1. 1-26-2023 Agenda (PDF)

    Documents:

        1-26-23 AGENDA.PDF

2. 1-26-23 Agenda Packet (PDF)

    Documents:

        1-26-23 AGENDA PACKET.PDF

CITY OF MARSHALL, TEXAS
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL, 401 SOUTH ALAMO
JANUARY 26, 2023, 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**

   Texas Government Code, Sec. 551.007 requires that a governmental body must allow each member of the public who desires to address the body regarding an item on the agenda the opportunity to do so before or during the body's consideration of the item. The "Citizen 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 are requested to fill out a public comment form and will have three (3) minutes to speak 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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**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 January 12, 2023 Regular meeting.

B. Consider approval of updates to the Governance Policy. (City Secretary)

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 **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**

7. **PUBLIC HEARING AND ORDINANCES**

A. Conduct a public hearing and consider a rezoning request for an approximate 3.54 acre tract of land, being the west portion of an 8.143 acre tract of land in the T. Perry Survey A-571, from R-3 (Single Family Detached) to C-3 (General Business). The property is located at 5301 East End Blvd South, Parcel #R008957505. (Community Development Director)

B. Conduct a public hearing and consider a request regarding a Special Use Permit request for apartments, being a 0.076 acre tract of land described as the west 110' and south 30' of Lot 5 Block 35 Original Town Site. The property is located at 301 North Washington Avenue, Parcel #000003443. (Community Development Director)

C. Conduct a public hearing and consider a rezoning request for a 0.179 acre tract of land, being part of Lot 6 Block 3, Gatlin Addition, from I-2 (Heavy Industry) to C-3 (General Business). The property is located at 1003 North Bolivar, Parcel #R000027423. (Community Development Director)

D. Conduct a public hearing and consider a rezoning request for a 3.69 (Parcel #R-10092185) and a 38.296 acre tract of land in the Anderson Whetstone Survey A-747, from A&E (Agriculture & Estate) to R-2 (Single Family Detached). The property is located in the 2200 block of Kings Road, Parcel #R-000027047 and R-000027046. (Community Development Director)

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

A. Fire Department 2022 Year End Report and 2023 Goals & Objectives. (Fire Chief)

B. Update regarding Vacant Property Registration ordinance. (Community Development Director)

C. Discussion regarding CIP planning. (Public Works Director)

9. **EXECUTIVE SESSION**

A. An Executive Session pursuant to the Open Meetings Act, Chapter 551 of the Texas Government Code under Section 551.072. Deliberation regarding real property: Convene in executive session to discuss matters related to the purchase, exchange, lease, sale, or value of real property.

10. **ADJOURNMENT**

Posted: January 23, 2023
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.

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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 JANUARY 12, 2023

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MARSHALL
JANUARY 12, 2023
6:00 PM

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

PRESENT:

MAYOR: Amy Ware, District 4

COUNCIL MEMBERS:
Marvin Bonner, District 1
Leo Morris, District 2
Jennifer Truelove, District 3
Reba Godfrey, District 5
Amanda Abraham, District 6

ABSENT: Micah Fenton, District 7 (excused Motion: Bonner Second: Godfrey Vote: 6:0)

ADMINISTRATIVE STAFF PRESENT:
Terrell Smith, City Manager
Christol Hall, HR Manager
Eric Powell, Public Works Director
Cliff Carruth, Police Chief
Scott Rectenwald, Acting City Attorney
Dawn Jones, Finance Director
Randy Pritchard, Support Services Director
Nikki Smith, City Secretary/Payroll Accountant
LeAnne White, Economic Development Manager

INVOCATION & PLEDGE: Mayor Ware

PRESENTATIONS & PROCLAMATIONS

1. MUSIC APPRECIATION RECOGNITION.

LeAnne White, Economic Development Manager, stated the Governor's Office designated the City of Marshall as one in less than 40 Texas Music Friendly Communities.

Mayor Ware read a proclamation designating Marshall, Texas as a Music Friendly Community and thanked the Staff and volunteers for all of their hard work to obtain this designation.

2. **CITIZEN COMMENTS**

Robert Hurd, 1703 West Meredith Street, spoke regarding poor drainage on West Meredith Street.

Reverend James Bell, 4516 S Hwy 154, provided information regarding the many accomplishments and community involvement of Mrs. Willie Jean Birmingham and his support in naming the council chambers after her.

Titus Buffin, 2901 Tower Drive, provided information regarding the many accomplishments and community involvement of Mrs. Willie Jean Birmingham and his support in naming the council chambers after her.

Theressa Hudson, 602 Elm, provided information regarding the many accomplishments and community involvement of Mrs. Willie Jean Birmingham and her support in naming the council chambers after her.

Chad Sims, 4701 FM 2625 E, provided information regarding the many accomplishments and community involvement of Mrs. Willie Jean Birmingham and his support in naming the council chambers after her.

Christina Anderson, 4448 FM 3379, provided information regarding the many accomplishments and community involvement of Mrs. Willie Jean Birmingham and her support in naming the council chambers after her.

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

There were no items withdrawn from the Consent Agenda.

4. **CONSENT AGENDA**

Councilmember Abraham made a motion to approve the Consent Agenda. Councilmember Truelove seconded the motion, which passed with a vote of 6:0.

A. Consider approval of the minutes from the December 8, 2022 Regular meeting.

B. Consider approval of appointments to the Main Street Board.

C. Consider approval of amendment(s) to the City of Marshall Employee Handbook.

D. Consider approval of the 2023 City Council meeting schedule.

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

There were no items withdrawn from the Consent Agenda.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION

6. DISCUSSION REGARDING CIP PLANNING.

Dawn Jones, Finance Director, stated the CIP for fiscal years 2023 and 2024 is estimated at a little over $32 million, of which $15.5 million is unsecured. Dawn Jones introduced John Martin and Michael Martin, HilltopSecurities advisors, who provided information reading the issuance of debt.

John Martin provided scenarios for $18 million and $20 million debt issuance, the effects on the interest & sinking tax rate and the timeline for issuance.

Councilmembers asked questions and discussed.

Eric Powell, Public Works Director, provided a project list and explained the procedure for identifying the items on the list, prioritizing the items and assigning costs.

Councilmembers asked questions and discussed.

7. HOT FUND GRANT APPLICATIONS.

LeAnne White stated nine applicants submitted requests for HOT Fund grants and what criteria must be met to qualify for a grant. LeAnne White provided a breakdown of the requested amounts, or facilities, from the applicants and the recommendations by the Visit Marshall Advisory Board, which totals $94,194.

Councilmember Abraham made a motion to approve the funding as recommended by the Visit Marshall Advisory Board. Councilmember Godfrey seconded the motion, which passed with a vote of 6:0.

8. CONSIDER APPROVAL OF A CONTRACT WITH MOTOROLA FOR DATA MIGRATION, UNLIMITED STORAGE OF BODY CAMERA AND IN-CAR VIDEO, NEW BODY CAMERAS AND ASSOCIATED COSTS.

Cliff Carruth, Police Chief, provided information regarding a five year contract with Motorola for body camera and in-car video equipment and associated costs. Cliff Carruth stated the cost of $54,525 for the first year will be paid with funds from the 2022 budget, the 2023 budget will not be affected, and the cost for the remaining four years will be $32,525 per year beginning in fiscal year 2024.

Councilmembers asked questions and discussed.

Councilmember Godfrey made a motion to approve a contract with Motorola for body camera and in-car video equipment and associated costs. Councilmember Truelove seconded the motion, which passed with a vote of 6:0.

9. DISCUSSION REGARDING EASEMENT AND DRAINAGE.

Councilmember Godfrey thanked Mr. Hurd for speaking regarding this item and asked City Staff to review this issue and develop a policy to assist citizens with drainage issues if possible.

Councilmembers asked questions and discussed.

10. DISCUSSION REGARDING A POSSIBLE NAME CHANGE FOR THE COUNCIL CHAMBERS.

Councilmember Godfrey thanked the citizens who spoke regarding this item and asked for consideration of naming the council chambers after Mrs. Willie Jean Birmingham.

Councilmembers asked questions and discussed.

Councilmember Godfrey made a motion to name the council chambers after Mrs. Willie Jean Birmingham in appreciation and recognition of her service for 60+ years to the citizens of Marshall. Councilmember Abraham seconded the motion pending a policy put in place for the naming/renaming of City facilities. The motion passed with a vote of 6:0.

EXECUTIVE SESSION

11. AN EXECUTIVE SESSION PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551 OF THE TEXAS GOVERNMENT CODE UNDER SECTION 551.072. DELIBERATION REGARDING REAL PROPERTY: CONVENE IN EXECUTIVE SESSION TO DISCUSS MATTERS RELATED TO THE PURCHASE, EXCHANGE, LEASE, SALE, OR VALUE OF REAL PROPERTY.

12. AN EXECUTIVE SESSION PURSUANT TO TEXAS GOVT. CODE SECTION 551.071. "CONSULTATIONS WITH ATTORNEY" TO CONSULT WITH THE CITY ATTORNEY IN AN EXECUTIVE SESSION TO SEEK HIS OR HER ADVICE ON LEGAL MATTERS CONCERNING PENDING OR CONTEMPLATED LITIGATION AND UPON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF

THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THIS CHAPTER.

Councilmember Truelove made a motion to convene into Executive Session. Councilmember Abraham seconded the motion, which passed with a vote of 6:0. The time was 8:31 PM.

Councilmember Abraham made a motion to reconvene from Executive Session. Councilmember Truelove seconded the motion, which passed with a vote of 6:0. The time was 9:08 PM.

ACTION ITEM FOLLOWING EXECUTIVE SESSION

13. CONSIDER ACTION AS A RESULT OF THE EXECUTIVE SESSION DISCUSSION REGARDING REAL PROPERTY.

Councilmember Abraham made a motion to authorize Mr. Powell to negotiate easements as discussed in executive session. Councilmember Godfrey seconded the motion, which passed with a vote of 6:0.

14. **ADJOURNMENT**

Councilmember Godfrey made a motion for adjournment. Councilmember Abraham seconded the motion, which passed with a vote of 6:0.

APPROVED:

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

ATTEST:

____
City Secretary

ITEM 5B

CONSENT AGENDA

CONSIDER APPROVAL OF UPDATES TO THE GOVERNANCE POLICY

M E M O R A N D U M

To:	Members of the City Council
From:	Nikki Smith, City Secretary
Date:	January 18, 2023
Subject:	Consider approval of updates to the Governance Policy

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This item has been placed on the agenda for consideration of updates to the Governance Policy. The Governance Policy addresses mayor and council relations, council and staff relations, roles, agenda procedures, and meetings. The last updates to the policy were approved September 22, 2022. The document is supposed to be revised periodically.

Changes – Section 3.2 was updated to clarify agenda item placement procedures.

Governance Policy and Rules of Procedure

Adopted June 22, 2017
Revised July 13, 2017
Revised July 27, 2017
Revised August 10, 2017
Revised June 11, 2020
Revised September 22, 2022
Revised January 26, 2023

City of Marshall
City Council Governance Policy
& Rules of Procedure

Table of Contents

Council Governance Policy
& Rules of Procedure

Section I – Introduction

The Marshall City Council is the governing body for the City of Marshall, Texas in accordance with the home rule charter. Therefore, it must bear the responsibility for the integrity of the governance. The council shall determine its own rules and order of business as authorized by city charter. The council is responsible for its own development, its responsibilities, its own discipline, and its own performance. The development of this policy is designed to ensure effective and efficient governance.

This policy addresses chair (mayor) and council relations, council and staff relations, roles, agenda procedures, and meetings. By adopting these guidelines, we as members of the city council, acknowledge our responsibility to each other, to our professional staff and to the public. This policy will be reviewed and adopted on an annual basis.

Council Governance Policy
& Rules of Procedure

Section II – Roles

2.1 It shall be standard practice that after every city council general election, the council shall select a chair (mayor) and acting-chair (mayor pro tem) of the council.

2.2 The chair shall preside at meetings of the council, and shall be recognized as head of city government for all ceremonial purposes and by the governor for purpose of emergency management and disaster mitigation purposes, but shall have no regular administrative duties other than as prescribed by state law and city charter.

2.3 The acting-chair shall serve in the absence of the chairperson.

2.4 The chair shall preserve order and decorum and shall require council members engaged in debate to limit discussion to the question under consideration.

2.5 The city manager shall organize senior level city staff to conduct orientation for new council members. City staff will also coordinate swearing-in ceremony with newly elected officials.

2.6 Each Councilmember shall have equal authority to ensure the policies and procedures in this document are being followed by all parties.

2.7 Except for those designated powers which may be exercised by the chair, the sole official power of each individual councilmember exists through the exercise of their singular vote. The power of the Council exists by virtue of the collective action of its voting members.

2.8 The Council will follow Robert's Rules of Order as published in the most current Robert's Rules of Order edition, except where such rules are in conflict with the City's Charter.

Council Governance Policy
& Rules of Procedure

Section III – Agenda Procedures

3.1 The city manager shall prepare an agenda and supply supporting documentation for each agenda item for council distribution by the end of the day on the Friday before a regularly scheduled meeting. Agendas for both regular scheduled and special called meetings shall be posted 72 hours prior to the meeting date in accordance with Texas Open Meetings Act.

3.2 An item may be placed on the city council agenda by the Mayor, City Manager, City Attorney, or two (2) members of the Council. All agenda item requests shall be submitted to the city manager a minimum of eight (8) business days prior to the regularly scheduled meeting (the Monday before the Friday packet is delivered). Depending on the complexity of the item requested, the city manager may notify the party making the agenda item request, that more time is needed to complete appropriate research and may elect to delay the requested item to the next available regularly scheduled meeting date.

3.3 Regularly scheduled city council meetings shall follow the format listed below:

1. Call to Order and Roll Call
   The chair will ensure a quorum is present, call for excusing any absences, call for invocation and pledge to the national and state flags.
2. Presentations & Proclamations
   Items that are specifically posted on the agenda that have been deemed by the chair or city manager as important for the city to recognize in a public forum. All presentations must be provided to city staff by noon on the day of the council meeting.
3. Citizen Comments
   Citizens may utilize this time to address the council on non-public hearing items. All comments are limited to three (3) minutes; the speaker must state their name and address for the record or provide it in writing to the city secretary. Anyone personally attacking a councilmember, staff, or any individual will be asked to stop speaking and be seated.
4. Consent Agenda
   All items set out in the consent agenda shall be deemed passed upon the passage of an affirmative motion, by a vote of at least four (4) members of the

council without discussion or debate, that the consent agenda be adopted. Upon request of any member of the council, items shall be removed from the consent agenda and considered under Items Withdrawn from Consent Agenda.

5. Items Withdrawn from Consent Agenda
   Items that were withdrawn by a councilmember earlier in the meeting.

6. Public Hearings
   Specific items for the council's consideration that by local ordinance, charter, or state law require for public comment to be allowed before council action can be taken. Procedures for public hearings shall be as follows:
   1. *Staff provides overview of item for consideration*
   2. *If there is an applicant or expert of record they are provided 10 minutes of time to present their request.*
   3. *General public desiring to speak regarding the posted item will be provided 5 minutes to speak. Public wishing to speak in favor will go first followed by those speaking in opposition to the request. Comments will be directed to the Council and must be related to the subject matter posted in the agenda item. The Council may ask questions of those speaking in favor or in opposition at the conclusion of their comments.*
   4. *After the general public has had an opportunity to make their comments, the public hearing shall be closed and if the applicant desires they will be allowed 5 minutes to make closing arguments.*
   5. *The Council may ask questions of staff or the applicant and deliberate amongst themselves if needed prior to the vote.*

7. Ordinances
   Items that are legislative enactment by the council; it must be in written form when introduced and by charter requirement it is necessary that it be read and voted on.

