

1. 1/27/2022 Agenda (PDF)

Documents:

[01-27-22 AGENDA.PDF](#)

2. 1/27/2022 Agenda Packet (PDF)

Documents:

[1-27-22 AGENDA PACKET.PDF](#)



**CITY OF MARSHALL, TEXAS
REGULAR CITY COUNCIL MEETING
COUNCIL CHAMBERS, CITY HALL, 401 SOUTH ALAMO
THURSDAY, JANUARY 27, 2022, 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 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 **ITEMS TO BE WITHDRAWN FROM CONSENT AGENDA**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 Council member 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 13, 2022 regular meeting.

- B. Consider approval of a contract with the Harrison County Elections Administrator for the May 7, 2022 Elections. (City Secretary)
- C. Fire Department Activity Report. (Fire Chief)
- D. Police Department Activity Report. (Police Chief)
- E. Community & Economic Development Activity Report. (Community & Economic Development Director)
- F. Consider approval of Small Business Grant Fund Applications. (Community & Economic Development Director)

6. **PUBLIC HEARING AND ORDINANCE**

- A. Conduct a public hearing and consider an ordinance amending the official zoning map from A&E (Agriculture and Estate) to C-3 (General Business) located at 2711 West Grand Avenue. (Community & Economic Development Director)
- B. Conduct a public hearing and consider an amendment to a Planned Development that was approved by Ordinance O-88-14 being Blocks 1-4 of the Johnson Addition located at 2005 Dogan Street. (Community & Economic Development Director)

7. **RESOLUTION**

- A. Consider approval of a resolution ordering a General Election for City Councilmember Districts 5, 6 and 7. (City Secretary)
- B. Consider approval of a resolution calling for a Joint Election Agreement with the Marshall Independent School District for the May 7, 2022 General Election. (City Secretary)

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

- A. Update regarding Finance Department undertakings. (Finance Director)

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 **CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA**

10. **ADJOURNMENT**

Posted: January 24, 2022
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 903-935-4446.



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Page 20

D. Police Department Activity Report. (Police Chief)

Page 22

E. Community & Economic Development Activity Report. (Community & Economic Development Director)

Page 24

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CONSIDERATION**

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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 13,
2022 REGULAR MEETING**

MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF MARSHALL
THURSDAY, JANUARY 13, 2022
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
Jennifer Truelove, District 3
Amanda Abraham, District 6

Leo Morris, District 2
Vernia Calhoun, District 5
Micah Fenton, District 7

ADMINISTRATIVE STAFF PRESENT:

David Willard, Interim City Manager	Cliff Carruth, Police Chief
Christol Hall, HR Manager	Reggie Cooper, Fire Chief
Eric Powell, Public Works Director	Dawn Jones, Finance Director
Scott Rectenwald, Acting City Attorney	Kim Smith, Senior Accountant
Randy Pritchard, Support Services Superintendent	

INVOCATION & PLEDGE: Mayor Ware

1. **CITIZEN COMMENTS**

Karen Bickerdike, 17 Pine Burr Circle, requested the Council consider creating a Strategic Planning Committee for Wonderland of Lights.

Scott Rectenwald, 110 W. Fannin, informed the Council and public that Trinity Martha's Kitchen is open on Thursday nights.

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

Item D was withdrawn from the Consent Agenda.

3. **CONSENT AGENDA**

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

A. Consider approval of the minutes from the December 9, 2021 Regular meeting and the December 15, 2021 Special-Called meeting.

B. Street Sweeping Activity Report.

C. Monthly Financial Report.

ORDINANCE

4. **CONSIDER APPROVAL OF MODIFICATIONS TO THE ALARM PERMIT ORDINANCE.**

Cliff Carruth, Police Chief, highlighted modifications to the Alarm Permit ordinance.

Councilmembers asked questions and discussed.

Councilmember Truelove made a motion to approve modifications to the Alarm Permit ordinance. Councilmember Calhoun seconded the motion, which passed with a vote of 7:0.

5. **CONSIDER APPROVAL OF AN ORDINANCE GOVERNING WRECKER SERVICES THAT PERFORM POLICE-AUTHORIZED TOWS OR NON-CONSENSUAL TOWS, TOWING ACTIVITIES AT POLICE SCENES, AND STORAGE FACILITIES TO WHICH VEHICLES TOWED AS POLICE-AUTHORIZED OR NON-CONSENSUAL TOWS ARE TAKEN.**

Cliff Carruth asked for approval to amend Article III Wrecker Service to reflect the Police Department as being responsible for the administration of Wrecker Services.

Councilmembers asked questions and discussed.

Councilmember Abraham made a motion to table amending Article III of the Wrecker Service ordinance. Councilmember Truelove seconded the motion, which passed with a vote of 7:0.

6. **CONSIDER APPROVAL OF AN ORDINANCE DESIGNATING THE NUMBER OF POSITIONS IN EACH CLASSIFICATION FOR POLICE OFFICERS.**

Cliff Carruth asked for approval of an ordinance designating the number of positions in each classification for Police Officers. Cliff Carruth stated Chapter 2.4.1 has been amended to reclassify two (2) Police Captains to Assistant Chiefs.

Councilmembers asked questions and discussed.

Councilmember Truelove made a motion to approve an ordinance designating the number of positions in each classification for Police Officers after the number of positions under the classification Police Officers is updated. Councilmember Bonner seconded the motion, which passed with a vote of 7:0.

CITY MANAGER REPORTS AND REQUESTS FOR CITY COUNCIL CONSIDERATION

7. **DISCUSSION OF AND CONSIDERATION OF THE 2022 CITY COUNCIL MEETING SCHEDULE.**

Mayor Amy Ware presented the 2022 City Council meeting schedule.

Councilmember Truelove made a motion to approve the 2022 City Council meeting schedule. Councilmember Bonner seconded the motion, which passed with a vote of 7:0.

8. DISCUSSION OF AND CONSIDERATION OF APPROVAL FOR SIGNING BONUS FOR MARSHALL POLICE DEPARTMENT AND COMMUNICATIONS EMPLOYEES.

Cliff Carruth asked for approval of a signing bonus of \$5,000.00 for new Marshall Police Department employees and \$2,500.00 for new Communications employees who are certified and have at least one (1) year experience. Cliff Carruth stated funding would come from savings in Police Department salary accounts.

Councilmembers asked questions and discussed.

Councilmember Fenton made a motion to table signing bonuses for new Marshall Police Department and Communications employees. Councilmember Truelove seconded the motion, which passed with the following vote of:

Ayes: 6, Mayor Ware, Councilmembers Fenton, Truelove, Calhoun, Bonner and Abraham

Nays: 1, Councilmember Morris

9. CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

D. Municipal Court Activity Report.

Councilmember Abraham stated her reasons for withdrawing this item. Councilmember Abraham requested Municipal Court be placed on a separate page on the City's website.

Councilmembers asked questions and discussed.

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

10. ADJOURNMENT

Councilmember Truelove 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

**Ordinances: O-22-01
O-22-02**

ITEM 5B

CONSENT AGENDA

**CONSIDER APPROVAL OF A CONTRACT
WITH THE HARRISON COUNTY
ELECTIONS ADMINISTRATOR FOR THE
MAY 7, 2022 ELECTIONS**

Memorandum

To: Councilmembers and David Willard, Interim City Manager

From: Nikki Smith, City Secretary

Date: January 20, 2022

Subject: Contract with Harrison County Elections Administrator for the May 7,
2022 City of Marshall General Election

Attached is the contract prepared by Donald Robinette, Harrison County Elections Administrator for the May 7, 2022 City of Marshall General Election.

Harrison County Elections Office
P.O. Box 8409
Marshall, Texas 75671
harrisoncountytexas.org/elections



Phone: 903-935-4822
Fax: 903-938-1509
415 E. Burleson St.
Marshall – 75670

CONTRACT FOR ELECTIONS SERVICES

THE STATE OF TEXAS

COUNTY OF HARRISON

This contract, is made this 18th day of January 2022, by and between the City of Marshall Texas, hereinafter called THE CITY, acting by and through Nikki Smith, City Secretary and Donald Robinette, Elections Administrator of Harrison County, Texas, hereinafter the CONTRACTING OFFICER, pursuant to Texas Election Code Sec.31.092, for the conducting and supervision of the:

Election for City Council Members for Districts 5, 6, and 7

To be held on Saturday, May 7, 2022.

This contract is entered into in consideration of the mutual covenants and agreements hereinafter set out. It is agreed as follows:

I. The Contracting Officer, in connection with holding of said elections, shall assume the following responsibilities:

a. Appoint or shall be allowed to delegate the positions of Early Voting Clerk, Central Counting Station Manager, Tabulation Supervisor and Assistant Tabulation Supervisor, as provided for in Texas Election Code, Sec. 31.094 and 31.095.

b. The Harrison County Elections Office shall take responsibility for processing Early Voting Ballot my Mail requests.

c. Procure and distribute election supplies, including the preparation of election kits and the printing and distribution of ballots for both Early Voting and Election Day.

d. Procure, arrange for the programming and distribution of all election equipment. This includes the use of HAVA mandated electronic equipment purchased from Hart InterCivic. The new equipment is the HART VERITY 2.5 DUO WRITER system, allowing for electronic voting, with a paper trail.

e. Arrange for the publication of a Notice for the date, time and place of the Public Logic and Accuracy Test of the election equipment, and oversee said test.

f. Post notice of the date, time and place of a school of instruction for election judges and clerks, and conduct said school of instruction.

g. Arrange for the programming and testing materials to be used to test the voting equipment.

h. Arrange for the handling and distribution of election returns, preparation of the tabulation for the official canvass, and will, if needed arrange for the manual validation as required in the Texas Election Code, Se. 127.201.

i. In accordance with Sec. 31.098 of the Texas Election Code, the Contracting Officer is authorized to contract with third-parties for election services and supplies. The cost of such third-party services is to be the responsibility of the CITY.

j. Arrange for the programming of the voting system based on the information provided by the CITY. This information shall include the correct spelling of all candidates' names, the office sought, order of names on the ballot and the English and Spanish translation of the office. The CITY shall pay for the cost of such programming.

k. Provide sufficient time for the CITY to review the ballot before it is finalized.

l. Arrange for the counting of votes registered on the electronic units in accordance with Chapter 127 of the Texas Election Code.

m. Submit precinct by precinct reports to the Texas Secretary of State's office of all election returns for said election. (This section does not apply to city/school as by districts.)

n. After completion of the unofficial tabulation of precinct results, the Harrison County elections Office shall distribute the election records to the CITY, except for those records that must be distributed to the Voter Registrar, in accordance with Sec. 66.051 of the Texas Election Code.

