

1. 3-18-2021 Agenda (PDF)

Documents:

[03-18-21 AGENDA.PDF](#)

2. 3-18-2021 Agenda Packet (PDF)

Documents:

[3-18-21 AGENDA PACKET.PDF](#)



**CITY OF MARSHALL, TEXAS
SPECIAL-CALLED CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL, 401 SOUTH ALAMO
THURSDAY, MARCH 18, 2021, 6:00 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**
2. **INVOCATION AND PLEDGES**
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, or not on, the agenda. Those who wish to speak will have three minutes to do so unless additional time has been requested.

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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**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

The items on the Consent Agenda require little or no deliberation by the Council. 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 Councilmember 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 February 25, 2021 Regular meeting.
- B. Street Sweeping Activity Report. (Public Works Director)

- C. Monthly Financial Report. (Finance Director)
- D. Municipal Court Activity Report. (Finance Director)
- E. Consider approval of a resolution calling for the cancellation of the City General Election for District 3. (City Secretary)

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

- A. Presentation of proposed policies and procedures for the Marshall Animal Adoption Center. (Police Chief)
- B. Public Works/Water and Wastewater Utilities Capital Improvement Plan (CIP) Report. (Public Works Director)
- C. Consider approval of an add-on to the original agreement for the Johnson Street Sidewalk Improvement Project, related to a change in scope due to needed drainage system improvements. (Public Works Director)

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 **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**

8. **ADJOURNMENT**

Posted: March 15, 2021
5:00 p.m.
N. Smith

This meeting will be conducted in accordance with the Americans with Disabilities Act. Requests for sign interpretive services will be available with at least 72-hour notice prior to the meeting. To make arrangements for these services, please call the City Secretary's Office at 903-935-4446.



**CITY OF MARSHALL, TEXAS
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Page 3

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Page 5

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Page 10

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Page 13

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Page 17

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Page 24

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Page 28

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Page 30

- C. Consider approval of an add-on to the original agreement for the Johnson Street Sidewalk Improvement Project, related to a change in scope due to needed drainage system improvements. (Public Works Director)

Page 38

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Page 40

8. **ADJOURNMENT**
Page 41

Posted: March 15, 2021
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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 FEBRUARY 25,
2021 REGULAR MEETING**

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MARSHALL
THURSDAY, FEBRUARY 25, 2021
6:00 PM

Mayor Terri Brown called the Regular meeting to order in the Council Chambers, City Hall at 6:00 p.m.

PRESENT:

MAYOR: Terri Brown, District 3

COUNCIL MEMBERS:

Marvin Bonner, District 1	Leo Morris, District 2
Amy Ware, District 4	Vernia Calhoun, District 5
Amanda Abraham, District 6	Micah Fenton, District 7

ADMINISTRATIVE STAFF PRESENT:

Mark Rohr, City Manager	Reggie Cooper, Fire Chief
Scott Rectenwald, Acting City Attorney	Cliff Carruth, Police Chief
Randy Pritchard, Support Services Superintendent	
Eric Powell, Public Works Director	
Mallori James, Tourism & Cultural Arts Director	
Stormy Nickerson, Management Analysis/Communications Coordinator	
Nikki Smith, City Secretary/Payroll Accountant	
Jasmine Rios, Communications Coordinator	

INVOCATION & PLEDGE: Councilmember Bonner & Mayor Brown

36. **CITIZEN COMMENTS**

There were no citizen comments.

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

Item C was withdrawn from the Consent Agenda.

38. **CONSENT AGENDA**

Councilmember Bonner made a motion to approve the Consent Agenda. Councilmember Abraham seconded the motion, which passed with a vote of 7:0.

- A. Consider approval of the minutes from the February 11, 2021 Regular meeting.
- B. Public Works Activity Report.
- D. Police Department Activity Report.

RESOLUTIONS

39. **CONSIDER APPROVAL OF A RESOLUTION CALLING FOR THE CANCELLATION OF THE CITY GENERAL ELECTION FOR DISTRICTS 1, 2 AND 4.**

Nikki Smith, City Secretary, asked for approval of a resolution calling for the cancellation of the City General Election for Districts 1, 2 and 4 as these

rices are unopposed. This resolution also declares the re-election of Council members Bonner, Morris and Ware to the position of Councilmember for Districts 1, 2 and 4.

Councilmember Bonner made a motion to approve a resolution calling for the cancellation of the City General Election for Districts 1, 2 and 4 and declaring the re-election of Council members Bonner, Morris and Ware to the position of Councilmember for Districts 1, 2 and 4. Mayor Brown seconded the motion, which passed with a vote of 7:0.

40. CONSIDER APPROVAL OF A RESOLUTION ANNOUNCING THE APPOINTMENT OF ELECTION OFFICERS FOR THE GENERAL ELECTION.

This item was withdrawn.