8. Resolutions
   Items relating to ministerial, administrative or executive matters.

9. City Manager Reports and Items for City Council Consideration
   Other items that do not fall into the categories listed above that require city council consideration.

10. Adjournment

Council Governance Policy
& Rules of Procedure

Section IV – Meetings

4.1 Information – On all council agenda items involving major policy issues, the city manager shall provide briefing material to the council in advance of council consideration of the policy alternatives.

4.2 Regular Meetings – The council shall meet regularly at such times as prescribed by charter, but no less frequently than once each month and regular meetings will begin as prescribed by ordinance, unless postponed or canceled for valid reason(s). Only the chairperson, or acting chairperson, can cancel or change the meeting time for city-related emergencies.

4.3 Special Meetings – Special meetings may be called as needed, but may be postponed or canceled for valid reason(s). Only the chairperson, or acting chairperson, can cancel or change the meeting time for city-related emergencies.

4.4 Work Sessions – Work sessions may be called from time to time as determined by the chair or the city manager for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the city council. Work sessions are open to the public however public comment is not taken. All questions of a technical nature, which require a detailed explanation for understanding, may be considered in a work session.

4.5 Executive Sessions – The city council may meet in executive session in compliance with the Texas Open Meetings Act. A final action, decision or vote on a matter deliberated in an executive session will be made in an open meeting for which proper notice is provided. All discussions in executive session shall remain confidential.

4.6 Public Notice – The agenda for all regular meetings, special meetings, work sessions, and the notice listing items to be considered shall be posted on the city's official bulletin board and website in accordance with the Texas Open Meetings Act.

4.7 Attendance – Councilmembers are expected to attend all meetings and stay in attendance during each meeting. Members shall not leave a meeting without advising the chair and/or the City Secretary.

4.8 Punctuality and Recess – Councilmembers shall arrive at meetings at or before the scheduled time for the meeting to begin. At the beginning of each meeting, the chair shall announce those members absent and shall announce the arrival time of any member arriving after the beginning of any meeting. The chair may call a recess at the request of other councilmembers or as the chair deems necessary.

4.9 Conflict of Interest – A councilmember prevented from voting due to a conflict of interest shall not vote on the matter, and shall otherwise comply with the state law and city charter and ordinances concerning conflicts of interest. Any questions concerning conflict of interest should be directed to the City Attorney prior to the meeting.

4.10 Conduct of Meetings – a) During city council meetings and work sessions, the chair shall preserve order and decorum and shall insist that councilmembers, neither by conversation or otherwise, delay or interrupt the proceedings nor refuse to obey the rules of the city council.

b) The chair shall preside over the meeting, all comments shall be limited to the specific item and councilmembers shall speak one at a time, not interrupting each other, comments shall be factual or stating opinion on the specific subject and shall remain professional and courteous at all times.

c) The chair shall state all questions submitted for a vote and announce the result. If the vote is not unanimous, the chair shall announce the names of the member(s) voting in favor and in opposition to the motion.

d) All persons addressing the city council, including the city manager shall be recognized by the chair and shall limit remarks to the matter under discussion.

e) All remarks and questions addressed to the city council shall be addressed to the city council as a whole and not to any individual member.

4.11 Administrative Staff – a) Members of the administrative staff and employees of the City shall observe at all council meetings the same rules and decorum applicable to members of the city council.

b) It is the city manager’s responsibility to ensure that decorum is preserved at all times by city employees in meetings.

4.12 Citizens and Visitors – a) Citizens and visitors are welcome to attend all public meetings of the city council and will be admitted to the Chamber or meeting room up to the fire safety capacity of the room.

b) Everyone attending the meeting will refrain from private conversations while the city council is in session.

c) Citizens and visitors attending city council meetings and work sessions shall observe the same rules of decorum applicable to members of the city council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the city council or while attending the meeting or work session, shall be removed from the room if so directed by the chair. The person shall be barred from further audience before the city council during that session. If the chair fails to act, any member of the council may move to require enforcement of the rules, and the affirmative vote of the majority of the council shall require the chair to act.

d) No placards, banners, or signs which have the effect of disrupting a meeting will be permitted in the city council chamber or in any other room in which the council is meeting. Exhibits, displays and visual aids used in connection with presentations, however are permitted.

e) The chief of police or his or her designee shall act as sergeant-at-arms for the city council and shall furnish whatever assistance is needed to enforce the rules of the city council.

4.13 Speakers – a) A person wishing to address the city council during citizen comments section must state their name and address at the beginning of their comments or provide it to the City Secretary in writing before addressing the council.

b) Speakers must address their comments to the entire council rather that to individual council members, staff or members of the audience.

c) People addressing the council during citizen comments agenda item are limited to three minutes of speaking time. More time may be allowed if a request has been submitted to the city manager’s office prior to the meeting. Applicants speaking during public hearings are limited to ten minutes of speaking time.

d) Digital media (i.e. videos, PowerPoint, images, audio) is allowed during public comment and other agenda items with presenters as long as the City Council Meeting Digital Media Policy is adhered to when presenting to the Council.

e) In accordance with Texas Open Meetings Act, the city council will not discuss or consider any item addressed during the citizen comment section. If a citizen uses the comment section for inquiry, any responses by either City Councilmembers or Staff are limited to giving a statement of factual information given in response to the citizen's inquiry, recitation of existing policy, advising the individual of the name of the appropriate staff member to speak with, advising that the request will be forwarded to the appropriate staff for consideration, or stating the issue raised will be placed on the next agenda.

4.14 Rules of Procedure – At any point there is a question regarding the rules of procedure, those questions shall be directed to the City Attorney. City Attorney will provide Councilmembers a summary of procedures.

4.15 Failure to Comply – A failure to comply with these rules does not invalidate any otherwise lawful act of the Council.

Council Governance Policy
& Rules of Procedure

Section V – Electronic Tablet Usage

5.1 Members of the Council will be issued a tablet to assist them in completing the business of the City, to improve communication aid in the performance of their City duties and to reduce the amount of paper and photocopying costs.

5.2 The City will issue each Councilmember a tablet and charger along with a cover or case. Any additional tablet accessories, such as keyboards, styluses, screen protectors, cables or adapters, shall be at an individual Councilmember's own expense and shall remain the property of the Councilmember at the end of the Councilmember's term and service. Upon departure from the Council by either conclusion of term or resignation, the tablet, charger, and cover/case will be returned to the City. Upon return of the tablet to the City and following the preparation of any appropriate backup files, the tablet will be wiped clean of any and all information.

5.3 Each tablet is property of the City and should be cared for in the highest regard. Each Councilmember is responsible for the general care of the tablet that he or she has been issued. Tablets are not allowed to be utilized by anyone other than the Councilmember to whom it's been assigned. Councilmembers are not allowed to loan the tablet to anyone else. Tablets must remain free of any writing, drawing, stickers, or labels that are not the property of the City. Only a clean, soft cloth should be used to clean the screen. Tablets that malfunction or are damaged shall be reported to the City Manager.

5.4 Primary use of the tablet is intended to enhance the efficiency of the Councilmember related to city business. Councilmembers may use the tablet for the following incidental personal uses so long as such use does not interfere with the user's duties, does not conflict with the City's business, is at no cost to the City and does not violate this or any other City policy:

a. To send and receive occasional personal e-mail and other communications;
b. To prepare and store incidental personal data (such as personal calendars, personal address lists, and similar incidental data) in a reasonable manner;
c. To access the internet for brief personal searches and inquires, provided that the Councilmember adheres to all other City policies.
d. To install and use apps.

5.5 The software and applications installed by the City must remain on the tablets in usable condition and be readily accessible at all times. On a quarterly basis Councilmembers will be required to provide their tablet to staff for software upgrades and synching. Any software, email messages or files downloaded via the internet into the City systems become the property of the City and may only be used in the ways that are consistent with applicable licenses, trademarks or copyrights.

5.6 All software and data (including, and without limitation, email, calendars, downloaded files, and web browsing history) stored on the City-issued tablet are subject to disclosure under State and City public records laws or for litigation purposes, unless a privilege or exception exists that justifies withholding the information. Except in an emergency, Councilmembers shall not use email, instant messaging, text messaging, or similar forms of electronic communications at any time during a Councilmember meeting. Councilmembers should consult with the City Attorney for information regarding the Texas Open Meetings Act requirements related to electronic communications.

Council Governance Policy
& Rules of Procedure

Section VI - Planning

The city council is responsible for establishing a vision for the City of Marshall and planning for its future.

6.1 On an annual basis, the city council shall hold a minimum of one strategic planning session wherein they review accomplishments of the past year, assess goals and objectives and set priorities for the upcoming year. The goals and objectives shall address short term and long term needs of the city.

6.2 Policy direction should be consistent with the strategic goals and objectives. Sufficient time and consideration should be given to policy alternatives to ensure that decisions are made consistent with the long-term vision.

Council Governance Policy
& Rules of Procedure

Section VII – Council & Staff Relations

7.1 The role of the city manager and relationship of staff with council shall be consistent with Article IV of the City of Marshall City Charter.

7.2. City Councilmembers shall direct citizen concerns, comments, correspondence, and requests for basic, routine information regarding city functions and/or services to the city manager or the appropriate director. More complex requests, or those likely to require more than eight (8) hours of staff time to fulfill, should be directed to the city manager.

7.3 The city council may inquire of the city manager about the conduct of any office, department or agency of the city and make investigations as to municipal affairs in accordance with Article III of the City of Marshall City Charter.

7.4 If councilmembers receive a complaint or grievance from a city employee, the councilmember should direct the employee to follow the proper chain of command per the organizational chart and report that complaint or grievance to the city manager.

7.5 Documents provided to one city councilmember shall also be distributed to all other members of the elected body in accordance with Resolution R-12-14. The city manager shall prepare and submit to the council at the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year. The city manager shall keep the council advised of the financial condition and future needs of the city and make such recommendations that seem desirable.

7.6 In order to ensure proper presentation of agenda items by staff, questions arising from councilmembers after receiving their information packet should be, whenever possible, presented to the city manager for staff consideration prior to the council meeting. This allows staff time to address the councilmembers concerns and provide councilmembers with the additional information.

ITEM 6

CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

ITEM 7A

PUBLIC HEARING AND ORDINANCES

CONDUCT A PUBLIC HEARING AND CONSIDER A REZONING REQUEST FOR AN APPROXIMATE 3.54 ACRE TRACT OF LAND, BEING THE WEST PORTION OF AN 8.143 ACRE TRACT OF LAND IN THE T. PERRY SURVEY A-571, FROM R-3 (SINGLE FAMILY DETACHED) TO C-3 (GENERAL BUSINESS). THE PROPERTY IS LOCATED AT 5301 EAST END BLVD SOUTH

Agenda Information Sheet

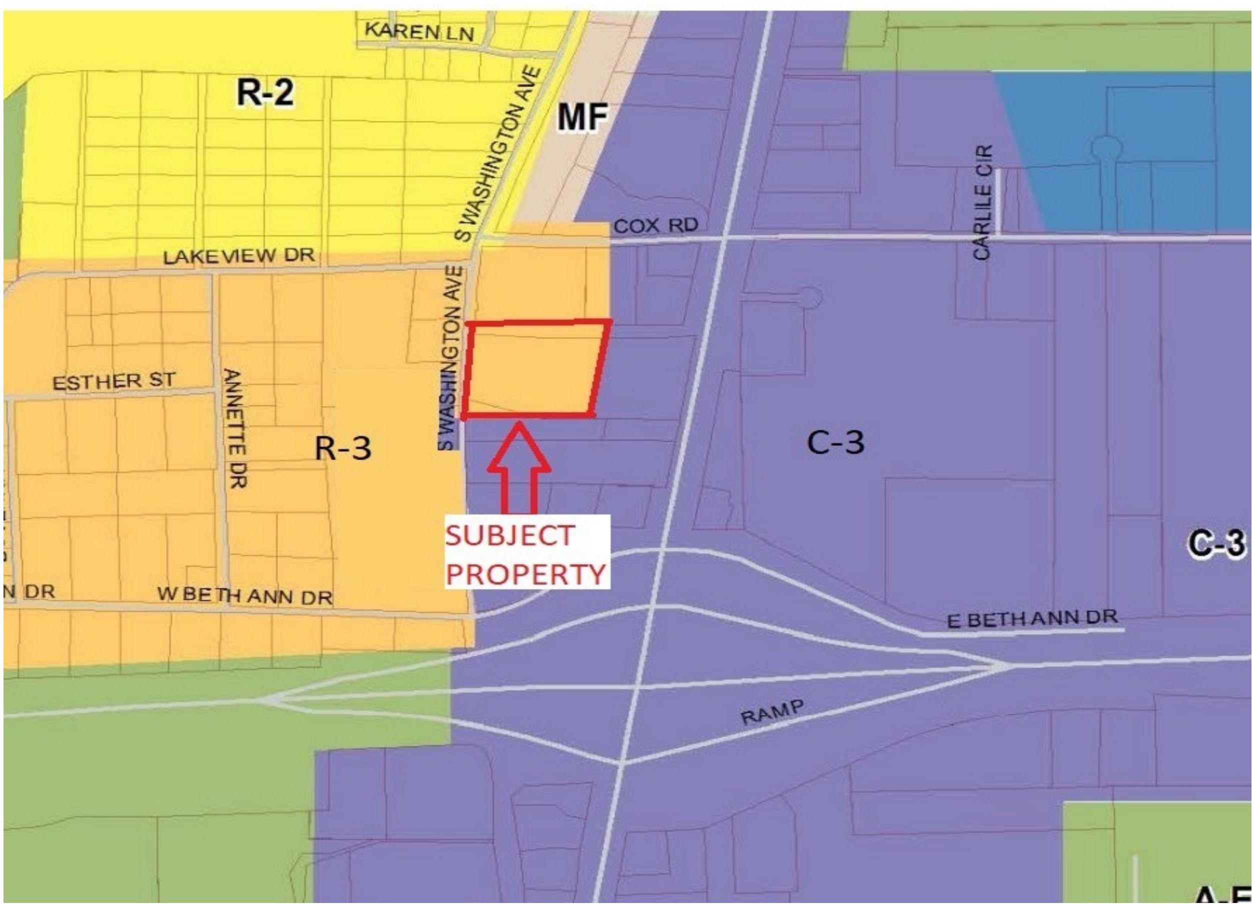
January 9, 2023

D. <u>Agenda Item Z-23-02</u>: Conduct a public hearing and make a recommendation to the City Council regarding a rezoning request for approximately 3.54 acre tract of land, being the west portion of an 8.143 acre tract of land in the T. Perry Survey A-571, From R-3(Single Family Detached) to C-3 (General Business). Located at 5301 East End Blvd. South. Parcel #R008957505.

Applicant	Namit Jaiswal 5301 East End Blvd. South Marshall Texas 75672
Property Owner	Namit Jaiswal 5301 East End Blvd. South Marshall Texas 75672
Surrounding Property Notices	10 Notices Sent within 200 ft of the Site 1 Responses back
Existing Zoning	R-3 (Single Family Detached)
Proposed Zoning	C-3 (General Business)

<u>Location Map:</u>

Z-23-02



Background & Summary of Request:
The Applicant is requesting a zoning change to be in compliance with the current zoning regulation. The applicant is proposing to construct 30-32 additional hotel guest rooms and two board meeting rooms.

Pictures of the Site:

Existing Conditions:
The subject property is currently occupied by a portion of the existing hotel and the west part is vacant.

