

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MARSHALL
THURSDAY, APRIL 22, 2021
6:00 PM

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

PRESENT:

MAYOR: Terri Brown, District 3

COUNCIL MEMBERS:

Marvin Bonner, District 1

Amy Ware, District 4

Amanda Abraham, District 6

Leo Morris, District 2

Vernia Calhoun, District 5

Micah Fenton, District 7

ADMINISTRATIVE STAFF PRESENT:

Mark Rohr, City Manager

Scott Rectenwald, Acting City Attorney

Randy Pritchard, Support Services Superintendent

Debbie Manuel, Interim Finance Director

Eric Powell, Public Works Director

Mallori James, Tourism & Cultural Arts Director

Jasmine Rios, Communications Coordinator

Fabio Angell, Community & Economic Development Director

Nikki Smith, City Secretary/Payroll Accountant

Len Ames, Lieutenant Police Department

Christol Hall, HR Manager

Reggie Cooper, Fire Chief

Cliff Carruth, Police Chief

INVOCATION & PLEDGE:

83. **CITIZEN COMMENTS**

Eric Williams, Out the Box Productions, 100 N. McArthur Street, Irving, Texas, provided a presentation regarding the history of Chattel Slavery in Marshall, Texas.

Narcie Crosby, 211 N Bolivar, spoke in support of the resolution regarding an apology for Chattel Slavery.

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

Items B and F were withdrawn from the Consent Agenda.

85. **CONSENT AGENDA**

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

A. Consider approval of the minutes from the April 8, 2021 Regular meeting.

C. Fire Department Activity Report.

D. Police Department Activity Report.

E. Community & Economic Development Activity Report.

G. Settlement regarding the Southwestern Electric Power Company (SWEPCO) Fuel Reconciliation Case.

PUBLIC HEARING AND ORDINANCE

86. CONDUCT A PUBLIC HEARING AND CONSIDER AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FROM C-3 (GENERAL BUSINESS), AND A&E (AGRICULTURE AND ESTATE) TO MF (MULTI-FAMILY) LOCATED IN THE 2500 BLOCK OF EAST END BOULEVARD SOUTH.

This item was withdrawn.

87. CONDUCT A PUBLIC HEARING AND CONSIDER AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FROM PD (PLANNED DEVELOPMENT) TO R-4 (SINGLE FAMILY DETACHED) LOCATED IN THE 1300 BLOCK OF SOUTH GARRETT STREET.

Fabio Angell, Community & Economic Development Director, asked for the approval of an ordinance amending the official zoning map from PD (Planned Development) to R-4 (Single Family Detached). He stated 20 notices were sent out regarding the zoning amendment with three (3) responses; one for and two against. The Planning and Zoning Commission approved the change by a vote of 5:0.

Mayor Brown opened the public hearing.

No one came forward to speak.

Mayor Brown closed the public hearing.

Councilmember Abraham made a motion to approve an ordinance amending the official zoning map from PD (Planned Development) to R-4 (Single Family Detached). Mayor Brown seconded the motion, which passed with a vote of 7:0.

PRESENTATION

88. PRESENTATION AND APPROVAL OF CRADLE OF ENTREPRENEURSHIP PROGRAM.

Fabio Angell presented guidelines for a formal entrepreneurship program to assist start-ups in the City of Marshall, Texas. He asked for approval of this program, stating it would provide technical and financial assistance to start-ups by placing them in either the "On-Site" Incubator Track (I) or the "Off-Site" Incubator Track (II) and gradually move them along the three phase continuum process; Incubation to Acceleration to Full Production. The cost of this program will be \$50,000 – five (5) finalists will receive \$10,000 each in cash and \$40,000 in nonmonetary services.

Mark Rohr, City Manager, stated this program, which is part of the Mobilize Marshall Strategic Plan, will enable Marshall to become the go to place for start-up businesses and will increase the tax base.

Council members asked questions and discussed.

Mayor Brown made a motion to approve the Cradle of Entrepreneurship Program. Councilmember Calhoun seconded the motion, which passed with a vote of 7:0.

89. WATER/WASTEWATER RATE STUDY PRESENTATION.

Eric Powell, Public Works Director, highlighted information regarding the Water/Wastewater Utility Rate Study by NewGen Strategies & Solutions. He stated the current rate structure does not provide adequate revenues to meet the required ninety (90) days cash and fund balance.

Eric Powell introduced Chris Ekrut, NewGen Strategies & Solutions CFO & Director, who provided the Water/Wastewater Utility Rate Study by NewGen Strategies & Solutions. He stated the initial rate adjustment would be effective June 1, 2021 and annual rate adjustments in January of each year beginning in 2022 through 2025.

