

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MARSHALL
APRIL 14, 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
Jennifer Truelove, District 3
Amanda Abraham, District 6

Leo Morris, District 2
Vernia Calhoun, District 5
Micah Fenton, District 7

ADMINISTRATIVE STAFF PRESENT:

Eric Powell, Public Works Director
Christol Hall, HR Manager
Scott Rectenwald, Acting City Attorney
Randy Pritchard, Support Services Director
Daniel Duke, Tourism & Cultural Arts Director
Nikki Smith, City Secretary/Payroll Accountant
Garnett Johnson, Community Development Director

Cliff Carruth, Police Chief
Reggie Cooper, Fire Chief
Dawn Jones, Finance Director

INVOCATION & PLEDGE: Mayor Ware

89. **CITIZEN COMMENTS**

John Madden, owner Longview Asphalt, provided a handout to the council and spoke regarding expanding his business. John Madden asked for a future meeting with the Council and MEDCO.

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

Item G was withdrawn from the Consent Agenda.

91. **CONSENT AGENDA**

Councilmember Abraham made a motion to approve the Consent Agenda. Councilmember Calhoun seconded the motion, which passed with a vote of 7:0.

- A. Consider approval of the minutes from the March 17, 2022 Special-Called meeting, March 28, 2022 Special-Called meeting, March 29, 2022 Special-Called meeting and March 31, 2022 Special-Called meeting.
- B. Consider approval of an amendment to a resolution authorizing the Marshall Police Department to apply for funding under the Rifle Resistant Body Armor Grant Program (BAGP).
- C. Consider approval of appointments to the Civil Service Board.
- D. Municipal Court Activity Report.
- E. Consider approval of investment report for the first quarter of 2022.

F. Street Sweeping Activity Report.

PUBLIC HEARING AND ORDINANCE

92. CONDUCT A PUBLIC HEARING AND CONSIDER APPROVAL OF AN ORDINANCE REGARDING A SPECIAL USE PERMIT REQUEST FOR THE SALE OF ALCOHOLIC MIXED BEVERAGE OFF PREMISE CONSUMPTION AND MUST COMPLY WITH CURRENT TEXAS ALCOHOLIC BEVERAGE COMMISSION REGULATIONS, BEING A 0.933 ACRE TRACT OF LAND, BEING OUTLOT 197-A AND 197-B NW, LOCATED AT 2205 W GRAND AVE.

Garnett Johnson, Community Development Director, asked for the approval of an ordinance regarding a Special Use Permit request for the sale of alcoholic mixed beverage off premise consumption and must comply with current Texas Alcoholic Beverage Commission regulations, being a 0.933-acre tract of land located at 2205 W Grand Ave. The Planning and Zoning Commission approved the change by a vote of 5:1:0.

Mayor Ware opened the public hearing.

No one came forward to speak.

Mayor Ware closed the public hearing.

Councilmembers asked questions and discussed.

Councilmember Calhoun made a motion to approve an ordinance regarding a Special Use Permit request for the sale of alcoholic mixed beverage off premise consumption, complying with current Texas Alcoholic Beverage Commission regulations. Councilmember Bonner seconded the motion, which passed with a vote of 7:0.

RESOLUTION

93. CONSIDER THE APPROVAL OF A RESOLUTION ADOPTING GUIDELINES AND CRITERIA GOVERNING TAX ABATEMENT AGREEMENTS PURSUANT TO CHAPTER 312 OF THE TEXAS TAX CODE.

Scott Rectenwald, City Attorney, asked for approval of a resolution adopting guidelines and criteria governing tax abatement agreements pursuant to Chapter 312 of the Texas Tax Code.

Councilmembers asked questions and discussed.

Councilmember Truelove made a motion to approve a resolution adopting guidelines and criteria governing tax abatement agreements pursuant to Chapter 312 of the Texas Tax Code. Councilmember Abraham seconded the motion, which passed with a vote of 7:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION

94. CONSIDER APPROVAL OF THE PERSONNEL POLICY AND PROCEDURES MANUAL.

Christol Hall, HR Manager, asked for approval of the Personnel Policy and Procedures Manual.

Councilmembers asked questions and discussed.

Councilmember Calhoun made a motion to approve the Personnel Policy and Procedures Manual. Councilmember Fenton seconded the motion, which passed with a vote of 7:0.

95. CONSIDER APPROVAL OF SMALL BUSINESS GRANT FUND APPLICATIONS.

Garnett Johnson asked for approval of the completed application received between January 27, 2022 and March 16, 2022. Garnett Johnson stated this is the last grant as all funds are exhausted.

Councilmembers asked questions and discussed.

Councilmember Truelove made a motion to approve the application for Studio 1 Hair Salon for \$2,500. Councilmember Fenton seconded the motion, which passed with a vote of 7:0.

96. CONSIDER APPROVAL OF AN EXPENDITURE IN EXCESS OF \$50,000 FOR PROJECT VIRGINIA.

Rush Harris, Executive Director MEDCO, asked for approval of an expenditure in excess of \$50,000 for Project Virginia, a distilling company with associated sales at 305 & 307 N Washington. Rush Harris highlighted the process of the Certificate of Occupancy Bonus Program.

