



**CITY OF MARSHALL, TEXAS
SPECIAL-CALLED CITY COMMISSION MEETING
COMMISSION CHAMBERS, CITY HALL, 401 SOUTH ALAMO
MONDAY, DECEMBER 16, 2019, 6:00 P.M.**

1. **CALL TO ORDER AND ROLL CALL**
2. **SECOND READING OF ORDINANCES**
 - A. Consider approval of an Ordinance amending the 2019 Annual Budget to appropriate funds for projects approved by the City Commission. (Finance Director)
Page 1
 - B. Consider approval of an Ordinance amending the 2019 Annual Budget to provide for year-end adjustments in selected departments. (Finance Director)
Page 5
3. **RESOLUTION**
 - A. Consider approval of a Resolution closing, vacating, and abandoning various unimproved right-of-ways within the incorporated City of Marshall city limits. (Public Works Director)
Page 9
4. **ADJOURNMENT**
Page 16

Posted: December 13, 2019
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 2A

SECOND READING OF ORDINANCE

**APPROVAL OF AN ORDINANCE
AMENDING THE 2019 ANNUAL BUDGET
TO APPROPRIATE FUNDS FOR
PROJECTS APPROVED BY THE CITY
COMMISSION**

M E M O R A N D U M

To: Mark Rohr, City Manager

From: Elaine Altman, Finance Director/City Secretary

Date: December 12, 2019

Subject: Approval of an Ordinance amending the 2019 Annual Budget to appropriate funds for projects approved by the City Commission

This is the second reading of this ordinance, which is required to amend the 2019 Annual Budget to provide for additional expenditures approved by the Commission during the year that were not provided for in the 2019 adopted Budget. Approval of this Ordinance will allow us to amend the 2019 Budget.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. O-18-16 TO AMEND THE
2019 ANNUAL BUDGET OF THE CITY OF MARSHALL, TEXAS**

WHEREAS, on September 27, 2018 the City of Marshall, Texas passed Ordinance No. O-18-16 adopting the 2019 annual budget; and

WHEREAS, the City of Marshall, Texas desires to amend the 2019 annual budget to provide for additional expenditures to meet unusual and unforeseen conditions, which could not, by reasonable diligent thought and attention, have been included in the original budget;

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

The appropriations for the fiscal year beginning January 1, 2019 and ending December 31, 2019 for the support of the General Fund be amended to appropriate funds from General Fund Reserves to provide additional funds needed for the following:

Interfund Transfer/Memorial City Hall	\$ 212,453
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PASSED AND APPROVED this _____ day of _____, 2019.

AYES: _____

NOES: _____

ABSTAINED: _____

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2019

AYES: _____

NOES: _____

ABSTAINED: _____

CHAIRMAN OF THE CITY COMMISSION
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

CITY SECRETARY

ITEM 2B

SECOND READING OF ORDINANCE

APPROVAL OF AN ORDINANCE AMENDING THE 2019 ANNUAL BUDGET TO PROVIDE FOR YEAR-END ADJUSTMENTS IN SELECTED DEPARTMENTS

M E M O R A N D U M

To: Mark Rohr, City Manager

From: Elaine Altman, Finance Director/City Secretary

Date: December 12, 2019

Subject: Approval of an Ordinance amending the 2019 Annual Budget to provide for adjustments in selected departments

This is the second reading of this ordinance, which is required by our auditors to provide for year-end adjustments in selected departments. A copy of the Ordinance is attached.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING ORDINANCE NO. O-18-16 TO AMEND THE
2019 ANNUAL BUDGET OF THE CITY OF MARSHALL, TEXAS**

WHEREAS, on September 27, 2018 the City of Marshall, Texas passed Ordinance No. O-18-16 adopting the 2019 annual budget; and

WHEREAS, the City of Marshall, Texas desires to amend the 2019 annual budget to provide for additional expenditures to meet unusual and unforeseen conditions, which could not, by reasonable diligent thought and attention, have been included in the original budget;

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

The appropriations for the fiscal year beginning January 1, 2019 and ending December 31, 2019 for the support of the General Fund to be amended as follows:

