



**CITY OF MARSHALL, TEXAS
REGULAR CITY COMMISSION MEETING
COMMISSION CHAMBERS, CITY HALL, 401 SOUTH ALAMO
THURSDAY, JANUARY 23, 2020, 6:00 P.M.**

**AGENDA INFORMATION PACKET IS AVAILABLE FOR THE
PUBLIC TO REVIEW ON THE CITY'S WEB SITE AFTER 8:00 A.M.
ON WEDNESDAY BEFORE THE MEETING AT
www.marshalltexas.net**

1. **CALL TO ORDER AND ROLL CALL**
Page 1

2. **INVOCATION AND PLEDGES**
Page 2

3. **CITIZEN COMMENTS**

House Bill 2840 requires that a governmental body must allow each member of the public who desires to address the body regarding an item on an agenda the opportunity to do so before or during the body's consideration of the item. The "Citizens Comments" portion of the meeting meets the requirements of this law and is the public's opportunity to speak on any item on the agenda. Those who wish to speak will have three minutes to do so unless additional time has been requested.

Page 3

4. **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**
Page 4

5. **CONSENT AGENDA**

The items on the Consent Agenda require little or no deliberation by the Commission. Approval of the Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations, a copy of which is filed with the minutes of the meeting. A Commissioner may remove items from the Consent Agenda by making such request prior to a motion and vote on the Consent Agenda.

A. Consider approval of the minutes from the January 9, 2020 Regular meeting.
Page 5

- B. Consider approval of a Temporary Construction Easement between the City of Marshall and Union Pacific Railroad Company. (Public Works Director)

Page 12

6. **PUBLIC HEARING**

- A. Conduct a Public Hearing and respond as necessary regarding the Downtown Redevelopment Plan. (City Manager)

Page 19

7. **ORDINANCE**

- A. Consider approval of an Ordinance calling for a special election for the reauthorization of the local sales and use tax in the City of Marshall at the rate of one-eighth (1/8th) of one percent to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized. (City Secretary)

Page 21

8. **SECOND READING OF ORDINANCES**

- A. Consider approval of an Ordinance approving a Special Use Permit to allow a day care at 307-B Pope Street, generally located north of Pope Street, approximately 85 feet west of Block Street intersection. (Director of Community & Economic Development)

Page 29

- B. Consider approval of an Ordinance amending the official zoning map for a 0.693 acre tract of land from C-2 (Retail Business) to C-3 (General Business), the subject property is located on the north side of East Houston Street, east of Veterans Avenue and at the end of Jean Drive, more commonly known as 2009 East Houston Street. (Director of Community & Economic Development)

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- C. Consider approval of an Ordinance amending Chapter 32 of the Code of Ordinances entitled "Zoning" specifically related to Section 19 entitled "Definitions" and Section 21 entitled "Permitted Uses". (Director of Community & Economic Development)

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9. **RESOLUTIONS**

- A. Consider approval of a Resolution ordering a General Election for City Commissioner Districts 5, 6, and 7. (City Secretary)

Page 51

- B. Consider approval of a Resolution calling for a Joint Election Agreement with the Marshall Independent School District for the May 2, 2020 General Election.
(City Secretary)

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10. **CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION**

- A. Consider approval of the allocation of 2020 Hotel/Motel Occupancy Tax funds.
(Director of Tourism and Cultural Arts)

Page 61

- B. Discussion of and consideration of the 2020 City Commission meeting schedule. (City Manager)

Page 67

- C. Discussion regarding 2019 Wonderland of Lights. (Commissioner Hurta)

Page 71

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

Page 73

12. **EXECUTIVE SESSION**

- A. An Executive Session pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code under Section 551.071 Settlement Offer: Consider, discuss, and deliberate bond settlement for painting contract for Memorial City Hall.

Page 74

- B. An Executive Session pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code under Section 551.074 Personnel Matters: Consider, discuss, and deliberate the appointment, employment, duties, and succession plan for the office of the City Attorney.

Page 75

13. **ACTION ITEMS FOLLOWING EXECUTIVE SESSION, IF NECESSARY**

- A. Consider authorizing the City Attorney to act on behalf of the City of Marshall related to matters regarding a bond settlement as discussed in Executive Session.

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14. **ADJOURNMENT**
Page 78

Posted: January 17, 2020
5:00 p.m.
Y. Graham

This meeting will be conducted in accordance with the Americans with Disabilities Act. The facility is wheelchair accessible and disabled parking is available. Requests for sign interpretive services will be available with at least 48-hour notice prior to the meeting. To make arrangements for these services, please call Elaine Altman at 903-935-4519.

ITEM 1

CALL TO ORDER AND ROLL CALL

ITEM 2

INVOCATION AND PLEDGES

ITEM 3

CITIZEN COMMENTS

ITEM 4

ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA

ITEM 5A

CONSENT AGENDA

**CONSIDER APPROVAL OF THE
MINUTES FROM THE JANUARY 9, 2020
REGULAR MEETING**

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, JANUARY 9, 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
Vernia Calhoun, District 5

Amy Ware, District 4
Doug Lewis, District 7

ABSENT: Larry Hurta, District 6

ADMINISTRATIVE STAFF PRESENT:

Mark Rohr, City Manager
Scott Rectenwald, Acting City Attorney
Wes Morrison, Community & Economic Development Director
Nikki Smith, Deputy City Secretary/Payroll Accountant
Eric Powell, Public Works Director
Mallori James, Tourism & Cultural Arts Director
Stormy Nickerson, Management Analysis/Communications Coordinator
Parker Harrison, Community Development Manager
Cherilyn Johnston, HR Manager

Reggie Cooper, Fire Chief
Cliff Carruth, Police Chief

INVOCATION & PLEDGE: Mayor Brown & Amara Houston, 4th grade student at Sam Houston Elementary School

1. **CITIZEN COMMENTS**

Mark Rohr, City Manager, spoke regarding the ball field agenda item. He stated the most recent contract for usage was signed in 2012 with the fees remaining the same (\$60 per team) since 2002.

Joe Martino, 306 Cedarcrest Drive, spoke in opposition of an increase in fees for ball field usage.

Scott Beck, 135 Blue Fox Road, President of Marshall Youth Softball Association, spoke in opposition of an increase in fees for ball field usage. He would like to have a contractual agreement on file.

Kendrick Biggs, 10216 FM 2625 E, President of Marshall Youth Baseball Association, spoke in opposition of an increase in fees for ball field usage. He would like to have a contractual agreement on file that indicates a breakdown of fund usage and includes upgrades to the ball fields.

Narcy Crosby, 211 N Bolivar, thanked the City for their tribute to former Commissioner Gail Beil and spoke regarding the Downtown Redevelopment Plan. She would like to see the City work with the Landmark Preservation Board to keep the integrity of the square.

Jacqueline Singleton, 1809 Elysian Fields Avenue, spoke regarding an increase in her water bill. Mark Rohr asked Ms. Singleton to come to City Hall during business hours to have the issue addressed.

Sherry Griffis, 198 W. Sesame, Karnack, spoke in opposition of an increase in fees for ball field usage. She stated more time was needed to review and agree upon a contract.

Donna Haines, 101 Fir Trail, spoke in opposition of an increase in fees for ball field usage.

Billy Hawthorne, 300 Oakwood Estates, spoke in opposition of an increase in fees for ball field usage.

Mark Haines, 101 Fir Trail, spoke in opposition of an increase in fees for ball field usage.

Crystal Earley, 1201 Washington Place East, read a letter her daughter wrote in opposition of an increase in fees for ball field usage.

Tony Crosby, 211 N. Bolivar, spoke in support of the Downtown Redevelopment Plan and was thankful the City is seeking input from the citizens.

Joe Childress, 2005 Lancaster, spoke in opposition of an increase in fees for ball field usage and the proposed contract. He is concerned the contract is not balanced and does not state what the money received will be used for. He stated there are areas for advertisements to be placed which could generate revenue for the City.

Ronnie Minatrea, 7109 Hwy 43 N, Tournament Director for Marshall Youth Softball Association, spoke in opposition of an increase in fees for ball field usage. He stated tournaments would increase revenue by bringing visitors to our area, but the facilities need to be updated in order to accommodate the tournaments.

Chris Young, 554 Underwood Road, spoke in opposition of an increase in fees for ball field usage.

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

There were no items withdrawn from the Consent Agenda.

3. **CONSENT AGENDA**

Commissioner Calhoun made a motion to approve the Consent Agenda. Commissioner Lewis seconded the motion, which passed with a vote of 5:0.

A. Consider approval of the minutes from the December 12, 2019 Regular meeting and the December 16, 2019 Special-Called meeting.

B. Consider approval of a Resolution adopting the City of Marshall Investment Policy.

C. Consider approval of an Interlocal Agreement with Harrison County for Animal Adoption Center Services.

D. Consider approval of amendment #2 to the Municipal Maintenance Agreement with the Texas Department of Transportation for mowing services.

E. Monthly financial report.

F. Street Sweeping Activity Report.

G. Municipal Court Activity Report.

H. Consider approval of an appointment to the Charter Review Committee.

4. **PRESENTATION**

A. Presentation regarding the 2020 Census.

Evie Henson, U. S. Census Bureau, presented information regarding the 2020 Census. She stated the two (2) main goals are to hire locally and have the forms completed by spring 2020. The last day to submit the census form will be July 31, 2020.

Stormy Nickerson, Management Analysis/Communications Coordinator, spoke regarding the Marshall Complete Count Committee reaching out to the community to ensure everyone gets counted in the upcoming census.

PUBLIC HEARINGS AND ORDINANCES

5. **CONDUCT A PUBLIC HEARING AND CONSIDER AN ORDINANCE APPROVING A SPECIAL USE PERMIT TO ALLOW A DAY CARE AT 307-B POPE STREET, GENERALLY LOCATED NORTH OF POPE STREET, APPROXIMATELY 85 FEET WEST OF BLOCK STREET INTERSECTION.**

Wes Morrison, Community & Economic Development Director, presented an ordinance asking for approval of a Special Use Permit to allow a day care at 307-B Pope Street, generally located north of Pope Street, approximately 85 feet west of Block Street intersection. He stated the Planning and Zoning Commission recommended approval by a vote of 7:0.

Mayor Brown opened the public hearing.

No one came forward.

Mayor Brown closed the public hearing.

Commissioner Lewis made a motion to approve a Special Use Permit to allow a day care at 307-B Pope Street. Commissioner Ware seconded the motion, which passed with a vote of 5:0.

6. **CONSIDER A PUBLIC HEARING AND CONSIDER AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR A 0.693 ACRE TRACT OF LAND FROM C-2 (RETAIL BUSINESS) TO C-3 (GENERAL BUSINESS), THE SUBJECT PROPERTY IS LOCATED ON THE NORTH SIDE OF EAST HOUSTON STREET, EAST OF VETERANS AVENUE AND AT THE END OF JEAN DRIVE, MORE COMMONLY KNOWN AS 2009 EAST HOUSTON STREET.**

Wes Morrison presented an ordinance amending the official zoning map for a 0.693 acre tract of land from C-2 (Retail Business) to C-3 (General Business). The subject property is located on the north side of East Houston Street, east of Veterans Avenue and at the end of Jean Drive, more commonly known as 2009 East Houston Street. He stated the Planning and Zoning Commission recommended approval by a vote of 7:0.

