

MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF MARSHALL  
THURSDAY, SEPTEMBER 9, 2021  
6:00 PM

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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:

Mark Rohr, City Manager  
Christol Hall, HR Manager  
Anna Lane, Library Director  
Eric Powell, Public Works Director  
Scott Rectenwald, Acting City Attorney  
Veronique Ramirez, Main Street Manager  
Jasmine Rios, Communications Coordinator  
Nikki Smith, City Secretary/Payroll Accountant  
Randy Pritchard, Support Services Superintendent  
Fabio Angell, Community & Economic Development Director

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

INVOCATION & PLEDGE: Mayor Ware

221. **CITIZEN COMMENTS**

Fred Badalamente, 6800 Hwy 80 East #611, spoke regarding his intent to bring fundraising opportunities to Marshall.

Kenneth Moon, 2500 University, spoke regarding the evaluation of Mark Rohr, City Manager, complimenting various positive administrative policies.

Scott Rectenwald, 110 W. Fannin, informed the Council and public that Trinity Martha's Kitchen is open on Thursday nights.

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

223. **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 August 19, 2021 Special-Called meeting and the August 26, 2021 Regular meeting.

B. Street Sweeping Activity Report.

C. Municipal Court Activity Report.

- D. Discussion and action on whether or not to accept a dedication to the public use of 3.5 acres of land by Piney Land, LLC for construction of a road way by the City of Marshall in connection with the "City of Marshall, Texas and Piney Land I, LLC and Piney Park, LLC Chapter 380 Agreement" and "Annexation Service and Development Agreement Between The City of Marshall, Texas and Piney Land, I, LLC."
- E. Consider approval of a Resolution to intervene through the Cities Advocating Reasonable Deregulation ("CARD") in review of Southwestern Electric Power Company's (SWEPCO) application filed with the Public Utility Commission of Texas to deploy and recover the costs related to a new metering system.
- F. Consider approval of a Resolution to intervene through the Cities Advocating Reasonable Deregulation ("CARD") in review of Southwestern Electric Power Company's (SWEPCO) application filed with the Public Utility Commission of Texas to implement a surcharge to recover approximately \$192 million in fuel costs SWEPCO contends it incurred during the February 2021 winter storm.

#### **PUBLIC HEARING**

224. CONDUCT A PUBLIC HEARING ON PROPOSED BUDGET FOR THE 2022 FISCAL YEAR AND ACTION TO ADOPT THE BUDGET OR CONTINUE CONSIDERATION OF THE BUDGET TO A FUTURE MEETING.

Mayor Ware opened the public hearing.

No one spoke.

Mayor Ware closed the public hearing.

225. CONDUCT A PUBLIC HEARING ON THE PROPOSED TAX RATE OF \$0.567160 PER \$100 VALUATION IN SUPPORT OF THE 2022 ANNUAL BUDGET OF THE CITY OF MARSHALL.

Mayor Ware opened the public hearing.

No one spoke.

Mayor Ware closed the public hearing.

#### **ORDINANCE**

226. CONSIDER APPROVAL OF AN ORDINANCE TO ADOPT THE ANNUAL BUDGET OF THE CITY OF MARSHALL, TEXAS FOR THE 2022 FISCAL YEAR.

**Councilmember Abraham made a motion to approve an ordinance to adopt the annual budget of the City of Marshall, Texas for the 2022 fiscal year. Councilmember Truelove seconded the motion, which passed with a vote of 7:0.**

**RATIFICATION OF PROPOSED 2021 TAX INCREASE**

227. **CONSIDER RATIFICATION OF THE PROPOSED 2021 TAX RATE INCREASE REFLECTED IN THE 2022 BUDGET IN ACCORDANCE WITH THE TEXAS LOCAL GOVERNMENT CODE.**

Mark Rohr, City Manager, stated this item reflects the increase in the tax rate requested by the Council for the budget.

**Councilmember Calhoun made a motion for ratification of the proposed 2021 tax rate increase reflected in the 2022 Budget. Councilmember Morris seconded the motion, which passed with a vote of 7:0.**

**ORDINANCE**

228. **CONSIDER APPROVAL OF AN ORDINANCE AFFIXING AND LEVYING 2021 AD VALOREM TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF MARSHALL FOR THE 2022 FISCAL YEAR AT A RATE OF \$0.567160 PER \$100 OF PROPERTY VALUE, WHICH IS EFFECTIVELY A 6.99 PERCENT INCREASE IN THE TAX RATE. THE TAX RATE OF \$0.567160 WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

Mark Rohr asked for approval of an ordinance affixing and levying 2021 ad valorem taxes for the use and support of the municipal government of the City of Marshall, Texas, for the 2022 fiscal year at a rate of \$0.567160 per \$100 of property value, *which is effectively a 6.99 percent increase in the tax rate.* **The tax rate of \$0.567160 will raise more taxes for maintenance and operations than last year's tax rate.**

**Councilmember Abraham moved that the property tax rate be increased by the adoption of a tax rate of \$0.567160, which is effectively a 6.99 percent increase in the tax rate. Councilmember Truelove seconded the motion, which passed with a vote of 7:0.**

