

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MARSHALL
JANUARY 26, 2023
6:00 PM

Mayor Pro Tem Amanda Abraham called the Regular meeting to order in the Council Chambers, City Hall at 6:00 p.m.

PRESENT:

COUNCIL MEMBERS:

Marvin Bonner, District 1
Reba Godfrey, District 5
Micah Fenton, District 7

Leo Morris, District 2
Amanda Abraham, District 6

ABSENT: Amy Ware, District 4 (excused Motion: Abraham Second: Godfrey
Vote: 5:0)
Jennifer Truelove, District 3

ADMINISTRATIVE STAFF PRESENT:

Terrell Smith, City Manager
Cliff Carruth, Police Chief
Eric Powell, Public Works Director
Scott Rectenwald, Acting City Attorney
Randy Pritchard, Support Services Director
Nikki Smith, City Secretary/Payroll Accountant
Garnett Johnson, Community Development Director

Reggie Cooper, Fire Chief
Dawn Jones, Finance Director

INVOCATION & PLEDGE: Councilmember Godfrey

15. **CITIZEN COMMENTS**

There were no citizen comments.

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

17. **CONSENT AGENDA**

Councilmember Morris made a motion to approve the Consent Agenda. Councilmember Godfrey seconded the motion, which passed with a vote of 5:0.

A. Consider approval of the minutes from the January 12, 2023 Regular meeting.

B. Consider approval of updates to the Governance Policy

18. **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

PUBLIC HEARING AND ORDINANCES

19. CONDUCT A PUBLIC HEARING AND CONSIDER A REZONING REQUEST FOR AN APPROXIMATE 3.54 ACRE TRACT OF LAND, BEING THE WEST PORTION OF AN 8.143 ACRE TRACT OF LAND IN THE T. PERRY SURVEY A-571, FROM R-3 (SINGLE FAMILY DETACHED) TO C-3 (GENERAL BUSINESS). THE PROPERTY IS LOCATED AT 5301 EAST END BLVD SOUTH, PARCEL #R008957505.

Garnett Johnson, Community Development Director, asked for approval of an ordinance regarding a rezoning request for an approximate 3.54 acre tract of land, being the west portion of an 8.143 acre tract of land in the T. Perry Survey A-571, from R-3 (Single Family Detached) to C-3 (General Business), located in the 1800 Block of East Loop 390 North. Garnett Johnson stated 10 notices were sent out with one response received. The Planning and Zoning Commission approved the change by a vote of 6:0.

Mayor Pro Tem Abraham opened the public hearing.

No one came forward to speak.

Mayor Pro Tem Abraham closed the public hearing.

Councilmember Abraham made a motion to approve an ordinance regarding a rezoning request for an approximate 3.54 acre tract of land, being the west portion of an 8.143 acre tract of land in the T. Perry Survey A-571, from R-3 (Single Family Detached) to C-3 (General Business). Councilmember Godfrey seconded the motion, which passed with a vote of 5:0.

20. CONDUCT A PUBLIC HEARING AND CONSIDER A REQUEST REGARDING A SPECIAL USE PERMIT REQUEST FOR APARTMENTS, BEING A 0.076 ACRE TRACT OF LAND DESCRIBED AS THE WEST 110' AND SOUTH 30' OF LOT 5 BLOCK 35 ORIGINAL TOWN SITE. THE PROPERTY IS LOCATED AT 301 NORTH WASHINGTON AVENUE, PARCEL #000003443

Garnett Johnson asked for approval of an ordinance regarding a Special Use Permit for apartments being a 0.076 acre tract of land described as the west 110' and south 30' of Lot 5 Block 35 Original Town Site, located at 301 North Washington Avenue. Garnett Johnson stated 18 notices were sent out with one response received. The Planning and Zoning Commission approved the change by a vote of 6:0.

Mayor Pro Tem Abraham opened the public hearing.

Gail Keys, Planning & Zoning Commission member, stated the vote from their board was 4:1.

Mayor Pro Tem Abraham closed the public hearing.

Councilmembers asked questions and discussed.