Mayor Brown opened the public hearing.

No one came forward.

Mayor Brown closed the public hearing.

Commissioner Lewis made a motion to approve an ordinance amending the official zoning map for a 0.693 acre tract of land from C-2 (Retail Business) to C-3 (General Business), commonly known as 2009 East Houston Street. Commissioner Calhoun seconded the motion, which passed with a vote of 5:0.

7. CONDUCT A PUBLIC HEARING AND CONSIDER AN ORDINANCE AMENDING CHAPTER 32 OF THE CODE OF ORDINANCES ENTITLED “ZONING” SPECIFICALLY RELATED TO SECTION 19 ENTITLED “DEFINITIONS” AND SECTION 21 ENTITLED “PERMITTED USES”.

Wes Morrison presented an ordinance amending Chapter 32 of the Code of Ordinances entitled “Zoning” specifically related to Section 19 entitled “Definitions” and Section 21 entitled “Permitted Uses”. He stated the Planning and Zoning Commission recommended approval by a vote of 7:0.

Commissioners asked questions and discussed.

Mayor Brown opened the public hearing.

No one came forward.

Mayor Brown closed the public hearing.

Commissioner Ware made a motion to approve an ordinance amending Chapter 32 of the Code of Ordinances entitled “Zoning” specifically related to Section 19 entitled “Definitions” and Section 21 entitled “Permitted Uses”. Commissioner Lewis seconded the motion, which passed with a vote of 5:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION

8. CONSIDER APPROVAL OF A REAPPOINTMENT TO THE MARSHALL ECONOMIC DEVELOPMENT CORPORATION BOARD OR DIRECTORS.

Donna Maisel, Executive Director of MEDCO, asked for approval of the reappointment of Jeremy Spears to the Marshall Economic Development Corporation Board of Directors.

Commissioner Calhoun made a motion to approve the reappointment of Jeremy Spears to the Marshall Economic Development Corporation Board of Directors. Commissioner Lewis seconded the motion, which passed with a vote of 5:0.

9. PRESENTATION REGARDING THE NEIGHBORHOOD IMPROVEMENT PLAN.

Mark Rohr stated this plan derived from the Mobilize Marshall Plan approved on June 1, 2019 and emphasized the City’s limited resources.

Wes Morrison highlighted aspects of the Neighborhood Improvement Plan.

Commissioners asked questions and discussed.

Mark Rohr affirmed this is a dynamic new program that is customizable for different neighborhoods.

10. DISCUSSION OF AND CONSIDERATION OF AGREEMENTS FOR BALLFIELD USE AND CONCESSION SERVICES AT AIRPORT PARK.

Mark Rohr summarized the reasons for the agreements. He stated the most recent contract for concessions was signed in 1999. The most recent contract for usage was signed in 2012 with the fees remaining the same, \$60 per team, since 2002.

Commissioners asked questions and discussed.

Commissioner Lewis made a motion to table agreements for ball field use and concession services at Airport Park. Commissioner Calhoun seconded the motion, which passed with a vote of 5:0.

It was decided this item would be reviewed and brought before the Commission at a later meeting.

11. DISCUSSION OF AND CONSIDERATION OF A TEMPORARY APPOINTMENT TO FILL THE COMMISSIONER, DISTRICT 2 VACANCY.

Commissioner Calhoun made a motion to approve the temporary appointment of Leo Morris, to fill the Commissioner, District 2 vacancy. Commissioner Bonner seconded the motion, which failed with the following vote:

Commissioners engaged in discussion.

**Ayes: 2, Commissioners Calhoun and Bonner
 Nays: 3, Mayor Brown, Commissioners Lewis and Ware**

Commissioner Lewis made a motion to advertise the District 2 vacancy, and allow interested citizens to submit an application by Friday, January 24, 2020, for the Commission to fill the vacancy on February 13, 2020. Commissioner Bonner seconded the motion, which passed with the following vote:

**Ayes: 4, Mayor Brown, Commissioners Lewis, Bonner and Ware
 Nays: 1, Commissioner Calhoun**

12. REPORT REGARDING 2019 WONDERLAND OF LIGHTS.

This item was withdrawn.

13. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

14. **EXECUTIVE SESSION**

A. An Executive Session pursuant to the Open Meeting Act, Chapter 551 of the Texas Government Code under Section 551.074 Personnel Matters: Annual evaluation of City Manager.

Commissioner Lewis made a motion to enter into Executive Session. Commissioner Ware seconded the motion, which passed with a vote of 5:0. The time was 7:44 p.m.

Commissioner Lewis left at this point in the meeting.

The Commissioner reconvened from Executive Session. The time was 9:03 p.m.

15. **ADJOURNMENT**

Commissioner Bonner made a motion for adjournment. Commissioner Calhoun seconded the motion, which passed with a vote of 4:0.

APPROVED:

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

ATTEST:

City Secretary

**Ordinances: O-20-01
O-20-02
O-20-03
Resolution: R-20-01**

ITEM 5B

CONSENT AGENDA

APPROVAL OF A TEMPORARY CONSTRUCTION EASEMENT BETWEEN THE CITY OF MARSHALL AND UNION PACIFIC RAILROAD COMPANY



TO: Members of the City Commission

FROM: Eric Powell, PE
Director of Public Works

DATE: January 16, 2020

SUBJECT: Approval of temporary construction easement for Union Pacific Railroad track construction project

Union Pacific Railroad will soon undertake a track construction project, a portion of which is located within the City's adjacent right-of-way at W. Houston St./Ward St. This temporary construction easement will allow Union Pacific to utilize this area for access, grading, staging, and storage of materials and equipment for the duration of this project (estimated completion date is December 31, 2021). In consideration of this construction easement, Union Pacific agrees to pay the City of Marshall a one-time, lump sum payment in the amount of \$1,500.00.

A copy of the temporary construction easement document is attached, as well as a map of the area that will be involved.

TEMPORARY CONSTRUCTION EASEMENT

THIS TEMPORARY CONSTRUCTION EASEMENT is made by and between the CITY OF MARSHALL TEXAS, a Texas municipal corporation (the "Grantor" whether one or more), with an address of 401 S. Alamo, Marshall, Texas 75670 and UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (the "Grantee"), with an address of 1400 Douglas St., STOP 1690, Omaha, Nebraska 68179.

The Grantor, for good and valuable consideration to be paid by the Grantee to the Grantor, the sufficiency of which is hereby acknowledged, does hereby GRANT, CONVEY and CONFIRM unto the Grantee, its successors and assigns, a TEMPORARY CONSTRUCTION EASEMENT in, to, over, along, upon and across the property located in Marshall, Harrison County, Texas, as depicted on Exhibit A, attached hereto and made a part hereof (the "Construction Area").

This Temporary Construction Easement is to be used by the Grantee and its employees, agents, contractors and permittees, for access, grading, staging and storage of materials and equipment, all in connection with the Grantee's track construction project located within the Grantee's adjacent right-of-way. The Grantor also hereby grants unto the Grantee and its employees, agents, contractors and permittees, the right of ingress and egress to and from the Construction Area for the purpose of exercising the rights herein granted.

The Temporary Construction Easement granted herein shall commence on the date of this instrument and continue until the Grantee has completed its construction activities described herein (the "Construction Period"). The Grantee estimates that it will complete its construction activities by December 31, 2021.

By its acceptance of this instrument, the Grantee agrees to indemnify and hold harmless the Grantor from and against loss, damages, costs and expenses which may result from injury to or death of persons or loss of or damage to property when such loss is due to or arises in connection with or as a result of Grantee's use of the Construction Area during the Construction Period, except to the extent that the loss is caused by the negligence of the Grantor.

TO HAVE AND TO HOLD the Construction Area unto the Grantee, its successors and assigns, for a Temporary Construction Easement, and the Grantor, for itself and its successors and assigns, does hereby covenant with the Grantee, its successors and assigns, that it is lawfully seized of the Construction Area, that the Construction Area is free from encumbrances, it has the good right and lawful authority to grant this Temporary Construction Easement, and that it and its successors and assigns, shall warrant and defend the same unto the Grantee, its successors and assigns during the

term of this Temporary Construction Easement, against the lawful claims of all persons whomsoever.

SPECIAL PROVISIONS

- 1) In consideration of this Construction Easement, the Grantee shall pay the Grantor (within fourteen business days of the Grantor's full execution of this Construction Easement and Grantor providing a completed and signed W-9 form) a one-time, lump sum payment in the total amount of One Thousand Five Hundred and no/100 Dollars (\$1,500.00).

IN WITNESS WHEREOF, the Grantor and Grantee have executed this instrument as of the ____ day of _____, 2019.

GRANTOR

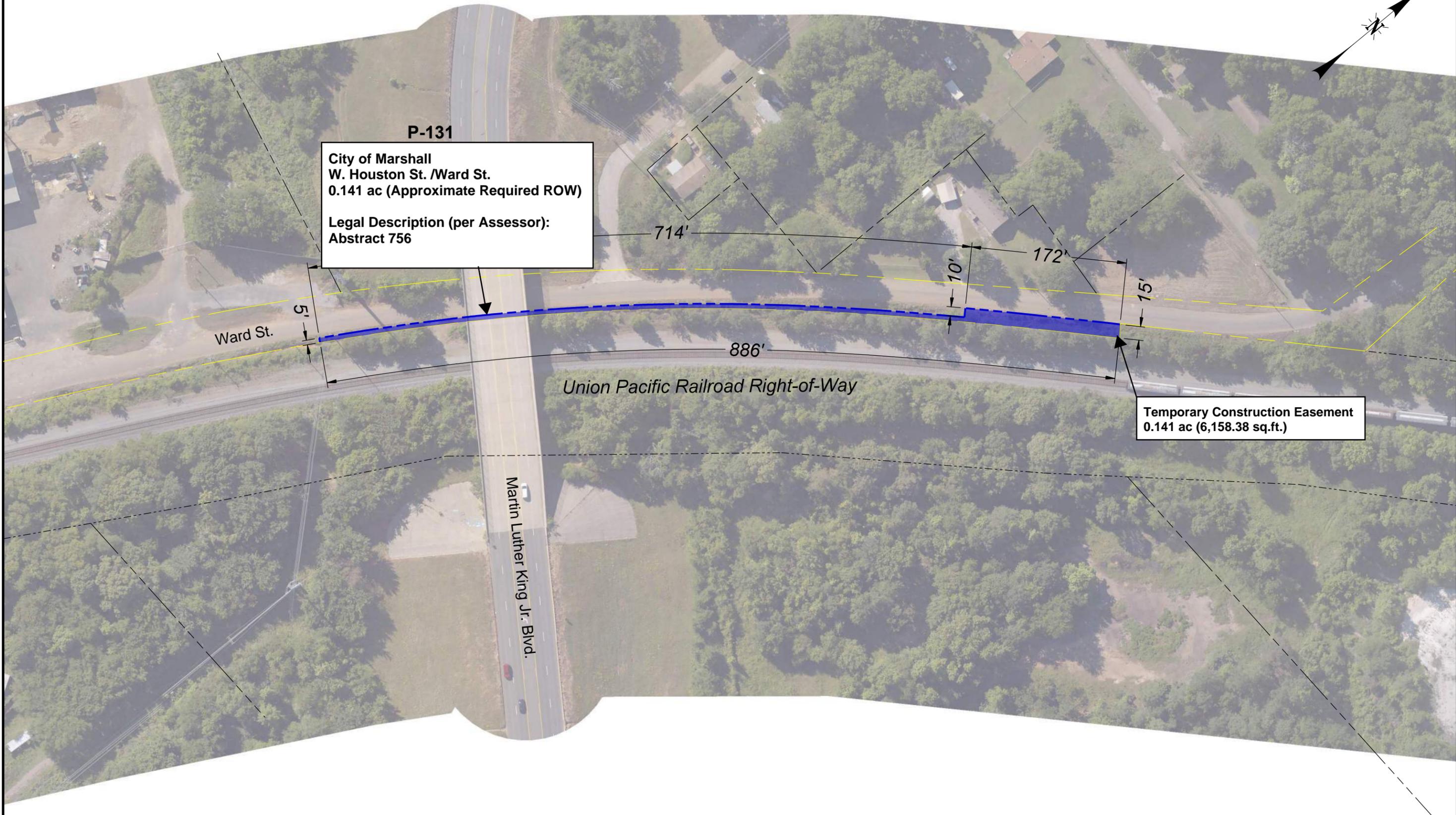
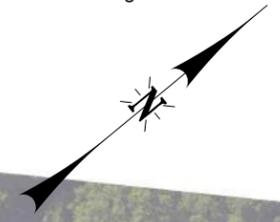
GRANTEE

