Council Chambers, City Hall
401 South Alamo
Marshall, TX 75671
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
April 13, 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 ALL COUNCIL MEMBERS

ADMINISTRATIVE STAFF PRESENT:
Terrell Smith, City Manager
Reggie Cooper, Fire Chief
Cliff Carruth, Police Chief
Dawn Jones, Finance Director
Christol Hall, HR/Civil Service Director
Scott Rectenwald, Acting City Attorney
Anna Lane, Community Services Director
Randy Pritchard, Support Services Director
Chris Miles, Assistant Public Works Director
Nikki Smith, City Secretary/Payroll Accountant
Garnett Johnson, Community Development Director

2. Invocation and Pledges

Mayor Ware

3. Presentations & Proclamations

A. Presentation of a certificate of recognition to Community Healthcore thanking them for their continued service to the citizens of Marshall and the surrounding communities.
Gwendolyn Johnson, Community Healthcore IDD Crisis Coordinator, provided background information about Community Healthcore and the services they provide.

Mayor Ware presented Gwendolyn Johnson with a certificate of recognition and thanked them for their continued seri to the citizens of Marshall and the surrounding communities.

B. National Police Memorial Day and Police Week
Cliff Carruth, Police Chief, provided information regarding Police Week and Tele-Communicator‘s Week. Cliff Carruth stated a memorial service will be held on May 15,

2023.

Mayor Ware read a proclamation for National Police Memorial Day and Police Week and a proclamation for Tele-Communicato's Week and thanked the Marshall Police Department staff for their dedication and service to the City of Marshall.

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.

There were no citizen comments.

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 Abraham made a motion to approve the consent agenda. Councilmember Fenton seconded the motion, which passed by a vote of 7:0.

A. Consider approval of the minutes from the March 23, 2023 regular meeting.

B. Consider approval of an agreement with Dr. Jeffrey McWilliams for Physician Director Services for the Emergency Medical Services System.

C. Consider approval of formal acceptance of the completed Medill Street 6" Water Main Improvement Project, including release of final payment and retainage to the contractor.

7. Consideration of Item Withdrawn From the Consent Agenda

There were no items withdrawn from the Consent Agenda.

8. Public Hearing & Ordinance

A. Conduct a public hearing and consider approval of a rezoning request for 0.52 acres of land in the Asa Langford Survey A-400 from R-1 (Single Family Detached) to C-3 (General Business). The property is located at the Northwest Corner of Benita Drive and East End Blvd. South, more commonly known as, 3311 East End Blvd. South.
Garnett Johnson, Community Development Director, asked for approval of an ordinance regarding a request for rezoning of 0.52 acres of land in the Asa Langford

Survey A-400 from R-1 (Single Family Detached) to C-3 (General Business). The property is located at 3311 East End Blvd. S. Garnett Johnson stated 10 notices were sent, with one response being received. The Planning and Zoning Commission approved this by a vote of 5:0.

Mayor Ware opened the public hearing.

No one came forward to speak.

Mayor Ware closed the public hearing.

Councilmembers asked questions and discussed.

Councilmember Morris made a motion to approve a rezoning request for 0.52 acres of land in the Asa Langford Survey A-400 from R-1 (Single Family Detached) to C-3 (General Business). The property is located at the Northwest Corner of Benita Drive and East End Blvd. South, more commonly known as, 3311 East End Blvd. South.. Councilmember Fenton seconded the motion, which passed by a vote of 7:0.

B. Conduct a public hearing and consider approval of an ordinance regarding a request for rezoning of an 11.4 acre tract of land in the Anderson Whetstone A-747, and William Walker A-754 Surveys from A&E (Agriculture and Estate) to C-3 (General Business). The property is located at 3580 West Pinecrest Drive (U.S. Highway 43 South). Garnett Johnson, Community Development Director, asked for approval of an ordinance regarding a request for rezoning of an 11.4 acre tract of land in the Anderson Whetstone A-747, and William Walker A-754 Surveys from A&E (Agriculture and Estate) to C-3 (General Business). The property is located at 3580 W. Pinecrest Drive. Garnett Johnson stated 10 notices were sent, with no responses being received. The Planning and Zoning Commission approved this by a vote of 5:0.

Mayor Ware opened the public hearing.

No one came forward to speak.

Mayor Ware closed the public hearing.

Councilmembers asked questions and discussed.

Councilmember Abraham made a motion to approve an ordinance regarding a request for rezoning of an 11.4 acre tract of land in the Anderson Whetstone A-747, and William Walker A-754 Surveys from A&E (Agriculture and Estate) to C-3 (General Business). The property is located at 3580 West Pinecrest Drive (U.S. Highway 43 South).. Councilmember Godfrey seconded the motion, which passed by a vote of 7:0.

9. City Manager Reports and Requests for City Council Consideration

A. Consider approval to award a contract for the 2023 Street Improvement Program - Part 2: Reconstruction.

Chris Miles, Assistant Public Works Director, asked for approval to award a contract for the 2023 Street Improvement Program - Part 2: Reconstruction to Rayford Truck & Tractor at a cost of $1,088,037.50. Funding will come from the Street Maintenance Fund and a transfer from the Fund Balance from Sales Tax.

Councilmembers asked questions and discussed.

Councilmember Abraham made a motion to award a contract for the 2023 Street Improvement Program - Part 2: Reconstruction to Rayford Truck & Tractor at a cost of $1,008,037.50. Councilmember Godfrey seconded the motion, which passed by a vote of 7:0:0.

B. Consider approval of the Community Development Block Grant Program Year 2023.

Garnett Johnson stated a public hearing was held on January 25, 2023 and the CDBG committee met on March 14, 2023 to review sub-recipient funding requests. Garnett Johnson then introduced Tami Henderson, CDBG Coordinator, who provided information regarding the sub-recipients and other uses for the CDBG budget. Tami Henderson stated the City of Marshall's CDBG Program was awarded $364,128 for 2023. Tami Henderson asked for approval of the proposed CDBG funding for Program Year 2023.

Councilmembers asked questions and discussed.

Councilmember Fenton made a motion to approve the Community Development Block Grant Program Year 2023. Councilmember Bonner seconded the motion, which passed by a vote of 7:0:0.

10. Executive Session

Councilmember Abraham made a motion to convene in Executive Session. Councilmember Godfrey seconded the motion, which passed by a vote of 7:0. The time was 6:49.

Councilmember Abraham made a motion to reconvene from the Executive Session. Councilmember Godfrey seconded the motion, which passed by a vote of 7:0. The time was 7:19.

A. An Executive Session pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code under Section 551.074 Personnel – Annual evaluation of City Attorney.

B. 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.

C. 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."

11. Adjournment

Councilmember Truelove did not rejoin after the executive session.

Councilmember Godfrey made a motion to adjourn. Councilmember Fenton 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