godfrey made a motion to approve an expenditure of a high demand job training grant by Marshall EDC for up to $67,500 to match a Texas Workforce Commission educational grant. Councilmember Bonner seconded the motion, which passed with a vote of 7:0.

EXECUTIVE SESSION

276. AN EXECUTIVE SESSION PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551 OF THE TEXAS GOVERNMENT CODE UNDER SECTION 551.072 DELIBERATION REGARDING REAL PROPERTY: CONVENE IN EXECUTIVE SESSION TO DISCUSS MATTERS RELATED TO THE PURCHASE, EXCHANGE, LEASE, SALE, OR VALUE OF REAL PROPERTY NECESSARY FOR SEWER LIFT STATION IMPROVEMENTS.

277. AN EXECUTIVE SESSION PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551 OF THE TEXAS GOVERNMENT CODE UNDER SECTION 551.074 PERSONNEL MATTERS: ANNUAL EVALUATION OF CITY MANAGER.

Councilmember Truelove made a motion to convene into Executive Session. Councilmember Godfrey seconded the motion, which passed with a vote of 7:0. The time was 7:02 PM.

Council reconvened from Executive Session. The time was 7:44 PM.

ACTION ITEM FOLLOWING EXECUTIVE SESSION

278. CONSIDER ACTION AS A RESULT OF EXECUTIVE SESSION DISCUSSION REGARDING THE PURCHASE, EXCHANGE, SALE, OR VALUE OF REAL PROPERTY NECESSARY FOR SEWER LIFT STATION IMPROVEMENTS.

Mayor Ware made a motion to authorize staff to negotiate the purchase of a 0.081 acre tract of land off of MLK Blvd. Councilmember Truelove seconded the motion, which passed with a vote of 7:0.

279. CONSIDER ACTION AS A RESULT OF EXECUTIVE SESSION DISCUSSION REGARDING THE ANNUAL EVALUATION OF CITY MANAGER.

No action was taken.

280. **ADJOURNMENT**

Councilmember Godfrey made a motion for adjournment. Councilmember Fenton seconded the motion, which passed with a vote of 7:0.

APPROVED:

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

ATTEST:

City Secretary

Ordinances:	**O-22-25**
	O-22-26
	O-22-27
Resolutions:	**R-22-32**
	R-22-33