UNION PACIFIC RAILROAD COMPANY

Kris Anderson
Manager – Acquisitions

EXHIBIT A
(To be attached)

Exhibit "A"



P-131
City of Marshall
W. Houston St. /Ward St.
0.141 ac (Approximate Required ROW)
Legal Description (per Assessor):
Abstract 756

Temporary Construction Easement
0.141 ac (6,158.38 sq.ft.)



LEGEND:

| | | | |
|---------------------|-------|------------------------|--|
| EXIST. UPRR ROW | ----- | FEE ACQUISITION | |
| EXIST. PROP. BOUND. | ----- | TEMP. CONSTR. EASEMENT | |
| OTHER PROP. BOUND. | ----- | PERMANENT EASEMENT | |



| | |
|----------------------------|---|
| DRAWN BY: RSP | UNION PACIFIC RAILROAD |
| CHECKED BY: MDE | |
| DATE: 7/16/2019 | LOCATION & DESCRIPTION: Marshall, Texas Little Rock Subdivision MP 66.93 to MP 76.03 Construct Second Mainline |
| SHEET NUMBER 001 of 001 | SHEET TITLE: EXHIBIT "A" - PARCEL 131 |

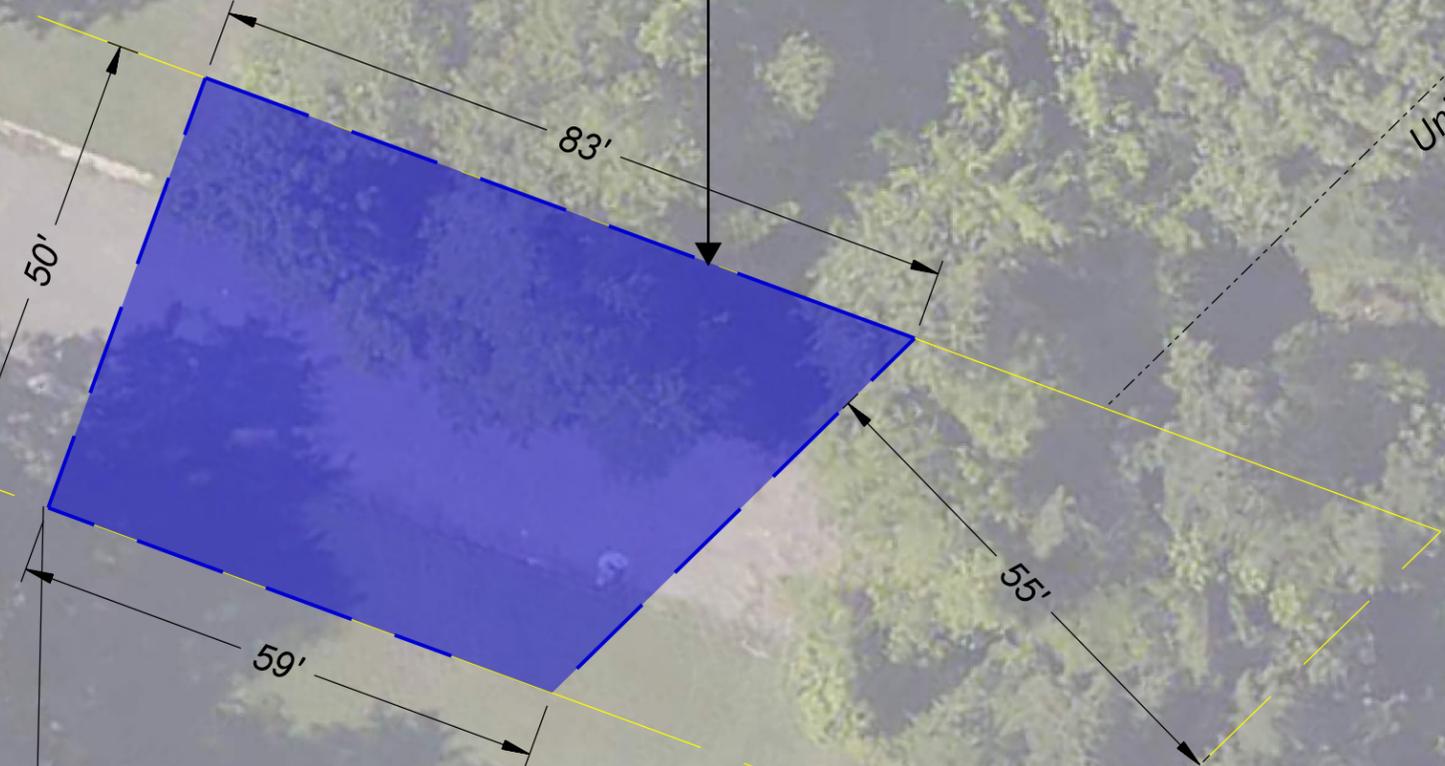
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Union Pacific Railroad Right-of-Way

Temporary Construction Easement
0.081 ac (3,534.56 sq.ft.)

City of Marshall
Hynson Springs Road
Legal Description (per Assessor):
Abstract 756



LEGEND:

| | | | |
|---------------------|-----|------------------------|--|
| EXIST. UPRR ROW | --- | TEMP. CONSTR. EASEMENT | |
| EXIST. PROP. BOUND. | --- | | |
| OTHER PROP. BOUND. | --- | | |



| | |
|----------------------------|---|
| DRAWN BY: JJV | UNION PACIFIC RAILROAD |
| CHECKED BY: MDE | |
| DATE: 11/11/2019 | LOCATION & DESCRIPTION: Marshall, Texas Little Rock Subdivision MP 66.93 to MP 76.03 Construct Second Mainline |
| SHEET NUMBER 001 of 001 | SHEET TITLE: EXHIBIT "A" - PARCEL 135 |

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11/11/2019

ITEM 6A

PUBLIC HEARING

**CONDUCT A PUBLIC HEARING AND
RESPOND AS NECESSARY REGARDING
THE DOWNTOWN REDEVELOPMENT
PLAN**

MEMORANDUM

To: Members of the City Commission

From: Mark Rohr, City Manager

Date: January 16, 2020

Subject: Conduct a Public Hearing and Respond as Necessary regarding the Downtown
Redevelopment Plan

At the Special-Called City Commission meeting on November 21, 2019, Staff presented the Downtown Redevelopment Plan. The redevelopment of the downtown was one of the highest ranked projects in the approved Mobilize Marshall Plan and slotted in the 1-3- year completion time frame, as a result of that scoring.

The plan allows for the protection, revitalization and enhancement of Marshall's history. It provides for a home and platform for the perpetuation and growth of the Arts in our city. It casts a broad vision and establishes a solid foundation for future downtown redevelopment as called for in the Mobilize Marshall Plan. It initiates neighborhood redevelopment in the center city. It contributes to economic development as it will both increase private investment in the city and bring visitors to our area. To a small degree it improves our infrastructure. It also improves the town's appearance and quality-of-life. Lastly, it adds a much-needed recreational amenity. As a whole, it provides a bold vision for our downtown and addresses the need for change asked for by Marshall's citizens at the Mobilize Marshall Meeting on June 2, 2019.

In addition to the Public Comments section at every meeting, the City is also providing an additional public hearing to enable an opportunity for the public to provide comment on the proposed plan and their vision for the community.

ITEM 7A

ORDINANCE

**APPROVAL OF AN ORDINANCE
CALLING FOR A SPECIAL ELECTION
FOR THE REAUTHORIZATION OF THE
LOCAL SALES AND USE TAX AT THE
RATE OF ONE-EIGHTH (1/8TH) OF ONE
PERCENT**

MEMORANDUM

To: Mark Rohr, City Manager
From: Elaine Altman, City Secretary
Subject: Ordinance – Order and Notice of City Special Election
Date: January 17, 2020

Attached is an Ordinance ordering a Special Election to be held in the City of Marshall, Texas to submit to the qualified voters of the City a proposition on the question of the reauthorization of the local sales and use tax in the City of Marshall at the rate of one-eighth of one percent to continue providing revenue for maintenance and repair of municipal streets; making provisions for the conduct of the election and providing for other matters related thereto.

I recommend approval of the Ordinance.

O-20-__
ORDINANCE

ORDER AND NOTICE OF CITY SPECIAL ELECTION TO BE HELD IN THE CITY OF MARSHALL, TEXAS TO SUBMIT TO THE QUALIFIED VOTERS OF THE CITY A PROPOSITION ON THE QUESTION OF THE REAUTHORIZATION OF THE LOCAL SALES AND USE TAX IN THE CITY OF MARSHALL AT THE RATE OF ONE-EIGHTH OF ONE PERCENT TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; MAKING PROVISIONS FOR THE CONDUCT OF THE ELECTION AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

WHEREAS, in 2012, pursuant to Chapter 327 of the Texas Tax Code, the voters of the City of Marshall approved a local sales tax rate of one-eighth of one-percent for street maintenance and repair; and

WHEREAS, Section 327.007 of the Texas Tax Code requires that such tax be reauthorized by the voters every four (4) years; and,

WHEREAS, the City Commission deems it in the best interest of the City to call a special election for the voters to consider a proposition relating to the reauthorization of one-eighth of one percent to continue providing revenue for maintenance and repair of the municipal streets; and,

WHEREAS, the special election is to be submitted to the qualified voters of the City at a special election to be held in the City in conjunction with the City's other elections on Saturday, May 2, 2020 and the City will establish the voting procedures and places by Ordinance as is required by the Texas Election Code; and,

WHEREAS, in accordance with the requirements of the Texas Tax Code, the combined rate of all local sales and use taxes imposed by the City and other political subdivisions having territory in the City will not exceed two (2) percent; and

WHEREAS, the City Commission finds that the special election proposition shall be to reauthorize a one-eighth of one percent sales and use tax for street maintenance for the four year period beginning on January 1, 2021;

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MARSHALL, MARSHALL, TEXAS:

Section 1. That the findings set out in the preamble to this ordinance are hereby in all things approved.