The Harrison County Elections Office is hereby appointed the custodian of ballots cast on the HART VERITY 2.5 DUO WRITER voting system consisting of the backup, and preservation of records in accordance with Chapter 66 of the Texas Election Code and other applicable law. The Harrison County elections Office shall also maintain custody of the records pertaining to the operation of the HART VERITY 2.5 DUO WRITER voting system. Said records and election documents will be destroyed after the retention period (22 months from Election Day) which is mandated by Texas Election Law unless the CITY notifies the Harrison County Elections Office in writing of their desire to collect said election records and or documents. This written notice must be received by the Harrison County Elections Office no later than 5 business days before the date to destroy said records and or documents.

o. The Contracting Office shall tabulate the votes registered on the electronic units in accordance with Chapter 127 of the Texas Election Code, supervise the handling and distribution of election returns, voted ballots, etc., tabulate unofficial returns, assist in preparing the tabulation for the official canvass and certify the election results for representatives of the CITY.

II. THE CITY, in connection with holding the council member elections to be held on Saturday, May 7, 2022 shall assume the following responsibilities and shall directly bear any attendant costs for the same:

a. Approve the appointment of the Election Day Judges and Clerks, as well as the Early Voting Ballot Board and Central County Station Judges and Clerks to be used in said elections.

b. Shall pay for any and all expenses involved with Early Voting Ballot by Mail requests for said elections.

c. The use of Harrison County elections Office Poll Pads and MIFI equipment to qualify voters by personal appearance during Early Voting and on Election Day.

d. The use of Harrison County elections Office HART VERITY DUO voting equipment to process and tally all voted ballots for said elections. NOTE: The Harrison County Elections Office shall manage all Early Voting election equipment, ballots and supplies at the Elections Office and for any Branch polling locations. Election Day voting equipment, ballots and supplies shall be picked up by the Election Day Judge and delivered back to the Elections Office at the close of Election Day voting.

e. Preparation of all election orders, resolutions, notices and other pertinent documents for adoption or execution by the appropriate office of body.

f. Posting or publications of elections notices.

NOTE: section g shall not apply, since we can now print in house.

g. The printing costs of any and all related materials for all ballots, Election Day and Early Voting, and all election materials for election kits involved with said elections as well as vendor programming. The vendor price list for ballots follows this schedule: 1 to 5 races costs \$1500.00; 6-10 costs \$2530.00; 11-20 costs \$3300.00; 21-40 costs \$4180 and 41 to 75 races costs \$5260.

Additionally: if there is a cancellation or postponement of an election for whatever reason, there is a cancellation fee to the vender. The cancellation fee to the vender is based on: if the ballots are at the proofing stage, then only one half the cost is billed, but if ballots are passed the proofing and audio ballots or more have been completed, then the entire cost is billed to the jurisdiction holding the election, i.e. city, school.

h. In the event of equipment failure, THE CITY will share in the expense for the necessary personnel for the purpose of hand counting all ballots cast in said election.

i. Pay an administrative fee not to exceed ten percent (10%) of the total amount of the contract to the Harrison County Elections Office; said payment to be deposited to the Election Contracts Fund of Harrison County.

j. Take all action necessary under law for calling the election, canvassing the returns and declaring the results.

k. Deliver to the Harrison County Elections Office as soon as possible, but not later than the 45th day before the election, the candidates that are to be printed on the ballot with the exact form, wording, spelling and Spanish translation that is to be used on the official ballot.

l. Provide the services necessary to translate any election documents into Spanish.

m. Pay the cost of conducting said elections within thirty (30) days from the date of billing; the cost will be determined by the actual cost schedule submitted with billing.

III. GENERAL CONDITIONS

a. A total of one Early Voting location, for the purpose of Early Voting by personal appearance on the CITY ballot, will be used for this/these elections:

Main Elections Office, 415 E Burleson, Marshall TX 75671

April 25th through April 29th from 8:00 AM to 5:00 PM and

May 2nd and May 3rd from 7:00 AM to 7:00PM.

b. A total of 1 Election Day voting location, for the purpose of Election Day voting by personal appearance on the CITY ballot, will be open on Saturday, May 7, 2022:

Marshall Convention Center, 2501 E End BLVD, Marshall, TX, 7:00AM-7:00PM

c. THE CITY agrees to save and hold harmless the Harrison County Elections Administrator and the Harrison County Elections Office from any and all claims made arising out of the failure or omission of the City to perform their obligations under this contract.

d. The Harrison County Elections Administrator and the Harrison County Elections Office agrees to save and hold harmless the City from any and all claims made arising out of the failure or omission of the Harrison County Elections Administrator or the Harrison County Elections Office to perform their obligations under this contract.

e. Should a lawsuit be filed as a result of this election, THE CITY agrees to provide (including the authority to select) and pay the legal fees and any associated costs of a defense by competent legal counsel and representation for the Harrison County Elections Administrator and Harrison County Elections Office personnel. Nothing in this agreement shall be construed as a waiver of any immunity or defense to which the CITY is entitled under statutory, constitutional or common law.

f. In the event of a recount, THE CITY agrees to pay any expenses incurred by the Harrison County Elections Office not covered by the charges assessed to that person requesting

the recount. This would include, but not be limited to, the overtime of any Harrison County Elections Office personnel required to work beyond regular office hours in order to conduct said recount of this election.

g. Force Majeure Clause: Unless otherwise agreed in the contract between the parties, where a party fails to perform one or more of its contractual duties, the consequences set out in this clause will follow if and to the extent that the party establishes that (a) it's failure to perform was caused by an impediment beyond its reasonable control and (b) that it could not reasonably have avoided or overcome the effects of the impediment.

This provision shall become effective only if the party failing to perform notifies the other party within a reasonable time of the extent and nature of the Force Majeure event, limits delay in performance to that required by the event and takes all reasonable steps to minimize damages and resume performance.

One or more of the following impediments would invoke this clause: war, armed conflicts or the serious threat thereof, hostilities, invasion, act of a foreign enemy, extensive military mobilization, civil war, riot, rebellion, revolution, military or usurped power, insurrection, civil commotion or disorder, mob violence, act of civil disobedience, act of terrorism, sabotage or piracy;

Plague, epidemic, pandemic, outbreaks of infectious disease or any other public health crisis, including quarantine, social distancing, isolation or other order, rule, regulation or direction, curfew restriction, expropriation, compulsory acquisition, seizure of works, requisition, nationalization;

Act of God or natural disaster such as but not limited to violent storm, cyclone, typhoon, hurricane, tornado, earthquake, landslide, flood, damage or destruction by lightning, drought;

Explosion, fire destruction of machines, equipment and of any kind of installation, prolonged breakdown of transport, telecommunication or electric current; shortage or inability to obtain critical material or supplies to the extent not subject to the reasonable control of the subject party ("force majeure event").

h. The Harrison County Elections Office will take the necessary precautions toward protecting the public by means of sanitizing, providing sneeze shields, PPE for workers, and a limited amount of PPE for the public, provided that CDC guidelines are still in place at the time of the election.

IV. THE CONTRACTING OFFICE shall keep the original, signed contract onsite at the Elections Office and will file copies of this contract with the Harrison County Treasurer and the Harrison County Auditor. THE CITY shall maintain a copy of the contract as its central office.

V. DAMAGE TO HARRISON COUNTY ELECTIONS OFFICE VOTING EQUIPMENT

THE CITY recognizes and acknowledges responsibility for any actual expenses for repairs and or replacement for any damage or loss of equipment that occurs while the Harrison County Elections Office voting equipment is onsite for this/these elections and not covered under the Hart InterCivic warranty.

VI. THE CITY acknowledges that the following local political subdivisions located wholly or partly within Harrison County, will be holding an election at the same time as the CITY on the 7th of May, 2022 unless one or more of such local political subdivisions cancels its election in accordance with Section 2.053 of the Texas Election Code: Marshall Independent School District.

VII. THE CITY does hereby agree to hold a Joint Election under Section 271.002 of the Texas Election Code with the other local political subdivision listed above that is also holding an election on the 7th of May, 2022 in all or part of the same territory and to execute with such other local political subdivision a Joint Election Agreement.

In the event of such a Joint election, the CITY does hereby agree to share in the expenses common to all contracting parties.

It is also agreed upon that the CITY gives its consent to use the same Early Voting location and the services of the Election Clerks assigned.

It is agreed upon that the CITY gives its consent to use the same Election Day polling location and services of the Election Clerks assigned.

The CONTRACTING Officer agrees to charge only once for the use of voting equipment at a shared polling location and will divide the charges equally among the local political subdivisions using the same polling locations.

VIII. If the CITY cancels its election pursuant to Section 2.053 of the Texas Election Code, the CITY shall not be responsible for any expenses involved with or incurred by the other local political subdivisions involved in the Joint Election Agreement.

Should the school cancel their election, The CITY acknowledges that it will be totally responsible for any and all expenses involved with the holding of the city election.