41. CONSIDER APPROVAL OF A RESOLUTION TO UPDATE THE AUTHORIZED CITY OF MARSHALL REPRESENTATIVES AT TEXPOOL.

Mark Rohr, City Manager, asked for approval of a resolution to update the authorized City of Marshall representatives at TexPool.

Councilmember Calhoun made a motion to approve a resolution to update the authorized City of Marshall representatives at TexPool. Councilmember Ware seconded the motion, which passed with a vote of 7:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION

42. PRESENTATION OF AND ACKNOWLEDGMENT OF RECEIPT OF THE 2020 RACIAL PROFILING REPORT FOR THE MARSHALL POLICE DEPARTMENT.

Cliff Carruth, Police Chief, spoke regarding legislative history of racial profiling laws and the three methods available to the public for filing a complaint regarding racial profiling. He then presented the 2020 Racial Profiling Report which was prepared by Del Carmen Consulting. He stated the Marshall Police Department is in compliance.

Council members asked questions and discussed.

43. CONSIDER APPROVAL OF A CONTRACT EXTENSION WITH PETE MCCARTY OIL COMPANY, INC. TO PROVIDE FUEL FOR THE CITY OF MARSHALL.

Eric Powell, Public Works Director, asked for approval of an extension to the contract with Pete McCarty Oil Company, Inc. to provide fuel for the City of Marshall. He stated the cost would remain the same.

Council members asked questions and discussed.

Councilmember Abraham made a motion to approve an extension to the contract with Pete McCarty Oil Company, Inc. to provide fuel for the City of Marshall. Councilmember Fenton seconded the motion, which passed with a vote of 7:0.

44. CONSIDER APPROVAL OF AN EXPENDITURE IN EXCESS OF \$50,000 AS AN INCENTIVE FOR PROJECT COMPOSITE.

Rush Harris, Executive Director MEDCO, asked for approval of an expenditure in excess of \$50,000 as an incentive for Project Composite. He stated this project would provide 40 new jobs for the community.

Council members asked questions and discussed.

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

After the vote Rush Harris revealed the name of the company, Tietek Global, LLC.

45. CONSIDER APPROVAL OF SMALL BUSINESS GRANT FUND APPLICATIONS.

Mark Rohr stated this process was to aid businesses impacted by the ongoing pandemic. He asked for approval of the completed applications received between January 20, 2021 and February 12, 2021.

Councilmember Fenton made a motion to approve the application for KK'S Embroidery for \$2,500. Mayor Brown seconded the motion, which passed with a vote of 7:0.

Councilmember Ware made a motion to approve the application for Ed's Sports Center Designs for \$2,500. Councilmember Morris seconded the motion, which passed with a vote of 7:0.

Councilmember Fenton made a motion to approve the application for East Texas Office Supplies, Inc. for \$2,500. Councilmember Ware seconded the motion, which passed with a vote of 7:0.

Councilmember Bonner made a motion to approve the application for The Tortilla Factory for \$2,500. Councilmember Calhoun seconded the motion, which passed with a vote of 7:0.

Mayor Brown made a motion to approve the application for Green's Professional Services for \$2,500. Councilmember Abraham seconded the motion, which passed with a vote of 7:0.

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

46. REPORT ON 2021 WINTER STORM RESPONSE.

Mark Rohr stated the Local Emergency Declaration for the winter storm has expired. Eric Powell provided a report on the response to the 2021 winter storm. He detailed the occurrence of events faced by City Staff and stated 16 of the 50 leaks still needed to be repaired.

Council members and Mark Rohr thanked the citizens and City Staff for their efforts during this winter storm.

47.

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

C. Fire Department Activity Report.

Councilmember Calhoun stated her reasons for pulling this item.

Health Department Inspection Reports will be added to the Consent Agenda.

Councilmember Abraham made a motion to approve Item C of the Consent Agenda. Councilmember Morris seconded the motion, which passed with a vote of 7:0.

48.

ADJOURNMENT

Councilmember Morris made a motion for adjournment. Councilmember Fenton seconded the motion, which passed with a vote of 7:0.

APPROVED:

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

ATTEST:

City Secretary

**Resolutions: R-21-07
R-21-08**

ITEM 5B

CONSENT AGENDA

STREET SWEEPING ACTIVITY REPORT



TO: Members of the City Council

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

DATE: March 2, 2021

SUBJECT: Street Sweeping Activity Report for February 2021

The Street Sweeping Activity Report for the month of February 2021 is attached for your review.

