

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, FEBRUARY 27, 2020
6:00 PM

Mayor Terri Brown called the Regular meeting to order in the Commission Chambers, City Hall at 6:00 p.m.

PRESENT:

MAYOR: Terri Brown, District 3

COMMISSIONERS:

Marvin Bonner, District 1
Amy Ware, District 4
Larry Hurta, District 6

Leo Morris, District 2
Vernia Calhoun, District 5
Doug Lewis, District 7

ADMINISTRATIVE STAFF PRESENT:

Mark Rohr, City Manager
Scott Rectenwald, Acting City Attorney
Randy Pritchard, Support Services Superintendent
Wes Morrison, Community & Economic Development Director
Elaine Altman, City Secretary/Finance Director
Eric Powell, Public Works Director
Mallori James, Tourism & Cultural Arts Director
Stormy Nickerson, Management Analysis/Communications Coordinator

Reggie Cooper, Fire Chief
Cliff Carruth, Police Chief

INVOCATION & PLEDGE: Mayor Brown & Ke'Miya Parker and Khemistri Wallace,
4th and 5th grade students at William B Travis Elementary
School

51. CITIZEN COMMENTS

William Halliday, 604 Country Club Drive, disagreed with the process used to appoint Leo Morris to District 2.

Leta Kay, 1104 E Bowie, spoke against the manner and speed in which the Commission handled filling Commissioner Beil's vacancy.

Chris Horsley, 1 Glenbrook Circle, spoke regarding the new stop signs at the intersection of Lafayette and E. Houston.

Darlene Ware, DVM, 307 S. Wellington, spoke regarding the plans for the animal adoption center. She stated a surgery suite is not essential for an animal shelter and is not a requirement for grants.

Herbert White, 1201 S. Garrett, spoke regarding former Commissioner Beil and her contributions to the community.

Mac Abney, 211 E. Austin, spoke regarding poor signage in downtown.

Phoenix Albright, 341 Old Elysian Fields Rd #2, spoke in opposition to the appointment of Leo Morris.

LT Cole, 2105 Lancaster, spoke regarding moving forward with the animal adoption center.

OATH OF OFFICE

52. **ISSUE OATH OF OFFICE FOR TEMPORARY APPOINTMENT TO FILL THE COMMISSIONER, DISTRICT 2 VACANCY.**

Scott Rectenwald, Acting City Attorney, explained the process used to appoint Leo Morris to the District 2 position.

Commissioner Hurta made a motion to rescind the appointment of Leo Morris. Commissioner Lewis seconded the motion, which failed with the following vote:

Ayes: 2, Commissioners Hurta and Lewis

Nays: 4, Mayor Brown, Commissioners Ware, Bonner and Calhoun

Scott Rectenwald administered the Oath of Office to Leo Morris for the temporary appointment to fill the vacancy for District 2 until the May 2, 2020 election.

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

C. Monthly financial report.

54. **CONSENT AGENDA**

Commissioner Lewis made a motion to approve the Consent Agenda. Commissioner Calhoun seconded the motion, which passed with the following vote:

Ayes: 6, Mayor Brown, Commissioners Lewis, Calhoun, Bonner, Ware and Morris

Nays: 0

Abstain: 1, Commissioner Hurta

A. Consider approval of the minutes from the February 10, 2020 Special-Called meeting and February 13, 2020 Regular meeting.

B. Consider approval of a contract with the Harrison County Elections Administrator for the May 2, 2020 General Election.

55. **PRESENTATION**

A. Consider approval of a proclamation declaring the month of February as "Teen Dating Violence Awareness Month".

Mayor Brown presented a proclamation declaring the month of February as "Teen Dating Violence Awareness Month" to Heather Lei Miller, Rural Outreach Advocate for the Women's Center of East Texas.

PUBLIC HEARING

56. CONDUCT A PUBLIC HEARING REGARDING THE COMMUNITY DEVELOPMENT BLOCK GRANT 5-YEAR CONSOLIDATED PLAN AND ANNUAL ACTION PLAN FOR 2020 PROGRAM.

Wes Morrison, Community & Economic Development Director, presented the Community Development Block Grant 5-year consolidated Plan and Annual Action Plan for 2020 Program.

Commissioners asked questions and discussed.

Mayor Brown opened the Public Hearing.

No one came forward.

Mayor Brown closed the Public Hearing.

ORDINANCE

57. CONSIDER APPROVAL OF AN ORDINANCE AMENDING SECTION 21-33 OF CHAPTER 21, "OFFENSES," ENTITLED "ANIMALS PROHIBITED IN CITY BUILDINGS; EXCEPTIONS" WHICH ESTABLISHED BUILDING AND FACILITIES OF THE CITY OF MARSHALL IN WHICH IT IS UNLAWFUL TO ALLOW PETS OR OTHER ANIMALS.

Mark Rohr, City Manager, detailed changes made to the ordinance.

Eric Powell, Public Works Director, asked for approval of the ordinance amending Section 21-33 of Chapter 21, "Offenses," entitled "Animals Prohibited in City Buildings; Exceptions" which establishes building and facilities of the City of Marshall in which it is unlawful to allow pets or other animals.

Commissioners asked questions and discussed.

Commissioner Lewis made a motion to approve an Ordinance amending Section 21-33 of Chapter 21, "Offenses," entitled "Animals Prohibited in City Buildings; Exceptions". Mayor Brown seconded the motion, which passed with a vote of 7:0.