IX. THIS CONTRACT is made and performed in Harrison County Texas.

Signed and executed this 18th day of January 2022

Mayor

Secretary

Elections Administrator, Donald Robinette

Seal of the Harrison County Elections Office

TO THE CITY OF MARSHALL:	ESTIMATED COST OF ELECTION SERVICES CONTRACT	
DESCRIPTION	SOLE	JOINT
Ballot Production Services	\$500.00	\$500.00
Shipping Ballot Blank Stock	150.00	75.00
Configuration/Testing	400.00	200.00
Poll-book Configuration Programming Testing	300.00	150.00
Ballot by mail, estimated 200 @ \$2.75 each	550.00	275.00
MNM publish of Logic Accuracy Test	120.00	60.00
Election kit supplies, EV	54.00	27.00
Election kit supplies, ED	54.00	27.00
Rental voting machines EV	2300.00	1150.00
Rental voting machines ED	2300.00	1150.00
[1 Scanner, 1 Controller; 6 Duos—EV & ED]		
MIFI connections	108.00	54.00
Transportation of voting equipment	25.00	12.50
EARLY Voting clerks: 5 @78 hrs. @ \$10.00	3900.00	1950.00
Election DAY Judge Fee	25.00	12.50
Election Day 1 Jud/4clks @14 hrs @ \$10.00	700.00	350.00
5 member EVBB, CCSB, 8 hrs. @\$10.	400.00	200.00
LPBB 3 Member 4 hr. ea.	120.00	60.00
Judge fee x 2	50.00	25.00
Overtime	300.00	150.00
Technical Support	300.00	150.00
SUBTOTAL	\$12656.00	\$6578.00
ADMINISTRATIVE FEE 10%	1265.60	657.80
ESTIMATED TOTALS	\$13,921.60	\$7235.80

Harrison County Elections Office

To CITY OF MARSHALL —Election Contract—Scope of Work—Uniform Election

Voting Entities: CITY OF MARSHALL, MISD,

Registered Voters: CITY 13,150; MISD 7122

Projected Voter Turnout/number of ballots: 25%

Absentee Ballot Estimate: 200

Qualifying Voters: KnowInk Apple 3 E tablets with polling application

Voting systems: HART VERITY 2.5 DUO WRITER

Poll worker training: Yes in person at elections office.

Election Day: Saturday, May 7, 2022

Early Voting Timeframe: 7 days: April 25th through April 29th from 8 to 5 and

Monday and Tuesday May 2 and 3 from 7:00 AM to 7:00 PM.

Number of Early voting locations: ONE, MAIN OFFICE

Equipment to be used: 1 complete sets of HART VERITY 2.5 DUO VOTING EQUIPMENT,

3 e Poll Books with MIFI

Poll workers: 5

Number of Election DAY voting locations: 1 MARSHALL CONVENTION CENTER

Equipment to be used: 1 complete sets of HART VERITY DUO & 3 e poll books with MIFI

Poll workers: 5; 1 lead Judges and 4 clerks, total 5 EV, total 5 ED

Equipment Delivery and Pickup by Election Judge and clerks.

Payments should be made payable to “Harrison County” within 30 days of receipt of invoice.

For any questions please contact the Harrison County Election Office at 903-935-4822.

Thank You for the opportunity to administer your election!

ITEM 5C

CONSENT AGENDA

FIRE DEPARTMENT ACTIVITY REPORT



MARSHALL

FIRE DEPARTMENT

601 S. Grove St. Marshall, Texas 75670

December 2021 Summary Report

Fire Prevention

Burn Permits Issued for December 2021: 29

Burn Permits Issued Year-to-Date: 438

Fire Suppression

Fire Incident Responses for December 2021: 99

Fire Incident Responses for Year-to-Date: 1213

(Fire, Rescue, EMS Assist, Hazardous Condition, Service Call, Good Intent Call)

(Does NOT include false alarms)

Emergency Medical Services

EMS Response for December 2021: 528

EMS Response Year-to-Date: 5857

Emergency Management

_Severe Weather Awareness and community notification as needed

ITEM 5D

CONSENT AGENDA

POLICE DEPARTMENT ACTIVITY REPORT



Marshall Police Department

Cliff Carruth
Chief of Police

Date: 01/19/2021

To: CITY COUNCIL MEMBERS

From: CHIEF CLIFF CARRUTH

Re: MONTHLY ACTIVITY REPORTS

The Marshall Police Department responded to the following:

Marshall Police Department Monthly Activity Report

	October 2021	November 2021	December 2021	January 2022
	Total	Total	Total	thru 15th
Calls for Service	2843	2285	2706	1080
Animal Service Calls	93	51	48	35
Motor Vehicle Crashes	84	85	83	33
New CID Cases	56	60	65	23
Citations	144	205	171	42
Warnings	79	63	105	61

“Keeping our Community Safe”

ITEM 5E

CONSENT AGENDA

COMMUNITY & ECONOMIC DEVELOPMENT ACTIVITY REPORT



DATE: January 18, 2021

TO: City Council Members

FROM: Fabio Angell, Director

RE: Monthly Activity Reports

The City of Marshall Community & Economic Development Department completed the following activities from December 1 -31, 2021. Six (6) Divisions as follows:

PLANNING/ZONING/GIS DIVISION

Inquiries about Property Zoning	50+ Calls & 30+ Walk-ins
Subdivision Plats	2
Rezoning Requests	2
Issuance of 911 addresses	10
Public Works calls for location of city services	30+
Plan Reviews	30
Water and Sewer Tap Work Orders	5
Culvert Work Orders	1
Planning Conferences	20+
Certificate of Occupancy	9
Special Projects for Director/City Manager: • Surplus property sale	1

Health Permit Division

Permits	City	County
Permits Issued/ Created	211	159
Notify of Late Establishment Permit	35	14
Group Homes/Daycares/Foster cares	2	1
Temporary Permits	2	0

**CODE ENFORCEMENT PERMITS DIVISION**

Open Cases	36
Closed Cases	30
Door Hangers	1
Initial Inspections	14
Re-inspections of Existing Cases	78
Owner Created Action Plan for Resolution of Violation	2
No Living Owner Information Available – Added to Public Works List to Cut – OR – Existing Unpaid Invoice(s)	1
Added to Delinquent Tax File for Foreclosure	0
Certified Letters / Final Notices / Issue Citations / Verbal Warnings	32
Case File Packets Sent to Municipal Court	3
Pending Creation of Court Packets	50
Re-inspections for Municipal Court Docket cases sent prior to COVID-19 closure (Pre iWorQ)	0
Inquiries, Calls, Walk-Ins	160

BUILDING PERMITS DIVISION

Residential	93
• New Construction	9
• Remodeling:	9
• Elect/ Plumb/ Mech	60
• Demolition:	3
○ 2317 South	
○ 1001 Blackburn	
○ 2800 Hynson Springs	
Commercial	14
New Construction	0
Remodeling	2
Elect/ Plumb/ Mechanical	7
Educational	
New Construction	1
Remodeling	0
Elect/ Plumb/ Mech	0



• East Texas Baptist University	
Special Events • Marshall Holiday Lights Walk • Merry Maverick Jingle Bell Run	2
Certificate of Occupancies	5
Residential	0
Commercial	5
• Medina's- 510 S. Alamo • Tovar Bakery- 500 Poplar • Clarion Pointe- 5301 S E End Blvd • PNC Bank National Association- 412 E Grand • VeraBank- 2203 Victory Dr.	
Educational	0



COMMUNITY DEVELOPMENT BLOCK GRANT DIVISION

Inquiries about Grants/CDBG (Calls and Walk-ins) emails	6
Small Business Grant Fund Disbursements @ \$2,500	
• Lucky Liquor 304 W Pinecrest Dr.	1
Reimbursement Requests	
• Habitat for Humanity@ \$21,036.69	1
• Food Pantry @ \$4,339.50	3
• Marshall-Harrison County Literacy Council @ \$21,956.00	1
Purchase Orders Submitted (Purchase/invoice Requisitions)	12
Small Business Grant Fund Application Door to Door Distribution	3
Small Business Grant Fund Applications received	2
Environmental Reviews Initiated-45 minutes to an hour for each (some require a few days to be completed) (Updated 4)	7

MAIN STREET (DOWNTOWN)

Historic Preservation Officer / Historic Landmark Preservation Board:	
• Certificate of Appropriateness Approvals 101 W. Austin St. /205 N. Washington St. 111 E. Houston St.	2
• Façade Grant Disbursement Review 101 W. Austin St. /205 N. Washington St.	1
Project Planning: Wonderland of Lights strategic planning; Organization: Organizing volunteer efforts for Wonderland of Lights; Promotion: Media exposure for downtown merchants	
Visitors Center # of Visitors in the past month	150
Visitors Center # of Calls in the past month	Approximately 40+



**City of Marshall, TX
Main Street Advisory Board
Quarterly Report**

Members of the Main Street Advisory Board continue to provide voluntary support for downtown revitalization and historic preservation. This quarter, community events such as weekend car shows, farmer's markets, the Fire Ant Festival and Wonderland of Lights Festival continued to help revitalize the area by bringing more families and visitors to historic downtown Marshall, Texas. A grant was awarded to the City to fund the creation of a pocket park on Main Street as streetscaping, new sidewalks and beautification projects continued to progress. This quarter, the Main Street Advisory Board also recorded an increase in new business.

Also this quarter, the Advisory Board unveiled a new logo. It was designed by Board Member Zelina Wright. The Board received a lot of positive input about the new design and some negative responses as well. The logo will continue to evolve over time as the Board continues to work closely with city leaders and stakeholders. In preparation for the busiest time of the year, the board conducted a survey of downtown stakeholders to gather input from them about the Wonderland of Lights Festival. The feedback was helpful to Board members and City staff. As the City of Marshall led the operational planning for Wonderland of Lights, the Board provided support and led sponsorship and volunteer recruitment efforts. With the unplanned departure of the Main Street Manager in December, an interim manager was appointed. The Board also lost two valuable Board Members whose terms expired in December. Looking ahead, the Advisory Board will focus its efforts on board member recruitment and training.