	Zoning Classification	**Land Use**
North of the Property	R-3 (Single Family Detached)	Single family homes
East of the Property	C-3 General Business)	Hotel
South of the Property	C-3 (General Business)	Commercial Storage
West of the Property	R-3 (Single Family Detached)	Single family home

Water service to the site is provided by an existing 10" water main and a 6" Sewer main along South Washington Avenue.

Comprehensive Plan and Future Land Use Analysis:

The 2018 Future Land Use Map identifies the property as Commercial/Office/Service. 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 proposed change would be in compliance with the Comprehensive Plan.*

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. *The surrounding property is primarily developed with single family homes, and Commercial uses.*

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 property is currently surrounded by single family homes, and Commercial uses. The zoning will need to be changed to allow the applicant the ability to development the property for what is proposed.*

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? Will surrounding property owners suffer or lose any enjoyment in the area of their property as a result of this change? Does the proposed change seem to be a logical extension of similar types of development? *Through the development standards proposed, the applicant is attempting to protect the surrounding property owners from any possible nuisances the development could impose.*

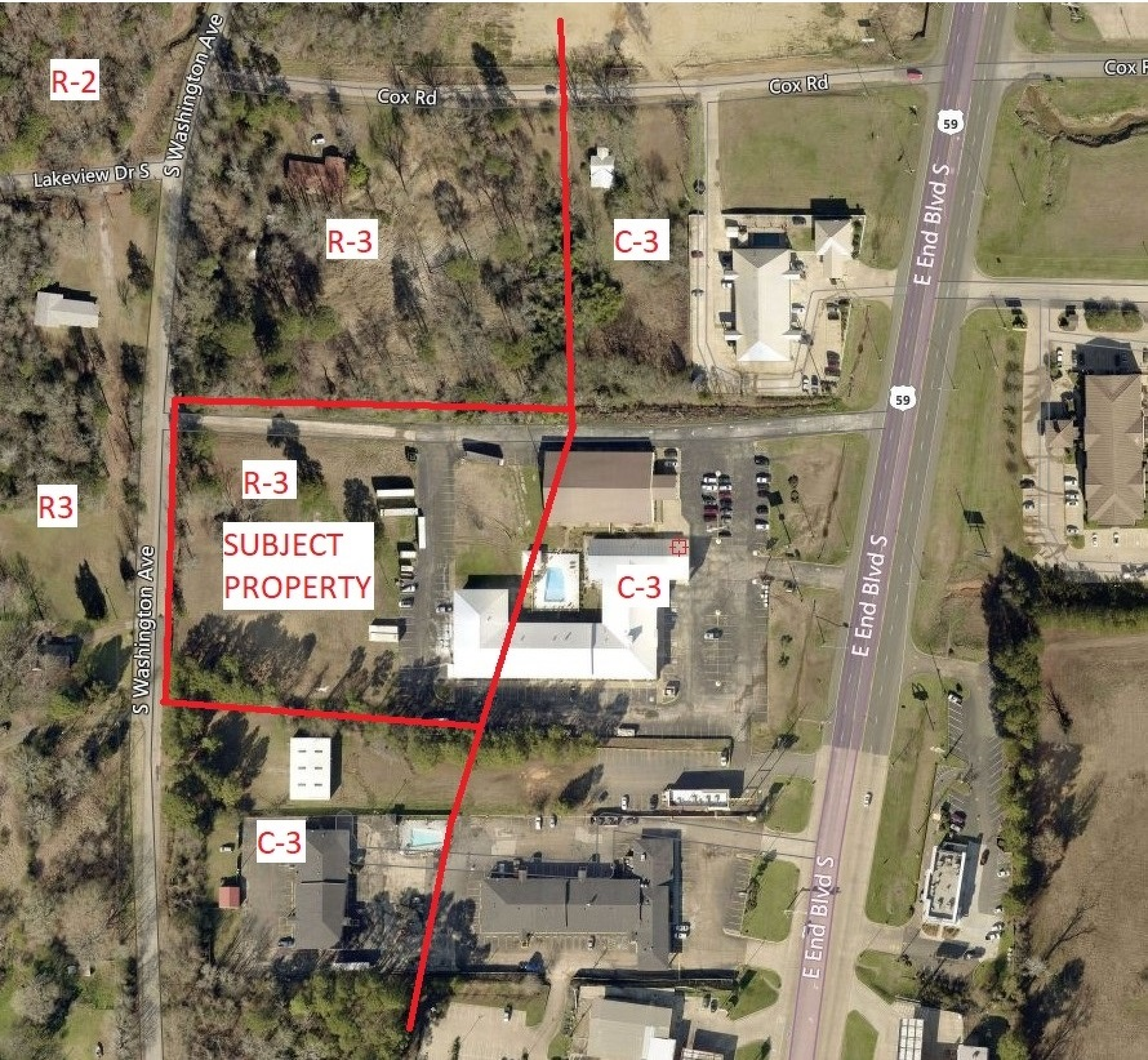
Suggested Motions:

1. Motion to recommend approval of case number Z-23-02 as requested.
2. Motion to recommend approval of case number Z-23-02 with conditions.
3. Motion to recommend denial of case number Z-23-02.

Attachments:

1. Aerial of Site
2. Pictures of the Site
3. 200 Foot Notification Map
4. Proposed site plan

Z-23-02


R-2
Cox Rd
Cox Rd
Cox R
59
Lakeview Dr S
S Washington Ave
R-3
C-3
E End Blvd S
59
R-3
R3
SUBJECT PROPERTY
C-3
S Washington Ave
E End Blvd S
C-3
E End Blvd S

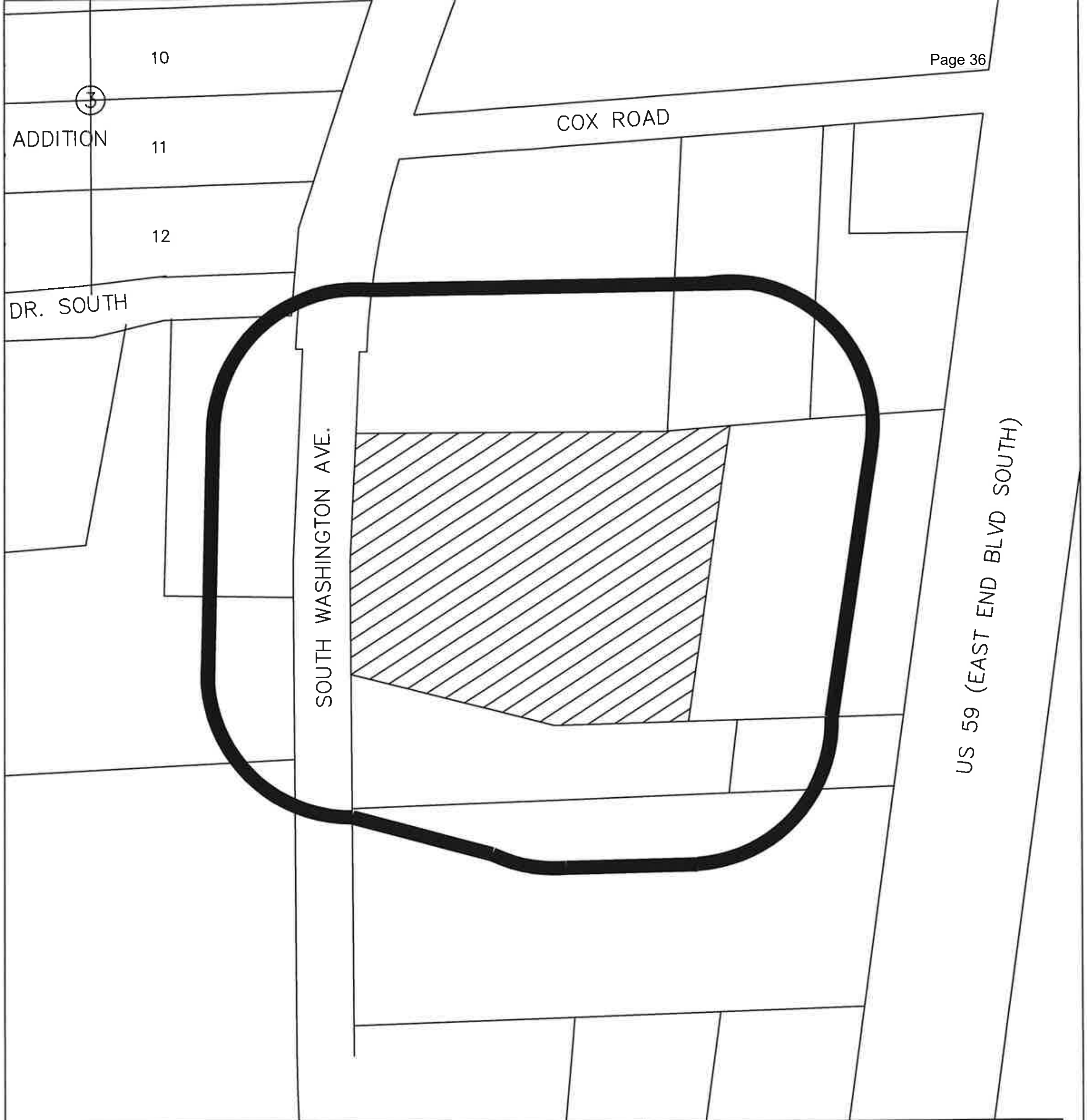
Z-23-02
Site Pictures

Residential to the north

Commercial storage to the south

Hotel to the east

Residential to the west

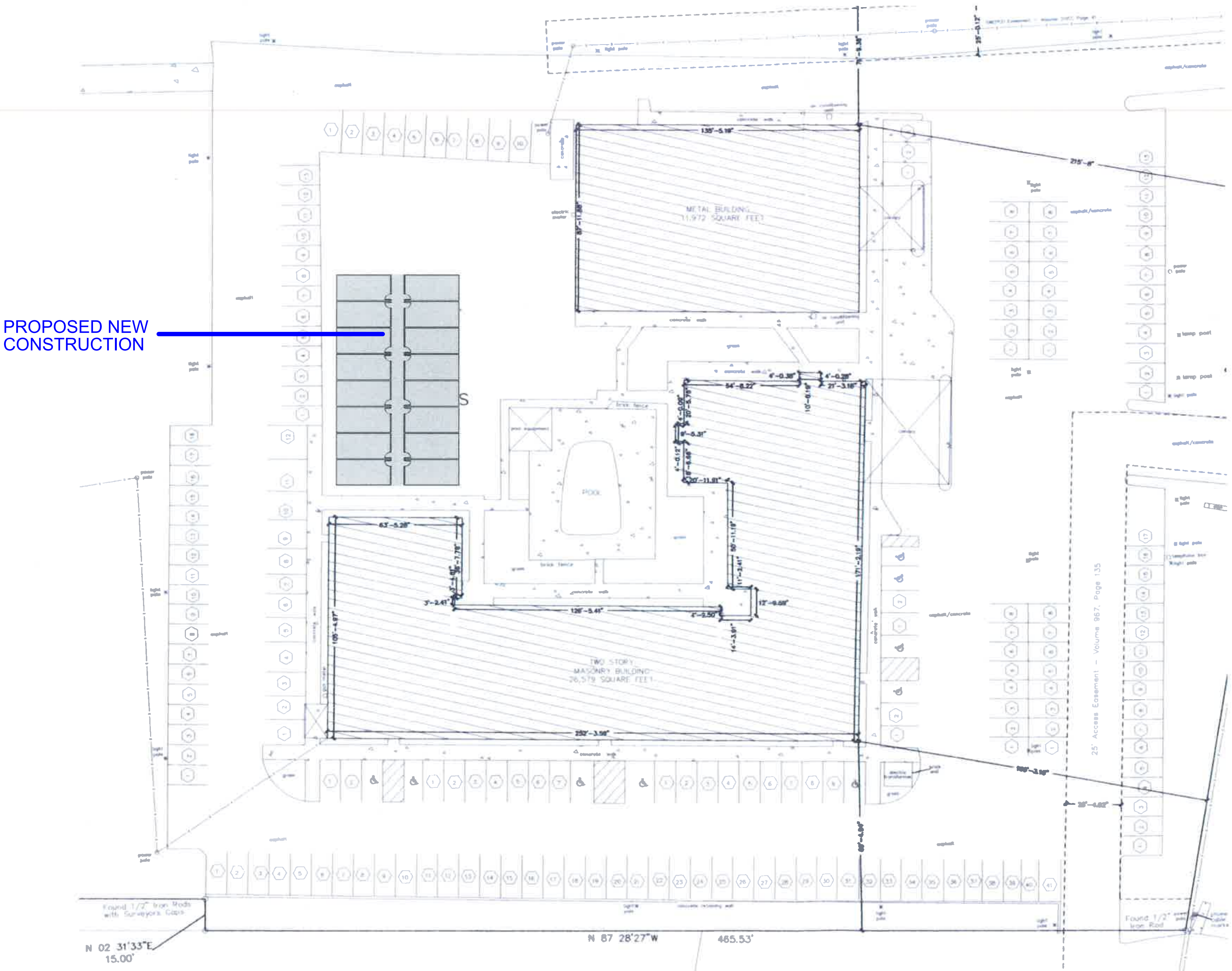


Case No. Z-23-02
Scale: 1"=200'
Date: 1-09-2023

PLANNING DEPARTMENT
CITY OF MARSHALL, TEXAS

Remarks: A request to rezone approximately 3.54 acres of land in the Thomas Perry Survey A-571 being the west portion of a 8.143 acre tract from R-3 Single Family Detached to to C-3 (General Business)

Location: 5301 East End Blvd. South
Applicant: Namit Jaiswal


PROPOSED NEW CONSTRUCTION
METAL BUILDING 11,972 SQUARE FEET
TWO STORY MASONRY BUILDING 26,579 SQUARE FEET
POOL
25' Access Easement - Volume 967, Page 135
N 02 31'33"E 15.00'
N 87 28'27"W
465.53'
Found 1/2" Iron Rods with Surveyors Caps
Found 1/2" Iron Rod

ITEM 7B

PUBLIC HEARING AND ORDINANCES

CONDUCT A PUBLIC HEARING AND CONSIDER A REQUEST REGARDING A SPECIAL USE PERMIT REQUEST FOR APARTMENTS, BEING A 0.076 ACRE TRACT OF LAND DESCRIBED AS THE WEST 110’ AND SOUTH 30’ OF LOT 5 BLOCK 35 ORIGINAL TOWN SITE. THE PROPERTY IS LOCATED AT 301 NORTH WASHINGTON AVENUE

