

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MARSHALL
THURSDAY, FEBRUARY 10, 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
Vernia Calhoun, District 5
Micah Fenton, District 7

Leo Morris, District 2
Amanda Abraham, District 6

ABSENT: Jennifer Truelove, District 3

ADMINISTRATIVE STAFF PRESENT:

David Willard, Interim City Manager
Dawn Jones, Finance Director
Eric Powell, Public Works Director
Scott Rectenwald, Acting City Attorney
Daniel Duke, Tourism & Cultural Arts Director
Nikki Smith, City Secretary/Payroll Accountant
Randy Pritchard, Support Services Superintendent
Garnett Johnson, Community & Economic Development Assistant Director

Cliff Carruth, Police Chief
Reggie Cooper, Fire Chief

INVOCATION & PLEDGE:

24. **CITIZEN COMMENTS**

There were no Citizen Comments.

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

Items B & C were withdrawn from the Consent Agenda.

26. **CONSENT AGENDA**

Councilmember Bonner made a motion to approve the Consent Agenda. Councilmember Calhoun seconded the motion, which passed with a vote of 6:0.

A. Consider approval of the minutes from the January 27, 2022 Regular meeting.

D. Consider approval of the Texas Subdivision and Special District Election and Release Form regarding the Texas settlement agreement against pharmaceutical manufacturer Endo Health Solutions Inc., Endo Pharmaceuticals Inc., Endo International plc, Par Pharmaceutical, Inc., and Par Pharmaceutical Companies, Inc.

E. Municipal Court Activity Report.

PROCLAMATION

27. PROCLAMATION HONORING REV. DR. EMMITT THEOPHILUS "E. T." CAVINESS.

Mayor Ware stated the proclamation was presented to Rev. Dr. E. T. Caviness at the event honoring him for his accomplishments on February 9, 2022 at the Harrison County Historical Museum.

Councilmember Calhoun read the proclamation for the record.

Mayor Ware and Councilmember Calhoun thanked the staff for their work on and attendance at the event.

PUBLIC HEARING AND ORDINANCE

28. CONDUCT A PUBLIC HEARING AND CONSIDER AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FROM PD (PLANNED DEVELOPMENT) TO MF (MULTIFAMILY) WITH SUP (SPECIAL USE PERMIT) FOR 3 STORY APARTMENTS LOCATED AT 100 PARK PLACE DRIVE.

Garnett Johnson, Community & Economic Development Assistant Director, presented information regarding amending the official zoning map from PD (Planned Development) to MF (Multifamily) with SUP (Special Use Permit) for 3 story apartments located at 100 Park Place Drive.

Mayor Ware opened the public hearing.

Mark León Jr., Cross Architects, PLLC, 879 Junction Drive, Allen, TX, provided background information on the company and information regarding the project.

Mayor Ware closed the public hearing.

Garnett Johnson stated the Planning & Zoning Commission approved this amendment with a vote of 6:0, and letter were sent to surrounding property owners with no responses received.

Councilmembers asked questions and discussed.

Councilmember Abraham made a motion to approve amending the official zoning map from PD (Planned Development) to MF (Multifamily) with SUP (Special Use Permit) for 3 story apartments located at 100 Park Place Drive. Councilmember Calhoun seconded the motion, which passed with a vote of 6:0.

RESOLUTION

29. CONSIDER APPROVAL OF A RESOLUTION DESIGNATING THE INTERIM CITY MANAGER AS THE AUTHORIZED OFFICIAL FOR THE 2020 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING (CESF) GRANT.

Dawn Jones, Finance Director, presented a resolution designating the City Manager as the authorized official for the 2020 Coronavirus Emergency Supplemental Funding (CESF) Grant.

Councilmember Calhoun made a motion to approve a resolution designating the City Manager as the authorized official for the 2020

Coronavirus Emergency Supplemental Funding (CESF) Grant. Councilmember Morris seconded the motion, which passed with a vote of 6:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION

30. CONSIDER APPROVAL OF AN EXPENDITURE IN EXCESS OF \$50,000 FOR PROJECT MCKENZIE.

Rush Harris, Executive Director MEDCO, asked for approval of an expenditure in excess of \$50,000 for Project McKenzie. Rush Harris highlighted the process of the Certificate of Occupancy Bonus Program which will be utilized for the Rueggenbach Brewing Co., to be located at 108 E. Houston.

Councilmembers asked questions and discussed.

Councilmember Abraham made a motion to approve an expenditure in excess of \$50,000 for Project McKenzie. Councilmember Fenton seconded the motion, which passed with a vote of 6:0.

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

This item was withdrawn.

32. FINANCIAL UPDATE REGARDING WONDERLAND OF LIGHTS.

Dawn Jones provided a summary of revenue and expense to date for the Wonderland of Lights event.

Councilmembers asked questions and discussed.

33. CONSIDER APPROVAL OF A RECOMMENDATION FOR APPOINTMENT TO THE PLANNING & ZONING COMMISSION.

Garnett Johnson asked for approval of LaDarius Carter to the Planning & Zoning Commission.

Councilmembers asked questions and discussed.

Councilmember Abraham made a motion to approve the recommendation for appointment to the Planning & Zoning Commission. Councilmember Calhoun seconded the motion, which passed with a vote of 6:0.

34. CONSIDER APPROVAL OF A RECOMMENDATION FOR APPOINTMENTS TO THE VISIT MARSHALL BOARD.

Daniel Duke, Tourism & Cultural Arts Director, asked for approval of Krysta Coleman and Gary Arthur to the Visit Marshall Board.

Councilmember Fenton made a motion to approve the recommendation for appointments to the Visit Marshall Board. Councilmember Bonner seconded the motion, which passed with a vote of 6:0.

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

B. Street Sweeping Activity Report.

C. Public Works Activity Report.

Councilmembers stated their reasons for withdrawing the items.

Councilmembers asked questions and discussed.

Councilmember Morris made a motion to approve Items B & C from the Consent Agenda. Councilmember Fenton seconded the motion, which passed with a vote of 6:0.

EXECUTIVE SESSION

36. **AN EXECUTIVE SESSION PURSUANT TO SECTION 551.071 WHICH AUTHORIZES A GOVERNMENTAL BODY TO CONSULT WITH ITS ATTORNEY CONTEMPLATED LITIGATION; AND ON 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.**

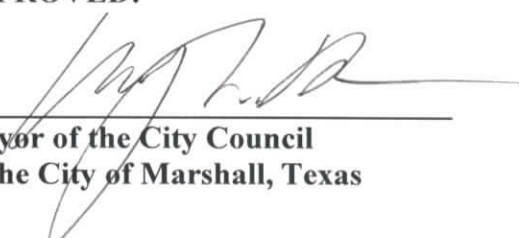
Councilmember Abraham made a motion to enter into Executive Session. Councilmember Calhoun seconded the motion, which passed with a vote of 6:0. The time was 6:58 p.m.

The Council reconvened from Executive Session, the time was 7:29 p.m.

37. **ADJOURNMENT**


Councilmember Fenton made a motion for adjournment. Councilmember Bonner seconded the motion, which passed with a vote of 6:0.

APPROVED:



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

ATTEST:



City Secretary

Ordinance: O-22-05

Resolution: R-22-03