Report Submitted By:

Cheryel Carpenter, Main Street Advisory Board Chair

Garnett Johnson, Assistant Director of Community and Economic Development / Main Street

ITEM 5F

CONSENT AGENDA

CONSIDER APPROVAL OF SMALL BUSINESS GRANT FUND APPLICATIONS

Memorandum

Date: January 18, 2022

To: David Willard, City Manager

From: Shameia Ruffins, Community Development Coordinator

Subject: Approval of Small Business Grant Fund Recommendations

The following recommendations have been made by staff in relation to the Small Business Grant Fund. This fund was approved on September 24, 2020 by the City Council with a 6:0 vote.

The purpose of the SBGF is to help Marshall small businesses adapt their business model to changing business conditions because of the COVID-19 pandemic. This is a reimbursement grant for up to \$2,500 of eligible costs including equipment, software, supplies, safety equipment, and financial support. Eligible businesses include, but are not limited to, retail (storefront), food and beverage, personal care (barbershop, nail salons, spas, etc.), automobile, mobile (food) vendors, maintenance, education/training, health/wellness, art galleries, gyms, and small manufacturing businesses. Businesses must have 25 or fewer employees and have been open and operating as of January 1, 2020.

Funding for the program is provided to the City of Marshall through the U.S. Department of Housing and Urban Development's Community Block Development Grant. Originally, after the 1st Round of funding in 2020, the City delegated \$138,536.000 of our received COVID money to the Small Business Grant Fund. During the 3rd Round of funding in 2021, additional funds were secured. The approved application process says that upon receipt, staff will review the application for completion. Based on the review, City staff will make recommendations for approval by City Council.

Thus far, we have approved 55 applications of which 1 was approved during the previous city council meeting held on December 9, 2021. A total of 2 pending applications today would bring us to a total of 57 applications. Staff has assisted several business owners in getting their application started, and will continue to spread the word on this local opportunity. We anticipate this to be an ongoing agenda item over the next few months as we continue to receive applications.

Staff is looking for the City Council's approval for the two (2) Small Business Grant Fund applications that were received and met all requirements between December 10, 2021 and January 14, 2022.

See Attached Documents

Staff Recommendations

Taqueria Torres- \$2,500.00

Staff is recommending the max reimbursement of \$2,500 to Taqueria Torres under the eligibility category of financial support.

Taqueria Torres is a Mobile food Vendor who in fact was 1 of many mobile food vendors who stayed open during the beginning stages of the COVID-19 Pandemic regardless of the virus being deadly to ensure the citizens of Harrison County that they would have their place of business to choose from when searching for convenient eateries. This small business owner also was forced to shut down another location in the downtown area of Marshall. This owner is seeking salaries paid as a form of reimbursement. Receipts totaling \$2,949.00 was received.

Torres Tires-\$2,500.00

Staff is recommending the max reimbursement of \$2,500 to Torres Tires under the eligibility category of financial support.

Torres Tires is a small business located in the city of Marshall TX. Torres Tires took a great hit during the COVID-19 Pandemic as well. This small business managed to remain open with several adjustments and rules to the business. Customers were serviced on the condition that they remain in their vehicles during the time of service to keep everyone protected as best from spreading the virus through airborne. Business slowed down to the point that Mr. Torres offered financing for his services to keep sales revenue circulating. Receipts for salary reimbursements totaling \$3,500.00 have been submitted.

ITEM 6A

PUBLIC HEARING & ORDINANCE

**CONDUCT A PUBLIC HEARING AND
CONSIDER APPROVAL OF AN
ORDINANCE AMENDING 2711 W. GRAND
AVE. FROM A&E TO C-3**



City Council Agenda Information Sheet

January 27, 2022

Agenda Item Z-21-08:

Conduct a public hearing and consider a rezoning request of a 0.407 acre tract from A&E (Agriculture and Estate) to C-3 (General Business). Location 2711 West Grand Avenue.

Applicant	Jaspreet Nat 117 Mallard Crossing Heath, Texas 75032
Property Owner	Jaspreet Nat 117 Mallard Crossing Heath, Texas 75032
Surrounding Property Notices	6 Notices Sent within 200 ft of the Site 0 Responses back. No one came forward during public hearing.
Existing Zoning	A&E (Agriculture and Estate)
Proposed Zoning	C-3 (General Business)

The Planning & Zoning Commission recommended approval by a vote of 5-0-0.

Location Map:



Background & Summary of Request:

The Applicant is requesting a rezone of a 0.407 acre tract from A&E (Agriculture and Estate) to C-3 (General Business) for the construction of a service station/convenience store. Location 2711 West Grand Avenue. The subject property was annexed into the City of Marshall in 1995. The City of Marshall's Zoning ordinance states that whenever property is annexed it automatically becomes A&E (Agriculture and Estate) until the zoning is changed by City Council. The previous use of the property was residential. A single family residence was demolished in 2009. The property has remained vacant since that time.

Picture of the Site:



Existing Conditions:

The subject property is currently vacant. The table below outlines the surrounding zoning and land uses:

	Zoning Classification	Land Use
North of the Property	A&E (Agriculture and Estate)	Single-Family Residences
East of the Property	A&E (Agriculture and Estate)	Vacant
South of the Property	I-1(Light Industry)	Storage Facility
West of the Property	A&E (Agriculture and Estate)	Single Family Residences and commercial

Water service to the site is provided by an existing 6" water line along the west side of Loop 390 north. And an 8" water main along the south side of West Grand Avenue. A 6" inch sewer main along the south side of West Grand Avenue.

Comprehensive Plan and Future Land Use Analysis:

The 2018 Future Land Use Map identifies the property as Commercial/Office/Service. The zoning request does comply with The Comprehensive plan Objective 9: Establish the Retail/Commercial future land use designation to allow for retail/commercial development.

The following questions should be answered when determining if a zoning change is appropriate:

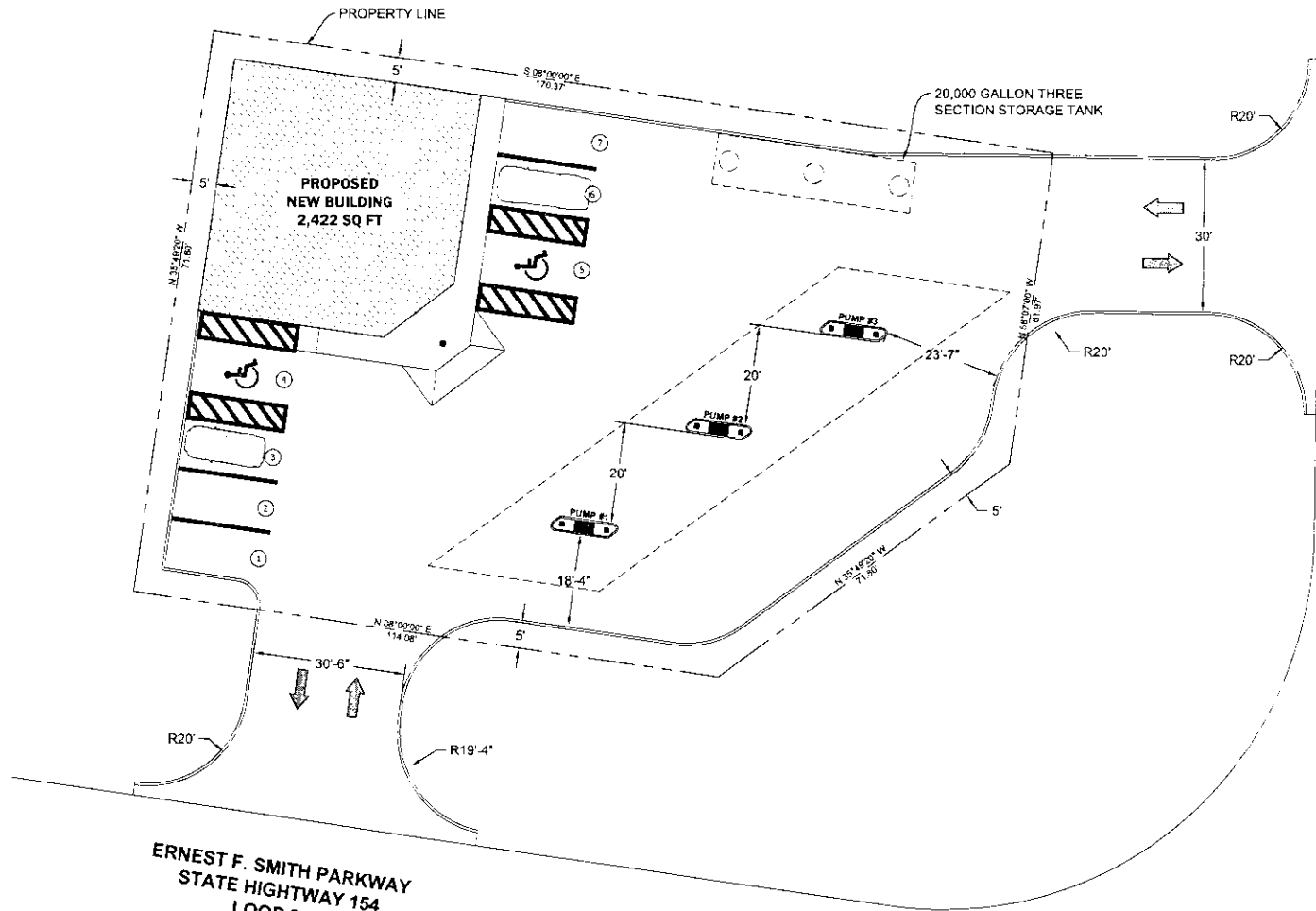
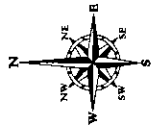
1. Will the proposed change be in compliance with the goals of the Comprehensive Plan? *Yes it does. As stated above the proposed change would be in compliance with The 2018 Future Land Use Map and the Comprehensive plan.*
2. Will there be an adverse impact on surrounding property if the request is approved? In evaluating this question, consideration should be given to all permitted uses in the proposed zoning and the impact it could have on surrounding property. *The surrounding property is primarily developed with single-family homes. There will be more traffic in the area but that is expected with a new commercial development.*
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 zoning will need to be changed to allow this commercial activity.*
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. The City of Marshall zoning ordinance will require a buffer between the proposed use and the existing residential properties.*

Suggested Motions:

1. Motion to recommend approval of case number Z-21-08 as requested.
2. Motion to recommend approval of case number Z-21-08 with conditions.
3. Motion to recommend denial of case number Z-21-08.