Section 2. A special election is hereby ordered and scheduled to be held concurrent with the general City election on May 2nd, 2020, to determine whether the ballot proposition appearing in Section 3 hereof shall be approved by a majority of the votes cast in such election in which all qualified electors residing in the City shall participate. The referendum election shall be held and conducted in the manner prescribed by state law for all elections. The places for voting in such referendum election shall be such locations as shall otherwise be established for the general election to elect City Commissioners on May 2nd, 2020. All duly qualified electors of the City of Marshall shall be entitled to participate in said election.

Section 3. There shall be submitted at said special election a proposition to reauthorize the use of one-eighth (1/8) of one percent of the sales and use tax for the maintenance and repair of municipal streets.

Section 4. The proposed proposition shall be submitted to the qualified voters at the regular election on May 2nd, 2020 on the ballot and in the form of the following proposition.

Proposition No. 2: The reauthorization of the local sales and use tax in the City of Marshall at the rate of one-eighth (1/8th) of one (1) percent to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized.

_____ **YES — For the proposition.**
_____ **NO — Against the proposition.**

Section 5. That said election shall be held within the City of Marshall at Marshall Convention Center, 2501 E. End Blvd. South.

Section 6. That said election shall be held in accordance with the Constitution and laws of the State of Texas and all duly qualified resident voters of the City of Marshall, Texas shall be qualified to vote.

Section 7. The Harrison County Election Administrator will conduct and supervise the election according to the agreement between the City of Marshall and the said administrator. All voting on this Special Election shall be conducted in the same manner and times as the City’s general election.

Section 8. A copy of this Ordinance signed by the Chairman of the City Commission and attested by the City Secretary shall serve as proper notice of said election. The City Secretary is authorized and directed to post a properly executed copy of said Notice of Election at City Hall and at the place where the election is to be held not less than 20 days prior to the date fixed for holding said election.

Section 9. That this ordinance shall be effective from and after its date of passage.

PASSED, AND APPROVED this _____ day of January 2020.

AYES: _____

NOES: _____

ABSTAINED: _____

PASSED, APPROVED, AND ADOPTED this _____ day of February 2020.

AYES: _____

NOES: _____

ABSTAINED: _____

MAYOR OF THE CITY COMMISSION
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

CITY SECRETARY

APPROVED AS TO FORM:

Scott Rectenwald, Acting City Attorney

O-20-____
ORDENANZA

ORDEN Y AVISO DE LA ELECCIÓN ESPECIAL DE LA CIUDAD QUE SE CELEBRARÁ EN LA CIUDAD DE MARSHALL, TEXAS PARA PRESENTAR LOS VOTANTES CALIFICADOS UNA PROPUESTA SOBRE LA CUESTIÓN DE LA REAUTORIZACIÓN DE LAS VENTAS LOCALES Y USO DE IMPUESTOS EN LA CIUDAD DE MARSHALL EN LA TASA DE UN OCTAVO DE UNO POR CIENTO A CONTINUAR PROPORCIONANDO INGRESOS PARA EL MANTENIMIENTO Y REPARACIÓN DE CALLES MUNICIPALES; HACER PROVISIONES PARA LA REALIZACIÓN DE LAS ELECCIONES Y PARA OTROS ASUNTOS RELACIONADOS CON LA MISMA.

Considerando, en 2012, con arreglo al capítulo 327 del código fiscal de Texas, los votantes de la ciudad de Marshall aprobaron una tasa de impuesto de ventas local de un octavo de uno por ciento de calle mantenimiento y reparación; y

Considerando, la sección 327.007 del código fiscal de Texas requiere tal impuesto sea reautorizada por los votantes cada cuatro (4) años; y,

Considerando, que la Comisión considera que en el mejor interés de la ciudad para llamar a una elección especial para los votantes a considerar una propuesta relativa a la reautorización de un octavo de uno por ciento para continuar proporcionando ingresos para el mantenimiento y reparación de las calles municipales; y,

Considerando, la elección especial que se presentará a los votantes calificados de la ciudad en una elección especial a realizarse en la ciudad junto con la ciudad otras elecciones el sábado, 2 de mayo, 2020 y de la ciudad establecerá los procedimientos de votación y por ordenanza como exige el código electoral de Texas; y,

Considerando, en acuerdo con los requerimientos del Código de Impuestos de Texas, la tasa combinada de todas las ventas locales e impuestos de uso impuestas por la Ciudad y otras subdivisiones políticas que tienen territorio en la ciudad no excederá de dos (2) por ciento; y

La comisión de la Ciudad determina que el prospecto de elección especial será volver a aprobar un impuesto de ventas y uso de un octavo por ciento para el mantenimiento de calles durante el período de cuatro años que comienza el 1 de enero de 2021;

AHORA POR LO TANTO, SEA ORDENADO POR LA COMISIÓN DE LA CIUDAD DE MARSHALL, MARSHALL, TEXAS:

Sección 1. Que los hallazgos establecidos en el preámbulo de esta ordenanza quedan aprobados en este documento.

Sección 2. Se ordena y se programa una elección especial de manera concurrente con la elección general de la Ciudad el 2 de Mayo de 2020, para determinar si la propuesta de boleta que figura en la Sección 3 del presente será aprobada por la mayoría del voto emitido en dicha elección en el cual participarán todos los electores calificados que residen en la Ciudad. La elección del referéndum se llevará a cabo y se realizará de la manera prescrita por la ley estatal para todas las elecciones. Los lugares para votar en dicha elección de referéndum serán los lugares que de otra manera se establecerán para la elección general para elegir Comisionados de la Ciudad el 2 de Mayo de 2020. Todos los electores debidamente calificados de la Ciudad de Marshall tendrán derecho a participar en dicha elección.

Sección 3. Se presentará en dicha elección especial una propuesta para volver a autorizar el uso de un octavo (1/8) del uno por ciento del impuesto sobre ventas y uso para el mantenimiento y reparación de calles municipales.

Sección 4. La propuesta se presentará a los votantes calificados en las elecciones regulares del 2 de mayo de 2020 en la boleta y en la forma de la siguiente propuesta.

Propuesta N° 2: La reautorización del impuesto local sobre ventas y uso en la Ciudad de Marshall a una tasa de un octavo (1/8) del uno (1) por ciento para continuar proporcionando ingresos para el mantenimiento y reparación de calles municipales. El impuesto vence el cuarto aniversario de la fecha de esta elección, a menos que se vuelva a autorizar la imposición del impuesto.

- SI – A favor de la proposición.**
- NO – Contra la proposición.**

Sección 5. Dicha elección se realizará dentro de la ciudad de Marshall, en la Marshall Convention Center, 2501 E. End Blvd. South.

Sección 6. Que dicha que elecciones se celebrarán conforme a la Constitución y las leyes del estado de Texas y todos los electores residentes debidamente calificados de la ciudad de Marshall, Texas estarán calificados para votar.

Sección 7. El Administrador de Elecciones del Condado de Harrison llevará a cabo y supervisar las elecciones según el acuerdo entre la ciudad de Marshall y el dicho administrador. Todos a votar en esta elección especial se realizarán en la misma forma y épocas como elecciones de generales de la ciudad.

Sección 8. Una copia de esta ordenanza sugerida por el Presidente de la Comisión de la Ciudad y certificada por el Secretario de la Ciudad servirá como aviso apropiado de dicha elección. El Secretario de la Ciudad está autorizado y dirigido a publicar una copia debidamente ejecutada de dicho Aviso de Elección en el Ayuntamiento y en el lugar donde la elección se llevará a cabo no menos de 20 días antes de la fecha fijada para celebrar dicha elección.

Sección 9. Esta ordenanza será efectiva a partir y después de la fecha de su pasaje.

PASADO Y APROBADO este día ___ de enero de 2020.

- A favor: _____
- En contra: _____
- Abstenerse: _____

PASADO, APROBADO, Y ADOPTADO el día ___ de febrero de 2020.

- A favor: _____
- En contra: _____
- Abstenerse: _____

ALCALDESA DE LA COMISIÓN DE LA CIUDAD
DE LA CIUDAD DE MARSHALL, TEXAS

ATESTIGUAR:

SECRETARIO DE LA CIUDAD

APROBADO EN CUANTO A FORMA:

Scott Rectenwald, abogado interino de la ciudad

ITEM 8A

SECOND READING OF ORDINANCE

**APPROVAL OF AN ORDINANCE
APPROVING A SPECIAL USE PERMIT TO
ALLOW A DAY CARE AT 307-B POPE
STREET**



Agenda Information Sheet

January 23, 2020

Agenda Item

SUP-19-02 - Consider an ordinance adopting a Special Use Permit to allow for a daycare at 307-B Pope Street. Generally located north of Pope Street and approximately 85 feet west of Block Street.

Planning & Zoning Commission recommended approval by a vote of 6-0-0.

City Commission approved the first reading by a vote of 5-0-0.

| | |
|------------------------------|---|
| Applicant: | Anita Taylor 406 Jasper Drive Marshall Texas, 75670 |
| Property Owner | Larry Hooper 1207 South Washington, Marshall, Texas 75672 |
| Surrounding Property Notices | 7 Notices Sent within 200 ft. of the Site 0 Responses back |
| Existing Zoning | I-1 (Light Industry) |

Background & Summary of Request:

The Zoning Ordinance requires that daycares in an I-1(light industry) obtain a Special Use Permit. Special Use Permits are required in certain instances when a proposed use may be found acceptable on a particular tract if designed in a manner that protects the existing neighborhood or surrounding properties. For this reason, the Zoning Ordinance requires a site plan be submitted as a part of a special use permit application to ensure the use is developed in a manner to ensure the proposed use will not negatively affect nearby existing uses. In this particular case, the property is already developed and no exterior changes to the site are being proposed by the applicant. Below is a development review analysis of the site:

The subject property is approximately 0.269 acres in size and developed with a 2496 square foot building.

The table below outlines the surrounding zoning and land uses:

| | Zoning Classification | Land Use |
|-----------------------|------------------------------|-----------------|
| North of the Property | I-1(Light Industry) | Industry |
| East of the Property | I-1 (Light Industry) | Commercial Use |
| South of the Property | C-2 (Retail Business) | City Park |
| West of the Property | I-1 (Light Industry) | Commercial Use |

Access/Parking: There is off-street parking provided at the rear of the building. Parking requirements are 1 space per 6 children. The applicant is permitted currently for up to 42 children, which equates to 7 parking spaces. Applicant will meet the parking requirements.

Water & Sewer: The site is serviced by an 8 inch water line and a 4 inch sewer along Pope Street.

Suggested Motions:

1. Motion to approve case number SUP-19-02 as requested.
2. Motion to approve case number SUP-19-02 with conditions.
3. Motion to deny case number SUP-19-02.

