

STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN

On this the 9th day of January 2024, the City Council of the City of Marlin, Texas convened in a REGULAR SCHEDULED MEETING at 6:00pm, the same being open to the public and having been posted as prescribed in Local Government Code, Section 551.041 with the following members present to wit:

ELECTED OFFICIALS

Mayor Susan Byrd
Mayor Pro-Tem Debra Levels-McDavid (6:02pm)
Sonia Ponce(@ 6:09 pm)
Cecil Sparks
Timothy Lopez (absent)
John Armstrong
Monica Washington

STAFF

Maryann Waddle, City Secretary
James Parker, City Attorney

1. Call to Order by Mayor Byrd @ 6:00pm.
2. Roll Call by Maryann Waddle
3. Certify Posting in accordance with State Law by Maryann Waddle.
4. Pledge by Mayor Byrd and Invocation by Darrell Ward .
5. Citizens Input.

Rohn Capehart from Linebarger , Goggan, Blair & Sampson LLP (City delinquent tax attorney) presented the city with a check for excess proceeds.

Consent Agenda

6. Approval of the Council Meeting Minutes from the November 14,2023 City Council Meeting.

Mayor Pro-Tem Levels-McDavid motioned to table Council Meeting Minutes from the November 14, 2023, City Council Meeting, the date should have been December 12,2023.

Councilmember Armstrong seconded the motion and the motion carried as follows:

Ayes: Councilmember Armstrong, Councilmember Sparks, Councilmember Washington, Mayor Pro-Tem Levels-McDavid, Mayor Byrd

Nays: None

Absent : Councilmember Ponce , Councilmember Lopez

Regular Agenda.

7. Discussion and or take action on Resignation of Precinct 4 City Council Member.

Councilmember Sparks motioned to accept the resignation of Councilmember Lopez.

Councilmember Armstrong seconded the motion and the motion carried as follows:

Ayes: Councilmember Armstrong, Councilmember Sparks, Councilmember Washington, Mayor Pro-Tem Levels-McDavid, Mayor Byrd

Nays: None

Absent : Councilmember Ponce , Councilmember Lopez

8. Discussion and or take action to appoint individual to fill the Precinct 4 City Council Member vacancy.

Councilmember Sparks motioned to table and wait till the upcoming election.

Councilmember Washington seconded the motion and the motion carried as follows:

Ayes: Councilmember Armstrong, Councilmember Sparks, Councilmember Washington

Councilmember Ponce in at 6:09pm

Nays: Mayor Pro-Tem Levels-McDavid, Mayor Byrd

9. Update on TWDB, CWSRF, & DWSRF Projects and city road projects including but not limited to Robert E. Lee from the MRB Group.

Update on projects was given .

10. UPDATES/STATUS: City Business Not needing immediate discussion or action from City Council (2-3 min):

City Manager –Updates (City Manager)

- ❖ Not a lot happening with end of year Holidays.
 - ❖ Mr. Peacock has finished reconciling and Mr. Allman has begun working on the City's audit.
 - ❖ Had a part in the water plant to stop working over the holidays that caused a pause in the water production. Kudos to the workers that worked diligently around the clock to seek parts to repair system and do whatever needed to be done for continuance of supply of water to the city.
 - ❖ Had a meeting with investors, engineers, and public works department head. Discussed different options for the truck stop project. Investors were made aware that *the first step is to submit a voluntary annex application, the council will review and sign off on if agreed. Then the information will be put together and presented to the council to decide whether to go forward with the project.* Investor asked if negotiations for sewer system did not go through, would the city supply water, to which response was yes.
 - ❖ I approved the purchase of a backwash pump (\$21,146.00) that is needed for the water system. Currently there is only one operating. There is a 4–6-week turnaround for this pump. (information in packet)
 - ❖ Need available dates to have workshop ASAP.
- Court - Update (Court Clerk Supervisor)
- Gross Collected- \$36,699.94
 - State Fees- \$13,064.69
 - Kept By City- \$23,635.25
 - Monthly/ Quarterly Reports Are Completed
- Police – Update (Chief Hommel)

Submitted NIBRS reports.
15 Arrest
9 Suspicious Persons / Vehicle
Total Calls 648 including
ACO calls
Disturbances 16
Accidents 12
Citations 352
Burglary 2
Shots fired 5
Unwanted Person 6
Assist Other Agency 15

Officers worked a Kidnapping case where female subject was dragged by hoddie and put in vehicle. Subject ex boy friend from Florida. Subject waited for victim for approx. 2.5hours for victim to get off break. Officers arrested the suspect.

Officers worked an intoxication manslaughter involving vehicle and a pedestrian on Live Oak. Officers arrested the suspect.

Aco

We took in 9 dogs, and 15 puppies

9 dogs went to rescues.

We had 5 dogs that were reclaimed.

We had aprox 38 animal calls.

We had 4 dogs adopted out.