Councilmembers asked questions and discussed.

Councilmember Abraham made a motion to approve an expenditure in excess of \$50,000 for Project Virginia. Councilmember Calhoun seconded the motion, which passed with a vote of 7:0.

97. CONSIDER APPROVAL FOR FORMAL ACCEPTANCE OF THE COMPLETED ANIMAL ADOPTION CENTER PROJECT, INCLUDING RELEASE OF RETAINAGE TO THE CONTRACTOR.

Eric Powell, Public Works Director, asked for approval for formal acceptance of the completed Animal Adoption Center Project, including release of retainage to the contractor. Eric Powell stated the punch list was completed and the final payment reviewed.

Councilmembers asked questions and discussed.

Councilmember Truelove made a motion to approve formal acceptance of the completed Animal Adoption Center Project, including release of retainage to the contractor. Councilmember Fenton seconded the motion, which passed with a vote of 7:0.

98. PRESENTATION OF THE PRELIMINARY LISTING OF STREETS FOR THE 2022 STREET IMPROVEMENT PROGRAM.

Eric Powell presented the preliminary listing of streets for the 2022 Street Improvement Program.

Councilmembers asked questions and discussed.

Councilmember Fenton made a motion to approve the preliminary listing of streets for the 2022 Street Improvement Program. Councilmember Morris seconded the motion, which passed with a vote of 7:0.

99. CONSIDER APPROVAL OF CHANGE ORDER #1 TO THE 100 BLOCK OF E. HOUSTON STREETScape PROJECT.

Eric Powell asked for approval of Change Order #1 to the 100 block of E. Houston Streetscape Project. Eric Powell stated this change order is for additional brick pavers with concrete base due to a change in sidewalk configuration, and more street pavers needing removal due to the location of new water main tie-ins on both east and west sides. The total cost of this change order is \$80,836.97. Funds are available in the Water Distribution division budget to cover the cost of this change order.

Council members asked questions and discussed.

Councilmember Bonner made a motion to approve Change Order #1 to the 100 block of E. Houston Streetscape Project. Councilmember Abraham seconded the motion, which passed with a vote of 7:0.

100. CONSIDER APPROVAL OF AN AMENDMENT TO AN EASEMENT AGREEMENT WITH AMERICAN TOWER FOR A TOWER LOCATED AT 303 W. BURLESON STREET AND AUTHORIZE EXECUTION OF THE AGREEMENT.

Scott Rectenwald asked for approval of an amendment to an easement agreement with American Tower for a tower located at 303 W. Burleson Street and authorize execution of the agreement. Scott Rectenwald stated American Tower wants to expand the easement area.

Councilmember Abraham made a motion to approve an amendment to an easement agreement with American Tower for a tower located at 303 W. Burleson Street and authorize execution of the agreement. Councilmember Calhoun seconded the motion, which passed with a vote of 7:0.

101. CONSIDER APPROVAL OF AMENDMENTS TO THE MARSHALL FIRE DEPARTMENT FEE SCHEDULE.

Reggie Cooper, Fire Chief, asked for approval of amendments to the Marshall Fire Department Fee Schedule.

Councilmembers asked questions and discussed.

Councilmember Calhoun made a motion to approve amendments to the Marshall Fire Department Fee Schedule. Councilmember Morris seconded the motion, which passed with a vote of 7:0.

102. CONSIDER APPROVAL OF FINANCING FOR THE PURCHASE OF TEN (10) NEW VEHICLES FOR THE POLICE DEPARTMENT AND ONE (1) NEW VEHICLE FOR THE FIRE DEPARTMENT AND AUTHORIZATION FOR THE FINANCE DIRECTOR TO EXECUTE THE FINANCING CONTRACT.

Dawn Jones, Finance Director, asked for approval of financing for the purchase of ten (10) new vehicles for the Police Department and one (1) new vehicle for the Fire Department and authorization for the Finance Director to execute the financing contract. Dawn Jones stated the 2022 budget included the purchasing through lease purchase or financing.

Councilmember Truelove made a motion to approve financing for the purchase of ten (10) new vehicles for the Police Department and one (1) new vehicle for the Fire Department and authorization for the Finance Director to execute the financing contract. Councilmember Abraham seconded the motion, which passed with a vote of 7:0.

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

G. Community Development Activity Report.

Councilmember Bonner explained his reasons for withdrawing this item.

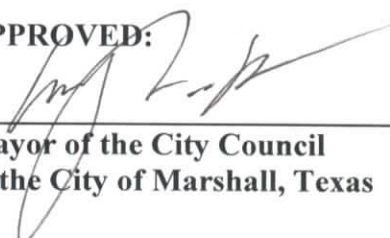
Councilmembers asked questions and discussed.

Councilmember Calhoun made a motion to approve Item G from the Consent Agenda. Councilmember Abraham seconded the motion, which passed with a vote of 7:0.

104. **ADJOURNMENT**

Councilmember Calhoun 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-22-10
Resolutions: R-22-10
R-22-11