



**CITY OF MARSHALL, TEXAS
REGULAR CITY COMMISSION MEETING
COMMISSION CHAMBERS, CITY HALL, 401 SOUTH ALAMO
THURSDAY, JULY 9, 2020, 12:00 P.M.**

This meeting will be conducted utilizing a video and audio conferencing tool, as well as, a standard conference call. Instructions and direct links to view the meeting or speak during Citizen Comment can be found at www.marshalltexas.net.

**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.

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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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**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 June 25, 2020 Regular meeting.

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B. Street Sweeping Activity Report. (Public Works Director)

Page 10

C. Municipal Court Activity Report. (Finance Director)

Page 13

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

A. Presentation regarding the Mobilize Marshall Strategic Plan. (City Manager)

Page 19

7. **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**
Page 21

8. **EXECUTIVE SESSION**

A. An Executive Session pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code under Section 551.074 Personnel Matters: Discuss or deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee: City Secretary/Finance Director Elaine Altman.

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9. **ACTION ITEM FOLLOWING EXECUTIVE SESSION**

A. Take actions necessary as a result of the Executive Session regarding Personnel Matters – City Secretary/Finance Director: to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the City Secretary/Finance Director.

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10. **ADJOURNMENT**
Page 24

Posted: July 6, 2020
11:00 a.m.
Y. Graham

This meeting will be conducted in accordance with the Americans with Disabilities Act. 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

**APPROVAL OF THE MINUTES FROM
THE JUNE 25, 2020 REGULAR
MEETING**

Wes Morrison, Community & Economic Development Director, stated there was no new information regarding this item.

Commissioner Calhoun made a motion to approve an ordinance amending the official zoning map regarding a 3.00 acre tract of land in the Henry Teal Survey A-04, from R-3 (Single Family Detached) and A&E (Agriculture and Estate) to C-3 (General Business). Mayor Brown seconded the motion, which passed with a vote of 6:0.

This item was taken out of order at this point in the meeting due to audio difficulties.

144. **CITIZEN COMMENTS**

Wayne Hunter, 308 Murphy Drive, spoke in opposition regarding this item. He expressed concerns with destruction of the road, traffic and erosion. He asked the commission to delay the vote and visit the property.

Tommy Shirley, 314 Murphy Drive, voiced his concerns with traffic, erosion and property values regarding the proposed zoning change.

SECOND READING OF ORDINANCES

145. **CONSIDER AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP REGARDING A .984 ACRE TRACT OF LAND IN THE ASA LANGFORD SURVEY A-400, FROM PD (PLANNED DEVELOPMENT) TO R-6 (DUPLEX, TRIPLEX, QUADRAPLEX). THE SUBJECT PROPERTY IS GENERALLY LOCATED ON THE SOUTH SIDE OF MURPHY DRIVE AND ON THE WEST SIDE OF SOUTH GARRETT STREET, MORE COMMONLY KNOWN AS 316 MURPHY DRIVE.**

Wes Morrison stated there was no new information regarding this item.

Commissioners asked questions and discussed.

Wes Morrison stated the maximum number of units for this tract of land is eight (8), a 10' buffer is required and there are not enough units to warrant a traffic study.

Commissioner Bonner made a motion to table this pending Commission inspection. Commissioner Hurta seconded the motion, which failed with the following vote:

Ayes: Commissioner Bonner and Hurta

Nays: Mayor Brown, Commissioners Ware, Calhoun and Morris

Commissioner Calhoun made a motion to approve an ordinance amending the official zoning map regarding a .984 acre tract of land in the ASA Langford Survey A-400, from PD (Planned Development) to R-6 (Duplex, Triplex, Quadraplex). Commissioner Morris seconded the motion, which passed with a vote of 6:0.

RESOLUTION

146. **CONSIDER A RESOLUTION AUTHORIZING THE APPROVAL OF A DESIGN/BUILD CONTRACT FOR THE DEVELOPMENT, DESIGN, AND CONSTRUCTION OF A NEW ANIMAL ADOPTION CENTER.**

Mark Rohr, City Manager, provided a background for a resolution authorizing the approval of a design/build contract. The Adoption Center

Advisory Committee reviewed proposals and recommended Berry and Clay Construction, at a maximum cost of \$78,650, for the development and design of a new animal adoption center. The contract states the design process will be complete in two (2) months, construction in eight (8) months and allows for a penalty phase for every day they exceed the maximum amount of time allotted for construction of the project, which would be \$1,000 per day.

Scott Rectenwald, Acting City Attorney, explained modifications to the contract, stating it would better protect the City.

Mr. Berry, Berry and Clay Construction, spoke regarding this contract.

Commissioners asked questions and discussed.

Commissioner Hurta made a motion to approve a resolution authorizing the approval of a design/build contract with Berry and Clay Construction for the development and design of a new animal adoption center. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.

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

There were no items withdrawn from the Consent Agenda.

148. **EXECUTIVE SESSION**

A. An Executive session pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code under Section 551.074 Personnel Matters: Discussion and consideration of results of annual evaluation of City Secretary/Finance Director.

Commissioner Calhoun made a motion to convene into Executive Session. Mayor Brown seconded the motion, which passed with a vote of 6:0. The time was 12:49 p.m.

The Commission reconvened from Executive Session. The time was 2:39 p.m.