Attachments:

1. Aerial of Site
2. Pictures of the Site and Surrounding Area
3. Property Owner Notification Map
4. Site Plan
5. Ordinance

SUP-19-02
ARIEL WITH CURRENT
ZONING



SOUTH GROVE STREET

BLOCK STREET

Block St

I-1

SUBJECT PROPERTY

I-1

I-1

C-2

POPE STREET

Pope St

C-2

S Grove St

Google Earth

© 2018 Google



200 ft

SUP19-02
Site Pictures



Subject Property



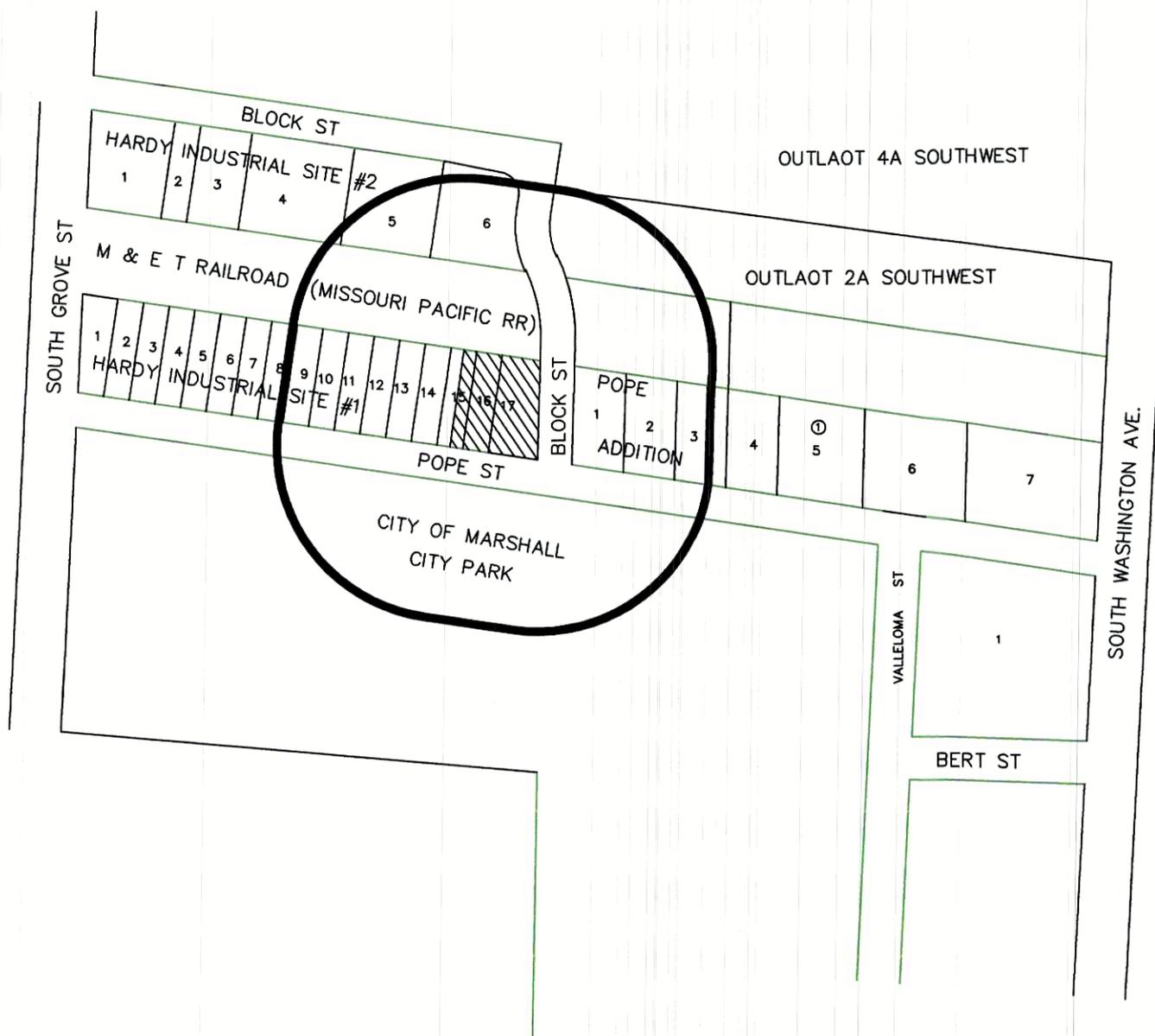
Commercial to the east of Subject property



Commercial to the west of subject property.



City Park to the south of subject property.



Case No. SUP-19-02

Scale: 1"=200'

Date: 11-12-19

**PLANNING DEPARTMENT
CITY OF MARSHALL, TEXAS**

Remarks: a request for
 a Special Use Permit
 for a Daycare
 on a 0.269 acre tract.
 Being lots 16,17 and east
 half of 15 Hardy Industrial
 Addition #1

Location: 307-B Pope St.
 Applicant: Anita Taylor



Layers

Page 35

Labels

Contours

US Parcels

PARC13

Total Coverage (2016-01-01)

PARKING

PARKING

BLOCK STREET

POPE ST



ORDINANCE NO. _____

AN ORDINANCE FOR A SPECIAL USE PERMIT FOR A DAY CARE USE ON PROPERTY LEGALLY DESCRIBED AS BEING 0.269 ACRES OF LAND, BEING LOT 16-17 E/2 15 BLOCK 1 OF THE HARDY INDUSTRIAL SUBDIVISION, GENERALLY LOCATED NORTH OF POPE STREET AND APPROXIMATELY 85 FEET WEST OF BLOCK STREET, COMMONLY KNOWN AS 307-B POPE STREET, WITHIN THE BOUNDARIES OF THE CITY OF MARSHALL, TEXAS.

WHEREAS, the City of Marshall enacted zoning on December 13, 1951 and amended said ordinance on July 7, 1963 and on March 26, 1987 repealed and replaced all ordinance with Ordinance No. 0-87-13 amending the Code of Ordinances of the City of Marshall to add Chapter 32 regarding Zoning; and

WHEREAS, a Zoning District Map was adopted as a part of Ordinance No. 0-87-13; and

WHEREAS, Chapter 32, Section 22 of the Code of Ordinances established a procedure for a property owner, his agent, or the City to request special use permits; and

WHEREAS, the Planning & Zoning Commission, after due and proper notice in the manner and for the length of time required by law, held a public hearing for the purpose of considering proposed special use permit; and

WHEREAS, after the close of said public hearing and pursuant thereto, the Planning & Zoning Commission filed a written report with the City Commission, recommending approval of the requested special use permit; and

WHEREAS, pursuant to said report and after notice in the manner and for the length of time required by law, the City Commission held a public hearing in Marshall, Texas at City Hall on the 9th day of January, 2020, at 6:00pm for the purpose of considering the requested special use permit, and at which hearing all property owners, interested parties, and interested citizens had an opportunity to be heard; and

WHEREAS, the City Commission, after considering the proposed request and after hearing all parties and citizens desiring to be heard, deems that the following request are necessary and for the best interest of the general welfare of the citizens of the City of Marshall, Texas.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COMMISSION OF THE CITY OF MARSHALL, TEXAS THAT:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. A special use permit is hereby granted for a day care use on property legally described as being 0.269 acres of land, being Lot 16-17 and the E/2 15 Block 1 of the Hardy Industrial Subdivision, generally located north of Pope Street and approximately 85 feet west of Block Street, commonly known as 307-B Pope Street.

Section 3. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

PASSED on first reading the 9th day of January, 2020.

AYES: __

NOES: __

ABSTAINED: __

PASSED on second reading the 23rd day of January, 2020.

AYES: ____

NOES: ____

ABSTAINED: ____

MAYOR OF THE CITY COMMISSION
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

CITY SECRETARY

ITEM 8B

SECOND READING OF ORDINANCE

**APPROVAL OF AN ORDINANCE
AMENDING THE OFFICIAL ZONING
MAP FOR A 0.693 ACRE TRACT OF LAND
FROM C-2 (RETAIL BUSINESS) TO C-3
(GENERAL BUSINESS), THE SUBJECT
PROPERTY IS MORE COMMONLY
KNOWN AS 2009 EAST HOUSTON
STREET**



Agenda Information Sheet

January 23, 2020

Agenda Item

Z-19-07 - Consider an ordinance amending the official zoning map a for a 0.693 acre tract of land from C-2 (Retail Business) to C-3 (General Business). The subject property is generally located on the north side of East Houston Street, east of Veterans Avenue and at the end of Jean Drive, more commonly known as 2009 East Houston Street.

Planning & Zoning Commission recommended approval by a vote of 6-0-0.

City Commission approved the first reading by a vote of 5-0-0.

| | |
|------------------------------|--|
| Applicant: | Matthew Kuhn 3623 South Garrett St. Marshall Texas, 75670 |
| Property Owner | Matthew Kuhn 3623 South Garrett St. Marshall Texas, 75670 |
| Surrounding Property Notices | 16 Notices Sent within 200 ft. of the Site 0 Responses back |
| Existing Zoning | C-2(Retail Business) |
| Proposed Zoning | C-3 (General Business) |

Existing Zoning



Background & Summary of Request:

The subject property is currently vacant. The applicant would like to have rezoned to utilize the property for storage of equipment for his existing HVAC business, which adjoins to the south. In 1999 the property and surrounding to the west and south was rezoned to C-2(Retail Business). In 2001 the southerly portion was rezoned to I-1(Light Industry).



The table below outlines the surrounding zoning and land uses:

| | Zoning Classification | Land Use |
|-----------------------|------------------------------|-----------------|
| North of the Property | R-3(Single Family Detached) | Residential |
| East of the Property | R-3(Single Family Detached) | Residential |
| South of the Property | I-1 (Light Industry) | Commercial Use |
| West of the Property | C-2 (Retail Business) | Commercial Use |

Water & Sewer:

The site is serviced by a 6” water line, and a 6” sewer along East Houston Street.

Comprehensive Plan and Future Land Use Map Analysis:

The subject property is designated as “Commercial/Office/Service” on the Future Land Use Map. Chapter 3, of the Comprehensive Plan states that the amount of retail/commercial development should be balanced appropriately with existing and proposed residential land use. Retail/Commercial development should be compatibly designed with adjacent neighborhoods, or in the case of new development, the character of this area should be maintained by ensuring that new development is sensitive to the surrounding built and natural context in scale and form as described above.

Zoning Classification Analysis:

The current zoning designation on the subject property is C-2 (Retail Business) which is established to provide a variety of site choices for retail development or other development requiring a higher density of commercial establishments. The requested zoning designation of C-3 (General Business) is established to provide for appropriate locations for development of more intense and higher density business districts that are considered non-offensive.

The following questions should be answered when determining if a zoning change is appropriate:

1. Will the proposed change be in compliance with the goals of the Comprehensive Plan?

The request is in compliance with the Future Land Use Plan; see the Comprehensive Plan/Future Land Use Map Analysis section above.

2. Will there be an adverse impact on surrounding property if the request is approved?

(In evaluating this question, consideration should be given to all permitted uses in the proposed new zoning and the impact it could have on surrounding property.) *There are no known negative impacts on the surrounding properties it is not believed that formally changing the zoning designation will result in a negative impact.*

3. Is the property suitable for use as it is currently zoned or does the zoning need to be changed to allow the property to be put to use in a way that is in keeping with the surrounding activities.

The current layout of the property and surrounding property would not be ideal for a typical retail development, therefore the C-2 district may not be the most appropriate for the tract of land in question. Given the existing conditions of the property and surrounding land uses, the C-3 zoning designation may be more appropriate.

4. What is the relationship of the proposed change to the health, safety and welfare of the general community? In other words, will the change make the community better or is it merely for the convenience of the owner? *Rezoning to C-3 should not have any negative impact on the surrounding properties.*

Suggested Motions:

1. Motion to approve of case number Z-19-07 as requested.
2. Motion to deny case number Z-19-07 as requested.

Attachments:

1. Aerial of Site
2. Pictures of the Site and Surrounding Area
3. Property Owner Notification Map
4. Ordinance

Aerial Photograph

Z-19-07



Please note, areas depicted on the above map just for representation purposes only and do not identify the exact boundaries of the property in question.

