

STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN

On this the 14th day of April , 2020, the City Council of the City of Marlin, Texas convened in a REGULAR SCHEDULED MEETING at 6:00pm VIA TELEPHONE/VIDEO CONFERENCE 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 Carolyn Lofton (via zoom)
Mayor Pro-Tem Scottie Henderson(via zoom)
Nettie Moore (via zoom)
Rhonda Milton(absent)
Max Martinez(via zoom)
Douglas Porter (via Zoom)
Terence McDavid(via Zoom)

STAFF

Cedric Davis, City Manager (via Zoom)
Maryann Waddle, City Secretary (via Zoom)
DeAndrea Petty, City Attorney (via Zoom)

1. Call to Order by Mayor Lofton @ 7:00pm due to technical difficulties.
2. Roll Call by Maryann Waddle.
3. Certify Posting in accordance with State Law by Maryann Waddle.
4. Pledge by Mayor Lofton and Invocation by Councilmember Moore.
5. Citizens Input.

No Public Comments

6. Enter into Executive Session Pursuant to Texas Government Code SEC. 551.074
Deliberation and or Take Action on personnel appointments , duties, assignments ,
evaluations, discipline and or appeals & Government Code ,Section 551.071 -
Consultation with Attorney regarding confidential legal matters (City Council)
Chief of Police Update
Stewart & Hurst
Council entered executive session at 7:03 pm
Council Reconvened in regular session at 9:41pm
7. Discussion /Update on Executive Session item
Bill Stewart stated that there was an account that the city had no access to he had no
response on what the account pertained to. He stated that the city had no internal
controls and that he will donate his time to once a month come to the city and help
correct the situation. He said this will be free at no cost to the city.

8. Discussion and or take action Ordinance NO. 20-004 Postponing May 2, 2020 General Election to November 3, 2020.

Maryann let the council know that the Secretary of State Ordered that all election be postponed till November 3rd, 2020 due to the pandemic. Mayor Pro Tem Henderson said that others have already done this why is ours so late. Maryann let him know that she had been in contact with the SOS and they were fine with a municipality our size and only precinct voting the city should be able to control the exposure, but since it was only voluntary a lot of larger towns were not wanting to postpone so the SOS put in a order for all to postpone. Motioned to adopt Ordinance 20-004 postponing the May election to November 3rd.

Councilmember Moore motioned to adopt Ordinance 20-004 postponing the May election to November 3rd.

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

Ayes: Councilmember Moore, Councilmember Porter, Councilmember Martinez, Councilmember McDavid, Mayor Lofton

Nays: None

Abstain: Mayor pro tem Henderson

Absent: Councilmember Milton

9. Discussion and or take action Resolution 20-002 Designating Authorized Representative for Grant Application.

Councilmember Porter made a motion to adopt Resolution 20-002 Designating Authorized Representative for Grant Application.

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

Ayes: Councilmember Porter, Councilmember Martinez, Mayor Pro-Tem Henderson, Councilmember McDavid, Mayor Lofton

Nays: None

Absent: Councilmember Milton

10. Discussion and or take action Resolution 20-003 Directing Publication of Notice of Intention to file Application for Federal Financial Assistance with the USDA

Councilmember Moore made a motion to act on Resolution 20-003 Directing Publication of Notice of Intention to file Application for Federal Financial Assistance with the USDA.

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

Ayes: Councilmember Porter, Councilmember Martinez, Mayor Pro-Tem Henderson, Councilmember McDavid, Mayor Lofton

Nays: None

Absent: Councilmember Milton

11. Discussion and or take action Extension of Disaster Declaration

Councilmember Porter thanked the Mayor for her actions, stating thigs could have gotten worse and because she acted it has prevented the spread.

Councilmember McDavid motioned to extend the Disaster Declaration.

