

STATE OF TEXAS  
COUNTY OF FALLS  
CITY OF MARLIN

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On this the 15th day of October 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 (@6:06 pm)  
Mayor Pro Tem Debra Levels-McDavid  
Michael Milnes (@6:19pm)  
Morris Watson  
Scottie Henderson  
Cecil Sparks  
Joe Taylor

**STAFF**

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

1. Call to Order by Mayor Pro-Tem Levels McDavid at 6:00pm.
2. Roll Call by Maryann Waddle.
3. Certify Posting in accordance with State Law by Maryann Waddle.
4. Pledge by Mayor Pro-Tem Levels McDavid and Mayor Pro-Tem Levels McDavid asked for a moment of silence.
5. Approval of the Council Meeting Minutes from September 3,2024, September 10,2024, September 24, 2024, and the September 26,2024 , City Council Meetings.

Councilmember Taylor moved to approve.

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

Ayes: Councilmember Watson, Mayor Pro-Tem Levels-McDavid, Councilmember Henderson, Councilmember Sparks, Council Member Taylor.

Nays: none

Abstain: Councilmember Sparks

Absent: Councilmember Milnes, Mayor Byrd

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

Mayor Byrd in at 6:06pm

City Manager

- New employees.
- Water Department returning to INCODE.
- Policy on tax abatement .
- Council IPAD introduction.

Councilmember Milnes in at 6:19pm

**Court**

- GROSS COLLECTED- \$41,940.82
- STATE FEES- \$14,189.86
- KEPT BY CITY- \$27,750.96
- MONTHLY/QUARTERLY REPORTS ARE COMPLETED

**Police**

- Submitted NIBRS reports.

- 12 Arrest    22 Suspicious Persons / Vehicle /Circumstances
- Unwanted person 17
- Total Calls 611
- Disturbances 14
  - Accidents 10
  - Burglary 3
- Shots fired 4 Fire
- Assist another Agency 18.
- Fights with weapons 1.
- Criminal mischief 4
- Criminal trespass 7
- Citations 144
- Assault Reports 4
- Working National Night Out/ Trunk Or Treat October 26

### **Fire**

- Responded to 34 emergency incidents during month of September
- We've experienced an increase in vehicle collisions on SH 6 & the intersecting highways. In late Sept., three (3) back-to-back crashes occurred on SH 6.
- We responded to two (2) vegetation fires & two (2) unauthorized outdoor fires in September. Falls County remains under a Burn Ban.
- Ladder 1 arrived from Illinois in mid-September. Crews have been undergoing extensive in-service training on this unit.
- Our department received its biannual compliance inspection by a representative from the TX Commission on Fire Protection (TCFP). We passed this required and thorough inspection without issue.
- One member of the department is currently attending Fire Officer III classes through a hybrid learning program. Upon completion, he will be eligible to take the TCFP's certification exam for this discipline.
- Chief Parker continues to work with our grant administrator and various vendors to ensure all ARPA-funded projects are carried out in accordance with the program's guidelines and timeframes.
- MFD will be participating in Fire Prevention Month events at various schools and daycare facilities throughout the month of October.
- Falls County is currently experiencing abnormally dry condition due to unseasonably high temperatures and a lack of precipitation. If conditions persist, moderate drought conditions will be likely.
- Due to the current dry conditions, the potential for wildfire ignition, growth, and spread has increased. Low humidity and high daytime temperatures have exacerbated these conditions.

### **Finance**

- Accounts payable are current. Still waiting on a few Vendors to send old invoices we never received.
- Bank balances as of September 30, 2024
- General Operating : `1,620,166.31
- 5% Water fund: 195,221.85

- **Water sales for the month of September \$ 186,566.08**
  - Information was provided for council in their packets.

#### Public Works

- Streets are covered inside of packet information.
- Sewer & water tasks were included in packets,
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#### Water Plant

- Both the new hires are trained and on shift
- We hired another employee to do the hydrant flushing. She worked her in the past for 8 years or more.
- 33 MG of Water was treated and pumped this month.
- The Filters are still working great. We have 9 filters that have plenty of oil in them and we are saving them for when we may need them in the future since they no longer save them.
- Agenda Item 18. Water Plant lift station pump approval with some rehab repairs. We would like to get this approved.
- All normal operations were preformed this month with no issues
- Hiring a new employee at the Water Plant has freed up a waste water operator to do more of his duties at the plant. He will no longer be flushing.
- The council approved pump repair for City Park Lift Station
  - We were waiting on parts for quite some time
  - City Park Lift station: The new cutter has been ordered and we are now waiting on the shipping.
  - Park Lift station – council approved is now complete.
  - Agenda Item 17- Rock Dam lift station & Hobby Lift station- We would like to get these items approved.

#### Marketing /EDC

- Big Boy Train event
  - Ground Breaking for the drainage project in two weeks.
  - Marketing study conducted with the help of UT.
  - Airport leases
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.  
Gill Gregory presented the council with updates.
  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. John Banks addressed the council on his firm and the services provided.  
Councilmember Watson motioned 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.

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 Sparks, Council Member Taylor.

Nays: none

Absent: none

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

Councilmember Taylor moved to authorize the Mayor to send a Notice of Termination of Attorney-Client Relationship to existing tax collections firm.

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 Sparks, Council Member Taylor.