Councilmember Morris made a motion to approve an ordinance regarding a Special Use Permit for apartments being a 0.076 acre tract of land described as the west 110' and south 30' of Lot 5 Block 35 Original Town Site, located at 301 North Washington Avenue. Councilmember Bonner seconded the motion, which passed with the following vote:

**Ayes: 3, Councilmembers Morris, Bonner and Godfrey
Noes: 2, Councilmembers Abraham and Fenton**

21. CONDUCT A PUBLIC HEARING AND CONSIDER A REZONING REQUEST FOR A 0.179 ACRE TRACT OF LAND, BEING PART OF LOT 6 BLOCK 3, GATLIN ADDITION, FROM I-2 (HEAVY INDUSTRY) TO C-3 (GENERAL BUSINESS). THE PROPERTY IS LOCATED AT 1003 NORTH BOLIVAR, PARCEL #R000027423.

Garnett Johnson asked for approval of an ordinance regarding a rezoning request for a 0.179 acre tract of land, being part of Lot 6 Block 3, Gatlin Addition, from I-2 (Heavy Industry) to C-3 (General Business), located at 1003 North Bolivar. Garnett Johnson stated six notices were sent out with one response received. The Planning and Zoning Commission approved the change by a vote of 6:0.

Mayor Pro Tem Abraham opened the public hearing.

No one came forward to speak.

Mayor Pro Tem Abraham closed the public hearing.

Councilmembers asked questions and discussed.

Councilmember Abraham made a motion to approve an ordinance regarding a rezoning request for a 0.179 acre tract of land, being part of Lot 6 Block 3, Gatlin Addition, from I-2 (Heavy Industry) to C-3 (General Business), located at 1003 North Bolivar. Councilmember Godfrey seconded the motion, which passed with a vote of 5:0.

22. CONDUCT A PUBLIC HEARING AND CONSIDER A REZONING REQUEST FOR A 3.69 (PARCEL #R-10092185) AND A 38.296 ACRE TRACT OF LAND IN THE ANDERSON WHETSTONE SURVEY A-747, FROM A&E (AGRICULTURE & ESTATE) TO R-2 (SINGLE FAMILY DETACHED). THE PROPERTY IS LOCATED IN THE 2200 BLOCK OF KINGS ROAD, PARCEL #R-000027047 AND R-000027046.

Garnett Johnson asked for approval of an ordinance regarding a rezoning request for a 3.69 and a 38.296 acre tract of land in the Anderson Whetstone Survey A-747, from A&E (Agriculture & Estate) to R-2 (Single Family Detached), located in the 2200 Block of Kings Road. Garnett Johnson stated five notices were sent out with no responses received. The Planning and Zoning Commission approved the change by a vote of 5:0.

Mayor Pro Tem Abraham opened the public hearing.

No one came forward to speak.

Mayor Pro Tem Abraham closed the public hearing.

Councilmember Fenton made a motion to approve an ordinance regarding a rezoning request for a 3.69 and a 38.296 acre tract of land in the Anderson Whetstone Survey A-747, from A&E (Agriculture & Estate) to R-2 (Single Family Detached), located in the 2200 Block of Kings Road. Councilmember Bonner seconded the motion, which passed with a vote of 5:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION

23. FIRE DEPARTMENT 2022 YEAR END REPORT AND 2023 GOALS & OBJECTIVES.

Reggie Cooper, Fire Chief, provided a department activity and challenge summary for 2022 and highlighted the goals & objectives for 2023.

Councilmembers asked questions and discussed.

24. UPDATE REGARDING VACANT PROPERTY REGISTRATION ORDINANCE.

Garnett Johnson introduced Aleena Sepulvado, Code Enforcement Supervisor, who provided an update regarding the vacant property registration ordinance. Aleena Sepulvado provided an overview of the program and stated a total of 125 applications have been sent, with 9 cases completed.

Councilmembers asked questions and discussed.

25. DISCUSSION REGARDING CIP PLANNING.

This item was withdrawn.

EXECUTIVE SESSION

26. 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.

Councilmember Godfrey made a motion to convene into Executive Session. Councilmember Abraham seconded the motion, which passed with a vote of 5:0. The time was 7:20 PM.

Mayor Ware joined the Executive Session virtually.

Councilmember Fenton made a motion to reconvene from Executive Session. Councilmember Godfrey seconded the motion, which passed with a vote of 6:0. The time was 7:41 PM.

27. ADJOURNMENT

Councilmember Godfrey made a motion for adjournment. Councilmember Bonner seconded the motion, which passed with a vote of 5:0.

APPROVED:



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

ATTEST:



City Secretary