General Fund Amendments

	Increase in <u>2019 Revenue Budget</u>
Miscellaneous	\$612,297
	Increase in <u>2019 Expense Budget</u>
Planning	\$ 16,000
Police	\$ 612,297
Fire	\$ 142,507
Interfund Transfer	\$ 100,020
Nondepartmental	<u>\$ 22,031</u>
Net Increase	\$ 280,558

The appropriations for the fiscal year beginning January 1, 2019 and ending December 31, 2019 for the support of the Hotel Occupancy Tax Fund (Fund 03) to be amended as follows:

	Increase in <u>2019 Expense Budget</u>
	\$ 187,897
	<u>95,708</u>
Hotel Occupancy Tax Fund (Fund 03)	\$ 283,605

The appropriations for the fiscal year beginning January 1, 2019 and ending December 31, 2019 for the support of Litter Control Fund (Fund 13) to be amended as follows:

	Increase in <u>2019 Expense Budget</u>
Litter Control Fund (Fund 13)	\$ 5,000

The appropriations for the fiscal year beginning January 1, 2019 and ending December 31, 2019 for the support of the Water & Sewer Fund (Fund 40) to be amended as follows:

	<u>Increase in 2019 Expense Budget</u>
Water Production	\$ 43,161
Wastewater Treatment	\$ 38,442
Nondepartmental	<u>\$ 54,621</u>
Water & Sewer Fund (Fund 40)	\$ 136,224

The appropriations for the fiscal year beginning January 1, 2019 and ending December 31, 2019 for the support of Capital Improvement Fund (Fund 68) to be amended as follows:

	<u>Increase in 2019 Expense Budget</u>
Capital Improvement Fund (Fund 68)	\$ 8,410

The appropriations for the fiscal year beginning January 1, 2019 and ending December 31, 2019 for the support of Street Maintenance Fund – General (Fund 80) to be amended as follows:

	<u>Increase in 2019 Expense Budget</u>
Street Maintenance Fund – General (Fund 80)	\$ 387,270

PASSED AND APPROVED this _____ day of _____, 2019.

AYES: _____
NOES: _____
ABSTAINED: _____

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2019.

AYES: _____
NOES: _____
ABSTAINED: _____

COMMISSION

TEXAS
ATTEST:

CHAIRMAN OF THE CITY

OF THE CITY OF MARSHALL,

CITY SECRETARY

ITEM 3A

RESOLUTION

APPROVAL OF A RESOLUTION CLOSING, VACATING, AND ABANDONING VARIOUS UNIMPROVED RIGHT-OF-WAYS WITHIN THE INCORPORATED CITY OF MARSHALL CITY LIMITS



TO: Members of the City Commission

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

DATE: December 12, 2019

SUBJECT: Consider approval of a Resolution closing, vacating, and abandoning various unimproved right-of-ways within the incorporated City of Marshall city limits

Union Pacific Railroad has notified the City that they are planning a railroad track improvement program that would require the closing, vacating, and abandonment of right-of-ways located adjacent to Woodworth Street; the intersection of Woodworth Street and Garber Street; and a portion of Hynson Springs Road. Union Pacific Railroad has agreed to purchase these right-of-ways from the City of Marshall at a cost of \$5,000.00 each, for a total of \$15,000.00.

As there are no private or public utilities located within the portions of these right-of-ways, and the City has no use for said right-of-ways, I recommend approval of this Resolution to close, vacate, and abandon these areas.

Resolution No. _____

A RESOLUTION CLOSING, VACATING, AND ABANDONING THAT PORTION OF VARIOUS RIGHT-OF-WAYS LOCATED ADJACENT TO WOODWORTH STREET, WOODWORTH AND GARBER STREET INTERSECTION, AND A PORTION OF HYNSON SPRINGS ROAD ALL BEING UNIMPROVED RIGHT-OF-WAYS WITHIN THE INCORPORATED CITY OF MARSHALL CITY LIMITS.