Nays: none

Absent: none

9. 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

10. Conduct a public hearing regarding the proposed adoption, amendment, repeal, or reauthorization of the City's tax abatement policy or policies establishing guidelines and criteria governing tax abatement agreements by the City of Marlin.
- a. Open Public Hearing
  - b. Receive Public Comments
  - c. Close Public Hearing

11. Discuss and consider of adopting a resolution proposed tax abatement policy which will establish guidelines and criteria governing tax abatement agreements by the City of Marlin.

Mayor Pro Tem Levels McDavid motioned to table 10 & 11 to add "no limit" on the attorney suggest line to the policy.

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 Sparks, Council Member Taylor.

Nays: none

Absent: none

12. Discuss, consider, and adopt a resolution authorizing the submission of a Texas Community Development Block Grant program application to the Texas Department of Agriculture for the 2025-2026 Community Development Fund.

Mayor Pro-Tem Levels-McDavid motioned to approve a resolution authorizing the submission of a Texas Community Development Block Grant program application to the Texas Department of Agriculture for the 2025-2026 Community Development Fund.

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 Sparks, Council Member Taylor.

Nays: none  
Absent: none

13.

- a) Discuss proposals received in response to the published RFQ for city engineering services; Discussion was held on the one that received.
- b) Consider and or approve the selection of a provider for city engineering services; and
- c) Consider and or approve of a proposed professional services contract for city engineering services with Scott Murrah of 5M Associates, LLC.

Mayor Pro-Tem Levels-McDavid motioned to approve of a proposed professional services contract for city engineering services with Scott Murrah of 5M Associates, LLC.

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 Sparks, Council Member Taylor.

Nays: none  
Absent: none

14. Discuss and consider the approval and adoption of a resolution authorizing and approving an Interlocal Contract Between the Department of Information Resources and the City of Marlin for participation in the Department of Information resources Shared Services Program for City access to and use of information technology services. Scott Schmidt as future IT Director.  
Scott Schmidt told the council what this service would supply, the city attorney stated it is like the BUY Board.

Councilmember Watson motioned to adopt a resolution authorizing and approving an Interlocal Contract Between the Department of Information Resources and the City of Marlin for participation in the Department of Information resources Shared Services Program for City access to and use of information technology services.

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 Sparks, Council Member Taylor.

Nays: none  
Absent: none

15. Consider and or approve Kologik Software Agreement for the Marlin Police Department.  
Councilmember Henderson motioned to approve Kologik Software Agreement for the Marlin Police Department.

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 Sparks, Council Member Taylor.

Nays: none  
Absent: none

16. Consider and or approve an interlocal agreement with Heart of Texas Behavioral Health network and the Marlin Police Department.

Mayor Pro-Tem Levels-McDavid motioned to approve an interlocal agreement with Heart of Texas Behavioral Health network and the Marlin Police Department.

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 Sparks, Council Member Taylor.

Nays: none



Absent: none

17. Consider and or approve the Quote from Jurgensen Pump,LLC. For work on the Rockdam and Hobby Lift stations.

Mayor Pro-Tem motioned to approve the quotes for pump repairs at rockdam for \$8,635.00 and Hobby for \$8,758.00

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 Sparks, Council Member Taylor.

Nays: none

Absent: none

18. Consider and or approve quote for repairs to the Water Treatment Plant Sludge Pump from Jerguson Pump.

Mayor Pro-Tem motioned to approve the repairs to the Water Treatment Plant Sludge Pump for \$22,574.

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 Sparks, Council Member Taylor.

Nays: none

Absent: none

19. Presentation and discussion from City Parks Committee relating to upkeep , the closing, the signs, leasing and reservation, and consistent instructions.

Item will come back.

20. Consider and or approve a one-year lease with William Walker to extend his 25 acre lease(behind Hillcrest Cemetery) for one year.

Cocunilmemebr Sparks motined to approve a oneyear lease.

Mayor Pro-Tem Leves 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 Sparks, Council Member Taylor.

Nays: none

Absent: none

21. Consider and approve a resolution to nominate candidates to the Falls County Appraisal District Board of Directors 2024-2025 Term Election

Mayor Pro Tem Levels McDavid motioned to nominate Terance Mc David , Melissa Mahoney, and Samentia Milnes

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

Ayes: Councilmember Milnes, Councilmember Watson, Mayor Pro-Tem Levels-McDavid, Mayor Byrd, Councilmember Henderson, Councilmember Sparks, Council Member Taylor.

Nays: none

Absent: none

22. a. Convene into executive session pursuant to Tex. Gov't. Code 551.074 (Personnel Matters) to deliberate upon and conduct an evaluation of the Chief of Police.

Council entered into executive session at 9:03pm

Council entered back into open session at 9:21pm

Mayor Byrd left at 9:21pm

Councilmember Sparks left at 9:21 pm

b. Reconvene into public session and discuss and take action as appropriate in the City Council's discretion with regard to the evaluation of the Chief of Police.

No action

22. Future agenda items: Discuss and Consider items for placement on a future City Council Agenda.  
Parks commission and Solar lighting

23. Citizens Comments.

Kyle Simmons addressed the council on water meter issues. Dorthy Sanders addressed the council-on-council actions on animal control matters.


Francis Fisher addressed the council on animal control issues.


24. Adjourn.

Councilmember Taylor motioned to adjourn , Councilmember Milnes seconded the motion and all were in favor. Meeting adjourned at 9:36pm

PASSED AND APPROVED ON THIS THE 12<sup>TH</sup> OF November2024.



  
Susan Byrd, Mayor

  
Maryann Waddle, City Secretary

