

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



Members
Amy Ware, District 4 - Mayor
Marvin Bonner, District 1
Leo Morris, District 2
Jennifer Truelove, District 3
Reba Godfrey, District 5
Amanda Abraham, District 6
Micah Fenton, District 7

REGULAR CITY COUNCIL MEETING

March 9, 2023

6:00 PM

1. Call to Order and Roll Call

2. Invocation and Pledges

3. Presentations & Proclamations

- A. Presentation of a proclamation declaring the month of March as "Developmental Disabilities Awareness Month".

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.

5. Items to be Withdrawn From Consent Agenda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.

- A. Consider approval of the minutes from the February 23, 2023 regular meeting.
B. Consider approval of a resolution updating bank signatory on tender for payment.
C. Consider approval of the appointment of Frances Hurley to the Visit Marshall Advisory Board of Directors

7. Consideration of Item Withdrawn From the Consent Agenda

8. City Manager Reports and Requests for City Council Consideration

- A. Consider approval for formal acceptance of the completed 2022 Street Improvement Program, including release of retainage to the contractor.
B. Consider approval for the lease of a Mini-Excavator for the Municipal Drainage Utility Division of the Public Works Department.

- C. Consider approval for the lease of three (3) Mini-Excavators for the Distribution and Collection Division of the Public Works Department.
- D. Review of Wonderland of Lights 2022

9. Executive Session

- A. An executive session pursuant to Texas Govt. Code Section 551.071. "Consultations with Attorney" to consult with the City Attorney in an executive session to seek his or her advice on legal matters concerning pending or contemplated litigation and upon 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."

10. Adjournment

This meeting will be conducted in accordance with the Americans with Disabilities Act. Requests for sign interpretive services will be available with at least 72-hour notice prior to the meeting. To make arrangements for these services, please call the City Secretary's Office at 903-935-4446.



TO: City Council
DATE: March 9, 2023
ITEM #: 3.A
SUBJECT: Presentation of a proclamation declaring the month of March as "Developmental Disabilities Awareness Month".

Recommendation for Action: Mayor Pro-Tem to read the proclamation issued by the Governor's Office.

Executive Summary: Louraiseal McDonald, County Agent & Family & Community Health Agent, requested the proclamation be read at the council meeting to declare the month of March as "Developmental Disabilities Awareness Month".

Budget Cost: N/A

Staff Contact: Nikki Smith, City Secretary

Attachments: 1. Proclamation-Developmental-Disability-Awareness-Month-2023



**STATE OF TEXAS
OFFICE OF THE GOVERNOR**

An estimated 480,000 Texans have a developmental disability. These children and adults—like all Texans—strive to be self-sufficient, to work and earn a living, to practice their faith, to interact with peers, and to contribute to their community. Although people with developmental disabilities face obstacles that their peers do not, no condition can reduce the dignity and worth they possess by virtue of their humanity. Moreover, their talent, perspective, and experiences bolster our state’s rich diversity, and these Texans have long made the Lone Star State a better, brighter place.

Texas is stronger when all her citizens are fully integrated into their communities. To this end, when students with developmental disabilities are included in classroom settings outside of special education, they are more likely to achieve their full academic potential, and when adults with disabilities are given opportunities in our workforce, they are able to earn a competitive wage, work as part of a team, and support their local economy. This spirit of inclusion brings with it benefits at the societal, community, and individual levels, and it enables people with developmental disabilities to lead longer, healthier lives, engage more fully with the world around them, and give back to others.

Each year, the month of March is set aside in order to raise awareness about developmental disabilities and to highlight the importance of including people of all abilities in every aspect of community life. During this month, concerned citizens, civic groups, and government entities labor in common cause to remind all Texans that classrooms, workplaces, churches, and communities are stronger when they include all people—regardless of their ability status.

At this time, I encourage Texans to educate themselves about developmental disabilities and to support full inclusion by any means possible. As we work together to build the Texas of tomorrow, we must always cherish the time-honored value of liberty and justice for *all*.