STREET SWEEPING ACTIVITY REPORT FEBRUARY 2021

STREET NAME	NUMBER OF TIMES SWEPT
Acadia St.	1
N. Allen Blvd.	1
S. Allen Blvd.	1
Austin St. (Downtown)	5
Bolivar St. (Downtown)	5
Buena Vista Dr.	1
Burleson St. (Downtown)	5
Carolanne Blvd.	1
Carters Ferry Rd.	1
Courthouse Square	5
Emory St.	1
Fisher Dr.	1
Lansdowne St.	1
Lynoak St.	1
Laurel Lane	1
Mary Mack Dr.	1
Norwood St.	1
Parker St.	1
Pinecove St.	1
Rosborough Springs Rd.	1
Rusk St. (Downtown)	5
Sanford St.	1
University Ave.	1
Van Zandt Ave.	1
N. Washington Ave. (Downtown)	5
Wellington St. (Downtown)	5
Wellington St. (from Courthouse Square to Travis St.)	1

NUMBER OF STREETS/AREAS SWEPT IN FEBRUARY: 27

March 2, 2021

ITEM 5C

CONSENT AGENDA

MONTHLY FINANCIAL REPORT

MEMORANDUM

To: Mark Rohr, City Manager

From: Debbie Manuel, Acting Finance Director

Date: March 10, 2021

Subject: January Revenue and Expense Report Summaries – General Fund and Water and Sewer Enterprise Fund

Attached is the Revenue and Expense Report Summaries for January. This report provides current month, year to date, and budgeted amounts for major revenue categories and expenditures by department. The report also provides a percent of current budget. On average, a department will expend approximately 8.33% of its budget on a monthly basis and this can be used as a benchmark when reviewing this report.

CITY OF MARSHALL

REV/EXP/BUD - SHORT REPORT-NEW

PERIOD ENDING: JANUARY, 2021

	CURRENT MONTH	YTD ACTUAL	PRIOR YTD	REVISED ADOPTED BUDGET	ADOPTED BUDGET	1/12 OF ADOPTED BUDGET	PERCENT OF ADOPTED BUDGET	REMAINING	
								ADOPTED	BUDGET AMT
GENERAL FUND									
REVENUES:									
TAXES	2,249,508	2,249,508	2,030,646	12,701,087	12,701,087	1,058,424	17.711	10,451,579	
LICENSES & PERMITS	12,212	12,212	12,906	195,000	195,000	16,250	6.263	182,788	
INTERGOVERNMENTAL REVENUE			22,997	166,235	166,235	13,853		166,235	
FEES	368,587	368,587	454,113	5,393,687	5,393,687	449,474	6.834	5,025,100	
FINES & FORFEITURES	11,628	11,628	19,184	500,000	500,000	41,667	2.326	488,372	
MISCELLANEOUS REVENUE	411,644	411,644	406,386	2,318,163	2,318,163	193,180	17.757	1,906,519	
TOTAL GENERAL FUND REVENUE	3,053,579	3,053,579	2,946,232	21,274,172	21,274,172	1,772,848	14.353	18,220,593	
EXPENSES:									
GENERAL GOVERNMENT	31,037	31,037	37,229	549,766	549,766	45,814	5.646	518,729	
FINANCE	31,013	31,013	34,740	531,062	531,062	44,255	5.84	500,049	
POLICE	336,310	336,310	320,673	5,160,503	5,160,503	430,042	6.517	4,824,193	
FIRE	418,657	418,657	475,084	4,251,100	4,251,100	354,258	9.848	3,832,443	
PUBLIC WORKS	75,185	75,185	97,251	5,080,400	5,080,400	423,367	1.48	5,005,215	
COMMUNITY & ECO DEV	39,094	39,094	51,690	667,049	667,049	55,587	5.861	627,955	
SUPPORT SERVICES	67,408	67,408	69,576	858,934	858,934	71,578	7.848	791,526	
TOURISM & CULTURAL ARTS	75,600	75,600	82,043	1,211,093	1,211,093	100,925	6.242	1,135,493	
PARKS & RECREATION	27,824	27,824	32,329	425,832	425,832	35,486	6.534	398,008	
NON DEPARTMENTAL	186,316	186,316	176,138	2,282,121	2,282,121	190,177	8.164	2,095,805	
APPRAISAL DISTRICT			23,327	101,513	101,513	8,459		101,513	
INTERFUND TRANSFERS				154,799	154,799	12,900		154,799	
CAPITAL OUTLAY									
TOTAL GENERAL FUND EXPENSES	1,288,444	1,288,444	1,400,080	21,274,172	21,274,172	1,772,848	6.056	19,985,728	
TOTAL GENERAL FUND	1,765,135	1,765,135	1,546,152					-1,765,135	