Attachments:

1. Proposed Concept Site Plan
2. Aerial of Site
3. Pictures of the Site
4. 200 Foot Notification Map
5. Ordinance



SITE PLAN
SCALE 3/32" = 1'-0"

WEST GRAND AVENUE
U.S. HIGHWAY 80

ERNEST F. SMITH PARKWAY
STATE HIGHWAY 154
LOOP 390

PHILLIPS DESIGN SERVICES

4859 CR 2200, Unit 101, GREENVILLE, TX 78402
(903) 456-8335
PhillipsPlans@gmail.com

NEW GAS STATION

2711 W. GRAND AVE.
MARSHALL, TX 75670

PROJECT INFORMATION

SHEET TITLE

Site Master Plan

PROJECT NO.

210917

DRAWN BY

J. Scott Phillips

COPYRIGHT

All Rights Reserved

A-1

SHEET 1 OF 1



Z-21-08
Site Pictures



Commercial Storage to the south



Vacant property to the east

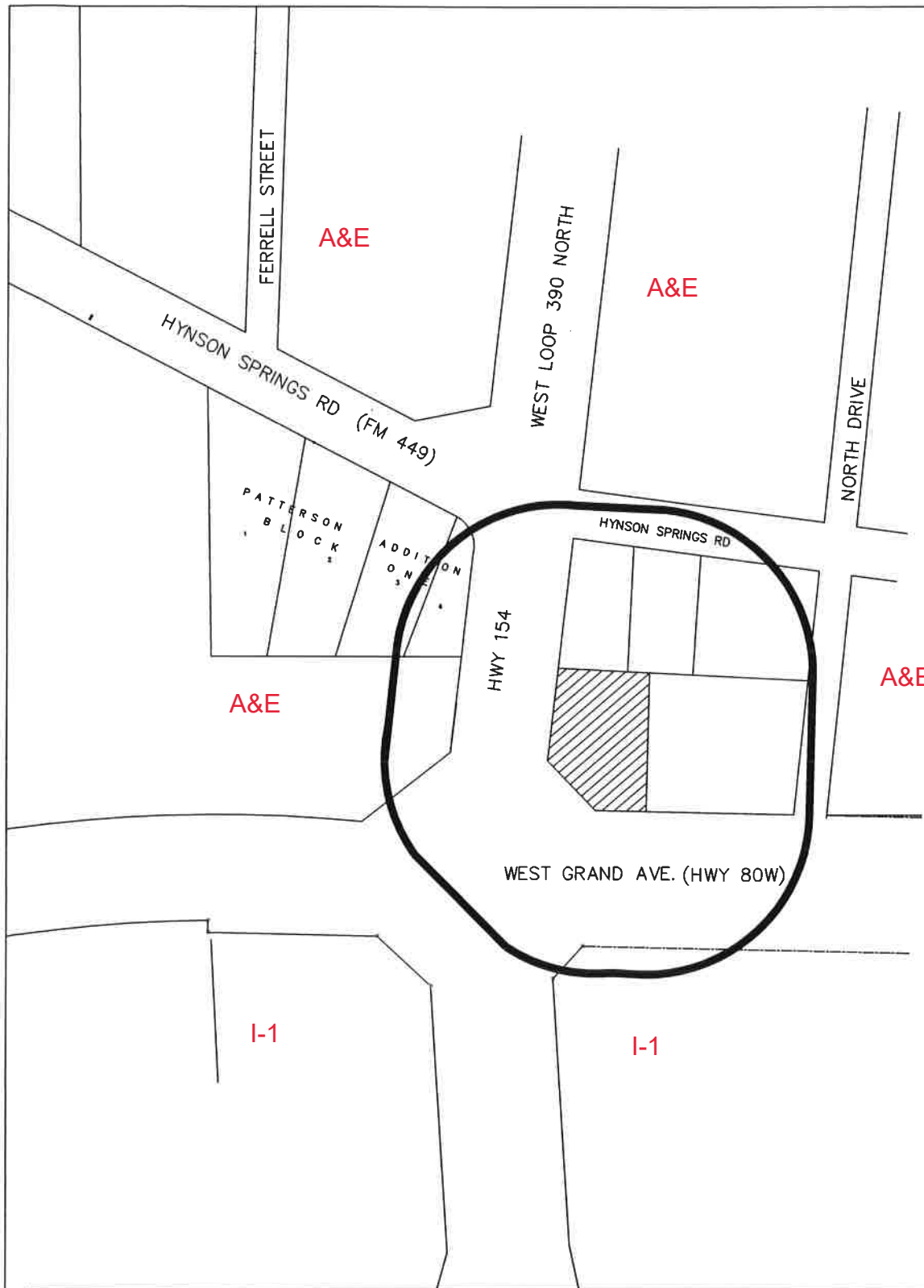


Single family residence to the north



commercial and residential property to the west





Case No. Z-21-08

Scale: 1"=200'

Date: 12-13-2021

PLANNING DEPARTMENT
CITY OF MARSHALL, TEXAS

Remarks: a request to
rezone 0.407 acres of land
in the Peter Whetstone Survey
A-756 from A&E(Agriculture
and Estate) to C-3(General
Business)

Location: 2711 W. Grand Avenue
Applicant: Jaspreet Nat

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 0-87-13 TO REZONE 0.407 ACRE TRACT IN THE PETER WHETSTONE SURVEY A-756 FROM A&E (AGRICULTURE AND ESTATE) TO C-3 (GENERAL BUSINESS). LOCATION 2711 WEST GRAND AVENUE.

WHEREAS, the City of Marshall enacted zoning on December 13, 1951 and amended said ordinance on July 7, 1963 and on March 26, 1987 repealed and replaced all ordinance with Ordinance No. 0-87-13 amending the Code of Ordinances of the City of Marshall to add Chapter 32 regarding Zoning; and

WHEREAS, a Zoning District Map was adopted as a part of Ordinance No. 0-87-13; and

WHEREAS, Chapter 32, Section 14 of the Code of Ordinances established a procedure for a property owner, his agent, or the City to request zoning district map amendments; and

WHEREAS, the Planning & Zoning Commission, after due and proper notice in the manner and for the length of time required by law, held a public hearing for the purpose of considering proposed changes to the Zoning District Map; and

WHEREAS, after the close of said public hearing and pursuant thereto, the Planning & Zoning Commission filed a written report with the City Council, recommending changes in the Zoning District Map; and

WHEREAS, pursuant to said report and after notice in the manner and for the length of time required by law, the City Council held a public hearing in Marshall, Texas at City Hall on the 27th day of January, 2022, at 6:00pm for the purpose of considering the requested Zoning Map change, and at which hearing all property owners, interested parties, and interested citizens had an opportunity to be heard; and

WHEREAS, the City Council, after considering the proposed changes and after hearing all parties and citizens desiring to be heard, deems that the following changes are necessary and for the best interest of the general welfare of the citizens of the City of Marshall, Texas.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, TEXAS THAT:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. Rezone a 0.407 acre tract in the Peter Whetstone Survey A-756, from A&E
(Agriculture and Estate) to C-3 (General Business). Location 2711 West Grand
Avenue.

Section 3. All ordinances and agreements and parts of ordinances and agreements in
conflict herewith are hereby repealed to the extent of the conflict only.

PASSED on the 27th day of January, 2022.

AYES: ____

NOES: ____

ABSTAINED: ____

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

ATTEST:

CITY SECRETARY

ITEM 6B

PUBLIC HEARING & ORDINANCE

**CONDUCT A PUBLIC HEARING AND
CONSIDER APPROVAL OF AN
ORDINANCE AMENDING BLOCKS 1-4 OF
THE JOHNSON ADDITION LOCATED AT
2005 DOGAN STREET**