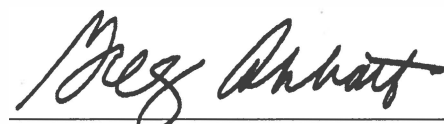
Therefore, I, Greg Abbott, Governor of Texas, do hereby proclaim March 2023 to be

Developmental Disabilities Awareness Month



in Texas and urge the appropriate recognition whereof.

In official recognition whereof,
I hereby affix my signature this the
17th day of February, 2023.


Governor of Texas



TO: City Council
DATE: March 9, 2023
ITEM #: 6.A
SUBJECT: Consider approval of the minutes from the February 23, 2023 regular meeting.

Recommendation for Action: Requesting approval of minutes.

Executive Summary: Minutes from the February 23, 2023 regular City Council meeting.

Budget Cost: N/A

Staff Contact: Nikki Smith, City Secretary

Attachments: 1. 2-23-23 minutes

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



Members
Amy Ware, District 4 - Mayor
Marvin Bonner, District 1
Leo Morris, District 2
Jennifer Truelove, District 3
Reba Godfrey, District 5
Amanda Abraham, District 6
Micah Fenton, District 7

MINUTES
REGULAR CITY COUNCIL MEETING
February 23, 2023
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 Marvin Bonner
Councilmember Leo Morris
Councilmember Jennifer Truelove
Councilmember Amanda Abraham
Councilmember Reba Godfrey
Councilmember Micah Fenton

ADMINISTRATIVE STAFF PRESENT:

Terrell Smith, City Manager	Dawn Jones, Finance Director
Cliff Carruth, Police Chief	Reggie Cooper, Fire Chief
Eric Powell, Public Works Director	
Scott Rectenwald, Acting City Attorney	
Anna Lane, Community Services Director	
Randy Pritchard, Support Services Director	
Nikki Smith, City Secretary/Payroll Accountant	
Garnett Johnson, Community Development Director	

2. Invocation and Pledges

Mayor Ware

3. Citizen Comments

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Tom McClurg, Housing Authority, 1401 Poplar, spoke regarding the resolution supporting a proposed affordable housing development and the need for housing in Marshall.

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 Bonner made a motion to approve the Consent Agenda.

Councilmember Abraham seconded the motion, which passed with a vote of 7:0.

A. Consider approval of the minutes from the February 9, 2023 Regular meeting.

B. Consider approval of a contract agreement between the City of Marshall and Texas State Technical College.

6. Consideration of Item Withdrawn From the Consent Agenda

There were no items withdrawn from the Consent Agenda.

7. Ordinance

A. Consider approval of an ordinance amending the 2023 annual budget.
Dawn Jones, Finance Director, provided information regarding the need to amend the 2023 annual budget for various departmental expenditures.

Councilmembers asked questions and discussed.

Councilmember Abraham made a motion to approve an ordinance amending the 2023 annual budget. Councilmember Godfrey seconded the motion, which passed with a vote of 7:0.

8. Resolution

A. Consider approval of a resolution supporting a proposed affordable housing development located at 200 S.Columbus Street (Blue Buckle Building).

Garnett Johnson, Economic Development Director, introduced Ms. Winters who provided information regarding a planned affordable housing development located at 200 S. Columbus Street (Blue Buckle Building).

Councilmembers asked questions and discussed.

Councilmember Bonner made a motion to approve a resolution supporting a

proposed affordable housing development located at 200 S.Columbus Street (Blue Buckle Building). Councilmember Morris seconded the motion, which passed with a vote of 6:1.

9. City Manager Reports and Requests for City Council Consideration

A. Review of Wonderland of Lights 2022

This item was withdrawn.

B. Review and update of Tourism & Economic Development Event Calendar for 2023.

LeAnne White, Tourism & Economic Development Administrator, provided information regarding upcoming events planned for the City of Marshall In 2023.