ORDINANCE

90. CONSIDER AND ACT ON AN ORDINANCE REGULATING THE SPEED OF MOTOR VEHICLES UPON A CERTAIN SECTION OF IH 20 WITHIN THE CORPORATE LIMITS OF THE CITY OF MARSHALL, AUTHORIZING THE TEXAS DEPARTMENT OF TRANSPORTATION TO ERECT SIGNS, PRESCRIBING PENALTIES, REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SAVINGS CLAUSE; AND DECLARING AN EMERGENCY PASSAGE.

Cliff Carruth, Police Chief, asked for approval of an ordinance requested by TxDOT regulating the speed of motor vehicles on Interstate 20 within the corporate limits of the City of Marshall, Texas. He stated the ordinance will reduce the speed limit from 75 miles per hour to 70 miles per hour.

Council members asked questions and discussed.

Councilmember Calhoun made a motion to approve an ordinance regulating the speed of motor vehicles upon a certain section of IH 20 within the corporate limits of the City of Marshall, authorizing the Texas Department of Transportation to erect signs, prescribing penalties, repealing all ordinances in conflict herewith and providing a savings clause; and declaring an emergency passage. Councilmember Bonner seconded the motion, which passed with a vote of 7:0.

91. CONSIDER APPROVAL OF AN ORDINANCE TO ADOPT THE WATER/SEWER RATE STRUCTURE, AS OUTLINED IN THE WATER/WASTEWATER RATE STUDY PRESENTATION.

Eric Powell asked for approval of an ordinance adopting the water/sewer rate structure, as outlined in the Water/Wastewater Rate Study presentation.

Council members asked questions and discussed.

Councilmember Fenton made a motion to approve an ordinance adopting the water/sewer rate structure, as outlined in the Water/Wastewater Rate Study presentation. Councilmember Bonner seconded the motion, which passed with a vote of 7:0.

CONSIDER PREVIOUSLY TABLED ITEM AND CONSIDER APPROVAL OF AN ORDINANCE AMENDING CHAPTER 4 OF THE CODE OF ORDINANCES ENTITLED "ANIMALS AND FOWL" SECTIONS 4-19 THROUGH 4-25.

Cliff Carruth explained the changes to the ordinance amending Chapter 4 of the Code of Ordinance entitled "Animals and Fowl" Sections 4-19 through 4-25 and asked for approval.

Council members asked questions and discussed.

Councilmember Abraham made a motion to amend the numbering for Sections 4-22.1 for Rabies Vaccination, Section 4-22.2 Microchip required and 4-22.3 Spay/Neuter as well as Section 4-22.3 Paragraph A the entire section as provided. Mayor Brown seconded the motion, which passed with a vote of 7:0.

Mayor Brown made a motion to approve the ordinance as amended. Councilmember Calhoun seconded the motion, which passed with a vote of 7:0.

CONSIDER PREVIOUSLY TABLED ITEM AND CONSIDER APPROVAL OF AN ORDINANCE AMENDING THE 2021 ANNUAL BUDGET.

Mark Rohr provided an overview of the General Fund and detailed the animal adoption center expenses and timeline.

Council members asked questions and discussed.

Councilmember Calhoun made a motion to vote line by line for the request to amend the 2021 budget. Councilmember Abraham seconded the motion, which passed with the following vote:

Ayes: Council members Calhoun, Abraham, Fenton, Bonner and Morris

Nays: Mayor Brown and Councilmember Ware

Approval of CDBG Budget \$102,994

Vote: 7:0

Approval of Animal Shelter/Fund 68 \$67,341

Vote: Ayes: 3, Mayor Brown, Council members Bonner and Ware

Nays: 4, Council members Abraham, Calhoun, Morris and Fenton

Approval of Animal Shelter-Furniture & Fixtures/Fund 68 \$40,000

Vote: Ayes: 3, Mayor Brown, Council members Bonner and Ware

Nays: 4, Council members Abraham, Calhoun, Morris and Fenton

Approval of Cradle Entrepreneurship \$50,000

Vote: 7:0

Approval of Recreational Study \$20,000

Vote: 7:0

Approval of Severe Weather \$5,000

Vote: 7:0

Approval of Firemen Relief & Retirement \$29,000

Vote: 7:0

Approval of Street Improvements \$250,000
Vote: 7:0

Approval of Streetscaping \$126,000
Vote: Ayes: 5, Mayor Brown, Council members Calhoun, Ware, Bonner and Morris
Nays: 2, Council members Fenton and Abraham

Approval of Sidewalk near Golf Course \$8,000
Vote: 7:0

Approval of Façade Downtown \$25,000
Vote: 7:0

Approval of Arena Gates \$12,500
Vote: 7:0

Approval of Interfund Transfer/General Fund to pay off debt \$153,915
Vote: 7:0

RESOLUTION

94. CONSIDER APPROVAL OF A RESOLUTION TO SUSPEND THE EFFECTIVE DATE PROPOSED BY CENTERPOINT ENERGY TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM FOR FORTY-FIVE (45) DAYS, AND AUTHORIZE THE CITY'S CONTINUED PARTICIPATION IN A COALITION OF CITIES KNOWN AS THE "ALLIANCE OF CENTERPOINT MUNICIPALITIES".