Z-19-07
Site Pictures



Subject Property(from Jean Drive)



Residential to the east of Subject property



Commercial to the south of subject property.



Commercial to the west of subject property.

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 0-87-13 TO REZONE a 0.693 ACRE tract of land FROM C-2 (Retail Business) TO C-3 (General Business). THE SUBJECT PROPERTY IS LOCATED ON THE north side of East Houston Street, east of Veterans Avenue and at the end of Jean Drive, more commonly known as 2009 East Houston Street IN THE CITY OF MARSHALL, TEXAS.

WHEREAS, the City of Marshall enacted zoning on December 13, 1951 and amended said ordinance on July 7, 1963 and on March 26, 1987 repealed and replaced all ordinance with Ordinance No. 0-87-13 amending the Code of Ordinances of the City of Marshall to add Chapter 32 regarding Zoning; and

WHEREAS, a Zoning District Map was adopted as a part of Ordinance No. 0-87-13; and

WHEREAS, Chapter 32, Section 14 of the Code of Ordinances established a procedure for a property owner, his agent, or the City to request zoning district map amendments; and

WHEREAS, the Planning & Zoning Commission, after due and proper notice in the manner and for the length of time required by law, held a public hearing for the purpose of considering proposed changes to the Zoning District Map; and

WHEREAS, after the close of said public hearing and pursuant thereto, the Planning & Zoning Commission filed a written report with the City Commission, recommending changes in the Zoning District Map; and

WHEREAS, pursuant to said report and after notice in the manner and for the length of time required by law, the City Commission held a public hearing in Marshall, Texas at City Hall on the 9th day of January, 2020, at 6:00pm for the purpose of considering the requested Zoning Map change, and at which hearing all property owners, interested parties, and interested citizens had an opportunity to be heard; and

WHEREAS, the City Commission, after considering the proposed changes and after hearing all parties and citizens desiring to be heard, deems that the following changes are necessary and for the best interest of the general welfare of the citizens of the City of Marshall, Texas.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COMMISSION OF THE CITY OF MARSHALL, TEXAS THAT:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. Rezone a 0.693 acre tract of land from C-2 (Retail Business) to C-3 (General Business). The subject property is generally located on the north side of East Houston Street, east of Veterans Avenue and at the end of Jean Drive, more commonly known as 2009 East Houston Street in the City of Marshall, Texas.

Section 3. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

PASSED on first reading the 9th day of January, 2020.

AYES: __

NOES: __

ABSTAINED: __

PASSED on second reading the 23rd day of January, 2020.

AYES: __

NOES: ____

ABSTAINED: ____

MAYOR OF THE CITY COMMISSION
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

CITY SECRETARY

ITEM 8C

SECOND READING OF ORDINANCE

**APPROVAL OF AN ORDINANCE
AMENDING CHAPTER 32 OF THE CODE
OF ORDINANCES ENTITLED “ZONING”
SPECIFICALLY RELATED TO SECTION
19 ENTITLED “DEFINITIONS” AND
SECTION 21 ENTITLED “PERMITTED
USES”**



Agenda Information Sheet

January 23, 2020

Agenda Item

Consider a zoning ordinance text amendment specifically related to Section 19 entitled “Definitions” and Section 21 entitled “Permitted Uses”.

Planning & Zoning Commission recommended approval by a vote of 6-0-0.

City Commission approved the first reading by a vote of 5-0-0.

Background & Summary

Over the past year staff has been working with property owners to bring businesses in compliance with the Certificate of Occupancy requirements of the Zoning Ordinance. During that process we have found several light fabrication businesses that have been operating in the General Business (C-3) zoning designation. Section 21 of the Zoning Ordinance establishes the Permitted Uses Chart which does not allow light fabrication/manufacturing to be permitted within the C-3 zoning district. In addition, Section 19 of the Zoning Ordinance that establishes use definitions for the zoning ordinance does not include a definition of a Light Fabrication/Manufacturing use.

Staff is proposing the following definition be added to Section 19 of the Zoning Ordinance and that Section 21 of the Zoning Ordinance be amended to allow the use of Light Fabrication/Manufacturing by right.

Light Fabrication/Manufacturing - Manufacturing of finished products or parts, predominantly from previously prepared materials, including fabrication, assembly, and packaging of such products, and incidental storage, sales and distribution of such products, all located within the building but excluding basic industrial processing; outdoor storage is not permitted.

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 32 SECTION 19 OF THE CITY OF MARSHALL, TEXAS CODE OF ORDINANCES ENTITLED “DEFINITIONS” AND SECTION 21 ENTITLED “PERMITTED USES” FINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS CONDUCTED IN STRICT COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the proposed amend to the Zoning Ordinance is now before the City Commission after being acted upon by the Planning & Zoning Commission as required by state law and city ordinance and after legal notices, requirements, conditions, and prerequisites have been complied with; and

WHEREAS, the City Commission of the City of Marshall, Texas (the “City”) deems it necessary and proper and in the best interests of the citizens of the City to amend Chapter 32 Section 19 of the Marshall Code of Ordinances entitled “Definitions” and Section 21 entitled “Permitted Uses”;

WHEREAS, the City Commission finds that there is now public necessity for the adoption of this amendment to the Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MARSHALL:

Section 1. That the findings set out in the preamble to this ordinance are hereby in all things approved.

Section 2. That Chapter 32 Section 19, in the City of Marshall’s Code of Ordinances a new use shall be defined as follows:

“Definitions

Light Fabrication/Manufacturing - Manufacturing of finished products or parts, predominantly from previously prepared materials, including fabrication, assembly, and packaging of such products, and incidental storage, sales and distribution of such products, all located within the building but excluding basic industrial processing; outdoor storage is not permitted.”

Section 3. That Chapter 32 Section 19, in the City of Marshall’s Code of Ordinances be amended to permit the use of Light Fabrication/Manufacturing as defined above shall by right in the C-3 (General Business) zoning designation.

Section 4. That the meeting at which this ordinance was passed was conducted in strict compliance with the Texas Open Meetings Act (Texas Government Code Chapter 551).

Section 5. That all other prior ordinances or portions of ordinances of the City of Marshall in conflict with the terms and provisions of this ordinance are hereby repealed to the extent of such conflict only.

Section 6. That the amendment of any ordinance or portion of an ordinance by this ordinance shall not affect the validity of any pending enforcement action or fines outstanding and due and payable on or before the effective date of this ordinance.

Section 7. That if any section, paragraph, subdivision, clause, phrase or provision of this ordinance is hereafter determined to be invalid or in violation of the laws of the State of Texas or the Constitution of the United States by a court of appropriate jurisdiction, such finding of invalidity shall affect the continued enforcement only of the provision or provisions so determined to be invalid, it being the intent of the City Commission of the City of Marshall that all other terms and provisions of this ordinance not affected thereby shall remain in full force and effect.

Section 8. That this ordinance shall be effective from and after its passage and publication as required by law.

Section 9. The provisions of this ordinance shall be included and incorporated in the City of Marshall Code of Ordinances as an addition and/or amendment thereto.

PASSED AND APPROVED this _____ day of _____, 2020.

AYES: _____

NOES: _____

ABSTAINED: _____

PASSED, APPROVED AND ADOPTED this _____ day of _____, 2020.

AYES: _____

NOES: _____

ABSTAINED: _____

MAYOR OF THE CITY COMMISSION OF
THE CITY OF MARSHALL, TEXAS

Attest:

Elaine Altman, City Secretary

ITEM 9A

RESOLUTION

**APPROVAL OF A RESOLUTION
ORDERING A GENERAL ELECTION FOR
CITY COMMISSIONER DISTRICTS 5, 6,
AND 7**

MEMORANDUM

To: Mark Rohr, City Manager
From: Elaine Altman, City Secretary
Subject: Resolution – Order and Notice of City Election
Date: January 17, 2020

Attached is a resolution ordering a General Election for City Commissioner Districts 5, 6, and 7 to be held on May 2, 2020. An executed copy of the resolution will serve as proper notice of the election as required by the Election Code.

I recommend approval of the resolution.

RESOLUTION
ORDER AND NOTICE OF CITY ELECTION

STATE OF TEXAS
COUNTY OF HARRISON
CITY OF MARSHALL

To the Resident Qualified Voters of the City of Marshall, Texas:

Take notice that an election will be held on the 2nd day of May, 2020, in the City of Marshall, Harrison County, Texas, at the place and in the manner set forth in the election resolution adopted by the City Commission on the 23rd day of January, which is as follows:

Resolution calling an election to elect City Commissioners from districts five, six, and seven.

WHEREAS, the election of the city officers is to be held on the first Saturday in May, now, therefore,

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF MARSHALL:

1

That an election be held in said City of Marshall, Texas, on the 2nd day of May, 2020, at which election candidates for the offices of Commissioner District 5; Commissioner District 6; and Commissioner District 7 shall be submitted to the resident qualified voters of said City for their action thereon,

2

That the deadline for candidates to file an application for place on the election ballot is February 14, 2020,

3

That said election shall be held within the City of Marshall at Marshall Convention Center, 2501 E. End Blvd. South,

4

That the manner of holding said election shall be governed as near as may be possible to the General Election Laws of the State of Texas and none but resident qualified voters of said City shall be allowed to vote at said election,

5

That the ballots of said election shall conform to the requirements of the Election Code of the State of Texas, and

That the Harrison County Election Administrator is named the Early Voting Clerk and will conduct and supervise the election according to the agreement between the City of Marshall and said administrator. The Harrison County Election Administrator shall be appointed to or allowed to delegate the positions of Central Counting Station Manager, Tabulation Supervisor, and Assistant Tabulation Supervisor as provided for in the Texas Election Code, Chapter 31.094 and 31.095. The election services include conducting and supervising the City Election on May 2, 2020 and the early voting. Early voting shall be conducted at the office of the Harrison County Elections Administrator, 415 E. Burleson St. beginning April 20, 2020 through April 24, 2020 from 8:00 a.m. until 5:00 p.m., and April 27, 2020 and April 28, 2020 from 7:00 a.m. to 7:00 p.m. The final day for early voting shall be April 28, 2020. Early voting and voting on May 2, 2020 shall be by paper ballot and through a DAU (Disabled Access Unit). The last day to receive an application by mail for a ballot to be voted by mail is April 21, 2020. Applications for early voting ballots by mail shall be mailed to Harrison County Election Administrator, P.O. Box 8409, Marshall, Texas 75671.

A copy of this Resolution signed by the Chairman of the City Commission and attested by the City Secretary shall serve as proper notice of said election. The City Secretary is authorized and directed to post a properly executed copy of said Notice of Election at City Hall and at the place where the election is to be held not less than 20 days prior to the date fixed for holding said election. The Secretary shall also cause said Notice of Election to be published once in a newspaper of general circulation published within the said City, the date of publication to be not more than 30 days nor less than 10 days prior to the date set for said election.

PASSED, APPROVED, AND ADOPTED this ____ day of _____ 2020.