Agenda Information Sheet

January 9, 2023

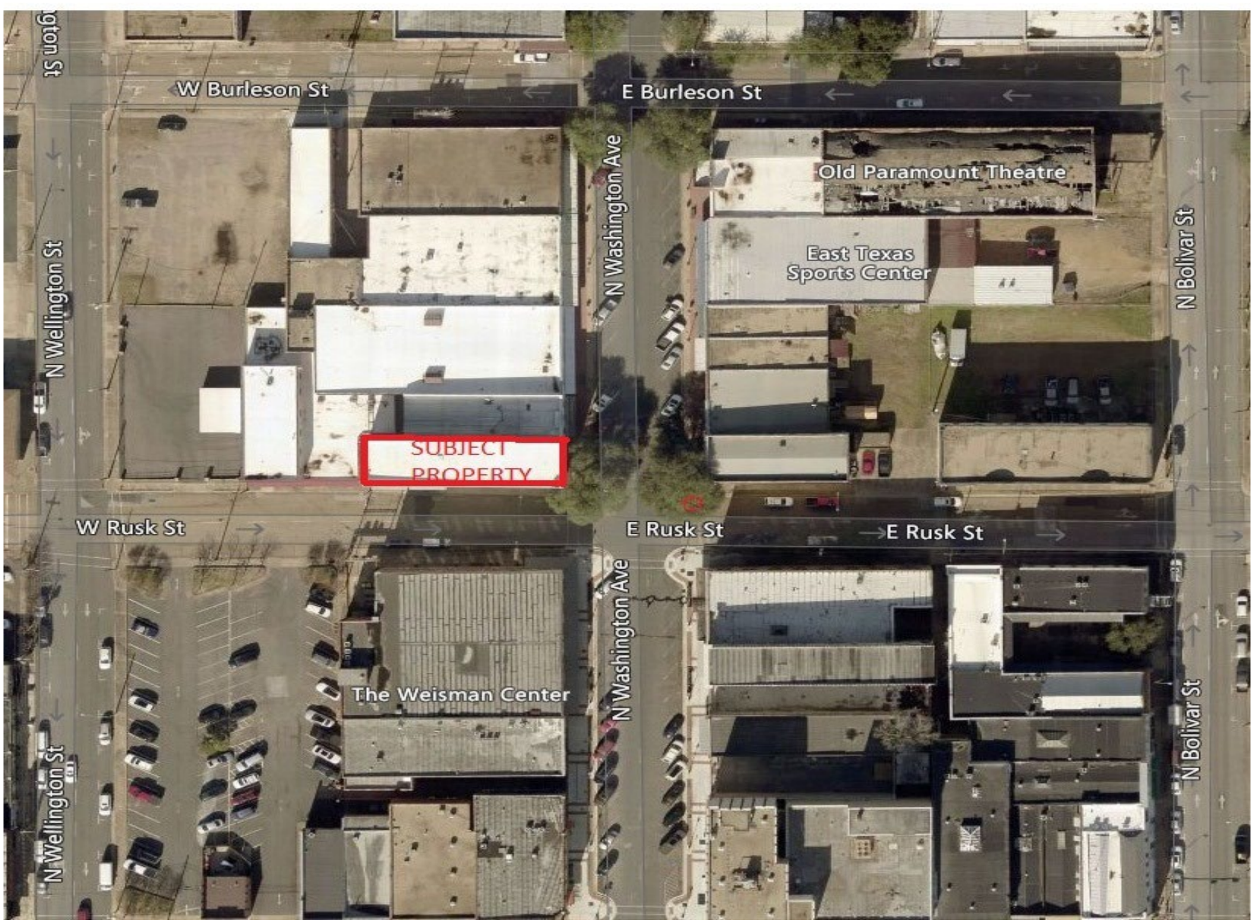
Agenda Item SUP-23-01:

B. Conduct a public hearing and make a recommendation to the City Council regarding a Special Use Permit request for Apartments. Being a 0.076 acre tract of land, described as W110 S30 5 Blk 35 Original Town Site. Located at 301 North Washington Avenue. Parcel ID #R000003443.

Applicant	David Wong 5896 Nuthatcher Road Gilmer Texas 75645
Property Owner	Marcial Avelar 207 N. Wellington Marshall, Texas 75670
Surrounding Property Notices	18 Notices Sent within 200 ft of the Site 1 Response back
Existing Zoning	C-3 (General Business)

Location Map:

SUP-23-01



Background & Summary of Request:

The Applicant is requesting a Special Use Permit. The Zoning Ordinance requires that apartments in C-3 (General Business) Zoning Over three stories tall in the City 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 0.076 acre tract of land.

Picture of the Site:

Existing Conditions:

The table below outlines the surrounding zoning and land uses:

	Zoning Classification	**Land Use**
South of the Property	C-3(General Business)	Commercial Business
East of the Property	C-3(General Business)	Commercial Business
North of the Property	C-3(General Business)	Commercial Business
West of the Property	C-3 (General Business)	Commercial Business

Access/Parking: Parking is provided along City Streets.

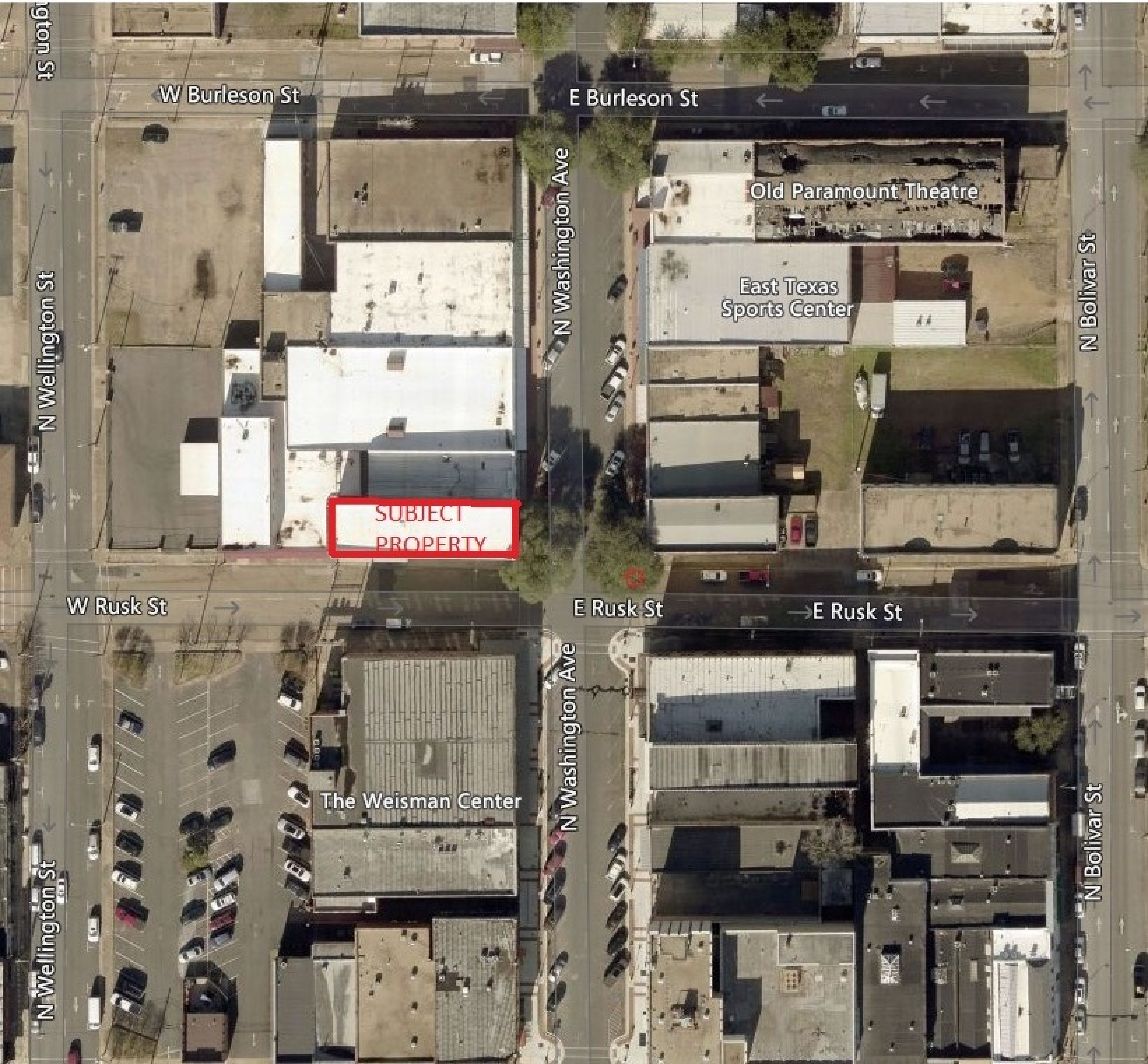
Water & Sewer: The site is serviced by a 6” water line and a 6” sewer line along North Washington.

Suggested Motions:

1. Motion to recommend approval of case number SUP-23-01 as requested.
2. Motion to recommend approval of case number SUP-23-01 with conditions.
3. Motion to recommend denial of case number SUP-23-01.

Attachments:

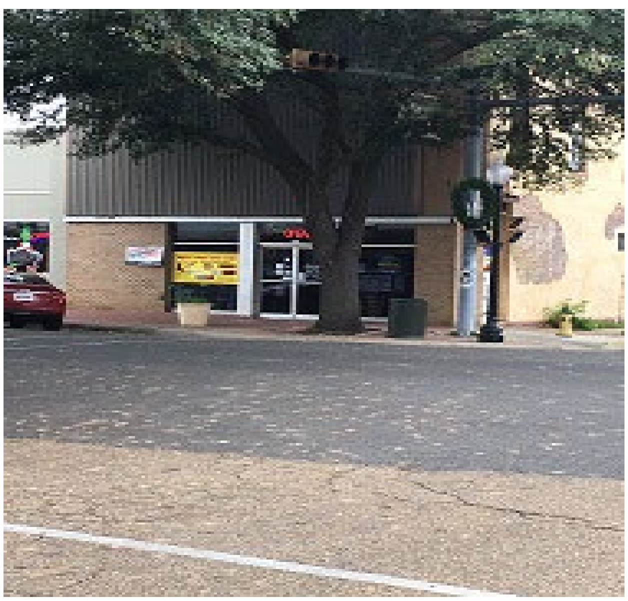
1. Aerial of Site
2. Pictures of the Site
3. 200 Foot Notification Map


W Burleson St
E Burleson St
Old Paramount Theatre
East Texas
Sports Center
N Washington Ave
N Wellington St
N Bolivar St
SUBJECT
PROPERTY
W Rusk St
E Rusk St
E Rusk St
The Weisman Center
N Washington Ave
N Wellington St
N Bolivar St

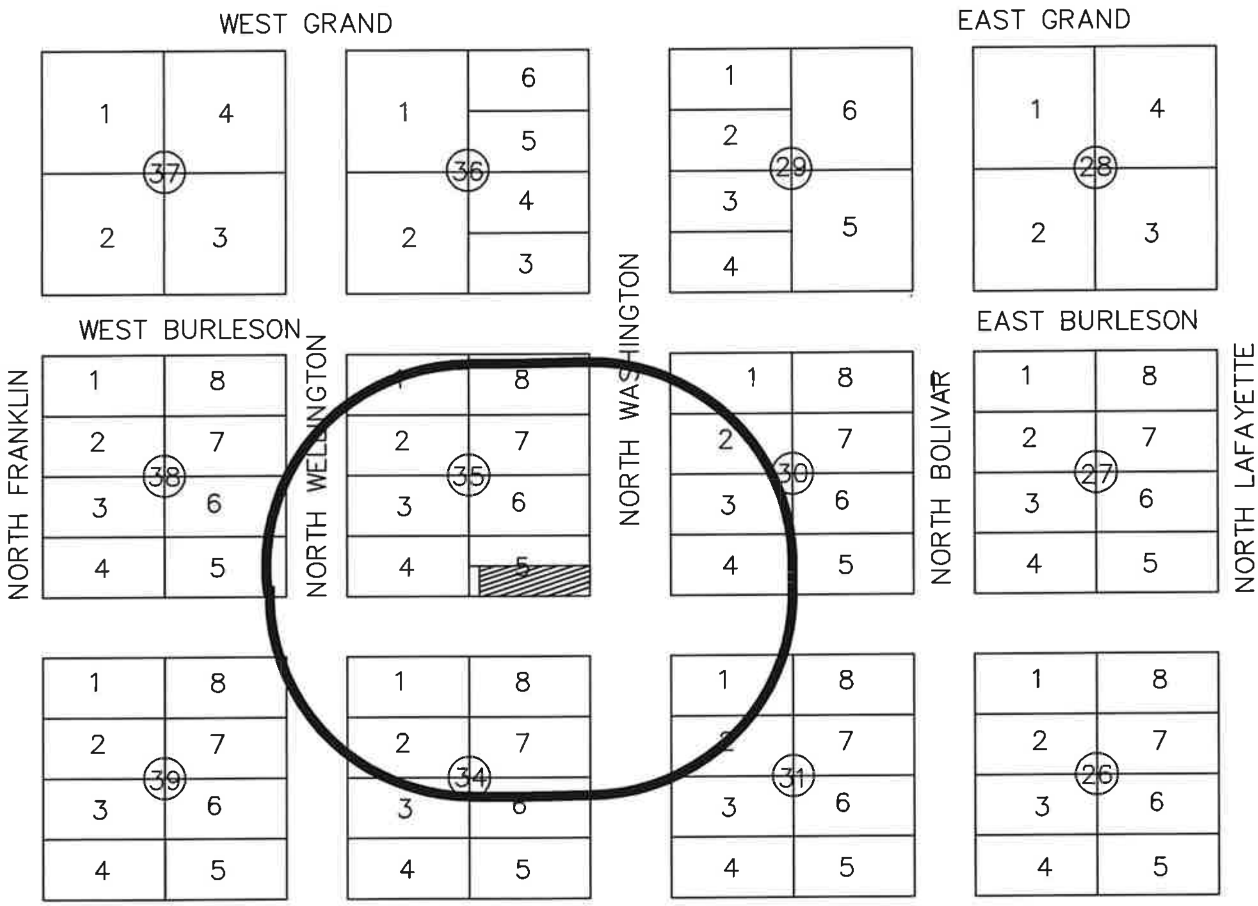
SUP-23-01
Site Pictures


Commercial to the north


Commercial business to the south


Commercial business to the east


Commercial to the west



Case No. SUP-23-01
Scale: 1 " = 200'
Date: 1-09-2023

PLANNING DEPARTMENT
CITY OF MARSHALL, TEXAS

Remarks: a request for a special use permit for Apartments, being 0.076 acres of land. Being part of Lot 5 Blk. 35 O.T.S. Parcel # R000003443

N

Location: 301 N. Washington
Applicant: David Wong

ITEM 7C

PUBLIC HEARING AND ORDINANCES

CONDUCT A PUBLIC HEARING AND CONSIDER A REZONING REQUEST FOR A 0.179 ACRE TRACT OF LAND, BEING PART OF LOT 6 BLOCK 3, GATLIN ADDITION, FROM I-2 (HEAVY INDUSTRY) TO C-3 (GENERAL BUSINESS). THE PROPERTY IS LOCATED AT 1003 NORTH BOLIVAR

City of MARSHALL TEXAS

Agenda Information Sheet

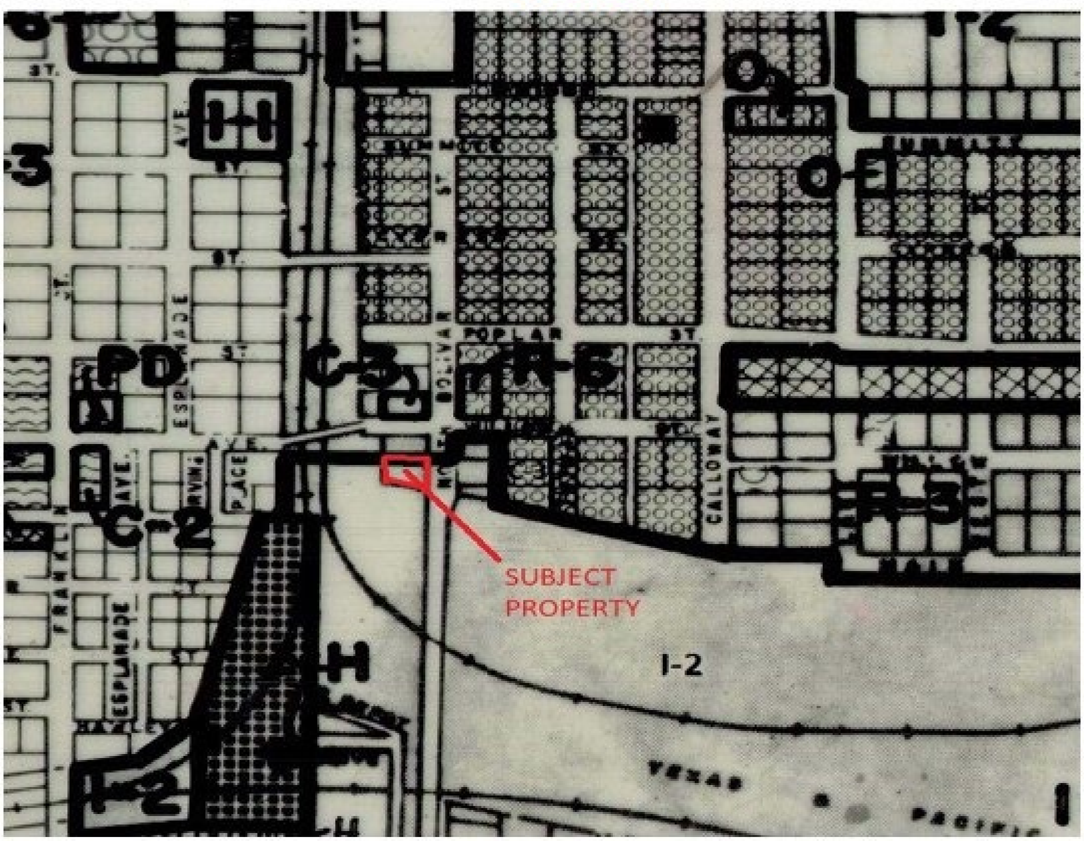
January 9, 2023

C. <u>Agenda Item Z-23-01-</u> Conduct a public hearing and make a recommendation to the City Council regarding a rezoning request for a 0.179 acre tract of land, being part of Lot 6, Block 3, Gatlin Addition, From I-2 (Heavy Industry) to C-3 (General Business). Located at 1003 North Bolivar. Parcel #R000027423.