229. **CONSIDER APPROVAL OF AN ORDINANCE OF THE CITY OF MARSHALL AMENDING CHAPTER 19A "MUNICIPAL COURTS, SECTION 19A-63. "PERMITTED USES" TO ALLOW MONEY COLLECTED BY THE MUNICIPAL COURT UNDER ARTICLE 102.014 OF THE TEXAS CODE OF CRIMINAL PROCEDURE TO BE USED FOR PROGRAMS DESIGNATED BY THE CITY COUNCIL, AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ORDINANCE.**

Scott Rectenwald, City Attorney, asked for approval of an ordinance of the City of Marshall amending chapter 19a "Municipal Courts, Section 19a-63. "Permitted Uses" to allow money collected by the Municipal Court under Article 102.014 of the Texas Code of Criminal Procedure to be used for programs designated by the City Council, and establishing an effective date for such ordinance.

**Councilmember Truelove made a motion to approve the ordinance as presented. Councilmember Abraham seconded the motion, which passed with a vote of 7:0.**

**CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION**

230. **CONSIDER APPROVAL OF AN EXPENDITURE IN EXCESS OF \$50,000 AS AN INCENTIVE FOR PROJECT CORD.**

Rush Harris, Executive Director MEDCO, asked for approval of an expenditure in excess of \$50,000 as an incentive for Project Cord. Rush Harris stated this project would provide 75 new jobs, \$50 million in Capital Investment and would be a joint effort with Harrison County.

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

231. **CONSIDER APPROVAL TO PURCHASE AN INFLUENT PUMP FOR THE WASTEWATER TREATMENT PLANT.**

Eric Powell, Public Works Director, asked for approval to purchase an influent pump from Jack Tyler Engineering, Inc, at a cost of approximately \$128,000 for the Wastewater Treatment Plant.

**Councilmember Bonner made a motion to approve the purchase of an influent pump for the Wastewater Treatment Plant. Councilmember Abraham seconded the motion, which passed with a vote of 7:0.**

232. **CONSIDER APPROVAL TO ENTER INTO AN AGREEMENT WITH SCHNEIDER ELECTRIC BUILDINGS AMERICAS, INC. TO PERFORM AN ENERGY CONSERVATION INVESTMENT GRADE AUDIT FOR THE CITY OF MARSHALL.**

Eric Powell asked for approval to enter into an agreement with Schneider Electric Buildings Americas, Inc. to perform an energy conservation Investment Grade Audit for the City of Marshall. Eric Powell stated the fee for the audit is \$165,000 if the project is complete and/or the City decides not to move forward with implementations. If the City does move forward with the project, the \$165,000 cost will be included in the overall cost of the project.

Council members asked questions and discussed.

**Councilmember Abraham made a motion to table this item. Councilmember Truelove seconded the motion, which passed with a vote of 7:0.**

233. **CONSIDER APPROVAL OF SMALL BUSINESS GRANT FUND APPLICATIONS.**

Fabio Angell, Community & Economic Development Director, provided an update regarding total expenditures and asked for approval of the completed application received between August 16, 2021 and August 30, 2021. Fabio Angell stated approximately \$18,000 in funds remained, which would assist about seven (7) more applicants.

**Councilmember Calhoun made a motion to approve the application for Eva's Barber Shop LLC for \$2,500. Councilmember Fenton seconded the motion, which passed with a vote of 7:0.**

Fabio Angell stated a press release would be sent regarding the updated uses for the next round of funding.

234. DISCUSSION OF AND CONSIDERATION OF AN UPDATE REGARDING THE MOBILIZE MARSHALL STRATEGIC PLAN.

Mark Rohr provided a handout and presented an update of the Mobilize Marshall Strategic Plan. Mark Rohr detailed some of the City's accomplishments regarding various goals and objectives of this plan.

Council members asked questions and discussed.

235. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

EXECUTIVE SESSION

236. AN EXECUTIVE SESSION PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551 OF THE TEXAS GOVERNMENT CODE UNDER SECTION 551.074 PERSONNEL MATTERS: ANNUAL EVALUATION OF CITY MANAGER.

**Councilmember Bonner made a motion to convene into Executive Session. Councilmember Calhoun seconded the motion, which passed with a vote of 7:0. The time was 8:01 p.m.**

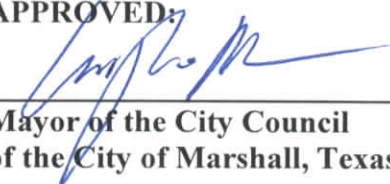
**The Council reconvened from Executive Session, the time was 8:30 p.m.**

**Councilmember Abraham made a motion to table this item. Councilmember Truelove seconded the motion, which passed with a vote of 7:0.**


237. ADJOURNMENT

**Councilmember Abraham made a motion for adjournment. Councilmember Calhoun seconded the motion, which passed with a vote of 7:0.**

APPROVED:

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

ATTEST:

  
\_\_\_\_\_  
City Secretary

Ordinances: O-21-19

O-21-20

O-21-21

Resolutions: R-21-19

R-21-20