WHEREAS, the City of Marshall has been presented with a request to close, abandon, and vacation that portion of various right-of-ways adjacent to Woodworth Street, Woodworth and Garber Street intersection, and a portion of Hynson Springs Road all being unimproved right-of-ways within the incorporated city of Marshall city limits; and

WHEREAS, there are no private or public utilities located within the portions of the above-mentioned right-of-ways and the City of Marshall has no use for said right-of-ways and deems it advisable to close the same;

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

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

Section 2. That portion of various right-of-ways adjacent to Woodworth Street, Woodworth and Garber Street intersection, and a portion of Hynson Springs Road all being unimproved right-of-ways within the incorporated city of Marshall city limits as depicted in the attached is hereby closed, abandoned, and vacated.

Section 3. That there are no private or public utilities located within the portions of Woodworth Street, the intersection of Woodworth Street and Garber Street, and Hynson Springs Road being abandoned.

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

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

Section 6. That this resolution shall be effective on and after its passage.

PASSED, APPROVED, AND ADOPTED this the _____ day of _____,
2019.

AYES: _____

NOES: _____

ABSTAINED: _____

CHAIRMAN OF THE CITY
COMMISSION OF THE CITY OF
MARSHALL, TEXAS

Attest:

CITY SECRETARY

GENERAL NOTES:

1. IRON RODS WITH PLASTIC CAPS HAVE BEEN FOUND AT ALL LOT CORNERS, PC'S, PT'S AND ANGLE POINTS UNLESS OTHERWISE NOTED.
2. THE BEARINGS SHOWN HEREON ARE "SURFACE" BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (NAD83) NORTH CENTRAL ZONE, SCALE FACTOR OF 1.000063929.
3. ○ INDICATES 1/2" IR w/ "KSA ENG" CAP SET UNLESS OTHERWISE NOTED.

PETER WHETSTONE SURVEY, A-756

OUTLOT 208

11.687 Ac.
 Marcy K. Hohnemann
 Vol. 3483, Pg. 121
 H.C.D.R.

0.207 ACRES
 CURRENTLY UNDER CONTRACT
 UNION PACIFIC RR CO
 0.322 Ac
 Missouri Pacific RR Co
 Vol. 1419, Pg. 252

WILTEL COMM FOC

UNION PACIFIC RAILROAD
 VARIABLE WIDTH
 VERIZON FOC

0.070 ACRES
 3060 Sq. ft.

J.H. Lancaster
 Vol. 199, Pg. 113
 0.023 ACRES
 UP CONDEMNATION PARCEL

0.130 ACRES
 CURRENTLY UNDER CONTRACT
 UNION PACIFIC RR CO

MADISON PLACE ADDITION
 LOT 10, BLK 9
 Lee & Alfred Clay
 INS# 2014-000004109

Tract 2
 0.5 Ac.
 Donnie Wheeler
 Vol. 3592, Pg. 151

HYNISON SPRINGS ROAD
 50' Wide



0 60'
 SCALE: 1"=60'

I hereby certify that this plat and corresponding descriptions were prepared from a survey made on the ground under my supervision.

Date of Plat or Map: October 29, 2018

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

DAVE BRIAN CRIM
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS REGISTRATION NO. 6665

KSA
ENGINEERS

140 E. Tyler St., Suite 600 Longview, Texas 75601
 T.903.236.7700 F.903.236.7779
 www.ksaeng.com
 TDPLS Form Reg. No. 10115600