C. 2022 Year-End Report for Memorial City Hall

Glenn Barnhart, Performance Center Manger, provided the 2022 year-end report of the various events and shows held at Memorial City Hall. Glenn Barnhart expressed the challenges facing Memorial City Hall and provided financial information for 2022.

Councilmembers asked questions and discussed.

D. Presentation from Insyteful Re: Rebranding of the City of Marshall

LeAnne White provided information regarding the rebranding efforts for the City of Marshall and introduced Kristina Walter and Ray Methvin, representatives of Insyteful. Kristina Walter and Ray Methvin provided background information on Insyteful and explained the phases of the rebranding of the City of Marshall.

Councilmembers asked questions and discussed.

LeAnne White asked for approval of a contract with Insyteful to assist with the rebranding of Marshall at a cost of \$75,550.

Councilmember Godfrey made a motion to table the vote on a contract with Insyteful Re: Rebranding of the City of Marshall. Councilmember Truelove seconded the motion, which passed with a vote of 7:0.

E. 2023 Police Report

Cliff Carruth, Police Chief, provided information regarding activities and challenges faced by the Police Department in 2022, the needs for 2023 and the Racial Profiling Report for 2022.

Councilmembers asked questions and discussed.

Councilmember Truelove left at this point in the meeting.

10. Adjournment

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



TO: City Council
DATE: March 9, 2023
ITEM #: 6.B
SUBJECT: Consider approval of a resolution updating bank signatory on tender for payment.

Recommendation for Action: Consider approval of a resolution to add Alex Agnor, Assistant Director of Finance & Grants, as an approved bank signatory on tender for payment.

Executive Summary: Requesting approval to add Alex Agnor, our new Assistant Finance Director, as an approved bank signatory on tender for payment.

Budget Cost: N/A

Staff Contact: Dawn Jones, Finance Director

Attachments: 1. R-23-04 Amend bank signatories

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MARSHALL
RESOLUTION NO.

A resolution of the governing body of the City of Marshall passed and approved at a meeting of the City Council held on March 9, 2023. The meeting was duly posted and advertised and at which a quorum of the council was present. The purpose of this resolution being the authorization of City of Marshall banking signatories.

WHEREAS, Alex Agnor, the newly hired Assistant Finance Director of Marshall, Texas, is an employee of the City of Marshall, Harrison County, Texas in a leadership position; and

WHEREAS, the city council of the City of Marshall recognizes the need to update signatories for City of Marshall banking purposes; and

WHEREAS, per audit recommendations, two signatures should appear on all checks issued by the City of Marshall, there are situations arise where two signers are not always available.

THEREFORE LET IT BE RESOLVED that the City Council of Marshall, Harrison County, Texas, effective March 9, 2023, does hereby authorize Terrell Smith, Dawn I. Jones, Kristina Hamilton and Alex Agnor as signatories for City of Marshall banking purposes, and that all checks issued by the city must require two signatures before they are to be negotiated at the bank.

Passed and approved this 9th day of March 2023.

APPROVED:

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

ATTEST:

Nikki Smith, City Secretary



TO: City Council
DATE: March 9, 2023
ITEM #: 6.C
SUBJECT: Consider approval of the appointment of Frances Hurley to the Visit Marshall Advisory Board of Directors

Recommendation for Action: Approval of the appointment of Frances Hurley to the Visit Marshall Advisory Board of Directors

Executive Summary: The Visit Marshall Advisory Board of Directors has unanimously voted to welcome Frances Hurley to the roster. They are looking forward to connecting with Fran and the input her expertise and energy will bring to the table.

Budget Cost: N/A

Staff Contact: LeAnne White | 903.930.9385 | white.leanne@marshalltexas.net

Attachments: None



TO: City Council
DATE: March 9, 2023
ITEM #: 8.A
SUBJECT: Consider approval for formal acceptance of the completed 2022 Street Improvement Program, including release of retainage to the contractor.

