



**REGULAR – CITY COUNCIL MEETING  
CITY OF MARION**

**214 West Huebinger Street**

Marion, Texas 78124

**AGENDA**

**AMENDED**

---

Monday, February 3, 2020

6:15 PM

MISD Board Meeting Room

---

**NOTICE IS HEREBY GIVEN THAT THE GOVERNING BODY OF THE CITY OF MARION, TEXAS, WILL HOLD A REGULAR SESSION CITY COUNCIL MEETING, ON MONDAY, FEBRUARY 3, 2020, AT 6:15 P.M. IN THE MISD BOARD MEETING ROOM, 214 WEST HUEBINGER STREET, TO CONSIDER AND ACT UPON ANY LAWFUL SUBJECT WHICH MAY COME BEFORE SAID MEETING, ONLY AS IDENTIFIED IN THIS AGENDA.**

Mayor	Victor Contreras
Mayor Pro-Tem	Shane Pawelek
Councilmember	Abigaile Maberry
Councilmember	Vacant
Councilmember	Richard White
Councilmember	David Bauch

- 1. Call Meeting to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Invocation**
- 5. Public Comments**

*Invitation to hear citizens and council members in advance of regular business on items other than what is on the agenda, which shall be limited to three (3) minutes. Discussion of any item not on the agenda shall be limited to 1) Statements of specific factual information given in response to any inquiry; 2) A recitation of existing policy in response to an inquiry; 3) A proposal to place the subject on the agenda for a future meeting.*

**Time cannot be passed to other speakers.**

- 6. Presentations**

- a. City of Marion Police Department 2019 Annual Racial Profiling Report, Chief Crane

- 7. Discussion Only**

- a. Update from the City of Marion Grants Committee (Contreras).
- b. Update from the City of Marion Architectural Committee (Bauch).
- c. Report on News Around Town (Contreras).

- 8. Public Hearing**

- a. The City Council of the City of Marion, Texas, Will Receive Public Comment Regarding Three Text Amendments to the City of Marion Zoning Ordinance (03-2010); An Ordinance of the City Council of the City of Marion Amending Ordinance 03-2010 By Adding Section III, C., 6. Entitled “Lesser Included Uses”; Amending Section IV, A. Creation By Establishing the City Council as the Planning and Zoning Commission by Changing the Number of Members from 7 to 5; Amending Section V, 2. G. to Include Adding An

Exemption for Demolition Permits; Providing a Severability Clause; Providing for the Repeal of Ordinances in Conflict Herewith; and Providing an Effective Date.

**9. Discussion/Possible Action Items**

- a. Discussion/Possible Action Regarding the City of Marion City Council to Adopt Procedures for Applications from Individuals to Serve as Alderman (Contreras).
- b. Discussion/Possible Action for the City of Marion City Council to Appoint an Individual to Serve as Alderman for an Unexpired Term and Authorize the Mayor to Administer the Oath of Office.

**10. Executive Session**

- a. City Council will Convene in Closed Session Under 551.071 of the Texas Government Code (Consultation with Attorney) Regarding the Site Plan Application and Ownership Interest Documents Submitted by Marion Independent School District.

**11. Reconvene In Open Session – Discussion/Possible Action Items**

- a. Take any Action(s) Based on Discussions Held in Executive Session Under Agenda Item 10(a).
- b. Discussion/Possible Action to Approve City Ordinance 04-2020; An Ordinance of the City Council of the City of Marion, Texas, Abandoning the Portion of Beyer Street Located North of its Intersection with Huebinger Street at the Marion Independent School District (MISD) Property Line and Continuing Through MISD Property and Terminating on the South Side of the 20' Alley, As Shown on the Recorded Plats of the City of Marion, Guadalupe County, Texas; and Providing an Effective Date.
- c. Discussion/Possible Action to Approve City Ordinance 05-2020; An Ordinance of the City Council of the City of Marion, Texas, Abandoning a 20' Alley Located West of its Intersection with Cunningham Street at the Marion Independent School District (MISD) Property Line and Continuing Through MISD Property, as Shown on the Recorded Plats of the City of Marion, Guadalupe County, Texas; and Providing an Effective Date.
- d. Discussion/Possible Action to Approve City Ordinance 06-2020; An Ordinance of the City Council of the City of Marion, Texas, Abandoning the Portion of Schulz Street Located West of its Intersection with Cunningham Street at the Marion Independent School District (MISD) Property Line and Continuing Through MISD Property, as Shown on the Recorded Plats of the City of Marion, Guadalupe County, Texas; and Providing an Effective Date.
- e. Discussion/Possible Action to Approve City Ordinance 07-2020; An Ordinance of the City Council of the City of Marion, Texas, Abandoning the Portion of Cunningham Street Located South of its Intersection with Otto Street at the Marion Independent School District (MISD) Property Line and Continuing Through MISD Property, as Shown on the Recorded Plats of the City of Marion, Guadalupe County, Texas; and Providing an Effective Date.