Applicant	Jason Rench 614 N. Washington Marshall Texas
Property Owner	Right Kut Inc. 903 East End Blvd. South Marshall Texas 75670
Surrounding Property Notices	6 Notices Sent within 200 ft of the Site 1 Response back
Existing Zoning	I-2 (Heavy Industry)
Proposed Zoning	C-3 (General Business)

<u>Location Map:</u>

Z-23-01



Background & Summary of Request:
The Applicant is requesting a zoning change to be in compliance with the current zoning regulation. The applicant is proposing to renovate the existing sheet metal shop into a wood working shop with living quarters. The current zoning does not allow living quarters in I-2 (Heavy Industry). To be in compliance the zoning will need to be changed to C-3 (General Business) which allows the applicant to use the property for which he intends.

Pictures of the Site:

Existing Conditions:
The subject property is currently vacant. Previously was a sheet metal fabrication shop.

	Zoning Classification	Land Use
North of the Property	R-3 (Single Family Detached	Single family home
East of the Property	I-2 (Heavy Industry)	General Business
South of the Property	I-2 (Heavy Industry)	Railroad yards
West of the Property	I-2 (Heavy Industry)	Railroad yards

Water service to the site is provided by an existing 2” water main and a 6” Sewer main along North Bolivar.

Comprehensive Plan and Future Land Use Analysis:

The 2018 Future Land Use Map identifies the property as Industrial. 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 proposed change would be in compliance with the Comprehensive Plan.*

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. *The surrounding property is primarily developed with single family home, Commercial, and Industrial use.*

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 property is currently surrounded by single family homes, Commercial, and Industrial uses. The zoning will need to be changed to allow the applicant the ability to development the property for what is proposed.*

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? Will surrounding property owners suffer or lose any enjoyment in the area of their property as a result of this change? Does the proposed change seem to be a logical extension of similar types of development? *Through the development standards proposed, the applicant is attempting to protect the surrounding property owners from any possible nuisances the development could impose.*

Suggested Motions:

1. Motion to recommend approval of case number Z-23-01 as requested.
2. Motion to recommend approval of case number Z-23-01 with conditions.
3. Motion to recommend denial of case number Z-23-01.

Attachments:

1. Aerial of Site
2. Pictures of the Site
3. 200 Foot Notification Map
4. Proposed site plan

Z-23-01

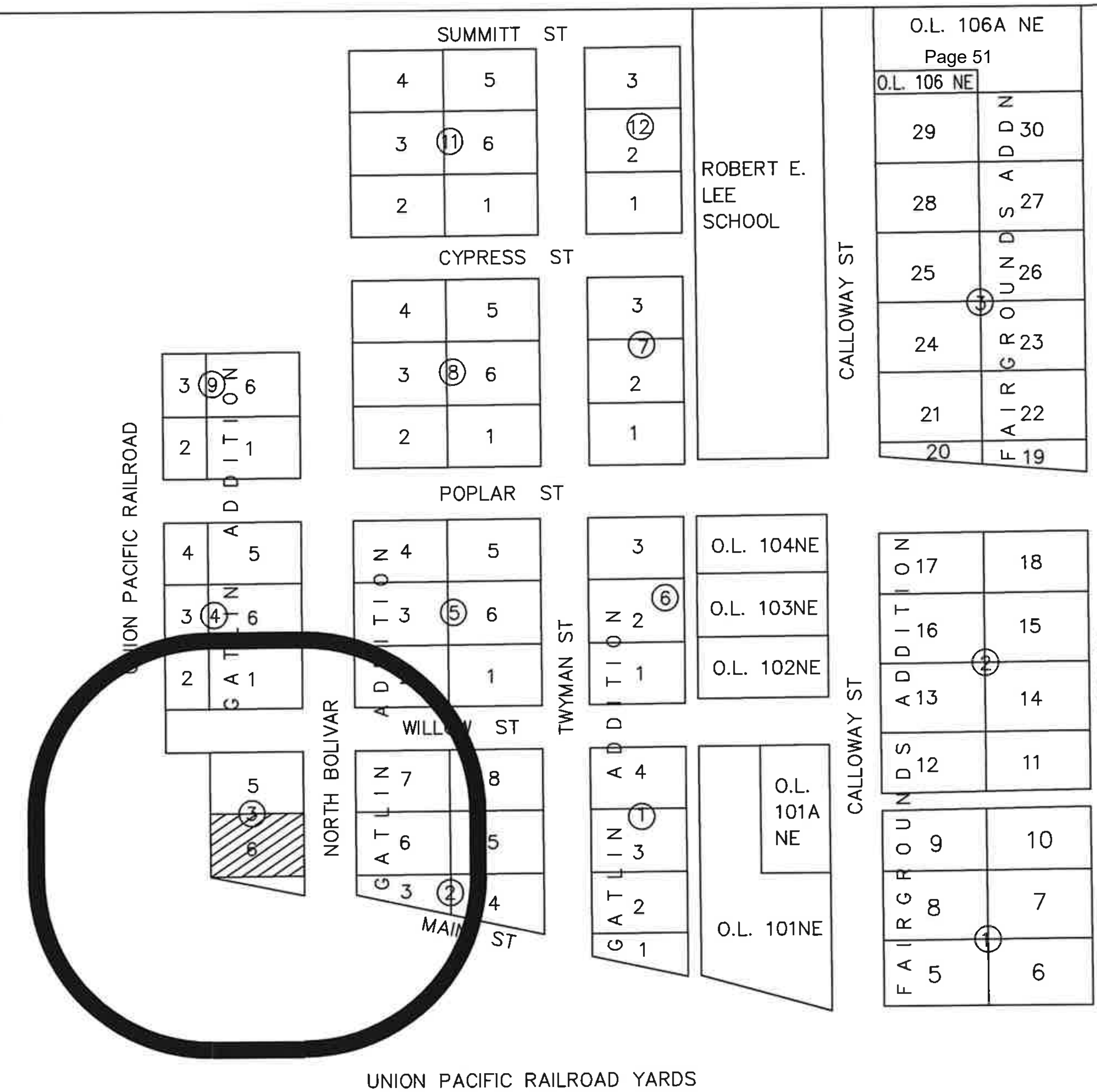

Cypress
Virginia St
Twyman St
Poplar St
Poplar St
Calloway St
East Ave
Willow St
East Ave
Irving Pl
SUBJECT PROPERTY
N Bolivar St
Main St
Main St
Irving Pl

Z-23-01
Site Pictures

Residential to the north

Industrial to the south

Industrial business to the east



Case No. Z-23-01
Scale: 1"=200'
Date: 1-09-2023

PLANNING DEPARTMENT
CITY OF MARSHALL,TEXAS

Remarks:

A request to rezone Lot 6 Block 3 in the Gatlin Addition from I-2 (Heavy Industry) to C-3 (General Business)
Parcel # R-000027423

N

Location: 1003 North Bolivar Street
Applicant: Jason Rench


SHOP AREA
LIVING AREA


WAY BACK AGO
WOOD WORKING

ITEM 7D

PUBLIC HEARING AND ORDINANCES

CONDUCT A PUBLIC HEARING AND CONSIDER A REZONING REQUEST FOR A 3.69 AND A 38.296 ACRE TRACT OF LAND IN THE ANDERSON WHETSTONE SURVEY A-747, FROM A&E (AGRICULTURE & ESTATE) TO R-2 (SINGLE FAMILY DETACHED). THE PROPERTY IS LOCATED IN THE 2200 BLOCK OF KINGS ROAD

Agenda Information Sheet

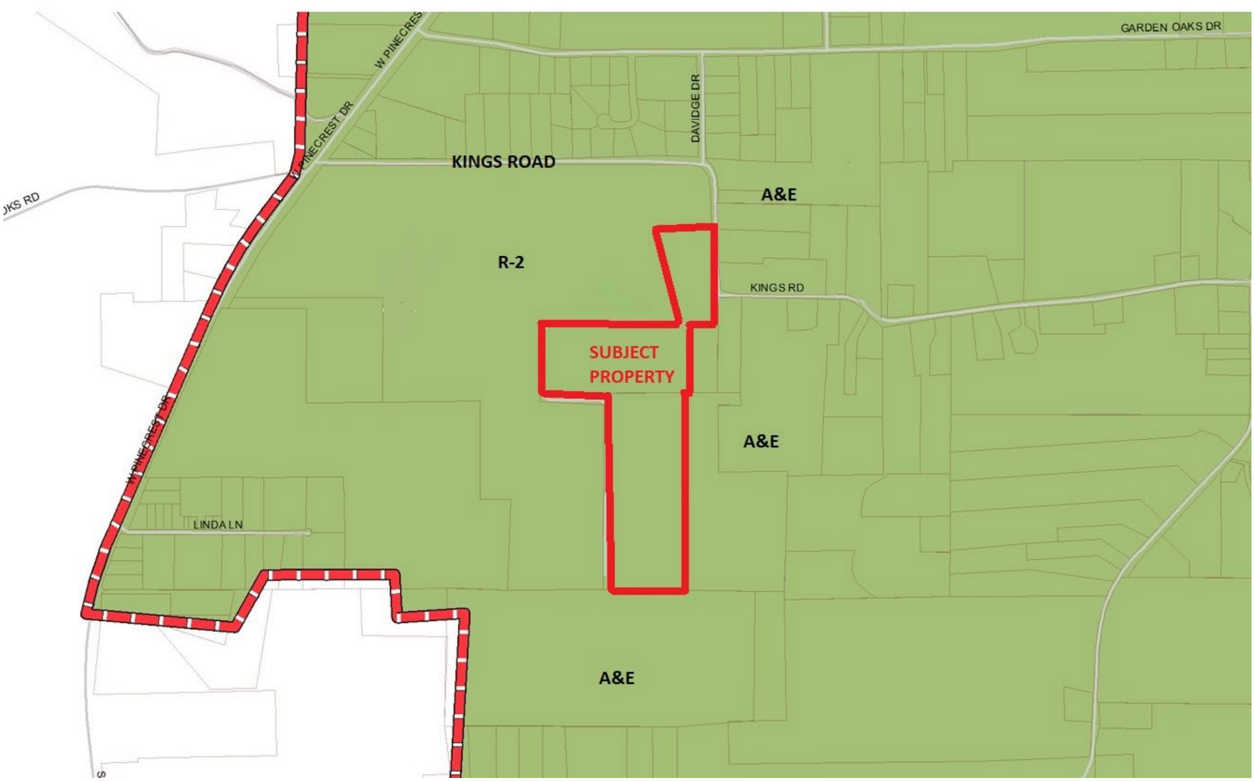
January 9, 2023

D. Agenda Item Z-23-03: Conduct a public hearing and make a recommendation to the City Council regarding a rezoning request for a 3.69(parcel #R-10092185) and a 38.296 acre tracts of land in the Anderson Whetstone Survey A-747. From A&E(Agriculture and Estate) to R-2(Single Family Detached). Located in the 2200 Block of Kings Road. Parcel # R-000027047 and R-000027046.

Applicant	Brady Andrews 900 East Grand Avenue Marshall Texas 75670
Property Owner	Brady Andrews 900 East Grand Avenue Marshall Texas 75670
Surrounding Property Notices	5 Notices Sent within 200 ft of the Site 0 Responses back
Existing Zoning	A&E (Agriculture and Estate)
Proposed Zoning	R-2 (Single Family Detached)

Location Map:

Z-23-03



Background & Summary of Request:

The Applicant is requesting a zoning change to construct Phase 3 Kingwood Estates for single family homes.

Pictures of the Site:

Existing Conditions:
The subject property is currently vacant.

	Zoning Classification	Land Use
North of the Property	R-2 (Single Family Detached)	Single family homes
East of the Property	R-2 (Single Family Detached)	Single family home
South of the Property	A&E (Agriculture and Estate)	Single family home
West of the Property	R-2 (Single Family Detached)	Single family home

Water and Sewer service to the site will be provided by proposed utility lines to be constructed when plans are approved by City Of Marshall.

Comprehensive Plan and Future Land Use Analysis:

The 2018 Future Land Use Map identifies the property as Rural Areas. 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 proposed change would be in compliance with the Comprehensive Plan.*

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. *The surrounding property is primarily developed with single family homes.*

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 property is currently surrounded by single family homes. The zoning will need to be changed to allow the applicant the ability to development the property for what is proposed.*

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? Will surrounding property owners suffer or lose any enjoyment in the area of their property as a result of this change? Does the proposed change seem to be a logical extension of similar types of development? *Through the development standards proposed, the applicant is attempting to protect the surrounding property owners from any possible nuisances the development could impose.*

Suggested Motions:

1. Motion to recommend approval of case number Z-23-03 as requested.
2. Motion to recommend approval of case number Z-23-03 with conditions.
3. Motion to recommend denial of case number Z-23-03.