SECOND READING OF ORDINANCE

58. CONSIDER APPROVAL OF AN ORDINANCE AMENDING CHAPTER 27 OF THE CITY OF MARSHALL CODE OF ORDINANCES ENTITLED "TRAFFIC", SPECIFICALLY REPEALING SECTION 27-15.3 ENTITLED "SAME – HEAVY VEHICLE PARKING" AND REPLACE WITH A NEW SECTION 27-15.3 ENTITLED "COMMERCIAL VEHICLE PARKING".

Wes Morrison stated there was no new information regarding this ordinance.

Commissioner Lewis made a motion to approve an ordinance amending Chapter 27 of the City of Marshall Code of Ordinances entitled "Traffic", specifically repealing Section 27-15.3 entitled "Same – Heavy vehicle parking" and replace with a new section 27-15.3 entitled "Commercial Vehicle Parking". Commissioner Calhoun seconded the motion, which passed with a vote of 7:0.

RESOLUTIONS

59. CONSIDER APPROVAL OF A RESOLUTION CALLING FOR THE CANCELLATION OF THE CITY GENERAL ELECTION FOR DISTRICT 5.

Elaine Altman, City Secretary, stated Vernia Calhoun, candidate for District 5, was unopposed. She recommended adopting this resolution and declaring Vernia Johnson Calhoun elected commissioner for District 5.

Commissioner Hurta made a motion to approve a resolution calling for the cancellation of the City General Election for the Office of City Commissioner District 5, which was to be held on May 2, 2020. Commissioner Lewis seconded the motion, which passed with a vote of 7:0.

60. CONSIDER APPROVAL OF A RESOLUTION AUTHORIZING THE ISSUANCE OF A REQUEST FOR QUALIFICATIONS AND PROPOSALS (RFQ/RFP), UTILIZING THE DESIGN/BUILD CONTRACT METHOD OF PROJECT DELIVERY, SEEKING QUALIFICATIONS AND PROPOSALS FROM QUALIFIED RESPONDENTS FOR THE DEVELOPMENT, DESIGN AND CONSTRUCTION OF A NEW ANIMAL ADOPTION CENTER.

Mark Rohr asked for approval of a resolution authorizing the issuance of a Request for Qualifications and Proposals (RFQ/RFP), utilizing the Design/Build Contract Method of project delivery, seeking qualifications and proposals from qualified respondents for the development, design and construction of a new animal adoption center. He acknowledged the Adoption Center Advisory Committee and explained the timeframe for this project.

Jerry Cargill presented information regarding the public/private joint effort for funding the animal shelter. He stated, in addition to the \$900,000 from the City of Marshall and the \$250,000 from Harrison County, the Friends of the Marshall Animal Shelter have raised \$60,000 and hope to raise more.

Mark Rohr further explained the funding detailed by Mr. Cargill, stating various sources of donations and contributions total \$475,773. This amount, along with the \$900,000 from the City of Marshall and \$250,000 from Harrison County totals \$1,625,773. He stated the expenditures are anticipated to be \$1,625,000.

Commissioner Lewis made a motion to approve the resolution authorizing the issuance of a Request for Qualifications and Proposals (RFQ/RFP), utilizing the Design/Build Contract Method of project delivery, seeking qualifications and proposals from qualified respondents for the development, design and construction of a new animal adoption center. Commissioner Ware seconded the motion.

Commissioners asked questions and discussed.

This item passed with a vote of 7:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION

61. **PRESENTATION OF AND ACKNOWLEDGEMENT OF RECEIPT OF THE 2019 RACIAL PROFILING REPORT FOR THE MARSHALL POLICE DEPARTMENT.**

Cliff Carruth, Police Chief, presented the 2019 Racial Profiling Report for the Marshall Police Department.

Commissioners asked questions and discussed.

62. **PRESENTATION OF A REPORT ON THE 2019 WONDERLAND OF LIGHTS FESTIVAL.**

Wes Morrison presented a report on the 2019 Wonderland of Lights Festival. He presented the event's financial statements, highlighted 3 year trends and discussed visitor demographics. He also addressed declining volunteer interest.

Rachel Skowronek, Main Street Manager, spoke regarding advertisement for future events based on data collected.

Commissioners asked questions and discussed.

63. **CONSIDER APPROVAL OF A PARTICIPATION AGREEMENT FOR A SERVICE LINE WARRANTY PROGRAM.**

Eric Powell asked for approval to continue participation in an agreement for a Service Line Warranty program. He stated Service Line Warranties of America is a private company that provides insurance for water line breaks; the City receives \$.50 every month for each active policy.

Commissioners asked questions and discussed.

Commissioner Lewis made a motion to approve continued participation in a Service Line Warranty Program. Commissioner Calhoun seconded the motion, which passed with a vote of 7:0.

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

C. Monthly financial report.

Commissioners asked questions and discussed.

Commissioner Ware made a motion to approve the monthly financial report. Commissioner Lewis seconded the motion, which passed with a vote of 7:0.

65. **ADJOURNMENT**

Commissioner Calhoun made a motion for adjournment. Commissioner Lewis seconded the motion, which passed with a vote of 7:0.

APPROVED:



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

ATTEST:



City Secretary

Ordinances: O-20-06

O-20-07

Resolutions: R-20-05

R-20-06