City Council Agenda Information Sheet

January 27, 2022

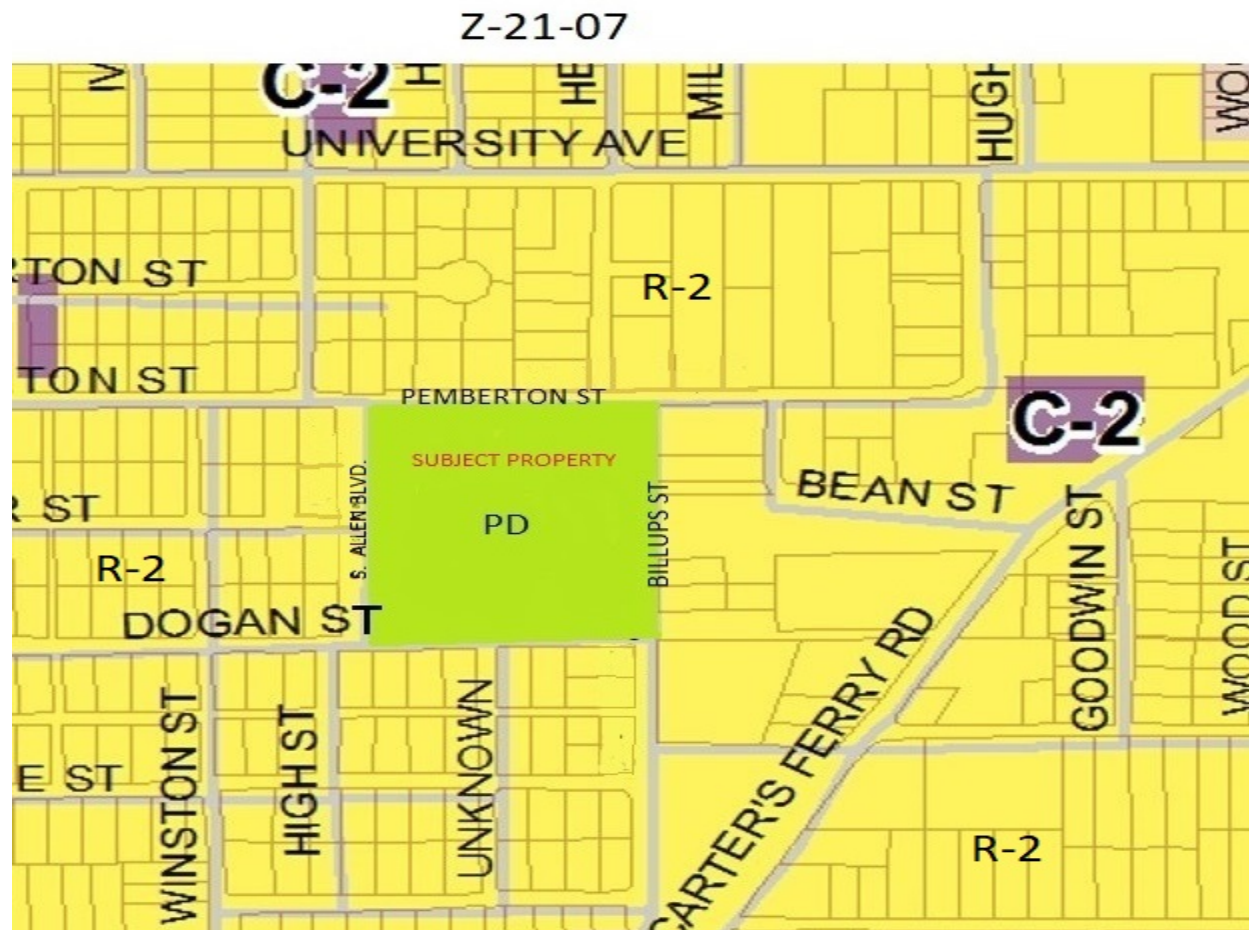
Agenda Item Z-21-07:

Conduct a public hearing to consider an ordinance amending a Planned Development that was approved by ordinance O-88-14. Being Bocks 1-4 of the Johnson Addition, Located at 2005 Dogan Street.

Applicant	Van Belafonte Friar 1103 Staffordshire Road Stafford Texas 77477
Property Owner	Van Belafonte Friar P. 1103 Staffordshire Road Stafford Texas 77477
Surrounding Property Notices	44 Notices Sent within 200 ft of the Site 2 residents spoke against, 2 residents spoke in favor.
Existing Zoning	PD (Planned Development)

The Planning & Zoning Commission recommended approval by a vote of 5-0-0.

Location Map:



Summary of Request:

The Applicant is requesting an amendment to a Planned Development that was approved by ordinance O-88-14. According to the Zoning Ordinance, a Planned Development District is established to provide for a way of developing property which involves activities or a combination of activities. The property was rezoned to PD (Planned Development) for a restaurant or cafeteria, grocery store, beauty shop, meeting rooms for civic groups, and fraternal organizations. The development did not occur. The applicant at this time would like to amend the original planned development to renovate the school building into apartments, and develop the remaining vacant property into quadraplex residential structures.

Background

Dogan School was named in honor of Wiley College president, M.W. Dogan. The original building was built to replace the New Town School. M.W. Dogan School was built as a two-story brick building on the West End of Marshall. The original school building had 10 classrooms. Dogan School was built in 1947 And opened in 1949. M.W. Dogan School was opened by Marshall ISD for African-American students. Dogan School was also known as M. W. Dogan Elementary School and M.W. Dogan School during its years of operation. The school was racially segregated. The school had a 100% black population. Mr. W. J. White was the first principal of Dogan School. However he died before his first term ended. Price T. Young became the second principal of M. W. Dogan School serving from 1949 until 1964. His influence was huge on this school making such an impression. During the 1972-1973 school year, the Dogan School had 248 black students and 39 white students. This was 3 years after Marshal ISD desegregated its schools. (Ref: Brownwood Bulletin, Page 2, Friday, December 14, 1973)

Dogan School closed in 1981 during reorganization of Marshall ISD. The school would sit abandoned and vacant for 2 short years before being reused on a lease as a community center with the NAACP. According to Marshall News Messenger, Marshall ISD School Board signed a lease agreement with the local chapter of the National Association for the Advancement of Colored People (NAACP) for the use of M.W. Dogan School as a community center. The lease is for an indefinite term with a clause allowing for cancellation by either party with 30 days notice. A token \$10 rental fee was asked. In exchange, the NAACP was expected to keep up the building and grounds. The school board took no action in demolishing the school as they decided reuse and urban renewal was more important. Both NAACP and Marshall ISD own and maintain the school building. The building was sold to NAACP in the late 1980s. (exerpts from: Marshall News Messenger, Page 18, Wednesday, August 10, 1983) Other than being used as a community center, it has been sitting abandoned and vacant since then. Nothing else has happened

Picture of the Site:**Existing Conditions:**

The subject property is currently occupied by a school building and vacant to the north of building. The table below outlines the surrounding zoning and land uses:

	Zoning Classification	Land Use
North of the Property	R-2 (Single Family detached)	Single-Family Residences
East of the Property	R-2 (Single Family detached).	Single-Family Residences
South of the Property	R-2 (Single Family detached)	Single-Family Residences
West of the Property	R-2 (Single Family detached)	Single Family Residences

Water service to the site is provided by an existing 6" water line in Allen Street, Pemberton Street, and Billups Street. A 10" inch sewer in Pemberton Street, Allen Street, and Billups Street.

Comprehensive Plan and Future Land Use Analysis:

The 2018 Future Land Use Map identifies the property as Low Density Residential. However the subject property was re-zoned prior to the adoption of the Comprehensive Plan and Future Land use Map. The amendment to the original planned development for apartment and quadraplex residential use would be a better fit for the area in keeping with the residential zoning which surrounds it.

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 a better fit for the area since it would be utilized for residential use.*
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 zoning and the impact it could have on surrounding property. *The surrounding property is primarily developed with single-family homes. There will be more traffic in the area but that is expected with a new residential development.*
3. Is the property suitable for use as it is currently zoned 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. Amending the original planned development would allow for similar activities.*
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:

It should be noted that while most zoning changes cannot be approved with conditions, when reviewing planned development districts, conditions may be placed on the approval, so not only do you have the options of the motion before, the City Council may also place conditions if concerns arise during the public hearing.

1. Motion to recommend approval of case number Z-21-07 as requested.
2. Motion to recommend approval of case number Z-21-07 with conditions.
3. Motion to recommend denial of case number Z-21-07.

Attachments:

1. Proposed Concept Site Plan
2. Aerial of Site
3. Pictures of the Site
4. 200 Foot Notification Map
5. Copy of original ordinance Planned Development
6. Ordinance



V.B.'s Remodeling & Restoration, LLC
2454 Edgemoor Drive
Missouri City, Texas 77489
Office: 832.254.9020
Cell: 361.894.3825

November 16, 2021

City of Marshall
City Planning & Development
Marshall, Texas 75401

RE: Dogan School Rehabilitation Project

V.B.'s Remodeling & Restoration, LLC intends to rehabilitate the old Dogan School located at 2001 Dogan Street, Marshall, Texas. We intend to preserve, as much as possible, the existing structure by preserving and repurposing the school into newly renovated apartments.

The second phase of this project will consist of 11 units of 4-plus apartment for affordable housing that will be HUD based.