Eric Powell asked for approval of a resolution suspending the effective date proposed by CenterPoint Energy to increase rates under the Gas Reliability Infrastructure Program for forty-five (45) days, and authorizing the City's continued participation in a coalition of cities known as the "Alliance of CenterPoint Municipalities".

Council members asked questions and discussed.

Councilmember Fenton made a motion to approve of a resolution suspending the effective date proposed by CenterPoint Energy to increase rates under the Gas Reliability Infrastructure Program for forty-five (45) days, and authorizing the City's continued participation in a coalition of cities known as the "Alliance of CenterPoint Municipalities". Mayor Brown seconded the motion, which passed with a vote of 7:0.

95. PRESENTATION OF A TAX INCREMENT REINVESTMENT ZONE AND CONSIDERATION AND ACTION ON A RESOLUTION APPROVING A PRELIMINARY PROJECT PLAN AND FINANCING PLAN FOR CITY OF MARSHALL REINVESTMENT ZONE NUMBER ONE, AND ESTABLISHING THE BOUNDARIES OF SUCH ZONE; CALLING A PUBLIC HEARING WITH REGARD TO THE CREATION OF SUCH ZONE; PROVIDING AN EFFECTIVE DATE; AND RESOLVING OTHER MATTERS RELATED THERETO.

Mark Rohr provided an overview of the Tax Increment Reinvestment Zone, which is part of the Downtown Redevelopment Plan.

Fabio Angell presented a timeline for a Tax Increment Reinvestment Zone and asked for approval of a resolution approving a preliminary Project Plan and Financing Plan for City of Marshall Reinvestment Zone Number One.

Council members asked questions and discussed.

Councilmember Fenton made a motion to approve of a resolution approving a preliminary Project Plan and Financing Plan for City of Marshall Reinvestment Zone Number One. Mayor Brown seconded the motion, which passed with a vote of 7:0.

96. CONSIDER PREVIOUSLY TABLED ITEM AND CONSIDER APPROVAL OF A RESOLUTION REGARDING CHATTEL SLAVE REPARATIONS & APOLOGY FOR CHATTEL SLAVERY IN MARSHALL, TEXAS.

Councilmember Bonner stated this resolution allows for closure of the issue.

Councilmember Morris made a motion to approve amendments to a resolution regarding Chattel Slave reparations & apology for Chattel Slavery in Marshall, Texas as presented. Councilmember Calhoun seconded the motion, which failed with the following vote:

Ayes: 3, Council members Morris, Calhoun and Bonner

Nays: 4, Mayor Brown, Council members Abraham, Fenton and Ware

The resolution died from lack of motion.

97. CONSIDER PREVIOUSLY TABLED ITEM AND CONSIDER APPROVAL OF A RESOLUTION FOR CHAPTER 380 ECONOMIC DEVELOPMENT GRANT PROMOTING THE CITY OF MARSHALL, TEXAS BY OUT THE BOX PRODUCTIONS, ERIC WILLIAMS.

This item was tabled.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION

98. CONSIDER APPROVAL OF THE ALLOCATION OF 2021 HOTEL/MOTEL OCCUPANCY TAX FUNDS.

Mallori James, Tourism & Cultural Arts Director, explained the process and asked for approval of Hotel/Motel Occupancy Tax allocations that were recommended by the Convention & Visitors Bureau (CVB) Advisory Committee.

Councilmember Fenton made a motion to approve the allocation of 2021 Hotel/Motel Occupancy Tax funds as recommended by the CVB Advisory Committee. Councilmember Bonner seconded the motion, which passed with a vote of 7:0.

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

B. Public Works Activity Report.

Councilmember Abraham explained her reasons for withdrawing this item.

Council members asked questions and discussed.

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

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

Councilmember Bonner explained his reasons for withdrawing this item.

Council members asked questions and discussed.

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

100. **ADJOURNMENT**

Councilmember Calhoun made a motion for adjournment. Councilmember Abraham 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-21-04
O-21-05
O-21-06
O-21-07
O-21-08
O-21-09
Resolutions: R-21-10
R-21-11
R-21-12
R-21-13