Code

- Code Enforcement has sent out notices on 53 dilapidated structures.
- 28 cases were in compliance from previous letters.
- We have 2 vehicles tagged illegally parked and towed.
- Got 12 cases ready for court.
- Stopped 8 business working with out a permit.
- 25 permits were issued

Fire Department -Update (Fire Chief)

- Responded to 65 emergency incidents during month of November & 887 total incidents during the 2023 calendar year.
- MFRD began our department-managed smoke alarm distribution and installation program for residents in and around Marlin.

- No structure fires or any other major fire incidents occurred during the previous month.
- American Medical Response's (AMR) final day as our city & county's ambulance provider was December 31st. City Ambulance is now the ambulance provider.
- We're currently working to identify and schedule a mobile repair vendor to repair Engine 1's leaking steering system and perform (annual) preventative maintenance on this vehicle and Booster 1.
- Booster 1, Engine 2, and Squad 1 will receive annual preventative service by their respective manufacturers (Ford & International).
- Winter/spring hydrant service will begin on January 8th and conclude on April 8th. The timeframe for early fall hydrant service has not yet been determined. To prevent impact on water supply, no more than 15 hydrants will be serviced daily.
- Each duty crew (shift) will be required to perform 1-2 pre-incident plans per week – in addition to other daily duty requirements. High hazard facilities will receive detailed
- Per U.S. Drought Monitor's December 28th update, 92% of Falls County is experiencing abnormally dry conditions. Recent heavy rains will likely lead to additional improvements.
- REMINDER: All citizens, businesses, and city departments are still encouraged to make early preparations for possible severe weather impacts during the upcoming months.

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Finance Department - Update (Finance Dir.)

- Bank Accounts
 - General \$1,879,957.72
 - 5% Dedicated Water fund \$358,951.20
- Accounts Payable are Current
- Bond Admin Fees were paid
- Quartey / year end reports done
- Auditors requested documents were provided.

Water Department

- Billing Intake: \$870,244.90
- Misc. Intake (taxes, permits, taps, etc.) \$335,787.72.
- Number of Disconnects: 90
- Number of Reconnects:35
- Number of Payment Plans:3
- Bills Out: 1/8/2024
- Extended Date: 1/23/2024 for January only

Public Works –Update (Public Works Dir)

SEWER BACK-UPS 28
 WATER LEAKS 14
 SEWER MAIN REPAIRS 2
 METERS PULLED 5
 TURN-ONS 49
 WATER OFF 52
 RE-READS 10
 STREET DEPT.....

INSTALLED DRAIN BOX ON WILLIS AND HAYES BUILT HAYES BACK UP AND RESHAPED TO ACCOMIDATE NEW DRAIN AND FILL LOW SPOT IN INTERSECTION POT HOLE REPAIR ON RIPLEY,500BLK CAPPS, BLADED LOUISE ST. MOWED CEMETARIES

Water Plant-Update (Water Plant Supervisor)

- Backwash Pump- We went ahead and ordered the repair to be completed. We should have it installed by the end of the month.
- We had some kind of virus going around the plant. 6 out of the 9 employees at the water plant were sick the second and third week of Dec.
- No complaints of brown water were reported to us. We did hear of an issue on Facebook. While flushing hydrants no brown water was noticed.
- 32 MG of Water was treated and pumped this month.
- Per counsels request I did receive a quote from Koch Membrane for 24 filters. \$72 K
- Koch did do and inventory per my request and found they have a total of 65 filters set aside for the City of Marlin
- Next month I'll report more on the New Years Event. I do want to comment on how well my crew worked together so well. And I want to let everyone know that our maintenance really saved the day and kept the city from running out of water. For those that do not know, we had a valve failure on one of the Filters Pipes which cause the flow to completely stop. After using all of our resources, and all our vendors closed for the holiday, our team was able to piece several parts together and create one that got us back to producing water.

Waste Water Treatment Plant

- All normal operations were preformed this month with no issues
- 1 of the 2 employees at the WWTP became sick the last week of Dec.
- GreenGen has run a test on our sludge with their chemical, We are doing a test at the City of Marlin with Scoop this month.
- We have contacted a handful of other chemical companies and waiting for responses for information and on-site visits.

11. Discuss and take action to consider and approve the First Responder Organization (FRO) Provider Agreement with City Ambulance Service related to providing EMS Services. .

Fire Chief Justin Parker presented a presentation on the details of the service, he informed the council the agreement was not ready.

No action was taken.

12. Discuss and or take action on proposals for codification of city ordinances.

No action was taken.

13. Discuss and or take action to determine and establish the duties and responsibilities of the Finance Director position.

Councilmember Sparks motioned to table the item .

Councilmember Armstrong seconded the motion and the motion carried as follows:

Ayes: Councilmember Armstrong, Councilmember Sparks, Councilmember Washington

Nays: Councilmember Ponce, Mayor Pro-Tem Levels-McDavid, Mayor Byrd

14. Conduct a public hearing on Request for abandonment of public easement/ right of way or alley located at 112 Live Oak, situated in tract 1: lot 5, 6 block 3 Aikman addition, tract 2: lot 11, 12, block 3 Aikman addition.

Larry Jackson addressed the council on his request.

