

STATE OF TEXAS  
COUNTY OF FALLS  
CITY OF MARLIN

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On this the 12th day of March 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

Sonia Ponce

Monica Washington (absent)

Cecil Sparks(@ 6:17pm)

John Armstrong

STAFF

Maryann Waddle, City Secretary

James Parker, City Attorney

1. Call to Order by Mayor Byrd at 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 Councilmember Armstrong
5. Citizens Comments

Bill Range addressed the council on item #8 the FRO .

Terry Westmorland addressed the council on the animal shelter.

CJ Westmoreland addressed the council on adding a documents folder to the website to add dog pound information.

Pam Kelly addressed the council on stray animals.

Jeff Fletcher addresses the council on the animal shelter

Ellen Metz addressed the council on the animal shelter. .

Allison Morrow addressed the council on the animal shelter.

Joy Boston addressed the council on the animal shelter.

Dorthy Sanders addressed the council on the animal shelter.

Roy Martinez addressed the council about sending the animal shelter case to the Texas Rangers.

Frances Fisher addressed the council on the animal shelter.

Dorene Burlew addressed the council on the animal shelter.

Consent Agenda

6. Approval of the Council Meeting minutes from March 12,2024 and March 19,2024 City Council Meeting.
7. Conduct a second reading and a adopt an Ordinance vacating/abandoning alleyway and easement area requested by Larry W. Jackson and approved by council.

Mayor Pro-Tem Levels-McDavid motioned to approve the consent agenda for items 6 &7.

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

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

Nays: None

Absent: Councilmember Washington

Regular Agenda

8. Presentation from Congressman Pete Sessions office on Water Supply Planning and Guidelines for Short term and Long Term Water Concerns. (Jackson Mountain & Tom Ray)

The council was presented a slide show by Jackson Mountain. Meetings will be set on the subject and the city will be invited.

9. Presentation from Mike Alexander from Lion Organizational Development Institute LLC. Presentation was presented on services provided.

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

Update was given on projects .

11.Consider and or approve an MOU (Memorandum of Understanding) with Heart of Texas Council of Governments to accept the transfer of Sabre SST Tower to the City.

Item tabled .

12. UPDATES/STATUS: City Business Not needing immediate discussion or action from City Council (2-3 min): Mayor let the council know that most staff was sent home to deal with flooding issues.

#### **City Manager –Updates (City Manager)**

##### **Personnel**

- a. **Appointment of Finance Director – Judy Sisk. Ms. Sisk was employed as Finance Director for the City of Marlin for 2019 through 2021. She is well qualified for the position and will make a great asset for the City of Marlin.**
- b. **Job Posting for Director of Marketing and EDC – this is the former tourism position coupled with EDC responsibilities. See attached job description. We have two highly qualified applicants and hope to attract more. We plan on initiating the interview process within the next one week.**
- c. **Job Posting for City Manager’s Position**
- d. **Kujo Jones has been promoted to Waste Water Supervisor and will be reporting directly to Richard Cohrs. Until the Water Plant has sufficient personnel, Mr. Jones will also be flushing the water lines.**
- e. **There are two full time vacancies in the Water Plant and I am working with HR to resolve work issues in lawn maintenance and road maintenance through seasonal and or temp workers.**
- f. **Job descriptions are being reviewed and if necessary, updated and revised to reflect actual tasks performed or necessary to be performed. Department heads and I are also looking at some departmental reorganization for administrative and supervisory efficiency.**
- g. **HR is reviewing employee records to determine if City Employees are appropriately certified and or have driver’s licenses.**
- h. **I have authorized tracking devices to be placed on all city vehicles. This will allow absolute transparency and accountability on behalf of City employees. The tracking devices are in process of being purchased and will be placed on city owned vehicles shortly.**
- i. **I met with the Trinhs last week. Terms of financing the water line, estimated costs of \$180,000, are being discussed with the Misters Trinh with regard to financing and the probability of annexing. The Trinhs are also still negotiating with the county for financing alternatives. I have requested the EDC become active with this project.**
- j. **I have met with all of the supervisors and department heads. During my discussions, I discovered a couple of persistent managerial/leadership problems: 1. Lack of written SOPS; 2. Lack of inventories and 3. No departmental goals. I have**

requested drafts of the SOPs and inventories and weekly progress/goal reports. Department heads have initiated the budget process.