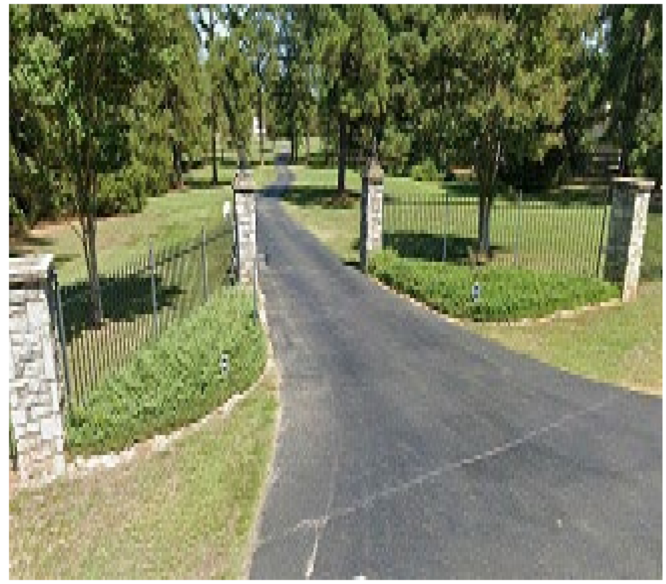
Attachments:

1. Aerial of Site
2. Pictures of the Site
3. 200 Foot Notification Map
4. Proposed site plan

Z-23-03

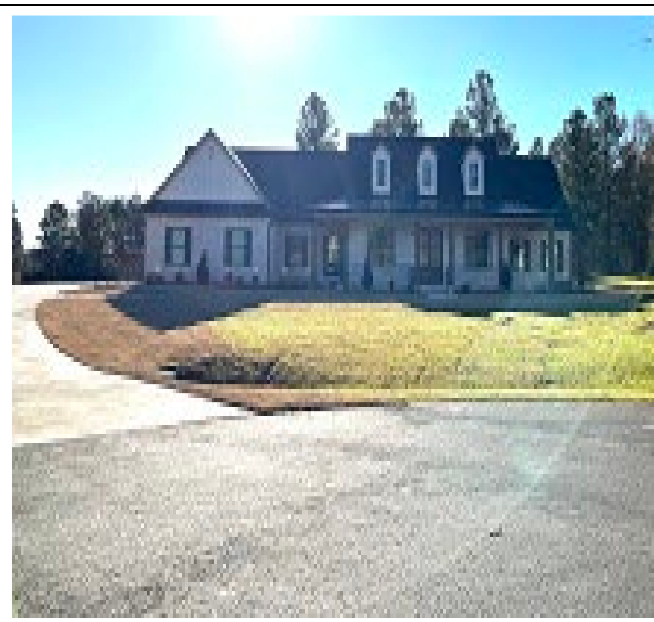
Z-23-03
Site Pictures

Vacant to the west

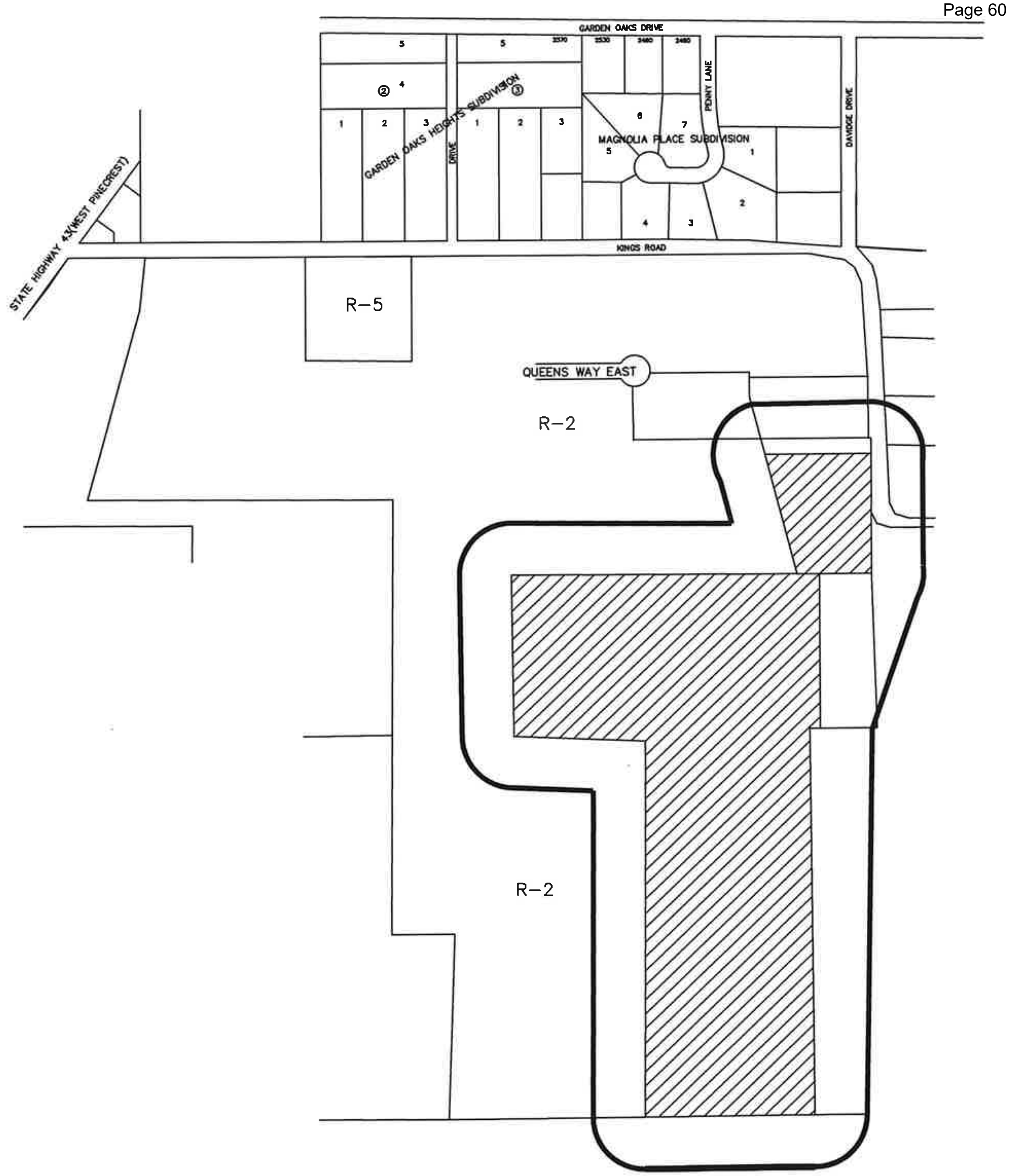


Residential to the south

Residential to the east



Residential to the north



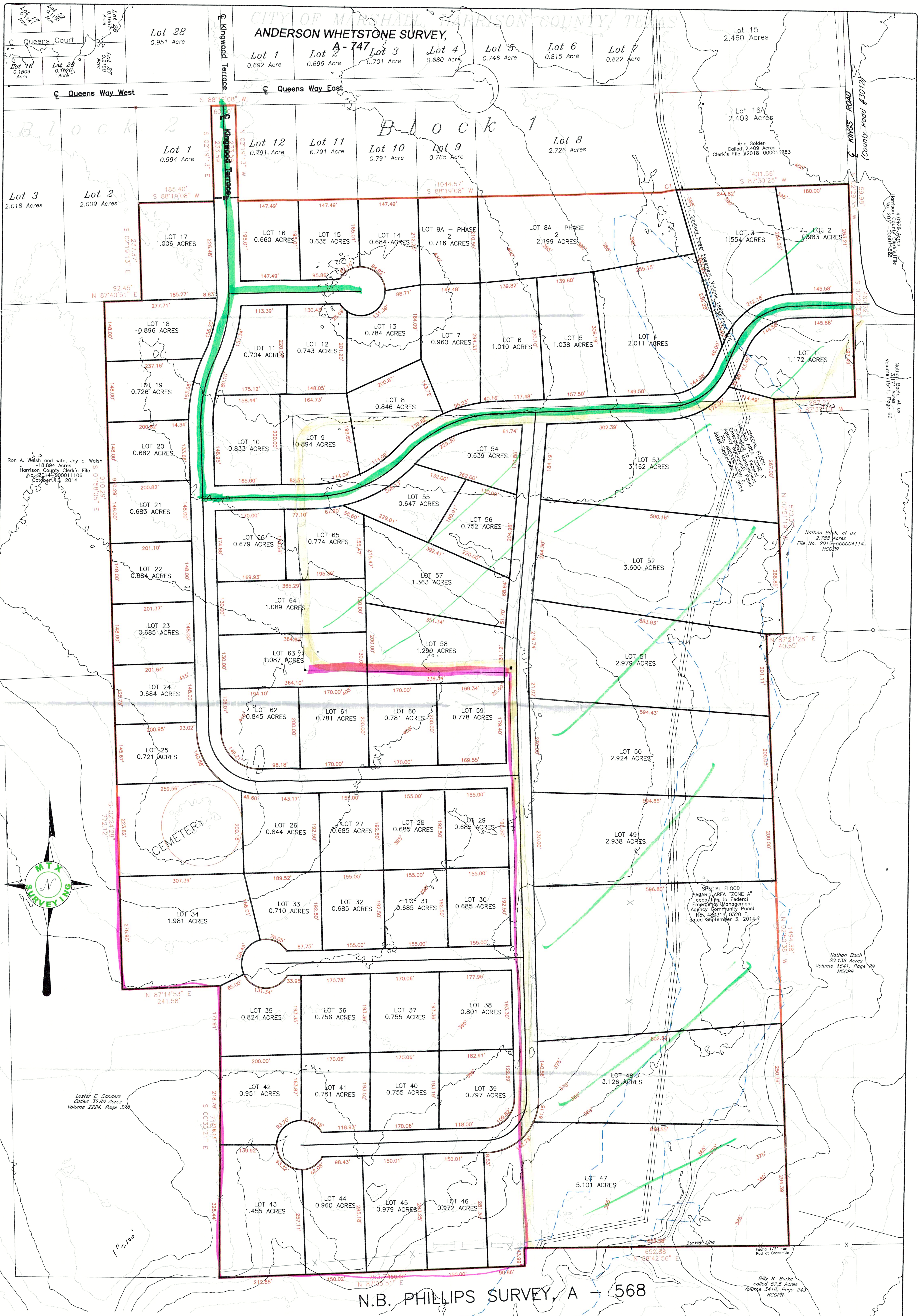
Case No. Z-23-03
Scale: 1"=600'
Date: 1-09-2023

PLANNING DEPARTMENT
CITY OF MARSHALL, TEXAS

Remarks: a request to rezone 3.69 acres and 38.296 acre tracts in the A.Whetstone Survey A-747 from A&E(Agriculture and Estate) to R-2(Single Family Detached)

N

Applicant: Brady Andrews
Loc: 2200 Block of Kings Road



FIELD WORK
PROJECT TECH
CHECKED BY MHP
JOB NO. 220795

ANDREWS/FOSTER LLC
96.030 ACRES
ANDERSON WHETSTONE, A-747
CITY OF MARSHALL
HARRISON COUNTY, TEXAS

MTX SURVEYING
4901 E End Blvd South, Marshall, Tx 75672
www.mtxsurveying.com
903.471.8391
TBPELS Firm No. 10194253

REVISIONS	DATE	BY
Add lot layout for Phase 3	11/29/22	MHP
Revise lot layout for Phase 3	12/01/22	MHP

ITEM 8A

FIRE DEPARTMENT 2022 YEAR END REPORT AND 2023 GOALS & OBJECTIVES

MARSHALL
FIRE DEPARTMENT

Terrell Smith – City Manager   Reginald K. Cooper – Fire Chief

2022 Annual Report

The Marshall Fire Department is a diverse Public Safety Organization, comprised of 51 employees, serving and protecting the City of Marshall and its citizenry of more than 23,900. The department also serves the Harrison County citizenry with Emergency Medical Services and Fire/Rescue mutual aid. Operating from a 4.6 million dollar budget, the department provides various disciplines of labor that include: Fire Suppression; Emergency Medical Services (EMS) - both Basic Life Support (BLS) and Advanced Life Support (ALS) transport; Hazardous Material Response; Fire Prevention and Education; Arson Investigation; Heavy Rescue, including confined space rescue. The department divisions consist of Suppression, Training, EMS, Fire Prevention and Administration. In 2022 Marshall recorded no fire deaths. Additionally no firefighter deaths or serious injuries were reported.

ADMINISTRATION The Administration Division is responsible for the overall management of the Fire Department Public Safety Operations and its personnel; coordination of a 4.6 million operating budget; development of policy and procedures; and processing and maintaining Fire and EMS reports. Emergency Management Support also is a responsibility of Administration. The Division is comprised of the Fire Chief, Assistant Fire Chief, EMS Chief, Fire Marshal and the Administrative Assistant to the Fire Chief.

FIRE PREVENTION DIVISION The Fire Prevention Division is responsible for the prevention of injuries to persons and losses to property that are caused by fire and other emergencies through fire safety education; residential, mobile food units and commercial building inspections; and fire/arson investigations. In 2022, the Fire Prevention Division issued 25 Fire Alarm/Sprinkler permits and performed 27 inspections of these types of systems. There were 59 Certificate of Occupancy inspections, 35 Plan Reviews, 4 Fire Works Permits and 17 Special Events Permits. The prevention division performed over 300 commercial business inspections. The division approved 385 outdoor burning permits as required by ordinance. The prevention division investigated 37 fires in 2022, of which, 6 were determined to be incendiary (arson) fires. The Fire Prevention staff consists of a Fire Inspector, who serves under the direction of the Fire Marshal.

EMERGENCY MEDICAL SERVICES (EMS) DIVISION The EMS division has the responsibility for Emergency Medical and Ambulance Services for the City of Marshall and most of Harrison County. The EMS staff consists of the Chief of EMS, and the Physician Director. The EMS division currently operates three fully staffed/fully equipped Medic units and three fully equipped reserve Medic units. In 2022 these units responded to 5,592 emergency requests and emergency transfers, maintaining an average response time of 6 minutes 34 seconds. Also the division organized and scheduled the necessary personnel, service, and equipment for numerous Special Events; assigning personnel for over 450 man hours for the year. EMS conducted system audit reviews on 96% of patient reports.

EMERGENCY OPERATIONS In 2022 Emergency Operations encompassing, Fire Suppression, EMS, Heavy Rescue, and Hazardous Material (HazMat) Response including Bio-Terrorism Response, answered the alarm for 6,875 calls for assistance. The brave firefighters who make up the Emergency Response segment of the department answered the alarm for 1283 incidents which include but are not limited to (56 structural, 98 non-structural fires), 27 vehicle fires, 56 hazardous material incidents, and 5,592 medical calls. The Operations Division also responded to 136 false alarms in 2022. Each fire unit is staffed with Firefighter/EMT's. All Medic units (ambulances) are staffed with one Firefighter/Paramedic and a minimum of one Firefighter/EMT. The Heavy Rescue unit is strategically located in the city to allow for rapid and efficient response.

TRAINING DIVISION The Fire and EMS Training Division strives to meet every training need of the department. The Training Division provides instruction in Emergency Medical Services, Firefighting, Hazardous Materials, Rapid Intervention Training (RIT), Leadership and Special Operations. The training staff consists of a training officer, who serves under the direction of the Chief of EMS. The training officer coordinates the recruiting and hiring process.

2022 STATISTICAL SUMMARY

Population Served (City)…………………….…23,934
Population Served (County)………………..……66,691
Protection Area in Square Miles (City)………..29.6
Protection Area in Square Miles (County)……..915
Number of Personnel…………………..………..51
Number of Fire Stations...……………..……………3

Incidents Types

Total number of Incidents……………….……6,875
EMS………………..………………………....5592
Fires………………..…………………………1283
Structure Fires………………………………......31
Non-Structure Fires...……………………………98
Vehicle Fires………..…………………………...27
Brush/Grass/Wildland fires.………………………31
Rubbish/ dumpsters………………………………17
All Other fires………..…………………………...5
Rescue calls……………………………………..659
Hazardous Materials……………….…………….57
False Alarms……………..……………………..136
Mutual Aid (Given)………..….……....………..59
Public Service calls………...…………………...238

Marshall Fire Department 2023 Goals and Objectives

The Marshall Fire Department's mission is to serve the citizens of Marshall by providing professional and compassionate fire prevention, suppression, and emergency medical services. It is critical that our goals and objectives contribute to the improvement of our department while also meeting as many of the city's strategic goals as possible.