149. **ADJOURNMENT**

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

APPROVED:

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

ATTEST:

City Secretary

Ordinances: O-20-18
O-20-19
Resolution: R-20-12

ITEM 5B

CONSENT AGENDA

STREET SWEEPING ACTIVITY REPORT



TO: Members of the City Commission

FROM: Eric Powell, PE *EP*
Director of Public Works/City Engineer

DATE: June 29, 2020

SUBJECT: Street Sweeping Activity Report for June 2020

The Street Sweeping Activity Report for the month of June 2020 is attached for review by the City Commission.

STREET SWEEPING ACTIVITY REPORT JUNE 2020

STREET NAME	NUMBER OF TIMES SWEPT
Austin St. (Downtown)	8
Bell St.	1
Bolivar St. (Downtown)	8
S. Bolivar St.	1
Burleson St. (Downtown)	8
Carter St.	1
Carters Ferry Rd.	1
Courthouse Square	8
Fisher Dr.	1
Hu Lane	1
Henley Perry Dr.	1
Johnson St.	1
Lafayette St.	1
Merritt St.	1
Rosborough Springs Rd.	1
Rusk St. (Downtown)	8
Sanford St.	1
Shirley St.	1
University Ave.	1
N. Washington Ave. (Downtown)	8
Wellington St. (Downtown)	8
Wingwood Terrace	1
Wingwood Dr.	1

TOTAL NUMBER OF STREETS SWEPT IN JUNE: 23

ITEM 5C

CONSENT AGENDA

MUNICIPAL COURT ACTIVITY REPORT

Cases Filed

STEP Site	Traffic	Penal	City Ordinance	Parking	Other	Total
1	229	21	6	1	3	260

Financial

State Costs	City Costs	Fines	Tech Fund	Bld Security	Total
\$14,165.76	\$8,188.55	\$5,706.28	\$1,896.00	\$10,350.17	\$40,306.76

Trials/Hearings

Jury	Bench	Appealed	Total
0	0	0	0

Warrants

Issued	Recalled	Served	Fees Collected	Amount Collected	Outstanding
14	52	35	\$2,236.77	\$8,922.20	\$2,775,328

Dispositions

Paid	Time Served	Dismissed	Appealed	Total
124	23	36	0	186

Office of Court Administration – Austin, TX

- OCA monthly report data compiled from the **October 2019** report (submitted 11/19/2019) revealed the following data:

Active cases: 1,338

Inactive cases: 4,962

- OCA monthly report data compiled from the **November 2019** report (12/19/2019) revealed the following data:

Active cases: 1,187

Inactive cases: 5,147

- OCA monthly report data compiled from the **December 2019** report (submitted 01/21/2020) revealed the following data:

Active cases: 1,071

Inactive cases: 5,193

- OCA monthly report data compiled from the **January 2020** report (submitted 02/20/2020) revealed the following data:

Active cases: 947

Inactive cases: 5,259

- OCA monthly report data compiled from the **February 2020** report (submitted 03/17/2020) revealed the following data:

Active cases: 847

Inactive cases: 5,292

- OCA monthly report data compiled from the **March 2020** report (submitted 04/21/2020) revealed the following data:

Active cases: 812

Inactive cases: 5,254

- OCA monthly report data compiled from the **April 2020** report (submitted 05/20/2020) revealed the following data:

Active cases: 619

Inactive cases: 5,291

- OCA monthly report data compiled from the **May2020** report (submitted 06/17/2020) revealed the following data:

Active cases: 628

Inactive cases: 5,347

Community Service Applications

As of this report date (07.02.20) municipal court has 14 applications that were distributed to defendants at previous court proceedings. These were forwarded to Lt. Huffman at the Police Department for review and assignment to various entities for completion of hours.

This reflects no change in previous months' report and no community service has been performed during this period due to covid-19.

Update on Municipal Court recent plan to reduce inactive cases: **June 2020 Report**

Since the last commission report an interview board convened and an officer from the Marshall Police Department was selected to be assigned to Court Services. Officer Jose Burciaga was selected from five applicants. We look forward to working with Officer Burciaga with regards to the warrant service and community service program. *(Previously reported)*

The Amnesty program and warrant round up will be implemented upon the arrival of Officer Burciaga to the courts in addition to the court restrictions being lifted by the Texas Supreme Court and Office of Court Administration. *(Previously reported)*

I have received a response from DPS regarding the OMNIBase program and I am working to finalize the MOU with Texas Department of Public Safety and the City of Marshall.

Leland J Benoit

Municipal Court Administrator

ITEM 6A

PRESENTATION REGARDING THE MOBILIZE MARSHALL STRATEGIC PLAN

MEMORANDUM

To: Members of the City Commission

From: Mark Rohr, City Manager

Date: July 2, 2020

Subject: Presentation regarding the Mobilize Marshall Strategic Plan

A presentation will be provided at the meeting on Thursday updating the Commission on the Mobilize Marshall Strategic Plan.

ITEM 7

ITEMS WITHDRAWN FROM THE CONSENT AGENDA

ITEM 8A

EXECUTIVE SESSION

**DISCUSS OR DELIBERATE THE
APPOINTMENT, EMPLOYMENT,
EVALUATION, REASSIGNMENT,
DUTIES, DISCIPLINE, OR DISMISSAL OF
A PUBLIC OFFICER OR EMPLOYEE:
CITY SECRETARY/FINANCE DIRECTOR**

ITEM 9A

ACTION ITEM FOLLOWING EXECUTIVE SESSION

**TAKE ACTIONS NECESSARY AS A
RESULT OF THE EXECUTIVE SESSION
REGARDING PERSONAL MATTERS**

ITEM 10

ADJOURNMENT