CITY OF MARSHALL
REV/EXP/BUD - SHORT REPORT-NEW
PERIOD ENDING: JANUARY, 2021

CURRENT MONTH	YTD ACTUAL	PRIOR YTD	REVISED ADOPTED BUDGET	ADOPTED BUDGET	1/12 OF ADOPTED BUD OF ADOPTED BUDGET	PERCENT ADOPTED BUDGET	REMAINING ADOPTED BUDGET AMT
WATER & SEWER ENTERPRISE FUND							
REVENUES:							
GRANTS							
PERMITS & FEES	789	789	873	11,400	11,400	950	6.92
WATER & SEWER CHARGES	591,468	591,468	792,696	9,487,993	9,487,993	790,666	6.23
MISCELLANEOUS REVENUES	170	170	1,722	42,000	42,000	3,500	0.41
TOTAL W&S REVENUE	592,427	592,427	795,291	9,541,393	9,541,393	795,116	6.21
EXPENSES:							
ADMINISTRATION							
WATER PRODUCTION	26,518	26,518	29,398	322,998	322,998	26,917	8.21
DISTRIBUTION/COLLECTION	69,568	69,568	125,744	1,242,498	1,242,498	103,542	5.60
WASTEWATER TREATMENT	86,591	86,591	125,233	2,723,210	2,723,210	226,934	3.18
WATER BILLING	87,636	87,636	86,163	1,350,104	1,350,104	112,509	6.49
ENGINEERING	26,205	26,205	40,193	521,343	521,343	43,445	5.03
NON DEPARTMENTAL	2,736	2,736	3,774	32,093	32,093	2,674	8.52
INTERFUND TRANSFERS	105,392	105,392	101,797	1,110,336	1,110,336	92,528	9.49
TOTAL W&S EXPENSES	403,382	403,382	396,250	2,238,811	2,238,811	186,567	18.02
	808,028	808,028	908,552	9,541,393	9,541,393	795,116	8.47
TOTAL WATER & SEWER FUND							
	-215,601	-215,601	-113,261				215,601

ITEM 5D

CONSENT AGENDA

MUNICIPAL COURT ACTIVITY REPORT

Cases Filed

STEP Site	Traffic	Penal	City Ordinance	Parking	Other	Total
0	100	12	4	0	5	121

Financial

State Costs	City Costs	Fines	Tech Fund	Bld Security	Total
\$6,930.85	\$3,985.14	\$2,154.06	\$1,250.00	\$5,712.75	\$20,032.80

Trials/Hearings

Jury	Bench	Appealed	Total
0	0	0	0

Warrants

Issued	Recalled	Served	Fees Collected	Amount Collected	Outstanding
76	35	17	\$1,101.29	\$2,793.50	\$2,793,860

Dispositions

Paid	Time Served	Dismissed	Appealed	Total
64	13	30	0	115

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

- OCA monthly report data compiled from the **June 2020** report (submitted 07/15/2020) revealed the following data:

Active cases: 740
Inactive cases: 5,297

- OCA monthly report data compiled from the **July 2020** report (submitted 08/20/2020) revealed the following data:

Active cases: 794
Inactive cases: 5,248

- OCA monthly report data compiled from the **August 2020** report (submitted 09/16/2020) revealed the following data:

Active cases: 1,001
Inactive cases: 5,221

- OCA monthly report data compiled from the **September 2020** report (submitted 10/19/2020) revealed the following data:

Active cases: 1,014
Inactive cases: 5,272

- OCA monthly report data compiled from the **October 2020** report (submitted 11/12/2020) revealed the following data:

Active cases: 1,004
Inactive cases: 5,230

- OCA monthly report data compiled from the **November 2020** report (submitted 12/15/2020) revealed the following data:

Active cases: 883
Inactive cases: 5,346

- OCA monthly report data compiled from the **December 2020** report (submitted 01/20/2020) revealed the following data:

Active cases: 891
Inactive cases: 5,310

- OCA monthly report data compiled from the **January 2021** report (submitted 02/23/2020) revealed the following data:

Active cases: 769
Inactive cases: 5386

Community Service Applications

As of this report date (03.01.21) 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.

It should be noted that the Marshall Municipal Court has granted a temporary extension for completion of community service hours for Covid-19 concerns. Judicial staff approved this measure as state and national guidelines recommend limited personal contact with others and because of expressed concerns from parents of minors.

Update on Municipal Court recent plan to reduce inactive cases **February 2021 Report**

No Changes from previous 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.

MOU has been forwarded from DPS to Judicial Staff for review of procedure regarding process of payment and documentation.

Leland J Benoit

Municipal Court Administrator

ITEM 5E

**CONSIDER APPROVAL OF A
RESOLUTION CALLING FOR THE
CANCELLATION OF THE CITY
GENERAL ELECTION FOR DISTRICT 3**

Memorandum

To: Mark Rohr, City Manager
From: Nikki Smith, City Secretary
Date: March 11, 2021
Re: Cancellation of City General Election for District 3

Jennifer Truelove candidate for election to City Council District 3 is unopposed for the upcoming May 1, 2021 General Election.

Attached is a Resolution that would cancel the General Election for District 3 and declare the unopposed candidate elected.

It is my recommendation that the City Council adopt the attached Resolution cancelling the General Election for District 3 and declare Jennifer Truelove elected.