V. Belafonte Frazier



R-2

PEMBERTON STREET

SUBJECT PROPERTY

R-2

S. ALLEN BLVD.

BILLUPS STREET

R-2

DOGAN STREET

R-2

Z-21-07
Site Pictures



Single family residence to the south



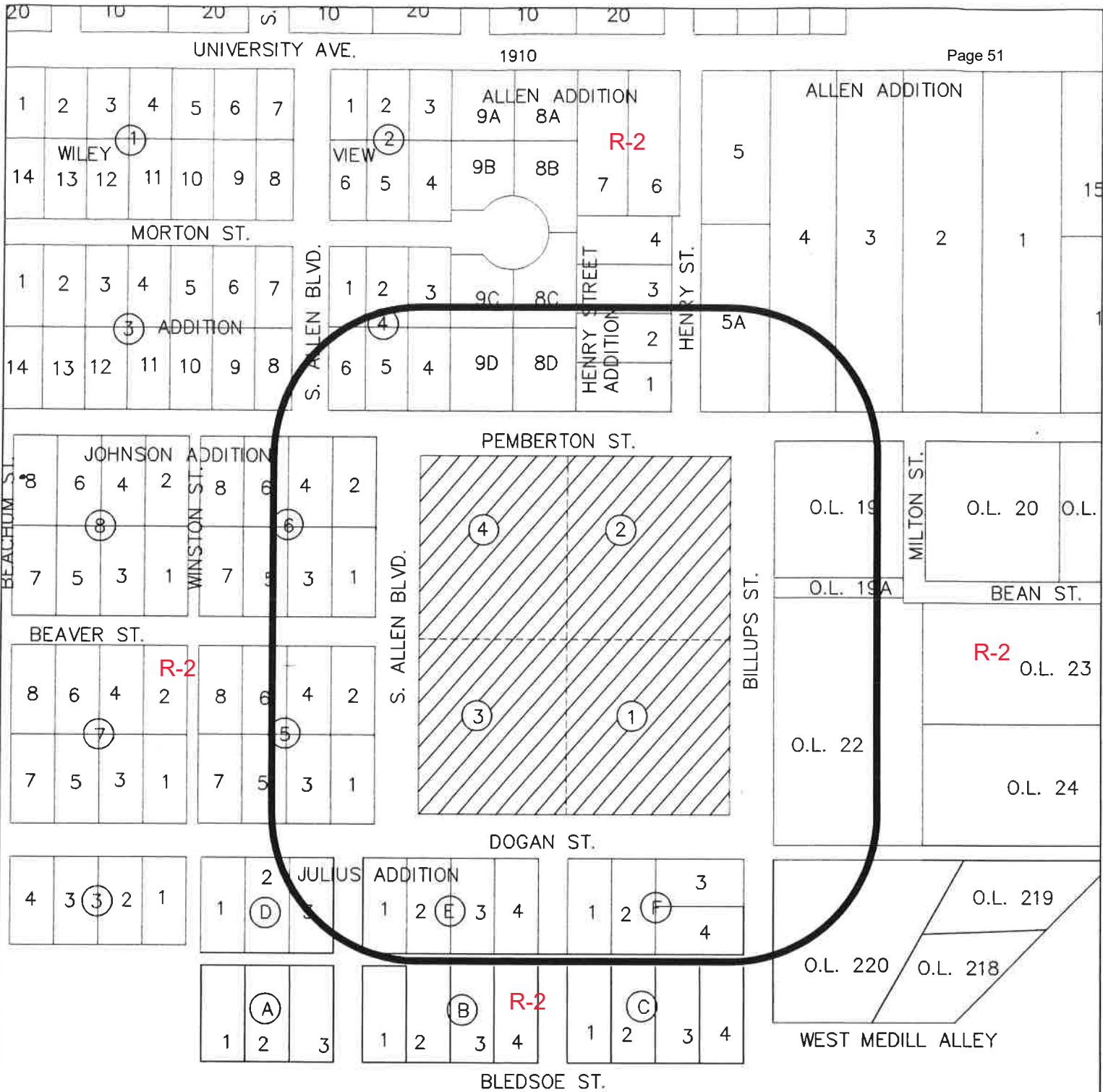
Single family residential to the east



Single family residence to the north



Single family residence to the west



Case No. Z-21-07
 Scale: 1"=200'
 Date: 12-13-21

PLANNING DEPARTMENT
 CITY OF MARSHALL, TEXAS

Remarks: A request to amend a (PD)Planned Development 0-88-14 from a restaurant, cafeteria, grocery store beauty shop, meeting rooms to Apartments, and Quadraplex

Applicant: Van Belafonte Friar
 Location: 2005 Dogan Street

NO. 0-88-14AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF
MARSHALL AND HEREBY CHANGING THE CLASSIFICATION OF
CERTAIN PROPERTIES WITHIN SAID CITY

WHEREAS, the Planning and Zoning Commission, after due and proper notice in the manner and for the length of time required by law, held a public hearing for the purpose of considering proposed changes in classification and extension of the boundaries of various properties within the City of Marshall; and

WHEREAS, after the close of said public hearing and pursuant thereto, the Planning and Zoning Commission filed a written report with the City Commission, recommending changes in classification and extension of the boundaries of various properties; and

WHEREAS, pursuant to said report and after notice in the manner and for the length of time required by law, the City Commission held a public hearing in Marshall, Texas, at the Public Library on the 14th day of July, 1988 at 6:30 p.m. for the purpose of considering requested changes, and at which hearing all property owners, parties and interested citizens had an opportunity to be heard; and

WHEREAS, the City Commission, after considering the proposed changes and after hearing all parties and citizens desiring to be heard, deems that the following changes are necessary and for the best interest of the general welfare of the citizens of the City of Marshall; now, therefore,

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MARSHALL:

1.

That the request to rezone Blocks 1, 2, 3 and 4 of the Johnson Addition in the City of Marshall is granted to Billie A. Burnett from R-2 Single Family Detached Dwelling District to "PD" Planned Development District, for a restaurant or cafeteria, a grocery store, a beauty shop, and meeting rooms for civic groups and fraternal organizations more commonly known as 1202 Dogan S. Allen Street. The approved site plan for this 2005 Dogan planned development is attached as Exhibit A and is hereby adopted herein and made a part of this ordinance.

PASSED AND APPROVED this 14 day of July, 1988.

AYES: -5-

NOES: -0-

ABSTAINED: -0-

PASSED, APPROVED AND ADOPTED this 28 day of July, 1988.

AYES: -6-

NOES: -0-

ABSTAINED: -0-

Conf. Document
CHAIRMAN OF THE CITY COMMISSION
OF THE CITY OF MARSHALL, TEXAS

ATTEST:

Betty C. [Signature]
CITY SECRETARY

ORDINANCE NO. _____

AN ORDINANCE AMENDING PLANNED DEVELOPMENT ORDINANCE NO. 0-88-14. FROM RESTAURANT OR CAFETERIA, A GROCERY STORE, A BEAUTY SHOP, AND MEETING ROOMS FOR CIVIC GROUPS AND FRATERNAL ORGANIZATIONS TO, RENOVATE THE EXISTING BUILDING INTO APARTMENTS, AND CONSTRUCT QUADRA-PLEX RESIDENTIAL UNITS ON THE VACANT PROPERTY TO THE NORTH OF EXISTING BUILDING. LOCATED AT 2005 DOGAN STREET IN THE CITY OF MARSHALL, TEXAS.

WHEREAS, the City of Marshall enacted zoning on December 13, 1951 and amended said ordinance on July 7, 1963 and on March 26, 1987 repealed and replaced all ordinance with Ordinance No. 0-87-13.

WHEREAS, a Zoning District Map was adopted as a part of Ordinance No. 0-87-13; and

WHEREAS, Chapter 32, Section 14 of the Code of Ordinances established a procedure for a property owner, his agent, or the City to request zoning district changes and amendments; and

WHEREAS, the Planning & Zoning Commission, after due and proper notice in the manner and for the length of time required by law, held a public hearing for the purpose of considering proposed changes to the Zoning District; and

WHEREAS, after the close of said public hearing and pursuant thereto, the Planning & Zoning Commission filed a written report with the City Council, recommending changes in the Zoning District; and

WHEREAS, pursuant to said report and after notice in the manner and for the length of time required by law, the City Council held a public hearing in Marshall, Texas at City Hall on the 27th day of January, 2022, at 6:00 p.m. for the purpose of considering the requested Zoning Amendment change, and at which hearing all property owners, interested parties, and interested citizens had an opportunity to be heard; and

WHEREAS, the City Council, after considering the proposed changes and after hearing all parties and citizens desiring to be heard, deems that the following changes are necessary and for the best interest of the general welfare of the citizens of the City of Marshall, Texas.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF MARSHALL, TEXAS THAT:

Section 1. The facts and opinions in the preamble of this ordinance are true and correct.

Section 2. AMEND PLANNED DEVELOPMENT ORDINANCE NO. 0-88-14. FROM RESTAURANT OR CAFETERIA, A GROCERY STORE, A BEAUTY SHOP, AND MEETING ROOMS FOR CIVIC GROUPS AND FRATERNAL ORGANIZATIONS TO, RENOVATE THE EXISTING BUILDING INTO APARTMENTS, AND CONSTRUCT QUADRA-PLEX RESIDENTIAL UNITS ON THE VACANT PROPERTY TO THE NORTH OF EXISTING BUILDING. LOCATED AT 2005 DOGAN STREET IN THE CITY OF MARSHALL, TEXAS.

Section 3. All ordinances and agreements and parts of ordinances and agreements in conflict herewith are hereby repealed to the extent of the conflict only.

PASSED on the 27th day of May, 2022.

AYES: __

NOES: __

ABSTAINED: __

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

ATTEST:

CITY SECRETARY

ITEM 7A

RESOLUTION

**CONSIDER APPROVAL OF A
RESOLUTION ORDERING A GENERAL
ELECTION FOR CITY
COUNCILMEMBER DISTRICTS 5, 6 AND
7**

MEMORANDUM

To: Councilmembers and David Willard, Interim City Manager

From: Nikki Smith, City Secretary

Subject: Resolution – Order and Notice of City Election

Date: January 20, 2022

Attached is a resolution ordering a General Election for City Councilmember Districts 5, 6, and 7 to be held on May 7, 2022. An executed copy of the resolution will serve as proper notice of the election as required by the Election Code.

RESOLUTION
ORDER AND NOTICE OF CITY ELECTION

STATE OF TEXAS
COUNTY OF HARRISON
CITY OF MARSHALL

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

Take notice that an election will be held on the 7th day of May, 2022, in the City of Marshall, Harrison County, Texas, at the place and in the manner set forth in the election resolution adopted by the City Council on the 27th day of January, which is as follows:

Resolution calling an election to elect City Councilmembers from districts five, six, and seven.

WHEREAS, the election of the city officers is to be held on the first Saturday in May, now, therefore,

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

1

That an election be held in said City of Marshall, Texas, on the 7th day of May, 2022, at which election candidates for the offices of Councilmember District 5; Councilmember District 6; and Councilmember District 7 shall be submitted to the resident qualified voters of said City for their action thereon,

2

That the deadline for candidates to file an application for place on the election ballot is February 18, 2022,

3

That said election shall be held within the City of Marshall at Marshall Convention Center, 2501 E. End Blvd. South,

4

That the manner of holding said election shall be governed as near as may be possible to the General Election Laws of the State of Texas and none but resident qualified voters of said City shall be allowed to vote at said election,

5

That the ballots of said election shall conform to the requirements of the Election Code of the State of Texas, and

6

That the Harrison County Election Administrator is named the Early Voting Clerk and will conduct and supervise the election according to the agreement between the City of Marshall and said administrator. The Harrison County Election Administrator shall be appointed to or allowed to delegate the positions of Central Counting Station Manager, Tabulation Supervisor, and Assistant Tabulation Supervisor as provided for in the Texas Election Code, Chapter 31.094 and 31.095. The election services include conducting and supervising the City Election on May 7, 2022 and the early voting. Early voting shall be conducted at the office of the Harrison County Elections Administrator, 415 E. Burleson St. beginning April 25, 2022 through April 29, 2022 from 8:00 a.m. until 5:00 p.m., and May 2, 2022 and May 3, 2022 from 7:00 a.m. to 7:00 p.m. The final day for early voting shall be May 3, 2022. Early voting and voting on May 7, 2022 shall be by paper ballot and through a DAU (Disabled Access Unit). The last day to receive an application by mail for a ballot to be voted by mail is April 26, 2022. Applications for early voting ballots by mail shall be mailed to Harrison County Election Administrator, P.O. Box 8409, Marshall, Texas 75671.