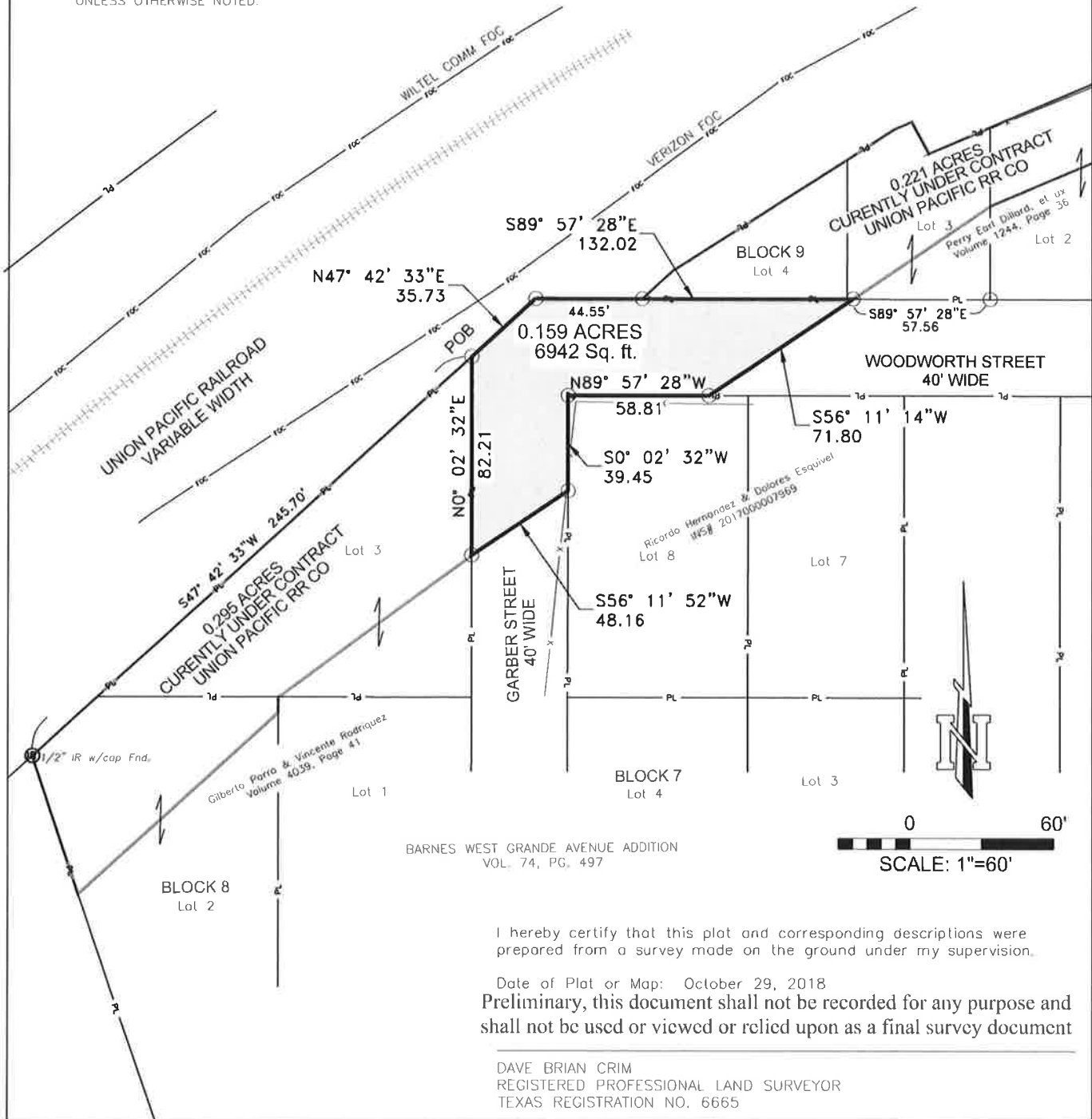
HYNISON SPRINGS ROAD
 CITY OF MARSHALL

0.070 Acres
 0.081 TEMPORARY
 PETER WHETSTONE SURVEY, A-756
 HARRISON COUNTY, TEXAS

GENERAL NOTES:

1. IRON RODS W/ PLASTIC CAPS HAVE BEEN FOUND AT ALL LOT CORNERS, PC'S, PT'S AND ANGLE POINTS UNLESS OTHERWISE NOTED.
2. THE BEARINGS SHOWN HEREON ARE "SURFACE" BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (NAD83) NORTH CENTRAL ZONE, SCALE FACTOR OF 1.000063929.
3. ○ INDICATES 3" IR W/ "KSA ENG" CAP SET UNLESS OTHERWISE NOTED.

PETER WHETSTONE SURVEY, A-756



ITEM 4

ADJOURNMENT