R-21-__
RESOLUTION
ORDER AND NOTICE OF CANCELLATION OF CITY GENERAL ELECTION
FOR DISTRICT 3

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

WHEREAS, a general election was ordered to be held on May 1, 2021, by the City Council on the 28th day of January 2021, to elect Council members from Districts 1, 2, 3, and 4; and

WHEREAS, the deadline for filing an application for a place on the ballot was February 12, 2021 at 5:00 p.m.: and,

WHEREAS, the deadline for write-in candidates to file declarations of write-in candidacy was February 16, 2021 at 5:00 p.m.: and,

WHEREAS, the City Secretary of the City of Marshall has certified the unopposed status of Jennifer Truelove.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARSHALL:

1.

That the general election to be held in the City of Marshall, Texas, on the 1st day of May, 2021, at which election candidates for the office of Councilmember District 3 were to be submitted to the resident qualified voters of said City for their action thereon is hereby canceled.

2.

In accordance with Section 2.053 of the Texas Election Code, the following unopposed candidate is hereby declared duly elected to the respective office shown:

Jennifer Truelove, City Councilmember District 3

3.

A copy of this Resolution signed by the Mayor of the City Council and attested by the City Secretary shall serve as proper notice of cancellation of said general election. The City Secretary is authorized and directed to post on Election Day a properly executed copy of said Notice of Cancellation of City General Election at City Hall and at each polling place that would have been used had the election not been cancelled.

PASSED, APPROVED, AND ADOPTED this 18th day of March 2021.

AYES: _____
NOES: _____
ABSTAINED: _____

MAYOR OF THE CITY COUNCIL
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

CITY SECRETARY

R-21-__
RESOLUCIÓN
ORDEN Y AVISO DE CANCELACIÓN DE LA CIUDAD DE ELECCIÓN GENERAL
PARA LOS DISTRITO 3

A los votantes calificados residentes de la Ciudad de Marshall, Texas:

CONSIDERANDO, que las elecciones generales se le ordenó que se celebrarán el 1 de mayo de 2021, por el Consejo de la Ciudad en el día 28 de enero de 2021, para elegir a comisarios de los distritos 1, 2, 3, y 4, y

CONSIDERANDO, que el plazo para la presentación de una solicitud para un lugar en la boleta electoral fue 12 de febrero 2021 a las 5:00 pm: y,

CONSIDERANDO, que el plazo para la amortización de los candidatos a presentar declaraciones de escritura en la candidatura fue 16 de febrero 2021 a las 5:00 pm: y,

CONSIDERANDO, el Secretario Municipal de la Ciudad de Marshall ha certificado el estado sin oposición de Jennifer Truelove.

POR LO TANTO, SE RESUELVE POR EL CONSEJO MUNICIPAL DE LA CIUDAD DE MARSHALL:

1.

Que las elecciones generales que se celebrarán en la ciudad de Marshall, Texas, el día 1 de mayo 2021, en el que los candidatos electorales para el cargo de Consejo de los Distrito 3 se iba a presentar al residente calificado los votantes de dicha Ciudad por su acción al respecto quedará cancelada.

2.

De conformidad con el artículo 2.053 del Código Electoral de Texas, los siguientes candidato sin oposición se declaran debidamente electos para los respectivos cargos indicados:

Jennifer Truelove, Consejo de la Ciudad del Distrito 3

3.

Una copia de esta Resolución firmada por el Presidente de el Consejo de la Ciudad y certificado por el Secretario de la Ciudad deberá servir como aviso correspondiente de la cancelación de dicha elección general. La Secretaria de la Ciudad se autoriza y ordena publicar en el Día de Elecciones una copia correcta ejecución de dicho aviso de cancelación de la Elección General de la Ciudad en el Ayuntamiento y en cada lugar de votación que se habría utilizado si no la elección fue cancelada.

PASADO, APROBADO Y ADOPTADO este día 18 de marzo de 2021.

SIS: _____

NO: _____

ABSTENIDO: _____

PRESIDENTE DE EL CONSEJO
DE LA CIUDAD DE MARSHALL, TEXAS

ATESTIGUA:

SECRETARIA DE LA CIUDAD

ITEM 6A

PRESENTATION OF PROPOSED POLICIES AND PROCEDURES FOR THE MARSHALL ANIMAL ADOPTION CENTER



Cliff Carruth
Chief of Police

Marshall Police Department

Interoffice Memo

Date: March 10, 2021

To: Marshall City Commission

From: Chief Cliff Carruth

Re: Animal Control Ordinance

Chief Carruth will discuss proposed revisions to the Animal Control ordinances which will be on the agenda in the near future. These steps will be necessary to ensure that our new Marshall Adoption Center is a success. These changes to the Animal Control ordinance are part of a holistic approach to animal care in Marshall, Texas. The ordinances include changes in the following areas:

1. Animals running at large/nuisance
2. Microchipping
3. Spay/Neutering
4. Cleaning up the language in the current and unchanged ordinances
5. Updating definitions
6. Set-up for fee schedules

ITEM 6B

PUBLIC WORKS/WATER AND WASTEWATER UTILITIES CAPITAL IMPROVEMENT PLAN (CIP) REPORT



TO: Marshall City Council

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

DATE: March 10, 2021

SUBJECT: Public Works/Water and Wastewater Utilities Capital Improvement Plan (CIP)
Report

This report is a re-visit of the Capital Improvement Plan presented to the City Commission in October of 2019. Specific items to be focused on will be related to Water and Wastewater, including condition of infrastructure, impact from the recent winter storm, and funding issues.