15. Discuss and take action Request for abandonment of public easement/ right of way or alley located at 112 Live Oak, situated in tract 1: lot 5, 6 block 3 Aikman addition, tract 2: lot 11,12, block 3 Aikman addition.

Councilmember Sparks motioned to approve the Request for abandonment of public easement/ right of way or alley located at 112 Live Oak, situated in tract 1: lot 5, 6 block 3 Aikman addition, tract 2: lot 11,12, block 3 Aikman addition.

Ayes: Councilmember Armstrong, Councilmember Sparks, Councilmember Ponce, Councilmember Washington, Mayor Pro-Tem Levels-McDavid

Nays: None

Abstain: Mayor Byrd

16. Public Hearing on a requested Special Use Permit for a used manufactured home to be located 506 Walker Street, Marlin, also known as 53360 FORDE BLK 3 Lot 5B .153 Acres.

Hearing opened at 8:13pm

- a) Speak In Favor. None.
- b) Speak In Opposition.
Kathleen Barrett, Treesa Bradberry, Diana Seben
- c) Questions by Citizens. None
- d) Close Public Hearing. @ 8:20pm

17. Take action on recommendation on requested Special Use Permit for a used manufactured home to be located 506 Walker Street, Marlin, also known as 53360 FORDE BLK 3 Lot 5B .153 Acres.

Mayor Pro-tem Levels- McDavid motioned to deny the Special Use Permit for a used manufactured home to be located 506 Walker Street, Marlin, also known as 53360 FORDE BLK 3 Lot 5B .153 Acres.

Councilmember Armstrong seconded the motion and the motion carried as follows:

Ayes: Councilmember Armstrong, Councilmember Sparks, Councilmember Ponce, Councilmember Washington, Mayor Pro-Tem Levels-McDavid, Mayor Byrd

Nays: None

18. Public Hearing on a requested Special Use Permit for a used manufactured home to be located 507 Commerce Street, Marlin, also known as 53990 Railroad BLK 25 Lot 3-4B, .206 Acres.

Hearing opened at 8:21pm

- a) Speak In Favor.
Kelsy Lerman, Paty Kombach
- b) Speak In Opposition.
Kathleen Barrett, Treesa Bradberry, Diana Seben

- c) Questions by Citizens. None
- d) Close Public Hearing.@ 8:30pm

19. Take action on recommendation on requested Special Use Permit for a used manufactured home to be located 507 Commerce Street, Marlin, also known as 53990 Railroad BLK 25 Lot 3-4B, .206 Acres.

Councilmember Armstrong motioned to deny a requested Special Use Permit for a used manufactured home to be located 507 Commerce Street, Marlin, also known as 53990 Railroad BLK 25 Lot 3-4B, .206 Acres.

Mayor Byrd seconded the motion and the motion carried as follows:

Ayes: Councilmember Armstrong, Councilmember Sparks, Councilmember Ponce, Councilmember Washington, Mayor Pro-Tem Levels-McDavid, Mayor Byrd

Nays: None

20. Public Hearing on a requested Special Use Permit for a used manufactured home to be located 1202 Park Street, Marlin, also known as 8-12-67 Chambers Laserda 4.29 Acres.

Open at 8:31pm

- a) Speak In Favor. None
- b) Speak In Opposition.
Kathleen Barrett, Treesa Bradberry, Diana Seben
- c) Questions by Citizens. None
- d) Close Public Hearing.@8:35pm

21. Take action on recommendation on requested Special Use Permit for a used manufactured home to be located 1202 Park Street, Marlin, Texas, also known as 8-12-67 Chambers Laserda 4.29 Acres.

Mayor Pro-Tem Levels-McDavid motioned to approve a requested Special Use Permit for a used manufactured home to be located 1202 Park Street, Marlin, also known as 8-12-67 Chambers Laserda 4.29 Acres.

Councilmember Sparks seconded the motion and the motion carried as follows:

Ayes: Councilmember Sparks, Councilmember Ponce, Councilmember Washington, Mayor Pro-Tem Levels-McDavid

Nays: Councilmember Armstrong, Mayor Byrd

22. Discuss and consider approving a pay increase or additional pay to the City Secretary for the performance of financial director duties.

Mayor Pro-Tem Levels McDavid motioned to raise it up an extra 250.

Mayor Byrd seconded the motion and the motion carried as follows:

Ayes: Councilmember Ponce, Mayor Pro-Tem Levels-McDavid, Mayor Byrd

Nays: Councilmember Armstrong, Councilmember Sparks, Councilmember Washington

No action

23. Future Agenda items.

Workshop to cover job descriptions and truck stop.

24 . Adjourn.

Councilmember Sparks made motion to adjourn, Councilmember Armstrong seconded, all in favor said "Aye" meeting ended at 8:54pm

PASSED AND APPROVED ON THIS THE 12TH DAY OF March 2024.



A handwritten signature in black ink, appearing to read "Susan Byrd", written over a horizontal line.

Susan Byrd, Mayor

A handwritten signature in black ink, appearing to read "Maryann Waddle", written over a horizontal line.

Maryann Waddle, City Secretary