

STATE OF TEXAS  
COUNTY OF FALLS  
CITY OF MARLIN

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On this the 9th day of July 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

STAFF

Mayor Susan Byrd

Mayor Pro Tem Debra Levels-McDavid

Michael Milnes

Morris Watson

Scottie Henderson

Cecil Sparks(absent)

Joe Taylor ( @ 6:24pm)

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 Pastor Johnson.
8. Presentation from Linebarger for tax attorney collection services (5min).

Ron Capehart ( delinquent tax attorney for the city) addressed the council on services provided to the city by the firm . They will come back with numbers to present to the council at a later date.

7. Update on TWDB, CWSRF, & DWSRF Projects and city road projects including but not limited to Robert E. Lee from the MRB Group with a summary of the differences of the project.

Gil Gregory addressed he council on updates to the projects.

Councilmember Taylor in at 6:24 pm

22. a. Convene into executive session pursuant to Tex. Gov't. Code Sec. 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct, to consult with the City Attorney regarding the independent investigation of the animal control facility/shelter and related matters and to consult with the City Attorney regarding the findings of the independent investigation.

Council entered closed session at 6:25 pm

Council reentered open session at 7:25 pm

b. Reconvene into public and open session to take action as appropriate in the City Council's discretion regarding the independent investigation, the City's animal control facility/shelter, and animal control facility/shelter policies and procedures.

no action

17. Consider and conduct the first reading of a proposed ordinance amending Chapter 5 of the Code of Ordinances for the City of Marlin adopting amendments and changes to the current Animal Control Regulations of the City of Marlin

Councilmember Milnes moved to table the item

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

Ayes: Councilmember Milnes, Councilmember Watson, Mayor Pro- Tem Levels- McDavid , Mayor Byrd , Councilmember Henderson, Councilmember Taylor

Nays: none

Absent: Councilmember Sparks

5. Approval of the Council Meeting Minutes from the June 5, 2024, June 6, 2024, June 11, 2024, June 18, 2024, and June 25, 2024, City Council Meeting.

Councilmember Taylor so moved

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

Ayes: Councilmember Milnes, Councilmember Watson, Mayor Pro- Tem Levels- McDavid , Mayor Byrd , Councilmember Henderson, Councilmember Taylor

Nays: none

Absent: Councilmember Sparks

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

**Court – Update (Court Clerk Supervisor)**

- ❖ **Gross collected- \$32,255.84**
- ❖ **State fees- \$10,961.10**
- ❖ **Kept by city- \$21,294.74**
- ❖ **Monthly reports are completed**

**Police – Update (Chief Hommel)**

Submitted NIBRS reports.

16 Arrest            27 Suspicious Persons / Vehicle /Circumstances

Unwanted person 13

Total Calls 575 Disturbances 20

Accidents 23

Citations 115 Burglary 7 Shots fired 2

Assist another Agency 18.

Stolen vehicle 1, recovered 1.

Fights with weapons 3.

Finance

1. Accounts payable are current.

1. Bank balances as of June 30, 2024

General Operating : **1,733,163.65**

5% Water fund: **174,288.42**

1. Water sales for the month of June were \$ **278,842.35**.

1. This month there were 251 meters according to Gude's program that do not read. There were approximately 360 errors that had to be entered by the water department before billing could go out. I have ordered a new antenna and thumb drive for Gude. I am attempting to call AVR for an on-site review of all the problems we having.

1. We collected \$17,267.37 from cut-offs. There were 14 meters pulled for non-payment with water usage.

After the 25<sup>th</sup> we will once again begin cut-offs.

Tourism

In my opinion, we had a successful Marlin Fest 2024

- o All the vendors paid
- o I even sold \$52.00 worth of T-shirts that had been purchased years ago
- o I want to thank Tracy Dimerson again for all the hard work she did in planning the event which made it much easier for me

I also want to thank the City of Marlin's Public Works department for their hard work in cleaning up the park the week of the event

I want to thank Jay Butler, the Parks Director in assisting me with many aspects I

- o Finally, I want to thank our current acting City Manager for not allowing me to give up when the event was threatened to be canceled
- o Jay Butler and I had a debriefing the day after the eve and noted what worked and what did not and the possibilities for future Marlin Fests
- o I was asked many times why we didn't have the local fireworks vendor execute the fireworks display
  - o I contacted him and confirmed that he is indeed offered the opportunity; however, he is always busy during that time of year, so he has declined to provide the service
    - I didn't let him off that easily because I believe in buying locally and I hear he does a great job so I told him I would contact him again at the first of the coming year.
- I have contacted both UT and Baylor to determine if their marketing students could take on Marlin as a case study. to review Marlin's marketing in the past, review the current marketing plan, and make recommendations to achieve our marketing goals
- I have started putting together the plan to bring back the Blues Festival but I am making no promises that it will happen

#### **ECONOMIC DEVELOPMENT**

- The EDC website was launched last month
  - o The website is [www.marlintxedc.com](http://www.marlintxedc.com).
- A mass mailout regarding EDC's Business Improvement Grant was completed last month