A copy of the 10-year Capital Improvement Plan is attached for your information.



Ten Year CIP - Water Supply\Treatment

(Includes raw water supply and treatment\pumping)

Priority	Project Description	Total Project Cost	Potential Funding Source	Proposed Funding Year										
				2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	
1	High Service Pump Station Improvements ¹	\$ 800,000.00	Bond\FEMA	\$ 800,000.00										
2	Improvements\repairs to existing 3MG clearwells ²	\$ 3,000,000.00	Bond\Operating	\$ 1,500,000.00		\$ 1,500,000.00								
3	Retrofitting of three (3) existing VFDs at Caddo Reservoir intake	\$ 525,000.00	Operating\Bond	\$ 175,000.00	\$ 175,000.00	\$ 175,000.00								
4	Installation of automatic valves at elevated water storage tanks ³	\$ 200,000.00	Operating\Bond				\$ 200,000.00							
5	Replacement of original 24" raw waterline to Caddo Junior (1947) w/ a new 36" waterline ⁴	\$ 7,000,000.00	Bond\TWDB		\$ 2,333,000.00		\$ 2,333,000.00	\$ 200,000.00	\$ 2,333,000.00					
6	Replacement of existing 20" waterline from Caddo Junior (1947) install to Treatment Plant	\$ 3,500,000.00	Bond				\$ 3,500,000.00							
7	Replace existing 24" waterline from Caddo Junior to Treatment Plant w/ new 36" waterline	\$ 2,750,000.00	Bond					\$ 3,500,000.00			\$ 2,750,000.00			
8	Replace existing backup generator at water treatment plant ¹	\$ 300,000.00	Bond\Operating					\$ 300,000.00						
Total:				\$ 2,475,000.00	\$ 2,508,000.00	\$ 1,675,000.00	\$ 2,333,000.00	\$ 3,700,000.00	\$ 2,333,000.00	\$ 300,000.00	\$ 2,750,000.00	\$ -	\$ -	\$ -

Notes:

- 1. Generator costs may be eligible for FEMA Pre-Hazard Mitigation Grants
- 2. TCEQ has this on their list of deficiencies
- 3. Would allow for the adequate movement of water between existing tanks
- 4. Will require 6 months for planning\engineering\design - bid in early 2023

Ten Year CIP - Water Distribution

(Projects to be coordinated with road resurfacing program)

Priority	Project Description	Total Project Cost	Funding Source	Potential	Proposed Funding Year									
					2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
1	Recommended watermain improvements (Hayes report) ^{1,2}	\$ 2,500,000.00	Operating		\$	250,000.00	\$	250,000.00	\$	250,000.00	\$	250,000.00	\$	250,000.00
2	Looping of dead end mains	\$ 2,500,000.00	Operating	Bonding	\$	250,000.00	\$	250,000.00	\$	250,000.00	\$	250,000.00	\$	250,000.00
3	Fire Hydrant Coverage Improvements	\$ 500,000.00	Operating		\$	50,000.00	\$	50,000.00	\$	50,000.00	\$	50,000.00	\$	50,000.00
4	Replacement/repairs of non-functioning hydrants	\$ 200,000.00	Operating		\$	20,000.00	\$	20,000.00	\$	20,000.00	\$	20,000.00	\$	20,000.00
5	Replacement of 12" main on Travis St	\$ 600,000.00	Operation		\$	600,000.00								
Total:					\$	600,000.00	\$	570,000.00	\$	570,000.00	\$	570,000.00	\$	570,000.00

Notes:

- 1 - list of current watermain replacement requests for 2020:

A. 10" Main Replacement on W. Rusk to Hendrix (approx. 1500') with new 12" main - \$50,000
B. 6" Main Replacement on Lower Port Caddo to Bausley St. (approx. 7200 ft) with a 6" main - \$180,000
C. 10" Main Replacement on East Avenue to Irvin St (approx. 1400 ft) with a new 12" main - 40,000
2. Currently there has been +/- \$400,000 placed in the operating budget for water main improvements over the last few years