As a strong department within our city, we will continue to assess our strengths, weaknesses, opportunities, and threats while designing our 2023 goals to be specific, measurable, attainable, relevant, and time-bound.

FIRE PREVENTION:

The Fire Marshal's Office is critical to our city's efforts to not only create a safe and secure community, but also to have a strong, diverse, and viable local economy. The Fire Marshal's Office's work begins with education and progresses to inspections, investigations, community development, and overall public safety.

2023 goals include increasing staff expertise, establishing a fire hydrant program, and improving overall communications.

Objectives:

Objective 1: The Fire Marshal's immediate goal for 2023 is to return to and maintain its office staff of two (2) personnel, which include an Assistant Fire Marshal/Fire Inspector. The position of Assistant Fire Marshal will be filled, and certifications in inspections and investigations will be obtained, as well as attendance at the Kilgore police academy to obtain their arson investigation status.

We also intend to increase the number of certified Inspector/Fire Investigators in our department by adding members from the Suppression Division. The number of business fire safety inspections performed each year will increase as more certified personnel are hired. This will also improve our education program for both commercial and residential property owners and occupants.

Small businesses, homeowners, and residential occupants all contribute significantly to our economy, but many are unable to recover after a disaster. Our goal is to increase the total number of business inspections performed each year by 30%. Property damage caused by fire typically has a negative impact on many parties involved, including a direct impact on the business itself, as well as losses in tax revenue for the city and a potential overall effect on the community's schools and other businesses.

> **40%-60% of small businesses never reopen after a disaster; 90% fail if they do not reopen quickly enough; and downtime costs between $10,000 and $5 million per hour.**

The fire safety and education provided during these inspections will help to reduce property loss.

Objective 2: Fire Hydrant Program In 2007, the City of Marshall received an ISO rating of 2 on a scale of 1-10, with 10 being the worst. Businesses and homeowners are typically offered lower insurance rates if a city has a good ISO rating, which is due in part to a well-prepared fire department's ability to extinguish structure fires efficiently. Fire hydrants that are operational and strategically placed play an important role in our department's ability to extinguish these fires efficiently and safely. The Fire Department will re-establish and maintain a robust fire hydrant program as part of the City's goal of including a high quality and effective infrastructure.

The Fire Marshal's Office will acquire updated testing equipment and collaborate with our Suppression Division to test these fire hydrants, as well as with our Public Works department to repair and maintain hydrants and upgrade underground infrastructure as needed.

Objective 3: Internal and external communication and collaboration. In 2022, the Fire Marshal's Office will collaborate with the city's Planning and Development Director to create a system for welcoming new businesses to Marshall. Breaking down communication barriers and bringing potential business owners together through a newly developed DRC program will aid in the city's overall permit process, making it much more efficient. Our goals for 2023 are to add more cross-trained education to our department, which will help our city with its planning and development.

FIRE SUPPRESSION: Our Fire Suppression Division is the largest division of the Fire Department. This division works hard to protect lives and property in our community, assisting in making Marshall a safe and secure community. Our suppression team, which consists of 45 total firefighter/paramedics, handles approximately 100 fires per year and assists in an average of 600 rescue/emergency medical type responses. Equipment and personnel are critical components in maintaining a safe and effective working environment for our department as we strive to serve our community more efficiently.

2023 Goals: Acquire and maintain cutting-edge hardware, software, and expert training as of 2023. Add four more inspectors to the suppression line.

Objectives:

Objective 1: Due to unforeseen circumstances, deadlines for receiving capital equipment have been pushed to the absolute limit. However, we are expecting a Pierce Pumper to replace a 1994 antiquated fire engine. We have had to borrow fire engines from other organizations on occasion over the last year as our fire engine status has deteriorated. According to our 2015 Strategic Plan, we must not only purchase upgraded equipment, but also develop a viable replacement program for future capital equipment purchases.

As an equipment objective, we will also acquire and seek out new software that will improve operational efficiency and safety.

Objective 2: Improved Training and Education Strategy By sending more of our through the Texas Engineering Extension (TEEX) Program, we will achieve higher levels of advanced training and education. These training classes are available seasonally at Texas A&M as well as on-site. We will also redesign our in-house training program to meet our needs as well as the National Fire Protection Association's requirements (NFPA).

On a personal level, we will provide opportunities for firefighters and officers to advance to Instructor levels I, II, and III in both the fire and EMS fields. This will increase our opportunities to teach and train in-house, which will not only advance our personnel but will also reduce future training costs for the department and the city.

Training and education cannot be compromised, especially in a small department like ours. Firefighting is an inherently dangerous job that we take pride in, but high risk/low frequency areas of operation necessitate increasingly skilled and technical training.

EMERGENCY MEDICAL SERVICES: Of the 45 personnel assigned to Suppression, 9 are assigned daily to EMS operations. Our efforts have been successful in reducing wear and tear on our rotating fleet of ambulances, lowering ambulance replacement costs by purchasing smaller, more efficient ambulances, lowering fuel costs, and lowering wear and tear on our Medics, all of which have increased overall morale within our department.

Since we discontinued our long-distance transfer service to medical facilities in Tyler, Dallas, and Houston, our recent run volume has increased, exceeding our maximum number of runs in 2011. The chart below reveals the increases in calls for service over the past five (5) years.

Total EMS Runs by Calendar Year

	2018	2019	2020	2021	2022
January	454	393	442	510	526
February	346	370	415	438	450
March	430	445	411	460	444
April	385	417	400	447	386
May	438	453	419	504	473
June	384	463	424	528	476
July	402	432	477	551	484
August	431	423	439	570	480
September	361	415	433	550	444
October	392	388	446	465	504
November	392	401	461	381	440
December	395	415	497	453	485
Total *	4810	5015	5264	5857	5592

2023 Goals: Continue to invest in upgraded equipment and software while focusing on firefighter/paramedic physical and mental health.

Objective 1: Purchase a new ambulance. The new ambulance will be the fifth of our new body style, which was mentioned in the original replacement plan. Our fleet consists of six ambulances in total. A remount program will significantly reduce the costs of future ambulances once all ambulances have been replaced to the new style.

Objective 2: Continue replacing old defibrillator monitors and stretchers.

Objective 3: Make use of a new department line item that provides cancer screening to FF/Medics.

Objective 4: Promote a mental health training program in collaboration with the Longview, Kilgore, and Jacksonville Fire Departments.

SWOT Analysis

Strengths – Strong EMS team of Paramedics. Fire Prevention and Firefighting skills.

Weaknesses – Personnel retention, equipment, salaries. As a weakness, from a salary stance, our department competitively ranks in the lower percentile of regional fire departments.

Diversity: Our department currently is not reflective of the community we serve.

Opportunities – With a new city manager and aggressive council, we have the opportunity to rebuild our department's staffing levels. We also have the opportunity to reinvest in our educational and training programs.

Threats – The majority of firefighters feel undervalued which in turn could cause an increase in turnover, along with a decrease level of quality service

Constant personnel issues.

Challenges

Some of the major challenges within our department will be with personnel retention, salary adjustments, and capital and small equipment purchases; along with proper preventative and as needed maintenance. Many of these challenges start with buy-in from our personnel into a new system of leadership.

Other challenges will be in purchasing, scheduling and obtaining capital equipment in a timely manner. Since 2021, COVID 19, issues with ordering and receiving equipment has been a constant concern. Though approved by Council, orders of ambulances, fire engines and small vehicles has taken an increasingly enormous amount of time for delivery.

As a result of our new city manager, we have already made enormous strides and enormous accomplishments. We will keep collaborating to make this city the best city imaginable.

ITEM 8B

UPDATE REGARDING VACANT PROPERTY REGISTRATION ORDINANCE

Vacant Property Registration Ordinance Update

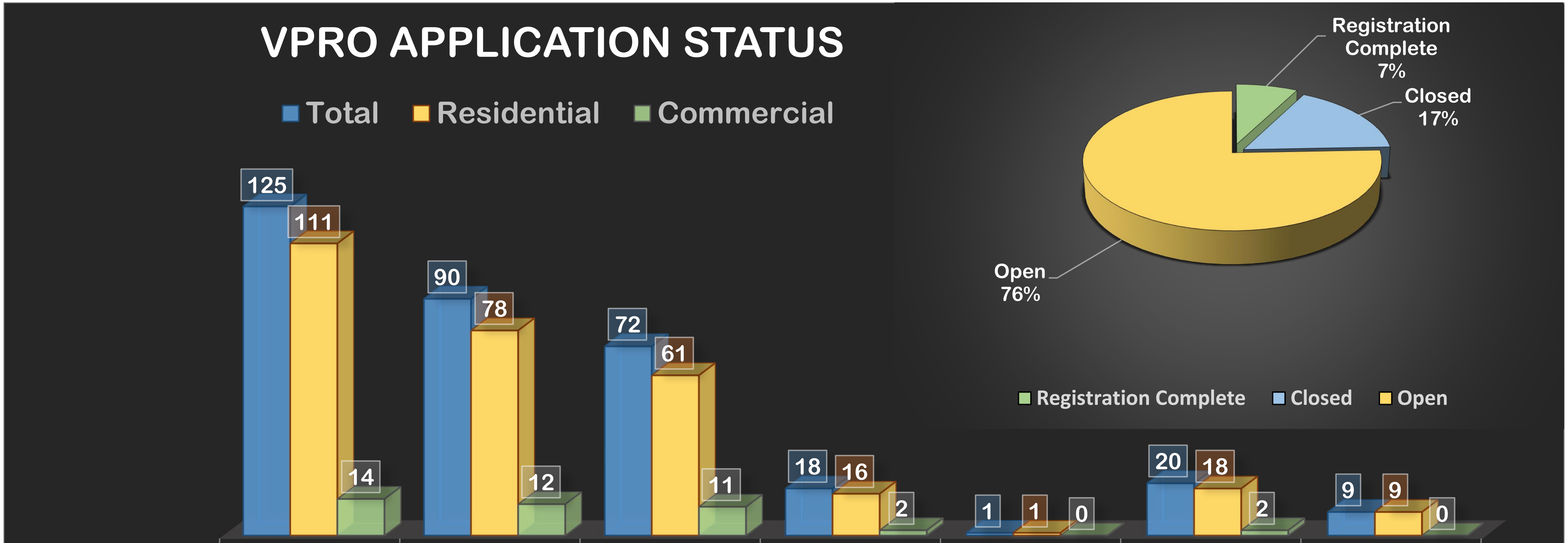
Garnett Johnson (Director of Community Development)
Aleena Sepulvado (Code Enforcement Supervisor)
Varnessa Slade (Code Enforcement Official)

Vacant Property Registration Ordinance – Objective

The general objective of this ordinance was to address dilapidated and unmaintained properties that create blight in our community as they pose increased health, life and safety risks to the neighboring residents, including:

- Increased likelihood of fires and illegal activity due to vagrancy
- Declining property values
- Mold and water damage
- Providing breeding grounds for rodents and other pests that often carry diseases

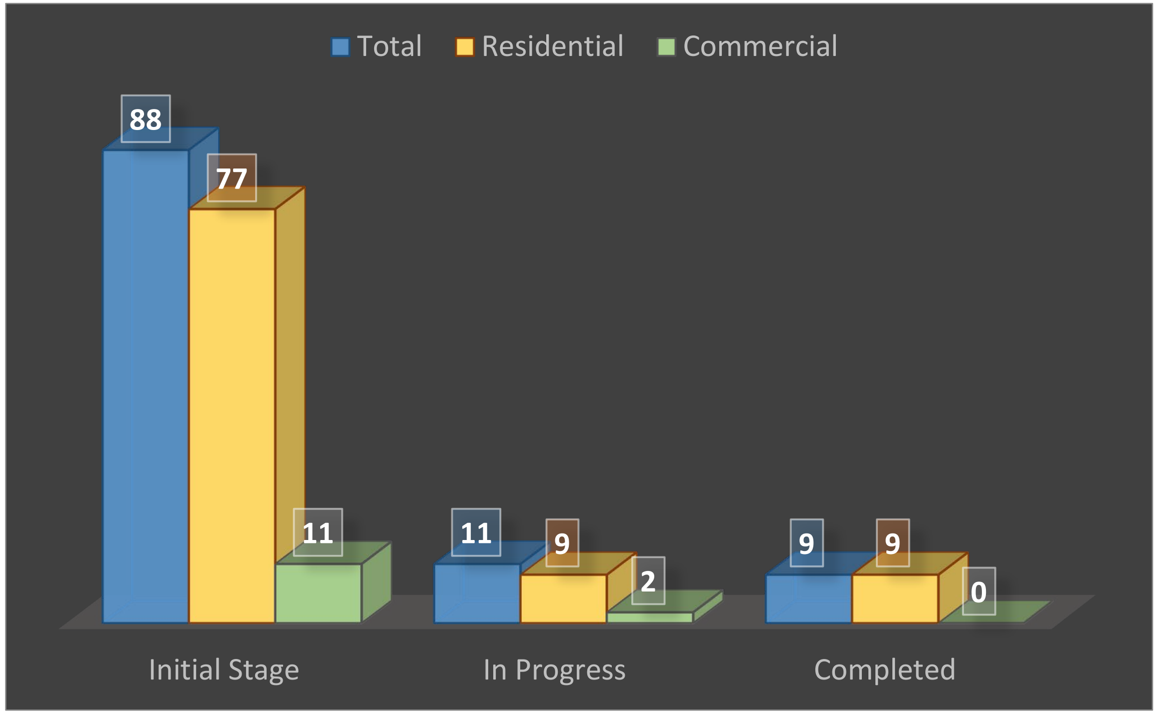
General VPRO Application Information

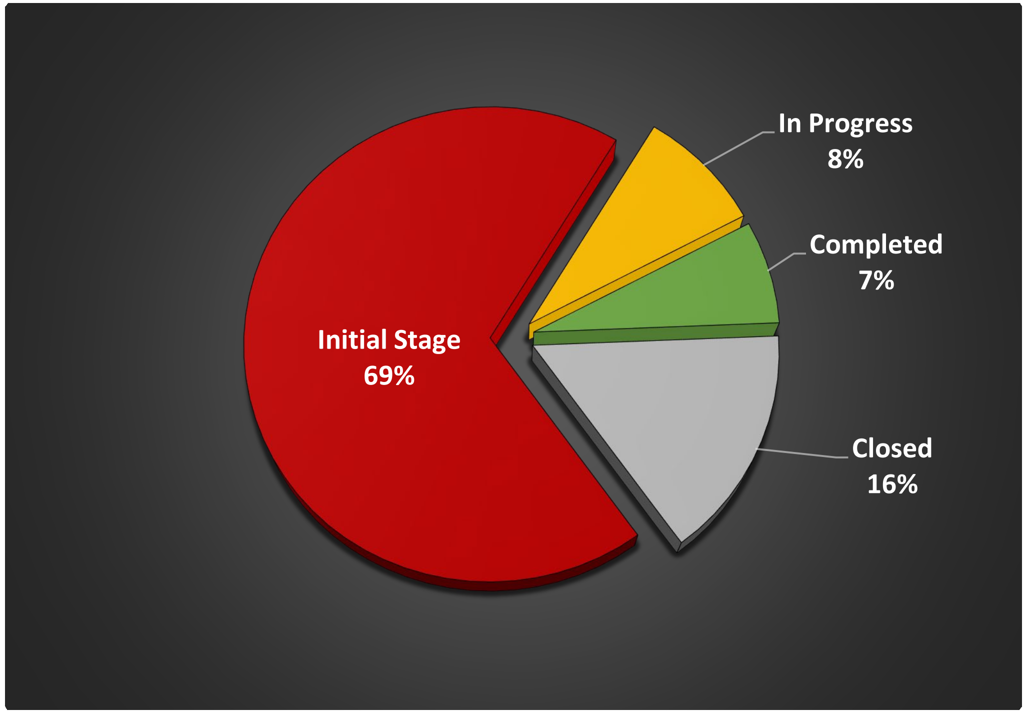


	Applications Sent	Open Cases	2nd Notice Issued	Final Notice Issued	Owner Created POA - Demo	Closed Cases	Registration Completed
Total	125	90	72	18	1	20	9
Residential	111	78	61	16	1	18	9
Commercial	14	12	11	2	0	2	0