Recommendation for Action: Acceptance of 2022 Street Improvement Program

Executive Summary: The 2022 Street Improvement Program is now complete and ready for formal acceptance by the City Council. All work has been reviewed and confirmed to be satisfactorily completed for this project. I have also reviewed and verified the contractor's request for release of retainage.

Budget Cost: N/A

Staff Contact: Eric Powell, Director of Public Works and Utilities

Attachments: None



TO: City Council
DATE: March 9, 2023
ITEM #: 8.B
SUBJECT: Consider approval for the lease of a Mini-Excavator for the Municipal Drainage Utility Division of the Public Works Department.

Recommendation for Action: Approval of Mini-Excavator lease for the Municipal Drainage Utility Division

Executive Summary:

I am requesting approval for the City of Marshall to execute a lease agreement with ASCO Equipment for a new 2023 Case CX37C Mini-Excavator for the Municipal Drainage Utility Division of the Public Works Department. This unit will replace the existing Yanmar Mini-Excavator, which will be used as a trade-in against the lease cost. The lease proposal is for a three year period, and the costs are listed below:

- | | |
|--------------------------------------|----------|
| 1. Total cost of the lease (3 years) | \$39,375 |
| 2. Value of trade-in | \$9,500 |
| 3. First year cost | \$3,745 |

Account number 84-0440-20-48 (Machinery and Equipment) has adequate funding to cover the first year expense of \$3,745.00. I will provide a budget request in FY2024 and FY2025 to cover the remaining two years at \$13,245.00 per year.

Budget Cost: \$39,375.00

Staff Contact: Eric Powell, Director of Public Works and Utilities

Attachments: None



TO: City Council
DATE: March 9, 2023
ITEM #: 8.C
SUBJECT: Consider approval for the lease of three (3) Mini-Excavators for the Distribution and Collection Division of the Public Works Department.

Recommendation for Action: Approval of the lease of three (3) Mini-Excavators for the Distribution and Collection Division

Executive Summary:

I am requesting approval for the City of Marshall to execute a lease agreement with ASCO Equipment for three (3) 2023 Case CX37C Mini-Excavators for the Distribution and Collection Division of the Public Works Department. These units will replace the existing Mini-Excavators in the division, which will be used as trade-in against the lease cost. Mini-Excavators are the main equipment that our three Distribution and Collection crews utilize for all water and sewer main related repairs and replacements. The lease proposal is for a three year period, and the costs are listed below:

- | | |
|--------------------------------------|-----------|
| 1. Total cost of the lease (3 years) | \$124,815 |
| 2. Value of trade-in | \$59,000 |
| 3. First year cost | \$0 |

I will provide a budget request in FY2024 and FY2025 to cover the remaining two years at \$41,395.00 per year.

Budget Cost: \$124,815.00

Staff Contact: Eric Powell, Director of Public Works and Utilities

Attachments: None



TO: City Council
DATE: March 9, 2023
ITEM #: 8.D
SUBJECT: Review of Wonderland of Lights 2022

Recommendation for Action: Discussion of item.

Executive Summary: As we prepare for Wonderland of Lights 2023, we want to give a review of 2022.

We have gathered information about:

- Attendance using Placer.AI
- Events
- Volunteers
- Revenue/Sponsorships
- Total Expenditures of Wonderland of Lights
- New Activities and Items for 2022
- Requests and Improvements

Budget Cost: N/A

Staff Contact: Lacy Burson

Attachments: None



TO: City Council
DATE: March 9, 2023
ITEM #: 9.A
SUBJECT: An executive session pursuant to Texas Govt. Code Section 551.071. "Consultations with Attorney" to consult with the City Attorney in an executive session to seek his or her advice on legal matters concerning pending or contemplated litigation and upon 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."

Recommendation for Action: Convene in executive session

Executive Summary: Executive session pursuant to Texas Govt. Code Section 551.071. "Consultations with Attorney" to consult with the City Attorney in an executive session to seek his or her advice on legal matters concerning pending or contemplated litigation and upon 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."

Budget Cost: N/A

Staff Contact: Scott Rectenwald, City Attorney

Attachments: None