

STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN

On this the 20th day of August 2024, the City Council of the City of Marlin, Texas convened in a "RESCHEDULED" REGULAR SCHEDULED MEETING at 6:30pm, 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
Michael Milnes
Morris Watson
Scottie Henderson (absent)
Cecil Sparks (absent)
Joe Taylor

STAFF

Elza Daviss, City Manager
Maryann Waddle, City Secretary
James Parker, City Attorney

1. Call to Order by Mayor Byrd at 6:36pm.
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.
5. Approval of the Council Meeting Minutes from July 9, 2024, and July 23, 2024, City Council Meeting.

Mayor Pro-Tem Levels-McDavid motioned to approve the Council Meeting Minutes from July 9, 2024, and July 23, 2024, City Council Meeting.

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

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

Nays: None

Absent Councilmember Henderson, Councilmember Sparks.

9. Consider and or take action on proposed tax rate calculations as prepared by Kaci Nehring (Falls County Tax Assessor Collector)

Kaci presented the calculation to the council.

Mayor Pro-Tem Levels-McDavid motioned to approve the voter approval M&O rate plus the debt rate of 0.80798.

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

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

Nays: None

Absent Councilmember Henderson, Councilmember Sparks.

8. a. Take action to approve a 15% contingent fee contract with Perdue Brandon Fielder Collins and Mott, LLP, pursuant to Section 6.30 of the Texas Property Tax Code, said contract being for the collection of delinquent property taxes owed to the City of Marlin, and notice of said contingent fee contract is posted with the agenda in accordance with Section 2254 of the Texas Government Code.

Take action to authorize the Mayor to send a Notice of Termination of Attorney-Client Relationship to existing tax collections firm.

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 number to present to the council later.

Council will revisit this item.

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 the council on updates to the projects.

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

City Manager addressed the council on upcoming projects, positions to be filled and created.

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 .

11. Consider and or approve a resolution adding the city manager to the bank signature cards.

Mayor Pro-Tem Levels-McDavid motioned to approve a resolution adding the city manager to the bank signature cards.

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

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

Nays: None

Absent Councilmember Henderson , Councilmember Sparks.

13. Consider and or approve appointing William Roe to the vacant seat on the City of Marlin Charter Commission.

Councilmember Milnes motioned to approve appointing William Roe to the vacant seat on the City of Marlin Charter Commission.

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

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

Nays: None

Absent Councilmember Henderson , Councilmember Sparks.

10. Discussion regarding the Hobby Tower, Hobby Lift Station, and Vernel Lift Station and the Tex. Dept. of Corrections and take action authorizing city attorney prepare paperwork for the transfer of facilities and/or contract for repair items and related expenses for the Hobby Tower, Hobby Lift Station, and Vernel Lift Station.

No action.

14. Discussion and/or action regarding lease purchase of pre-owned ladder truck through Bay Area Fire Equipment.

Councilmember Milnes motioned to approve lease purchase of pre-owned ladder truck through Bay Area Fire Equipment.

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

Ayes: Councilmember Milnes, Councilmember Watson, Mayor Pro Tem Levels-McDavid, Mayor Byrd, Councilmember Taylor
Nays: None

Absent Councilmember Henderson , Councilmember Sparks

15. Discussion and/or action regarding trade of Booster 1 ('09 Ram brush truck) to Cottdale (TX) VFD for a 2008 Ford brush truck.

Mayor Pro Tem Levels McDavid motioned to approve trade of Booster 1 ('09 Ram brush truck) to Cottdale (TX) VFD for a 2008 Ford brush truck.

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

Ayes: Councilmember Milnes, Councilmember Watson, Mayor Pro Tem Levels-McDavid, Mayor Byrd, Councilmember Taylor
Nays: None

Absent Councilmember Henderson , Councilmember Sparks

16. Discussion and/or action regarding sale of surplus Fire Dept. equipment and vehicles.

Councilmember Watson motioned to approve the sale of the 2vc 5ton ladder truck and a departmental trade the Yukon with Public works department.

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 Taylor
Nays: None

Absent Councilmember Henderson , Councilmember Sparks

17. Conduct a second reading and discuss, consider, and approve the adoption 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.

Dustin Ulmer commented on the item.

Councilmember Watson made a motion to approve the adoption 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 seconded the motion and the motion carried as follows:

Ayes: Councilmember Milnes, Councilmember Watson, Mayor Pro Tem Levels-McDavid, Mayor Byrd, Councilmember Taylor
Nays: None

Absent Councilmember Henderson , Councilmember Sparks

18. Discuss and take action on a Business Improvement Grant application by Thai Express in the amount of \$2,500 as approved by the Marlin 4B Economic Development Corporation.

John Barrett gave the council the information on the application

Councilmember Taylor motioned to approve a Business Improvement Grant application Thai Express in the amount of \$2,500 as approved by the Marlin 4B Economic Development Corporation.

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

Ayes: Councilmember Milnes, Councilmember Watson, Mayor Pro Tem Levels-McDavid, Mayor Byrd, Councilmember Taylor
Nays: None

Absent Councilmember Henderson , Councilmember Sparks

19. Discuss and take action on a Business Improvement Grant application by Model Cleaners in the amount of \$2,500 as approved by the Marlin 4B Economic Development Corporation.
John Barrett gave the council the information on the application
Councilmember Taylor motioned to approve a Business Improvement Grant application by Model Cleaners in the amount of \$2,500 as approved by the Marlin 4B Economic Development Corporation.

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

Ayes: Councilmember Milnes, Councilmember Watson, Mayor Pro Tem Levels-McDavid, Mayor Byrd, Councilmember Taylor
Nays: None

Absent Councilmember Henderson , Councilmember Sparks

20. Conduct the first reading of an ordinance adopting an amendments to the Marlin Police Department Policy and Procedure Manual by the adoption the Medical and Psychological Examination of a Licensee policy.

21. Discussion and scheduling of dates for Budget Workshops.
Workshop will be held August 27 at 6:30 pm

22. Future agenda items

23. Citizens Comments.

Dorthy Sanders addressed the council on constitutional rights.

Frances Fisher addressed the council on the dog shelter .


Dustin Ulmer addressed the council on city issues.

24. Adjourn.


Councilmember Milnes motioned to adjourn, Councilmember Taylor seconded the motion and all were in favor. Metting adjourned at 8:35pm

PASSED AND APPROVED ON THIS THE 10TH of September, 2024.





Susan Byrd, Mayor



Maryann Waddle, City Secretary