AYES:

NOES:

ABSTAINED:

MAYOR OF THE CITY COMMISSION
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

CITY SECRETARY

RESOLUCION
AVISO Y ORDEN DE ELECCION DE LA CIUDAD

ESTADO DE TEXAS
CONDADO DE HARRISON
CIUDAD DE MARSHALL

A los votantes registrados de la Ciudad de Marshall, Texas:

Tome en cuenta que la elección se llevara acabo en el Día 2 de Mayo, 2020, en la Ciudad de Marshall, Condado Harrison, Texas, en el lugar que se expuso en la resolución de la elección por la comisión de la ciudad el día 23 de Enero, que es lo siguiente:

Llamada de resolución para elegir a Miembros de la Comisión de la ciudad de los distritos cinco, seis, y siete.

MIENTRAS QUE, la elección de los oficiales de la ciudad es de ser aguantada el primero sábado de Mayo, ahora, por lo tanto,

QUE SEA RESUELTO POR LA COMISION DE LA CIUDAD DE MARSHALL:

1

Que la elección se llevara acabo por la Ciudad de Marshall, Texas, en el día 2 de Mayo, 2020, por cual la elección de candidatos para las oficinas de Comisionado Distrito 5; Comisionado Distrito 6; y Comisionado Distrito 7; deben ser sometidos a los residentes calificados a votar de dicha ciudad y también,

2

Que la fecha límite para que los candidatos sometan su aplicación del lugar de su elección es Febrero 14, 2020,

3

Que dicha elección se llevara acabo en la Ciudad de Marshall en Marshall Convention Center, 2501 E. End Blvd. South,

4

Y la manera donde de llevara acabo la elección debe ser gobernada lo mas cerca posible de la Elección General de Leyes del Estado de Texas y solamente residentes calificados de dicha ciudad se les debe dejar votar en la elección.

5

Que las votaciones de la elección mencionada deben estar de acuerdo a los requerimientos del Código del es Estado de Texas, y

6

Que el Administrador de la Elección del Condado de Harrison sea nombrado Encargado de la votación temprana y llevara acabo y supervisara la elección de acuerdo al acuerdo entre la Ciudad de Marshall y dicho administrador. El Administrador de Elecciones del Condado de Harrison será designado o autorizado a delegar los cargos de Gerente de la estación central de conteo, Supervisor de Tabulación, y Asistente de Supervisor de Tabulación de lo dispuesto en el Código Electoral de Texas, Capítulo 31,094 y 31,095. El servicio de elección incluirá conducir y supervisor la Elección de la Ciudad en Mayo 2, 2020 y la votación temprana. La votación temprana se llevara acabo en la oficina del Administrador de Elecciones del condado de Harrison, 415 E. Burleson St. empezando Abril 20, 2020 hasta Abril 24, 2020 de 8:00am a 5:00pm, y Abril 27, 2020 y Abril 28, 2020 de 7:00am a 7:00pm. El Día ultimo para votar será Abril 28, 2020. La votación y votación temprana Mayo 2, 2020 deben de ser por boleta de papel y por DAU (Acceso de Unidad Deshabilitada). El último día para recibir una solicitud por correo de una boleta que será votado es el 21 de Abril del 2020. Deben ser enviadas a Administrador de Elecciones del Condado de Harrison, P.O Box 8409, Marshall, Texas 75671.

7

UNA copia de esta Resolución firmó el Presidente de la Comisión de la Ciudad y atestiguó por el Secretario de la Ciudad servirá como nota apropiada de dicha elección. El Secretario de la Ciudad es autorizado y es dirigido a anunciar una copia apropiadamente ejecutada de dicha Nota de Elección en el ayuntamiento y en el lugar donde la elección se llevara acabo que no sea menos de 20 días antes de la fecha fija para dicha elección. El Secretario también se encargara de publicarla al periódico para circulación general dentro de la ciudad, el día de la publicaron no debe de ser mas de 30 días o menos de 10 días de las fechas dichas para la elección.

PASADO, APROBADO, Y ADOPTADO este _____ de, _____ 2020.

SIS: _

No: _

ABSTENIDO: _

 EL PRESIDENTE DE LA COMISION de la CIUDAD
 DE MARSHALL, TEXAS

ATESTIGUA:

 SECRETARIO DE LA CIUDAD

ITEM 9B

RESOLUTION

APPROVAL OF A RESOLUTION CALLING FOR A JOINT ELECTION AGREEMENT WITH THE MARSHALL INDEPENDENT SCHOOL DISTRICT FOR THE MAY 2, 2020 GENERAL ELECTION

Memorandum

To: Mark Rohr, City Manager
From: Elaine Altman, City Secretary
Date: January 17, 2020
Subject: Joint Election Resolution

Attached is a copy of a Resolution calling for a Joint Election Agreement with Marshall Independent School District for the May 2, 2020 General Election. The purpose of this Resolution is to allow Marshall ISD an opportunity to comply with Section 11.0581 of the Texas Education Code requiring all school board trustee elections to be held as a joint election with either the governing body of a municipality located in the school district or the governing body of the political subdivision for state and county officers in which that district resides. The joint election is also provided for in Chapter 271 of the Texas Election Code.

I recommend approval of this Resolution.

RESOLUTION _____

RESOLUTION CALLING FOR A JOINT ELECTION AGREEMENT WITH MARSHALL INDEPENDENT SCHOOL DISTRICT FOR THE MAY 2, 2020 GENERAL ELECTION

WHEREAS, the City of Marshall, Texas agrees to enter into a Joint Election Agreement for the May 2, 2020 election with Marshall Independent School District and;

WHEREAS, the purpose of this resolution being to allow Marshall ISD an opportunity to comply with Section 11.0581 of the Texas Education Code requiring all school board trustee elections to be held as a joint election with either the governing body of a municipality located in the school district or the governing body of the political subdivision for state and county officers in which that district resides and;

WHEREAS, elections held on the same date as provided by Texas Education Code Section 11.0581 shall be held as a joint election under Chapter 271 of the Texas Election Code.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MARSHALL, TEXAS, THAT:

The City of Marshall, Texas authorizes a Joint Election Agreement with Marshall Independent School District for the May 2, 2020 election.

PASSED, APPROVED AND ADOPTED, this _____ day of _____, 2020.

MAYOR OF THE CITY COMMISSION OF
THE CITY OF MARSHALL, TEXAS

ATTEST:

CITY SECRETARY

**JOINT ELECTION AGREEMENT BETWEEN
MARSHALL INDEPENDENT SCHOOL DISTRICT
AND THE CITY OF MARSHALL**

This joint election agreement (“Agreement”) is entered into by and between Marshall Independent School District (“MISD”) and the City of Marshall, Texas (“City”) (collectively the “Entities”) by and through their duly appointed and qualified representatives pursuant to Texas Election Code §271.002(a) for the joint election to be held on **May 2, 2020**, as follows:

WHEREAS, MISD and the City plan to hold elections on the same day - May 2, 2020 - on which MISD plans to hold a Board of Trustees election for **the District 1, District 2, District 4 and District 5 Positions**, and the City plans to hold an election for various City official positions;

WHEREAS, Texas Education Code §11.0581 requires MISD to hold a joint election and the Entities desire a joint election in order to provide a convenient, simple, and cost-effective election for the voters of MISD and the City; and

WHEREAS, MISD and the City will or have each respectively enter(ed) into a Contract for Elections Services with the Elections Administrator of Harrison County for the conducting and supervision of the May 2, 2020 elections, including early voting (“Contracts for Elections Services”);

NOW, THEREFORE, it is agreed that a joint election will be held by MISD and the City under the terms stated herein.

1. The Entities will share at least one common election-day polling place on May 2, 2020, in accordance with the Contracts for Election Services;

2. The Entities’ respective authority and responsibilities related to the election are specified in the respective Contracts for Election Services; and

3. The governing bodies of the Entities hereby authorize their respective superintendent (or designee) and city manager (or designee) to vary the terms of this Agreement to the extent necessary to conform to applicable law and for the proper conduct of the joint election without further action by the Entities’ governing bodies. Any such amendment to this Agreement shall be of no effect unless in writing and signed by the superintendent and city manager, or their designees.

AGREED:

AGREED:

MARSHALL INDEPENDENT SCHOOL DISTRICT

CITY OF MARSHALL, TEXAS

By: _____
Board President Date signed

By: _____
City Manager Date signed

ITEM 10A

**APPROVAL OF THE ALLOCATION OF
2020 HOTEL/MOTEL OCCUPANCY TAX
FUNDS**

Memorandum

Date: January 23, 2020

To: Mark Rohr, City Manager

From: Mallori James, Director of Tourism & Cultural Arts

Subject: HOT Funds Grants

The following recommendations have been made by the Visit Marshall (Marshall CVB) Advisory Board in relation to the 2020 HOT Fund Grant Applications.

The purpose of the HOT Funds Grants are to: 1. Support the Cultural Arts 2. Provide funds for Events Marketing 3. Provide funds for Historical Preservation all of which must draw tourists and create overnight stays in our local lodging establishments.

9 Organizations applied for support for the 2020 year including two new organizations. Several organizations had multiple applications requesting support for their events. The new HOT Funds Grant Policy requires individual applications per each event held by organizations to better understand the use of the grant money, their marketing budget and to track hotel nights in relation to these events more effectively.

Applicants applied with the new guidelines laid out in the HOT Funds Grant Policy, adopted by the City Commission in October of 2019.

Staff would like to bring to your attention that the Harrison County Historical Museum did not apply for HOT Funds in 2020. Per a conversation with Becky Palmer, her feelings are the Museum's goals didn't meet up with the Visit Marshall Grant goals or couldn't meet the requirements set out in the policy: documentation of overnight guests, use of funds for events marketing purposes to name a few.

Staff is looking for the City Commissions approval and recommendations for HOT Funds Grants in 2020.

See attached documents.

HOT Fund Grant Requests & Recommendations

| Organization | Awarded in FY 2019 | Requested for FY 2020 | Staff Recommendation | Board Recommendation | Notes |
|---------------------------------------|------------------------------------|------------------------------------|---|---|--|
| Marshall Depot | \$10,000.00 | \$10,150.00 | \$5,150.00 | \$5,150.00 | Historic Restoration Grant |
| Marshal Regional Arts Council | \$9,000.00 | \$5,000.00 | \$4,000.00 | \$3,000.00 | Cultural Arts Grant for Art Festival |
| Michelson Museum | \$7,300.00 | \$5,072.00 | \$4,500.00 | \$4,500.00 | Cultural Arts Grant |
| Get Healthy Marshall | N/A | \$20,000.00 | \$10,000.00 | \$10,000.00 | Up to 50% of total marketing budget (per adopted HOT Funds Grant Policy) |
| Josey Ranch | \$20,000.00 | \$22,000.00 | \$10,500.00 | \$10,000.00 | Up to 50% of total marketing budget (per adopted HOT Funds Grant Policy) |
| Gobble Up The Cash Barrel Race | N/A | \$3,900.00 | \$2,500.00 | \$2,500.00 | Up to 50% of total marketing budget (\$7,800) |
| 2Hearts Barrel Races | N/A | \$23,500.00 | \$1,750.00 | \$2,500.00 | Up to 50% of total marketing budget (\$5,000) |
| Elks Care | In kind facility use | In kind facility use | In Kind Facility Use (\$550) | In kind use | |
| Caddo Kennel Club | In kind facility use + \$400.00 | In kind facility use + \$400.00 | In kind facility use of City Arena (\$1,300) + \$400.00 | In kind use + \$400 for registration assistance | |
| Square & Round Dancing Association | \$1,100.00 | N/A | N/A | N/A | Did not apply for 2020 grant, will be returning in 2021. |
| Harrison County Historical Museum | \$6,400.00 | N/A | N/A | N/A | Did not apply for grant |

TOTAL \$ 54,200.00 \$ 90,022.00 \$ 39,550.00 \$ 37,650.00

Staff Notes: Remember that some organizations have applied for multiple grants to support multiple events or projects. The dollar amount here represents the total.