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- o I am conducting information meetings regarding the grant process and application every Monday in July at 6:00 pm in my office at 279 Live Oak
- o Only a few business owners have taken advantage of file information meeting, but I will be there every Monday in July. I will wait until 6:15 before leaving
- Marlin native Jody Czajkoski contacted me and invited to Conroe to discuss economic development concepts and to see firsthand what executing those concepts can bring to fruition.
  - o He tasks me with several items; and I have complete them
  - o I want to develop a working relationship with him because I think it will be very beneficial for Marlin

9. Discussion re: Hobby Tower, Hobby Lift Station, and Vernel Lift Station and the TDOC, and take action authorizing attorney prepare paperwork for transfer and/or contract for repair items and related expenses.

No action

10. Councilmember Taylor moved to select Grant Works

Mayor Pro-Tem Levels McDavid seconded the motion and the motion carried as follows:

Ayes: Councilmember Milnes, Councilmember Watson, Mayor Pro- Tem Levels- McDavid , Mayor Byrd , Councilmember Henderson, Councilmember Taylor

Nays: none

Absent: Councilmember Sparks

11. Consider and or approve a resolution approving and authorizing the execution of a contract with Data Flow Systems, LLC, for the purchase of the equipment, hardware, and services to install and monitor a SCADA systems to manage and monitor the operation of the City's water and wastewater system.

Mayor Pro-Tem Levels-McDavid motioned to approve a resolution approving and authorizing the execution of a contract with Data Flow Systems, LLC, for the purchase of the equipment, hardware, and services to install and monitor a SCADA systems to manage and monitor the operation of the City's water and wastewater system.

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

Ayes: Councilmember Milnes, Councilmember Watson, Mayor Pro- Tem Levels- McDavid , Mayor Byrd , Councilmember Henderson, Councilmember Taylor

Nays: none

Absent: Councilmember Sparks

13. Discuss the bids and proposals submitted for sludge removal services and related work at the Wastewater Treatment Plant and take action to select a prevailing bidder as authorized by law. Councilmember Milnes motioned table the bids and proposals submitted for sludge removal services and

related work at the Wastewater Treatment Plant and take action to select a prevailing bidder as authorized by law.

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

Ayes: Councilmember Milnes, Councilmember Watson, Mayor Pro- Tem Levels- McDavid , Mayor Byrd , Councilmember Henderson, Councilmember Taylor

Nays: none

Absent: Councilmember Sparks

12. Discuss possible annexation and a proposed development agreement and a proposed tax abatement agreement with Trinh Company, LLC, for the Circle T Truck Stop project.

No action.

14. Consider and or approve an Interlocal Agreement with Falls County to replace culverts and to make road repairs as necessary.

No action

15. Discussion and or take action on proposed lease purchase of a pre-owned ladder truck.

no action

16. Consider and or approve the sale (or trade) of our current ladder truck and surplus equipment

no action.

18. Discussion and or take action on property located at 123 Commerce (City listed as trustee) and the condition of the property

Mayor Byrd will speak with the county tax attorney on this property.

19. Consider and or approve the appointment of three members to the Charter Committee and consider and or approve reducing/changing the number of members of the Charter committee members to nine members.

Mayor Pro- Tem Levels- McDavid motioned to appoint Nikita Bowman and Deandrea Petty to the Charter Commission and to change the member number from 11 to 9.

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

Ayes: Councilmember Milnes, Councilmember Watson, Mayor Pro- Tem Levels- McDavid , Mayor Byrd , Councilmember Henderson, Councilmember Taylor

Nays: none

Absent: Councilmember Sparks

20. Discussion on setting dates for Budget Workshops.

Dates will be announced

21. a. Convene into executive session pursuant to Tex. Gov't Code 551.074 (personnel matters) to consider a proposed employment contract for the city manager.

Council entered closed session at 8:39pm

Council reentered into open session at 9:21 pm

b. Reconvene into public session and take action as appropriate in the City Council's discretion with regard to a proposed employment contract for the city manager position.

Councilmember Milnes motioned to approve the execution of the contract pending the attorney changes and authorizing the mayor to sign.

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

Ayes: Councilmember Milnes, Councilmember Watson, Mayor Pro- Tem Levels- McDavid , Mayor Byrd , Councilmember Henderson, Councilmember Taylor

Nays: none

Absent: Councilmember Sparks

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

the tabled items

24. Citizens Comments (3 mins.) on Agenda items.

Nikita bowmen gave an introduction to herself and her 501c .

Dorothy Sanders addressed the council on animal control, and shelter issues.

Frances Fisher addressed the council on contribution questions, and animal shelter issues.

Adjourn

Councilmember Milnes motioned to adjourn , Councilmember Taylor seconded the motion and all were in favor. Meeting adjourned at 9:32pm

PASSED AND APPROVED ON THIS THE 20<sup>th</sup> OF August, 2024.



Susan Byrd, Mayor

Maryann Waddle, City Secretary