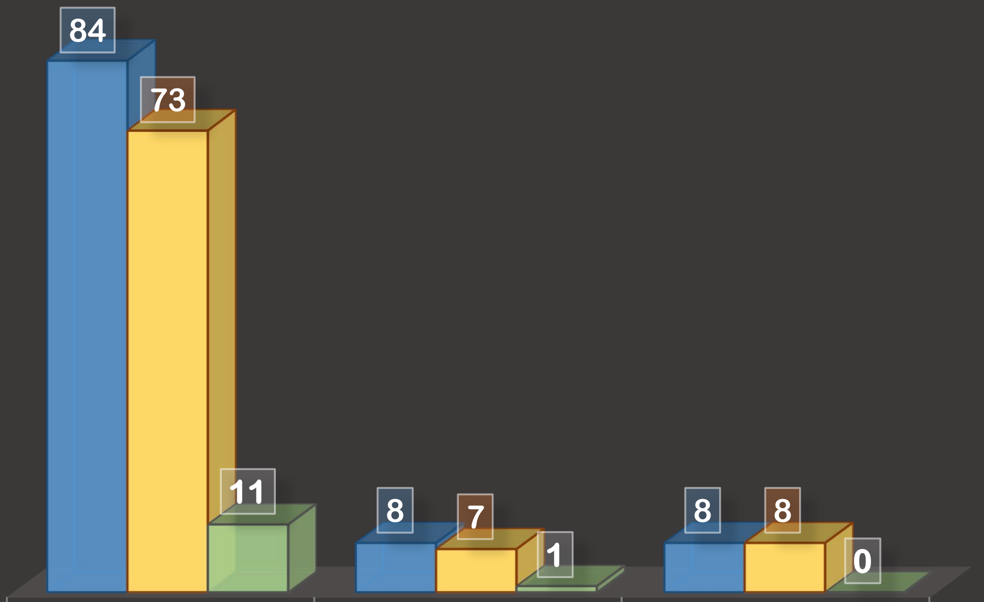
Application Status

*Initial Stage: Application has been sent, but no other communication with applicant has taken place
*In Progress: Either an incomplete application has been received or some type of communication with applicant has taken place
*Completed: All required documentation has been submitted and approved
*Closed: Reasons for case closure include structures that are meant for storage instead of habitation and/or structures that are no longer vacant or are being maintained or have been sold

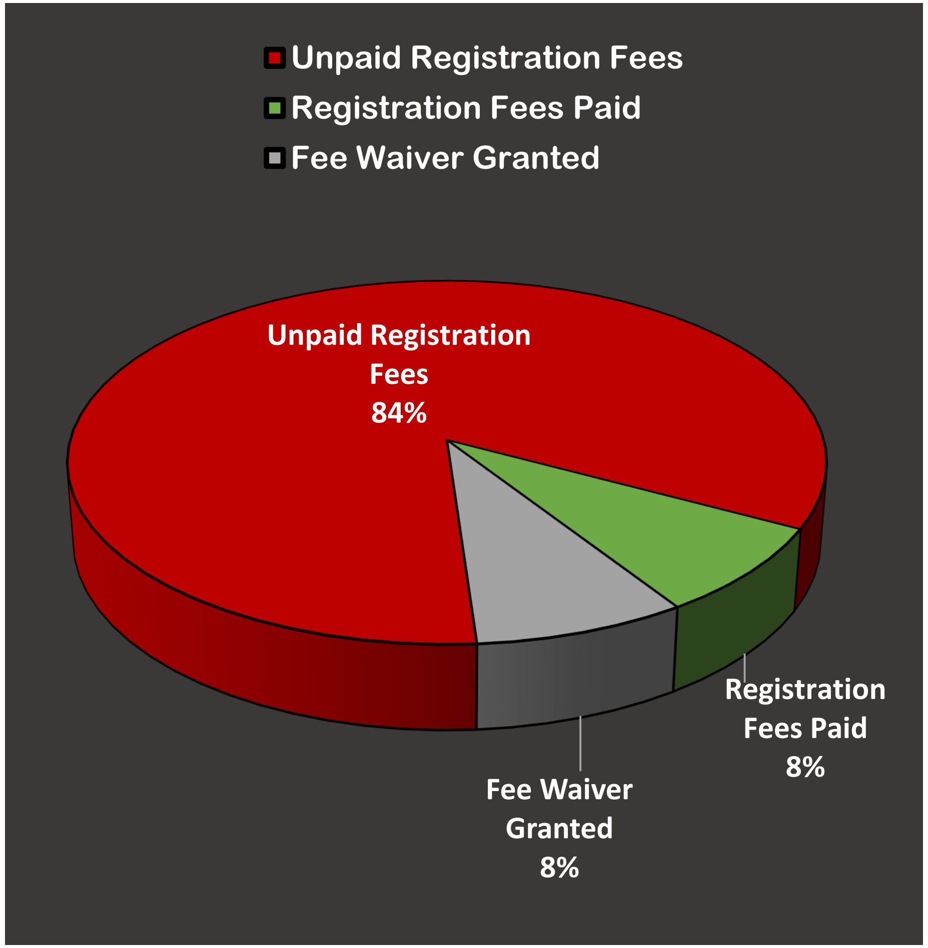




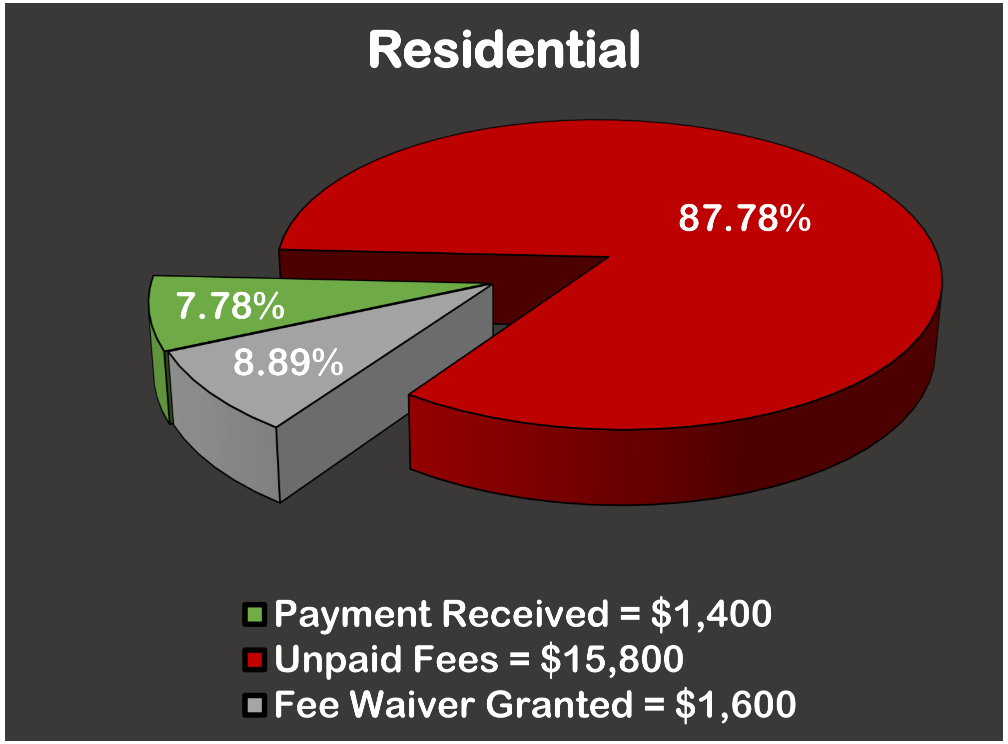
Registration Payment Status

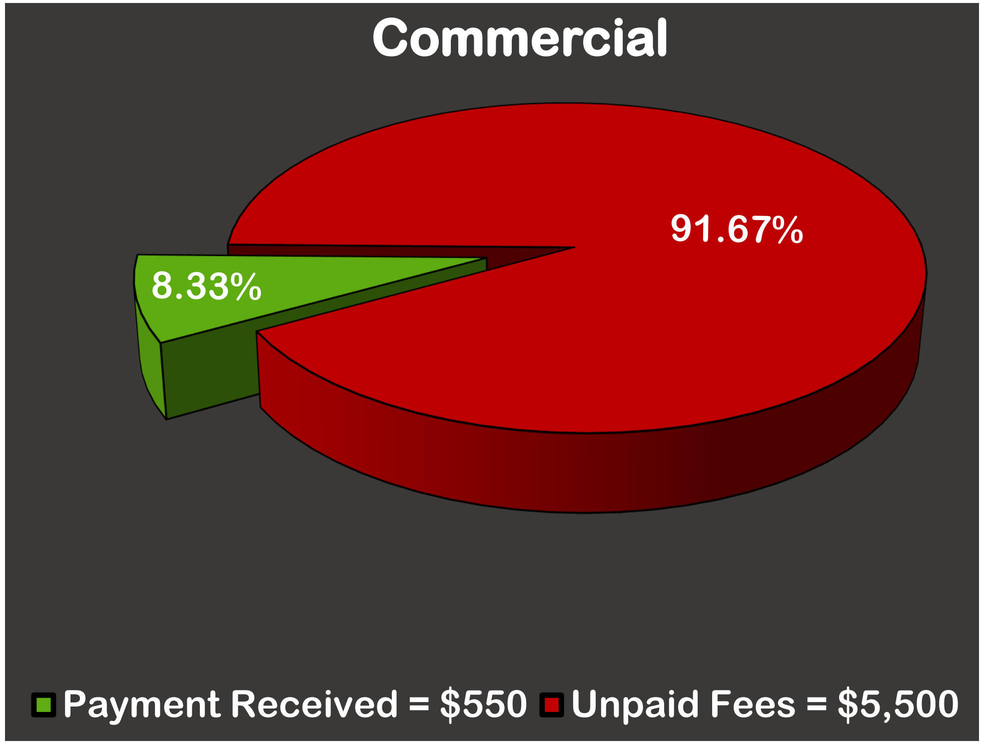


	Unpaid Registration Fees	Registration Fees Paid	Fee Waiver Granted
Total	84	8	8
Residential	73	7	8
Commercial	11	1	0



Paid vs. Unpaid Registration Fees by Occupancy Classification





Fees (Initial Registration)

Commercial Structure - $500.00

Residential Structure - $200.00

Fees (Annual Renewal)

Commercial Structure - $250.00

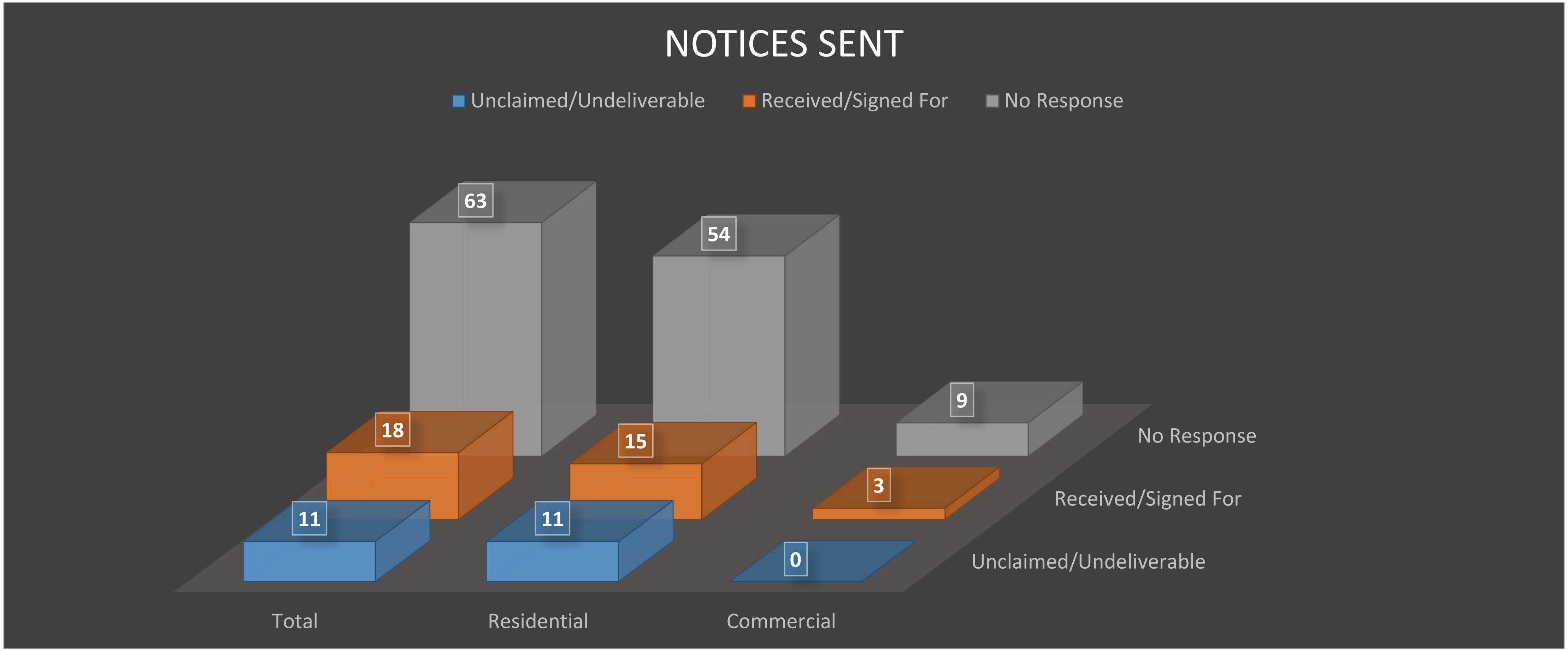
Residential Structure - $100.00

***Late Fee: A $50.00 late fee is assessed if property registration is not completed before the end of the 90 day time frame specified**

Fee waivers granted:

- Applicant representing a property owner who is deceased or no longer legally competent
- Building permit has been obtained and owner is working diligently to prepare the structure for occupancy
- Property currently involved in arson investigation

Status of Owner Notification for Current Open Cases



Completed Vacant Property Registration

This ordinance was created with the goal of eliminating blight in our neighborhoods by ensuring that vacant structures are maintained and functional in order to:

- Add value to our community
- Attract new residents and businesses
- Increasing the local quality of life
- Boost property values
- Create a community we can take pride in

Completed Vacant Property Registration

The before and after photos on this page and the previous page are a tiny representation of the difference that can already be seen in our community as a direct result of the enforcement of this ordinance and our progress towards building a better and safer community.

ITEM 8C

DISCUSSION REGARDING CIP PLANNING

ITEM 9A

EXECUTIVE SESSION

AN EXECUTIVE SESSION PURSUANT TO THE OPEN MEETINGS ACT, CHAPTER 551 OF THE TEXAS GOVERNMENT CODE UNDER SECTION 551.072. DELIBERATION REGARDING REAL PROPERTY: CONVENE IN EXECUTIVE SESSION TO DISCUSS MATTERS RELATED TO THE PURCHASE, EXCHANGE, LEASE, SALE, OR VALUE OF REAL PROPERTY

ITEM 10

ADJOURNMENT