Ten Year CIP - Wastewater Treatment

Priority	Project Description	Total Project Cost	Funding Source	Potential	Proposed Funding Year										
					2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	
1	Replacement of backup generator (circa 1984) ^{1,2,3}	\$ 500,000.00	FEMA\Bonding\TWDB			\$ 500,000.00									
3	Installation of new sludge fan press ^{1,2}	\$ 1,500,000.00	Bonding\TWDB					\$ 1,500,000.00							
2	Replacement\Upgrade of UV Disinfection system ^{1,2}	\$ 800,000.00	Bonding\TWDB		\$ 800,000.00										
4	Media Replacement ^{1,2}	\$ 650,000.00	Bonding\TWDB				\$ 650,000.00								
5	Installation of new bar screen	\$ 350,000.00	Bonding\TWDB		\$ 350,000.00										
6	Plant expansion	\$ 8,000,000.00	Bonding\TWDB												\$ 8,000,000.00
7	Replacement of existing sludge piping	\$ 200,000.00	Bonding\TWDB			\$ 75,000.00			\$ 100,000.00	\$ 25,000.00					
Totals:					\$ 1,150,000.00	\$ 575,000.00	\$ 650,000.00	\$ 1,500,000.00	\$ -	\$ 100,000.00	\$ 25,000.00	\$ -	\$ -	\$ 8,000,000.00	

Notes:

- 1. Items 1 through 5 were submitted as part of an overall project to the TWDB in 2018 but no action was taken.
- 2. Recommend resubmitting the application to TWDB in March 2020 and accept the funding for all items (1 through 5) approved by TWDB.
- 3. It appears that the existing SWEPCO transformer may be undersized for the plant

Ten Year CIP - Wastewater Collection

(Projects to be coordinated with road resurfacing program)

Priority	Project Description	Total Project Cost	Potential Funding Source	Proposed Funding Year										
				2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	
1	Turtle Creek Sewer Project	\$ 400,000.00	Operating/Bonding	\$ 400,000.00										
2	Parker Creek Interceptor Improvements (Phases 1 through 6 in B&N report) ¹	\$ 10,600,000.00	Bonding/TWDB Funds	\$ 1,800,000.00		\$ 1,800,000.00	\$ 1,600,000.00		\$ 1,600,000.00		\$ 1,200,000.00		\$ 2,600,000.00	
3	Sanitary Sewer Line Replacements/Slipping/Pipebursting	\$ 1,000,000.00	Operating	\$ 200,000.00		\$ 200,000.00		\$ 200,000.00		\$ 200,000.00		\$ 200,000.00		
4	Sanitary Sewer Manhole replacement/relining	\$ 1,000,000.00	Operating	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	
5	East End Lift Station ²	\$ 4,600,000.00	Bonding/TWDB Funds	\$ 4,600,000.00										
6	East End Interceptor - Phase 1	\$ 1,700,000.00	Bonding/TWDB Funds	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 1,700,000.00				
7	Restart annual I&I investigations (smoke tests, TV camera, etc)	\$ 1,000,000.00	Operating	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	\$ 100,000.00	
8	Consider extensive investigation of collection system (camera)	\$ 250,000.00	Operating/Bonding	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00						
Total:				\$ 2,250,000.00	\$ 4,850,000.00	\$ 2,250,000.00	\$ 1,850,000.00	\$ 450,000.00	\$ 1,800,000.00	\$ 2,100,000.00	\$ 1,400,000.00	\$ 400,000.00	\$ 2,800,000.00	

Notes:

- 1. This project is broken down into ten (10) different phases in the B&N report.
- 2. Consideration should be given to whether the lift station can be removed and the sewer flow by gravity - input from design firm.



Ten Year CIP - Streets and Drainage

Note: While there is no cost values included on this page of the CIP plan it does not mean that there is no expenditures associated with the comments below. There are some major drainage basins that need to be revisited as to what condition they are in as well as defining scope of work for each to improve overall flood control and management.

Item No.	Description\Problem
1	Currently the historical funding over the last few years for street improvement\repairs has reached close to \$2M annually, need to increase to \$3M per year so as to be able to reach every street within a 40 year period A - Currently we have completed resurfacing of approximately 80 miles of roads which represents 40% of the total of 202 road miles. B - The need to coordinate water\sewer\drainage infrastructure repairs\replacements with the annual road resurfacing list is paramount and will be introduced starting in 2020. C - The Department will also be looking into alternative resurfacing methods in addition to traditional asphalt resurfacing (cape seal, microsurfacing, chip sealing, concrete are some examples)
2	The Department along with its consulting engineers will also begin to take a look at changing the road material from asphalt to concrete which has a significantly longer life in ROWs where there is adequate room to relocate infrastructure out of the paved area.
3	Major drainage deficiencies will be analyzed along with our consulting engineers to determine which areas need significant improvements as a result of persistent annual flooding and property loss. A - Funding opportunities may exist through both TWDB as well as FEMA
4	Currently the drainage crew (3 staff members) responds to breaks and clogs rather than doing actual improvements. A system needs to be developed that will address insufficient piping\ditch systems and develop replacement schedules. A - The Department needs to conduct a thorough visual inspection of all existing stormwater piping and their connected drainage swales\ditches. This can be started in the late fall of 2019 and completed in early spring of 2020 prior to the rainy season beginning (mapping by GIS). B - The existing GIS map data and associated attribute information must be brought "in-house" at the Public Works to facilitate the inspection and documentation of existing conditions. C - Need to restart a storm drain cleaning program to eliminate roots and other materials from clogging the storm drains.