- k. The City's waste water permit expired on February 11, 2024. MRB and Richard Cohrs are working on the new permit application. There was a communication error with our testing lab and a potential discrepancy with the lab results. It has been reported to me that these problems have been rectified and an application for the new permit will be filed shortly.
- l. Last week our City Secretary discovered records including sales and annual maintenance fee accounting records clearly demonstrating that Calvery Cemetery was owned by the City of Marlin, received moneys for burial plots and thereafter received annual fees from each plot owner for maintenance. These records together with copies of deeds from the City to plot owners provides credible historical evidence that the City of Marlin owns the Calvery Cemetery.
- m. There will be an election for the Precinct 1 council member
- n. position. Council positions for Precincts 2 and 6 are uncontested and there is no candidate for Precinct 4. The Charter provides at Section 2.06 (c) that the Council shall appoint a candidate to fill the position for the *unexpired term* within thirty (30) days of the occurrence of the vacancy or call for a special election. In the instant matter, during the regularly scheduled January meeting, council declined to make an appointment to fill the vacancy and instead voted to wait until the next election – May 4, 2024. Accordingly, the *unexpired term* for term May 2024 – May 2026 becomes officially vacant on May 4, 2024 and council has 30 days to appoint or call a special election at that time.
- o. Council has in their packet a draft of proposed SOPs for the animal
- p. Shelter for their review and comment. Please feel free to contact Chief Hommel with your comments and suggestions.
- q. Last Thursday, April 4, 2024, I met with Sam Sinno, owner of the Apple Sports dealerships who graciously donated a check in the amount of \$9,200.00 towards the Apple Sports dealership's commitment to provide \$20,000 per year for maintenance of the Apple Sports Park. There is not a written agreement between Apple Sports and the City, but Mr. Sinno wanted to show good faith towards his commitment subject to the City providing such written agreement. Attorney Parker has been advised and will draft the agreement. Briefly, the terms of the agreement are that Apple Sports dealerships will provide \$20,000.00 per year for up to five (5) years for a total to the City of Marlin of \$100,000.00 with the provision that the funds be used exclusively for maintenance of the Apple Sports park. The agreement commenced in 2023 and we were paid in 2023, so we are in the second term of a five year agreement.
- r. Since March 18, 2024, I attended a HOTCog Board of Director's meeting and a number meetings with county and state officials.

- s. A meeting has been scheduled between the East Marlin Water District and the City for Friday April 12, 2024, there is presently o agenda for this meeting.
- t. Chief Justin Parker reports that Coleman street should reopen for through traffic by the end of this week.
- u. Since March 18, 2024, I have devoted 155 hour towards the CM position.

**Court - Update (Court Clerk Supervisor)**

**Police – Update (Chief Hommel)**

**Submitted NIBRS reports.**

**22 Arrest      22 Suspicious Persons / Vehicle**

**Unwanted person 11**

**Total Calls 661**

**Disturbances 15**

**Accidents 8**

**Citations 264 Burglary 5      Shots fired 7**

Submitted DPS NIBRS report.

**Officer James Millen started 03/11/2024. will be in FTO 90days.**

**Week #2 of TCPA Leadership training.**

**3 new vehicles hit the street after decaled. Other 2 were still waiting.**

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**Executed 2 search warrants and recovered \$20k worth stolen property. There were 4 people arrested in connection with this case**

**Code**

- 27 permits were issued
- 6 people were issued stop work permits and 6 of them came In and got permits.
- 5 certified letters were sent out.