7

A copy of this Resolution signed by the Chairman of the City Council and attested by the City Secretary shall serve as proper notice of said election. The City Secretary is authorized and directed to post a properly executed copy of said Notice of Election at City Hall and at the place where the election is to be held not less than 20 days prior to the date fixed for holding said election. The Secretary shall also cause said Notice of Election to be published once in a newspaper of general circulation published within the said City, the date of publication to be not more than 30 days nor less than 10 days prior to the date set for said election.

PASSED, APPROVED, AND ADOPTED this ____ day of _____ 2022.

AYES:

NOES:

ABSTAINED:

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

ATTEST:

CITY SECRETARY

RESOLUCION
AVISO Y ORDEN DE ELECCION DE LA CIUDAD

ESTADO DE TEXAS
CONDADO DE HARRISON
CIUDAD DE MARSHALL

A los votantes registrados de la Ciudad de Marshall, Texas:

Tome en cuenta que una elección se llevara acabo en el Día 7 de Mayo, 2022, en la Ciudad de Marshall, Condado Harrison, Texas, en el lugar que se expuso en la resolución de la elección por la comisión de la ciudad el día 27 de Enero, que es lo siguiente:

Llamada de resolución para elegir a Miembros de el Consejo de la ciudad de los distritos cinco, seis, y siete.

MIENTRAS QUE, la elección de los oficiales de la ciudad es de ser aguantada el primero sábado de Mayo, ahora, por lo tanto,

QUE SEA RESUELTO POR EL CONSEJO DE LA CIUDAD DE MARSHALL:

1

Que la elección se llevara acabo en la Ciudad de Marshall, Texas, en el día 7 de Mayo, 2022, por cual la elección de candidatos para las oficinas de Miembro del Consejo Distrito 5; Miembro del Consejo Distrito 6; y Miembro del Consejo Distrito 7; deben ser sometidos a los residentes calificados a votar de dicha ciudad y también,

2

Que la fecha límite para que los candidatos sometan su aplicación del lugar de su elección es el 18 de Febrero 2022,

3

Que dicha elección se llevara acabo en la Ciudad de Marshall en el Marshall Convention Center, 2501 E. End Blvd. South,

4

Y la manera donde se llevara acabo la elección debe ser gobernada lo mas cerca posible de la Elección General de Leyes del Estado de Texas y solamente residentes calificados de dicha ciudad se les debe dejar votar en la elección.

5

Que las votaciones de la elección mencionada deben estar de acuerdo a los requerimientos del Código del el Estado de Texas, y

Que el Administrador de la Elección del Condado de Harrison sea nombrado Encargado de la votación temprana y llevara acabo y supervisara la elección de acuerdo al acuerdo entre la Ciudad de Marshall y dicho administrador. El Administrador de Elecciones del Condado de Harrison será designado o autorizado a delegar los cargos de Gerente de la estación central de conteo, Supervisor de Tabulación, y Asistente de Supervisor de Tabulación de lo dispuesto en el Código Electoral de Texas, Capítulo 31.094 y 31.095. El servicio de elección incluirá conducir y supervisor la Elección de la Ciudad en Mayo 7, 2022 y la votación temprana. La votación temprana se llevara acabo en la oficina del Administrador de Elecciones del condado de Harrison, 415 E. Burleson St. empezando Abril 25, 2022 hasta Abril 29, 2022 de 8:00am a 5:00pm, y Mayo 2, 2022 y Mayo 3, 2022 de 7:00am a 7:00pm. El Día ultimo para votar temprano será Mayo 3, 2022. La votación y votación temprana Mayo 7, 2022 deben de ser por boleta de papel y por DAU (Acceso de Unidad Deshabilitada). El último día para recibir una solicitud por correo de una boleta que será votado es el 26 de Abril del 2022. Deben ser enviadas a Administrador de Elecciones del Condado de Harrison, P.O Box 8409, Marshall, Texas 75671.

Una copia de esta Resolución firmado por el Presidente de el Conesjo de la Ciudad y atestiguó por la Secretaria de la Ciudad servirá como nota apropiada de dicha elección. La Secretaria de la Ciudad es autorizado y es dirigido a anunciar una copia apropiadamente ejecutada de dicha Nota de Elección en el ayuntamiento y en el lugar donde la elección se llevara acabo que no sea menos de 20 días antes de la fecha fija para dicha elección. La Secretaria también se encargara de publicarla al periódico para circulación general dentro de la ciudad, el día de la publicaron no debe de ser mas de 30 días o menos de 10 días de las fechas dichas para la elección.

PASADO, APROBADO, Y ADOPTADO este _____ de, _____ 2022.

SIS: _

No: _

ABSTENIDO: _

El PRESIDENTE DE LA CONSEJO
de la CIUDAD DE MARSHALL, TEXAS

ATESTIGUA:

SECRETARIO DE LA CIUDAD

ITEM 7B

RESOLUTION

**CONSIDER APPROVAL OF A
RESOLUTION CALLING FOR A JOINT
ELECTION AGREEMENT WITH THE
MARSHALL INDEPENDENT SCHOOL
DISTRICT FOR THE MAY 7, 2022
GENERAL ELECTION**

Memorandum

To: Councilmembers and David Willard, Interim City Manager

From: Nikki Smith, City Secretary

Date: January 20, 2022

Subject: Joint Election Resolution

Attached is a copy of a Resolution calling for a Joint Election Agreement with Marshall Independent School District for the May 7, 2022 General Election. The purpose of this Resolution is to allow Marshall ISD an opportunity to comply with Section 11.0581 of the Texas Education Code requiring all school board trustee elections to be held as a joint election with either the governing body of a municipality located in the school district or the governing body of the political subdivision for state and county officers in which that district resides. The joint election is also provided for in Chapter 271 of the Texas Election Code.

RESOLUTION _____

**RESOLUTION CALLING FOR A JOINT ELECTION AGREEMENT WITH
MARSHALL INDEPENDENT SCHOOL DISTRICT FOR THE MAY 7, 2022 GENERAL
ELECTION**

WHEREAS, the City of Marshall, Texas agrees to enter into a Joint Election Agreement for the May 7, 2022 election with Marshall Independent School District and;

WHEREAS, the purpose of this resolution being to allow Marshall ISD an opportunity to comply with Section 11.0581 of the Texas Education Code requiring all school board trustee elections to be held as a joint election with either the governing body of a municipality located in the school district or the governing body of the political subdivision for state and county officers in which that district resides and;

WHEREAS, elections held on the same date as provided by Texas Education Code Section 11.0581 shall be held as a joint election under Chapter 271 of the Texas Election Code.

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

The City of Marshall, Texas authorizes a Joint Election Agreement with Marshall Independent School District for the May 7, 2022 election.

PASSED, APPROVED AND ADOPTED, this _____ day of _____, 2022.

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

ATTEST:

CITY SECRETARY

**JOINT ELECTION AGREEMENT BETWEEN
MARSHALL INDEPENDENT SCHOOL DISTRICT
AND THE CITY OF MARSHALL**

This joint election agreement ("Agreement") is entered into by and between Marshall Independent School District ("MISD") and the City of Marshall, Texas ("City") (collectively the "Entities") by and through their duly appointed and qualified representatives pursuant to Texas Election Code §271.002(a) for the joint election to be held on **May 7, 2022**, as follows:

WHEREAS, MISD and the City plan to hold elections on the same day - May 7, 2022 - on which MISD plans to hold a Board of Trustees election for **the District 2 and District 3 Positions**, and the City plans to hold an election for various City official positions;

WHEREAS, Texas Education Code §11.0581 requires MISD to hold a joint election and the Entities desire a joint election in order to provide a convenient, simple, and cost-effective election for the voters of MISD and the City; and

WHEREAS, MISD and the City will or have each respectively enter(ed) into a Contract for Elections Services with the Elections Administrator of Harrison County for the conducting and supervision of the May 7, 2022 elections, including early voting ("Contracts for Elections Services");

NOW, THEREFORE, it is agreed that a joint election will be held by MISD and the City under the terms stated herein.

1. The Entities will share at least one common election-day polling place on May 7, 2022, in accordance with the Contracts for Election Services;

2. The Entities' respective authority and responsibilities related to the election are specified in the respective Contracts for Election Services; and

3. The governing bodies of the Entities hereby authorize their respective superintendent (or designee) and city manager (or designee) to vary the terms of this Agreement to the extent necessary to conform to applicable law and for the proper conduct of the joint election without further action by the Entities' governing bodies. Any such amendment to this Agreement shall be of no effect unless in writing and signed by the superintendent and city manager, or their designees.

AGREED:

AGREED:

MARSHALL INDEPENDENT SCHOOL DISTRICT

CITY OF MARSHALL, TEXAS

By: 

Board President

1-19-22
Date signed

By: _____

City Manager

Date signed

ITEM 8A

UPDATE REGARDING FINANCE DEPARTMENT UNDERTAKINGS



MEMORANDUM

To: Members of the City Council

From: Dawn I. Jones, Finance Director

cc: David Willard, Interim City Manager
Nikki Smith, City Secretary

Date: 1/24/22

Re: Finance Department Update

The Purchasing Specialist position has been filled. Jeff Whiting has transferred from Public Works to the Finance office.

We will be working on revising old policies as well as creating new policies. The first round of policy revision/creation will include:

- Purchasing Policy
- Contract Administration Policy
- Grant Administration Policy

ITEM 9

CONSIDERATION OF ITEMS WITHDRAWN FROM THE CONSENT AGENDA

ITEM 10

ADJOURNMENT