prepared By:
Eric G. Powell, PE
Director

Historical Rate Increases - Water\Sewer

Water Rates - City Residents



Ord. Letter	Equip. Type	2007 Rate		2008 Rate		2009 Rate		2010 Rate		2011 Rate		2015 Rate		2016 Rate		2017 Rate		Projected Rates based on previous % avg. increase of 3%		
		% change		% change		% change		% change		% change		% change		% change		% change		2018	2019	2020
a	3/4" Meter	7.93				\$ 7.93		\$ 8.01	1.01%	\$ 8.28	3.26%	\$ 8.53	2.93%	\$ 8.66	1.50%	\$ 8.92	2.9148%	\$ 9.19	\$ 9.46	\$ 9.75
b	1" Meter	11.84				\$ 11.84		\$ 11.96	1.01%	\$ 12.37	3.31%	\$ 12.74	2.90%	\$ 12.93	1.47%	\$ 13.32	2.9279%	\$ 13.72	\$ 14.13	\$ 14.56
c	2" Meter	23.82				\$ 23.82		\$ 24.06	1.01%	\$ 24.88	3.30%	\$ 25.63	2.93%	\$ 26.01	1.46%	\$ 26.79	2.9115%	\$ 27.59	\$ 28.42	\$ 29.27
d	3" Meter	39.69				\$ 39.69		\$ 40.09	1.01%	\$ 41.45	3.28%	\$ 42.69	2.90%	\$ 43.33	1.48%	\$ 44.63	2.9128%	\$ 45.97	\$ 47.35	\$ 48.77
e	4" Meter	79.36				\$ 79.36		\$ 80.15	1.00%	\$ 82.87	3.28%	\$ 85.36	2.92%	\$ 86.64	1.48%	\$ 89.24	2.9135%	\$ 91.92	\$ 94.67	\$ 97.51
f	6: Meter	158.72				\$ 158.72		\$ 160.31	1.00%	\$ 165.76	3.29%	\$ 170.73	2.91%	\$ 173.29	1.48%	\$ 178.49	2.9133%	\$ 183.84	\$ 189.36	\$ 195.04
g	8" Meter	238.08				\$ 238.08		\$ 240.46	1.00%	\$ 248.63	3.29%	\$ 256.09	2.91%	\$ 259.93	1.48%	\$ 267.73	2.9134%	\$ 275.76	\$ 284.03	\$ 292.56
h	10" Meter	317.45				\$ 317.45		\$ 320.62	1.00%	\$ 331.52	3.29%	\$ 341.47	2.91%	\$ 346.59	1.48%	\$ 356.99	2.9132%	\$ 367.70	\$ 378.73	\$ 390.09
i	12" Meter	476.15				\$ 476.15		\$ 480.91	1.00%	\$ 497.26	3.29%	\$ 512.18	2.91%	\$ 519.86	1.48%	\$ 535.46	2.9134%	\$ 551.52	\$ 568.07	\$ 585.11
j	Multi-Family	7.93				\$ 7.93		\$ 8.01	1.00%	\$ 8.28	3.26%	\$ 8.53	2.93%	\$ 8.66	1.50%	\$ 8.92	2.9148%	\$ 9.19	\$ 9.46	\$ 9.75
per add'l 1000 gals		3.82				\$ 3.82		\$ 3.86	1.05%	\$ 3.99	3.26%	\$ 4.11	2.92%	\$ 4.17	1.44%	\$ 4.30	3.0233%	\$ 4.43	\$ 4.56	\$ 4.70

ITEM 6C

**CONSIDER APPROVAL OF AN ADD-ON
TO THE ORIGINAL AGREEMENT FOR
THE JOHNSON STREET SIDEWALK
IMPROVEMENT PROJECT, RELATED TO
A CHANGE IN SCOPE DUE TO NEEDED
DRAINAGE SYSTEM IMPROVEMENTS**



TO: Marshall City Council

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

DATE: March 10, 2021

SUBJECT: Add-on to the original agreement for the Johnson Street Sidewalk Project

In 2018, the City Commission approved an agreement to participate in a Texas Department of Transportation (TxDOT) grant program for the construction of a sidewalk along Johnson Street (from S. Garrett St. to Five Notch Rd.). As part of that agreement, the City would be responsible for the costs of any additional storm water piping and/or structure work required outside of the originally approved scope of the project. Due to issues with existing storm water structures on Johnson Street, additional inlet boxes and piping will be required for completion of this project. The cost of these changes, after multiple design revisions, is \$68,973.00. We plan to cover this expense with funds available within our Municipal Drainage Utility.

ITEM 7

CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

ITEM 8

ADJOURNMENT