- f. Discussion/Possible Action to Approve City Ordinance 08-2020; An Ordinance of the City Council of the City of Marion, Texas, Abandoning the Portion of La Vernia Street Located South of its Intersection with Otto Street at the Marion Independent School District (MISD) Property Line and Continuing Through MISD Property, as Shown on the Recorded Plats of the City of Marion, Guadalupe County, Texas; and Providing an Effective Date.
- g. Discussion/Possible Action to Approve City Ordinance 09-2020; An Ordinance of the City Council of the City of Marion, Texas, Abandoning the Portion of Cunningham Street Located South of its Intersection with Huebinger Street at the Marion Independent School District (MISD) Property Line and Continuing Through MISD Property to Otto Street, as Shown on the Recorded Plats of the City of Marion, Guadalupe County, Texas; and Providing an Effective Date.
- h. Discussion/Possible Action Regarding Proposed Water Easement between Marion Independent School District and City of Marion (Guevara).
- i. Discussion/Possible Action Regarding Proposed Wastewater Easement between Marion Independent School District and City of Marion (Guevara).
- j. Discussion/Possible Action to Approve the Commercial Site Plan Application for 227 West San Antonio Street, Marion, Texas (Applicant).
- k. Discussion/Possible Action to Approve Resolution 2020-08; A Resolution of the City Council of the City of Marion, Texas, Ordering a General Election in the City of Marion, Texas for the Purpose of Electing Three Alderman and Ordering a Special Election for One Unexpired Term for Alderman (Hernandez).
- l. Discussion/Possible Action to Approve Resolution 2020-09; A Resolution of the City Council of the City of Marion, Texas Expressing Appreciation to Mr. Arthur Andrews for Serving on the City Council for the City of Marion; Providing Outstanding Public Service; Providing Dedication and Integrity to the City of Marion (Contreras).
- m. Discussion/Possible Action to Approve City Ordinance 03-2020; An Ordinance of the City Council of the City of Marion, Texas, Amending Ordinance 03-2010 by Adding Section III, C., 6. Entitled "Lesser Included Uses"; Amending Section IV, A. Creation by Establishing the City Council as the Planning and Zoning Commission; Amending Section IV, C. Structure of the Commission by Changing the Number of Members from 7 to 5; Amending Section V, 2. G. to Include Adding an Exemption for Demolition Permits; Providing a Severability Clause; Providing for the Repeal of Ordinances in Conflict Herewith; and Providing an Effective Date. (Bandel, Guevara).

- n. Discussion/Possible Action to Approve Ordinance 10-2020; An Ordinance of the City Council of the City of Marion, Texas Rescinding Ordinance 04-2009 Historic Revitalization Zone; Providing a Severability Clause; Providing for the Repeal of Ordinance in Conflict Herewith; and Providing an Effective Date.
- o. Discussion/Possible Action Regarding the Creation of the City of Marion Planning and Zoning Advisory Committee and Procedural Requirements for Applicants (Contreras).
- p. Discussion/Possible Action Regarding the Creation of the City of Marion Youth Advisory Commission and Procedural Requirements for Applicants (Maberry).
- q. Discussion/Possible Action Regarding Ways to Improve Utility Ordinances (Contreras).
- r. Discussion/Possible Action Regarding a Grant Application for 2020 Community Policing Development Microgrant Program (CPD) (Contreras).
- s. Discussion/Possible Action to Approve Resolution 2020-10; A Resolution of the City Council of the City of Marion, Texas, Establishing the Procedure for the Signing of Municipal Documents by Elected Officials (Contreras).
- t. Discussion/Possible Action to Accept the Letter of Resignation from Ms. Micaela Bandel, City Administrator/Director Utilities.
- u. Discussion/Possible Action Regarding the Recruitment and Hiring of a City Administrator and/or Director Utilities and/or Public Works Director.

## **12. City Administrator Update**

## **13. Mayor and City Council Updates/Items**

## **14. Adjournment**

### **EXECUTIVE SESSIONS**

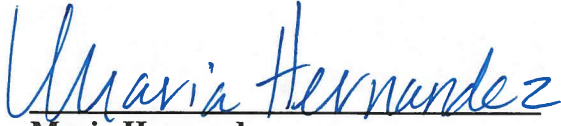
The City Council for the City of Marion, Texas reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).

### **DISABILITY ACCESS STATEMENT**

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid or services are requested to contact Maria Hernandez, City Secretary, at (830) 914-2391 so that appropriate arrangements can be made.

## **CERTIFICATION**

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted pursuant to the Texas Government Code 551.041-0.43 on the bulletin board of the Marion City Hall, 303 S. Center St. Marion, Texas, 78124 in a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time: Friday, January 31, 2020 at 5:00 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.



**Maria Hernandez**  
**City Secretary**  
**City of Marion**