Grant Request Breakdown by Event/Project

| Organization | Grant Type | Event/Project | Amount Requested | Total Marketing Budget | Staff Proposal | Note | Board Recommendation |
|---------------------------------------|-----------------------|------------------------------------|------------------|------------------------|----------------|---|----------------------|
| Michelson Museum | Cultural Arts | African Mask Exhibit | \$2,120.00 | N/A | 2082.50 | \$ used for marketing, procuring art | Approve |
| | | New Acquisitions | \$2,467.00 | N/A | \$2,082.50 | \$ used for marketing, procuring art | Approve |
| | | Bending Towards The Light | \$334.00 | N/A | \$335.00 | | Approve |
| Marshall Regional Arts Council | Cultural Arts | Arts Festival | \$5,000.00 | N/A | \$4,000.00 | \$ used for procuring artists, performers, art & marketing.. | Recommend \$3,000 |
| Marshall Depot | Historic Preservation | Restoration to exterior & interior | \$10,000.00 | N/A | \$5,000.00 | UP giving \$5,000 grant to Depot, AMTRAK pledged to fix exterior lights | Approve |
| | Events Marketing | Santa @ the Depot | \$150.00 | \$300.00 | \$150.00 | | Approve |
| Gobble Up The Cash Barrel Race | Events Marketing | Barrel Race @ City Arena | \$3,900.00 | \$7,800.00 | \$2,500.00 | \$ used for marketing & promotion | Approve |

| Organization | Grant Type | Event/Project | Amount Requested | Total Marketing Budget | Staff Proposal | Note | Board Recommendation |
|------------------------------|------------------|--|------------------------------|------------------------|------------------------------|---|-----------------------------|
| 2Hearts Barrel Racing | Events Marketing | July Explosion Barrel Race | \$10,000.00 | \$3,500.00 | \$1,750.00 | American Qualifyer/RFDTV \$6900 Arena Rental | Approve |
| | Events Marketing | Easter Barrel Race | \$10,000.00 | \$1,200.00 | \$750.00 | \$5,550 Arena Rental | Approve |
| | Events Marketing | Spooktackular Barrel Race | \$3,500.00 | \$700.00 | | | No- not enough hotel nights |
| Health Fest | Events Marketing | Festival centered around healthy lifestyle | \$20,000 | \$40,000.00 | \$10,000.00 | \$ used for marketing & promotion. \$4,875 MCH Rental- asking MCH staff for reduction | Approve |
| Marshall Elks | Events Marketing | Banquet w/ 20 overnight guests | In Kind use of CC | N/A | In Kind use of CC | | Approve |
| Caddo Kennel Club | Events Marketing | Dog show @ Arena w/ 475 room nights | In Kind use of Arena & \$400 | N/A | In Kind use of Arena & \$400 | | Approve |
| Josey Ranch | Events Marketing | Sweetheart Clinic | \$500.00 | \$1,800.00 | \$500.00 | | \$250.00 |
| | Events Marketing | Adult Clinic | \$500.00 | \$1,800.00 | \$500.00 | | Approve |

| Organization | Grant Type | Event/Project | Amount Requested | Total Marketing Budget | Staff Proposal | Note | Board Recommendation |
|--------------|------------------|-----------------|------------------|------------------------|----------------|------|----------------------|
| | Events Marketing | Spring 1 | \$1,000.00 | \$1,250.00 | \$500.00 | | Approve |
| | Events Marketing | Easter | \$1,000.00 | \$1,800.00 | \$500.00 | | Approve |
| | Events Marketing | Spring 2 | \$1,000.00 | \$1,800.00 | \$500.00 | | Approve |
| | Events Marketing | Summer Clinic | \$1,000.00 | \$1,800.00 | \$500.00 | | Approve |
| | Events Marketing | Reunion | \$5,000.00 | \$3,000.00 | \$1,500.00 | | Approve |
| | Events Marketing | Jr World | \$5,000.00 | \$3,000.00 | \$1,500.00 | | Approve |
| | Events Marketing | CR\BRI | \$1,500.00 | \$2,000.00 | \$1,000.00 | | Approve |
| | Events Marketing | Summer Round Up | \$1,000.00 | \$1,800.00 | \$500.00 | | Approve |
| | Events Marketing | Barrel School 2 | \$1,500.00 | \$2,000.00 | \$1,000.00 | | Approve |
| | Events Marketing | Barrel School 1 | \$2,500.00 | \$2,000.00 | | | Approve |
| | Events Marketing | Fall | \$1,000.00 | \$1,800.00 | \$500.00 | | \$250.00 |
| | Events Marketing | Thanksgiving | \$1,000.00 | \$2,000.00 | \$1,000.00 | | Approve |
| | Events Marketing | New Year Clinic | \$2,500.00 | \$2,000.00 | \$1,000.00 | | Approve |

ITEM 10B

DISCUSSION OF AND CONSIDERATION OF THE 2020 CITY COMMISSION MEETING SCHEDULE

MEMORANDUM

To: Members of the City Commission

From: Mark Rohr, City Manager

Date: January 16, 2020

Subject: Discussion of and Consideration of the 2020 City Commission Meeting Schedule

City staff has been requested to provide the Commission a meeting schedule for the year. In addition to the Regular City Commission meetings scheduled every 2nd and 4th Thursday of each month, this list consists of known Special-Called meetings that can be scheduled in advance.

Please be aware that this schedule is subject to change due to circumstances or events that we are not aware of at this time.

We have also included a list of community events that the Commission is regularly invited to attend. We will provide future invitations as we are notified.

2020 City Commission Meeting Schedule

| Date | Time | City Commission Meeting Type | Reason |
|------------------------------|-----------|------------------------------|--|
| Thursday, January 23, 2020 | 6:00 p.m. | Regular | |
| Thursday, February 13, 2020 | 6:00 p.m. | Regular | |
| Thursday, February 27, 2020 | 6:00 p.m. | Regular | |
| Thursday, March 19, 2020 | 6:00 p.m. | Special-Called | Spring Break March 9 th – 13 th |
| Thursday, March 26, 2020 | 6:00 p.m. | Regular | |
| Thursday, April 9, 2020 | 6:30 p.m. | Regular | Start time 6:30 p.m. due to Student Government Day |
| Thursday, April 23, 2020 | 6:00 p.m. | Regular | |
| Wednesday, May 13, 2020 | 6:00 p.m. | Special-Called | Canvass Election (last day to Canvass is May 13th) |
| Thursday, May 14, 2020 | 6:00 p.m. | Regular | |
| Thursday, May 28, 2020 | 6:00 p.m. | Regular | |
| Thursday, June 11, 2020 | 6:00 p.m. | Regular | |
| Thursday, June 25, 2020 | 6:00 p.m. | Regular | |
| Thursday, July 9, 2020 | 6:00 p.m. | Regular | |
| Thursday, July 23, 2020 | 6:00 p.m. | Regular | |
| Thursday, August 13, 2020 | 6:00 p.m. | Regular | |
| Thursday, August 20, 2020 | 6:00 p.m. | Special-Called | Budget Workshop (if necessary) |
| Thursday, August 27, 2020 | 6:00 p.m. | Regular | |
| Thursday, September 3, 2020 | 6:00 p.m. | Special-Called | 1 st Public Hearing – Proposed Tax Rate (if needed) |
| Tuesday, September 8, 2020 | 6:00 p.m. | Special-Called | 2 nd Public Hearing – Proposed Tax Rate (if needed) |
| Thursday, September 10, 2020 | 6:00 p.m. | Regular | |
| Thursday, September 24, 2020 | 6:00 p.m. | Regular | |
| Thursday, October 8, 2020 | 6:00 p.m. | Regular | |
| Thursday, October 22, 2020 | 6:00 p.m. | Regular | |
| Thursday, November 12, 2020 | 6:00 p.m. | Regular | |
| Thursday, December 10, 2020 | 6:00 p.m. | | |
| Monday, December 14, 2020 | 6:00 p.m. | Special-Called | 2nd Reading of Budget Amendment Ordinances |
| Date not scheduled | | Special-Called | Joint meeting with MEDCO |

Miscellaneous Events

| Date | Time | Event | Reason |
|------------------------------|-------------|--|---------------|
| Other optional events | | | |
| Saturday, January 25, 2020 | 7:00 p.m. | Marshall Prayer Force Banquet | |
| Tuesday, February 18, 2020 | 5:30 p.m. | Chamber Banquet | |
| Tuesday, April 21, 2020 | 11:30 a.m. | Chamber Business & Industry Luncheon | |
| Tuesday, September 15, 2020 | 5:30 p.m. | Chamber Firefighter/Law Enforcement Banquet | |

ITEM 10C

DISCUSSION REGARDING 2019 WONDERLAND OF LIGHTS

MEMORANDUM

To: Members of the City Commission
From: Mark Rohr, City Manager
Date: January 16, 2020
Subject: Discussion regarding 2019 Wonderland of Lights

This item has been placed on the agenda at the request of Commissioner Hurta.

ITEM 11

ITEMS WITHDRAWN FROM THE CONSENT AGENDA

ITEM 12A

EXECUTIVE SESSION

**AN EXECUTIVE SESSION PURSUANT TO THE
OPEN MEETINGS ACT, CHAPTER 551 OF THE
TEXAS GOVERNMENT CODE UNDER SECTION
551.071 SETTLEMENT OFFER: CONSIDER,
DISCUSS, AND DELIBERATE BOND
SETTLEMENT FOR PAINTING CONTRACT FOR
MEMORIAL CITY HALL**

ITEM 12B

EXECUTIVE SESSION

AN EXECUTIVE SESSION PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551 OF THE TEXAS GOVERNMENT CODE UNDER SECTION 551.074 PERSONNEL MATTERS: CONSIDER, DISCUSS, AND DELIBERATE THE APPOINTMENT, EMPLOYMENT, DUTIES, AND SUCCESSION PLAN FOR THE OFFICE OF THE CITY ATTORNEY

ITEM 13A

ACTION ITEM FOLLOWING EXECUTIVE SESSION

**CONSIDER AUTHORIZING THE CITY
ATTORNEY TO ACT ON BEHALF OF
THE CITY OF MARSHALL RELATED TO
MATTERS REGARDING A BOND
SETTLEMENT AS DISCUSSED IN
EXECUTIVE SESSION**

MEMORANDUM

To: Members of the City Commission

From: Mark Rohr, City Manager

Date: January 16, 2020

Subject: Consider Authorizing the City Attorney to Act on Behalf of the City of Marshall Related to Matters regarding a Bond Settlement as Discussed in Executive Session

This item has been placed on the agenda to allow the Commission to consider authorizing, if they chose to do so, the City Attorney to act on behalf of the City of Marshall related to matters regarding a bond settlement as discussed in Executive Session.

ITEM 14

ADJOURNMENT