**Fire Department -Update (Fire Chief)**

- Responded to 26 emergency incidents during month of March. Frequency of EMS-related incidents is slowly beginning to increase.
- Crews will begin training on Ladder 1 once it receives its aerial (and components) safety certification from a qualified testing firm.
- Responded to one (1) residential structure fire on March 12<sup>th</sup>. Fire was contained to rear of occupied dwelling by initial arriving crew from MFR. No injuries were reported.
- Semi-annual fire hydrant service commenced and will continue until completion (June 1<sup>st</sup> at latest). Hydrant service will include vegetation control.
- Booster 1 is undergoing in-house changes to enable its use as a multi-purpose vehicle. While it'll continue to serve as a wildland firefighting unit, it will also serve

as a light duty rescue truck for minor vehicle collisions (excluding incidents on Hwy 7 or 6 Bypass), and quick attack unit for a variety of fire incidents.

- Engine 1 is currently receiving front-end repairs at Central TX Freightliner and De's Parts & Service. Squad 1 (Bronco) was upfitted by Wildfire Trucks and Booster 2's mobile radio was installed.
- Pre-incident planning, at local commercial occupancies, to commence upon completion of spring hydrant service.
- Chief Parker met with engineer regarding ARPA-funded repairs and upgrades to Station 1. Engineer expressed concerns related to structural stability but believes enlargement and improvement of Station 2 may be feasible.

**Finance Department - Update (Finance Dir.)**

**Water Department**

**Public Works -Update (Public Works Dir)**

**Water Plant-Update (Water Plant Supervisor)**

13. Presentation From Don Allman on Fiscal Year 2021-2022- Audit.  
Don Allman went through the 21-22 Audit .
14. Discuss, consider, and or approve the Fiscal Year 2021-2022 Audit.  
Mayor Byrd motioned to approve the Fiscal Year 2021-2022 Audit  
Mayor Pro-Tem Levels-McDavid seconded the motion and the motion carried as follows:  
  
Ayes: Councilmember Ponce, Mayor Pro-Tem Levels-McDavid, Mayor Byrd  
  
Nays: Councilmember Armstrong  
Abstain: Councilmember Sparks  
Absent: Councilmember Washington
15. Consider and or approve a resolution to reinstate the City's membership with Texas Smart Buy.  
Mayor Pro-Tem Levels-McDavid motioned to approve a resolution to reinstate the City's membership with Texas Smart Buy.  
Councilmember Sparks seconded the motion and the motion carried as follows:  
  
Ayes: Councilmember Armstrong, Councilmember Sparks, Councilmember Ponce, Mayor Pro-Tem Levels-McDavid, Mayor Byrd  
  
Nays: None  
Absent: Councilmember Washington
16. Discuss, consider, and take action to select and/or award contracts for engineer, Bond Counsel, and Financial Advisor for the Lead Service Line Inventory Project.  
Councilmember Armstrong left the meeting at 8:19 pm  
Mayor Pro-Tem Debra Levels-McDavid motined to award the engeineer contract to MRB, Mcall Pinehurst the Bond, and UsS Capitl Advisors Finical advisor for the Lead Service Line Inventory Project.  
Mayo Byrd seconded the motin and the moitn carried as follows:

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

Nays: Councilmember Ponce

Abstain: Councilmember Sparks

Absent: Councilmember Washington, Councilmember Armstrong

17. Discuss and adopt a resolution to approve and authorize the Mayor to execute a Payment Plan Agreement between the City of Marlin and Underwater Acoustics International, LLC, (UAI ) for survey and inspection and condition assessment services of the City of Marlin earthen dams. Item tabled.

18. Consider and or approve quotes for Pump repairs at the Park Lift station and at the Water Treatment Plant.

Mayor Pro-Tem Levels-McDavid motioned to approve the repairs for the Park lift station at \$27,316.00 and the pump repairs at the Water Plant for \$21,445.00.

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

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

Nays: None

Absent: Councilmember Armstrong, Councilmember Washington

19. Discuss nominations for appointment of a qualified person to fill the vacancy on the City Council for City Council Precinct No. 4

Council will bring back nominations.


20. Future agenda items: Discuss and Consider items for placement on a future City Council Agenda.

Appointment to precinct 4 , all tabled items, and investigation.

21. Adjourn.

PASSED AND APPROVED ON THIS THE 14<sup>TH</sup> OF May2024.



  
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Susan Byrd, Mayor

  
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Maryann Waddle, City Secretary