

MINUTES OF THE REGULAR MEETING OF THE
CITY COMMISSION OF THE CITY OF MARSHALL
THURSDAY, JANUARY 23, 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
Doug Lewis, District 7

Amy Ware, District 4
Larry Hurta, District 6

ADMINISTRATIVE STAFF PRESENT:

Mark Rohr, City Manager
Scott Rectenwald, Acting City Attorney
Randy Pritchard, Support Services Superintendant
Wes Morrison, Community & Economic Development Director
Elaine Altman, City Secretary/Finance Director
Eric Powell, Public Works Director
Mallori James, Tourism & Cultural Arts Director
Stormy Nickerson, Management Analysis/Communications Coordinator

Reggie Cooper, Fire Chief

INVOCATION & PLEDGE: Commissioner Bonner & Jazmin Ennis, 10th grade student at Marshall High School

16. **CITIZEN COMMENTS**

George Carter, 1570 Kings Road, spoke regarding positive additions to downtown.

Rex Brown, Jr., 4404 S. Washington, stated his concerns regarding traffic flow under the proposed Downtown Redevelopment Plan.

Bill Elliott, 304 Fairview, spoke in opposition of the Downtown Redevelopment Plan. His concerns are parking around the courthouses and traffic flow. He also asked for consideration of promoting the south side of Marshall.

Jerry Graves, 1101 E. Bowie, stated he was thankful for the addition of the Lady Bird Park. He expressed concern for the exclusion of the arts and the location of the splash pad.

Fred Badalamente, 6800 Hwy 80 East #611, spoke in against the stop signs on E. Houston and stated his concerns regarding the traffic changes on Bolivar. He also expressed concern regarding funds spent on the Perkins Building demolition and suggested purchasing and imploding the Capital One building and using the space for parking.

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**

There were no items withdrawn from the Consent Agenda.

CONSENT AGENDA

Commissioner Hurta made a motion to approve the Consent Agenda. Commissioner Ware seconded the motion, which passed with a vote of 6:0.

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

B. Consider approval of a Temporary Construction Easement between the City of Marshall and Union Pacific Railroad Company.

PUBLIC HEARING

A. Conduct a Public Hearing and respond as necessary regarding the Downtown Redevelopment Plan.

Mark Rohr, City Manager, stated the initial presentation was preliminary. Additional research and refinements are anticipated.

Mayor Brown opened the public hearing.

No one came forward.

Mayor Brown closed the public hearing.

ORDINANCE

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.

Elaine Altman, City Secretary, asked for 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. She stated that the tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized. The election will be held on May 2nd in conjunction with the General Election.

Commissioners asked questions and discussed.

Commissioner Calhoun made a motion to approve the 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. Commissioner Hurta seconded the motion, which passed with a 6:0 vote.

SECOND READING OF ORDINANCES

21. 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.

There were no changes to this ordinance.

Commissioner Lewis made a motion to approve a Special Use Permit to allow a day care at 307-B Pope Street. Commissioner Calhoun seconded the motion, which passed with a vote of 6:0.

22. 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.

There were no changes to this ordinance.

Commissioner Ware 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 Lewis seconded the motion, which passed with a vote of 6:0.

23. 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".

There were no changes to this ordinance.

Mayor Brown 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 Calhoun seconded the motion, which passed with a vote of 6:0.

RESOLUTIONS

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

Elaine Altman asked for approval of a resolution ordering a General Election for City Commissioner Districts 5, 6 and 7. She stated this resolution is required by the Texas Election Code and serves as notice for the election to be held on May 2, 2020.

Commissioner Lewis made a motion to approve a resolution ordering a General Election for City Commissioner Districts 5, 6 and 7. Commissioner Ware seconded the motion, which passed with a vote of 6:0.

25.

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

Elaine Altman asked for approval of a resolution calling for a Joint Election Agreement with the Marshall Independent School District for the May 2, 2020 General Election. She stated this resolution is presented at the request of MISD and allows the school district to hold a joint election with the City.

Mayor Brown made a motion to approve a resolution calling for a Joint Election Agreement with the Marshall Independent School District for the May 2, 2020 General Election. Commissioner Lewis seconded the motion, which passed with a vote of 6:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COMMISSION CONSIDERATION

26. CONSIDER APPROVAL OF THE ALLOCATION OF 2020 HOTEL/MOTEL OCCUPANCY TAX FUNDS.

Mallori James, Tourism & Cultural Arts Director, asked for approval of the allocation of 2020 Hotel/Motel Occupancy Tax funds. She stated the Visit Marshall Advisory Board approved the breakdown of funds.

Commissioners asked questions and discussed.

Commissioner Calhoun made a motion to approve the allocation of 2020 Hotel/Motel Occupancy Tax funds. Commissioner Ware seconded the motion, which passed with a vote of 6:0.

27. DISCUSSION OF AND CONSIDERATION OF THE 2020 CITY COMMISSION MEETING SCHEDULE.

Mark Rohr presented the 2020 City Commission meeting schedule. He highlighted the major changes; the April 9th meeting will begin at 6:30 instead of 6:00 and the first meeting of March will be on the 19th instead of the 12th due to Spring Break.

28. DISCUSSION REGARDING 2019 WONDERLAND OF LIGHTS.

Commissioners engaged in a discussion with Staff regarding 2019 Wonderland of Lights.

A report for costs and hours will be provided at the second meeting in February. An estimate of the number of visitors to the City will also be provided.

29. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

There were no items withdrawn from the Consent Agenda.

30. 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.

- 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.

Commissioner Calhoun made a motion to enter into Executive Session. Commissioner Lewis seconded the motion, which passed with a vote of 6:0. The time was 6:53 p.m.

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

31. **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.

There was no action following Executive Session.

32. **ADJOURNMENT**

The meeting was adjourned.

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
O-20-04
Resolutions: R-20-02
R-20-03**