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

Ayes: Councilmember Porter, Councilmember Martinez, Mayor Pro-Tem Henderson, Councilmember McDavid, Mayor Lofton

Nays: None

Absent: Councilmember Milton

12. Discussion and or take action Approval of City Council Meeting Minutes for December 10, 2019 and March 17, 2020.

Councilmember Moore made a motion to approve City Council Meeting Minutes for December 10, 2019 and March 17, 2020.

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

Ayes: Councilmember Moore, Councilmember Porter, Councilmember Martinez, Mayor Pro-tem Henderson, Councilmember McDavid, Mayor Lofton

Nays: None

Absent: Councilmember Milton

13. Discussion and or Take action Public utilities Commission of Texas adjustment to Municipal Telecommunications Right-of Way Access line rates.

Councilmember Moore motioned to decline the rate increase.

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

Ayes: Councilmember Moore, Councilmember Porter, Councilmember Martinez, Mayor Pro-tem Henderson, Councilmember McDavid, Mayor Lofton

Nays: None

Absent: Councilmember Milton

14. Discussion and or take action Ordinance No. 20-005 Denying the proposed change in rates of Oncor Electric Delivery.

Maryann let the council know that the Oncor Representative sent the Ordinance to deny the rate change for council approval.

Mayor Pro-Tem Henderson motioned to adopt Ordinance 20-005 denying the proposed change in rates of Oncor Electric Delivery.

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

Ayes: Councilmember Moore, Councilmember Porter, Councilmember Martinez, Mayor Pro-Tem Henderson, Councilmember McDavid, Mayor Lofton

Nays: None

15. Discussion and or take action Resolution No. 20-004 Denying an increase in distribution rates within the city.

Councilmember Martinez made a motion to act on Resolution 20-004 Denying an increase in distribution rates within the city.

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

Ayes: Councilmember Moore, Councilmember Porter, Councilmember Martinez, Mayor Pro-Tem Henderson, Councilmember McDavid, Mayor Lofton

Nays: None

Absent: Councilmember Milton

16. Discussion and or take action Consultant Contract Mitamura & McMullen

Cedric addressed the council and let them know that Mitamura came back with three quotes for services. We cannot build this by ourselves we need to try to get the county back on board if we are to complete the retention ponds that are needed. Without the county back in we cannot complete the project. Mayor Lofton asked how much was left in the contract. Cedric said that Sledge had stated about \$6,900 no more than \$7,000. Councilmember McDavid asked what initial happen with the county helping. Mayor Lofton said they pulled out. Councilmember Martinez stated that they need to be fired. They have not brought us the report they were supposed to be doing, and now they want the city to pay for it again. Mayor Lofton stated that Sledge has been working on this project and done meetings as well but we have no sign of where this is going. We postpone and do a special meeting to get the paper work done or go at it alone. Cedric said that this project was originally 10 million but today's time it is 40 to 60 million. Mayor Lofton said that the deadline is the 17th. Cedric said that he broke down what he

charges \$6,900 not spent only add 2-3 thousand to do the bare minimal. Councilmember Moore asked what Cedric recommends. . Cedric said task 1, It would take 6-9 months and we can decide if we want to complete what is left of hire them or another firm to finish.

Councilmember Moore motioned to agree to option 1 task 1 and get the research.

Councilmember Porter seconded the motion the motion carried as follows:

Ayes: Councilmember Moore, Councilmember Porter, Mayor Pro-Tem Henderson, Councilmember McDavid, Mayor Lofton

Nays: Councilmember Martinez

Absent: Councilmember Milton

17. Discussion and review of Department Reports.

City Manager

Cedric Davis addressed the council, he let them know that the home grant is in round 2. He had to go in and make corrections. There are no funds to fix streets available He will be talking with County Road and Bridge to try to come up with an agreement. There is a transit grant that would provide 2-3 busses and could potentially be used to fix roads on the route the busses take. Transit help grants could total \$650,000. We can try to add the airport as well to upgrade it. EPA grant works on property clean up. Property owners can fill in and the EPA will dispose of the house. There is a FEMA public assistance available it has 2 trillion in it, but it is for counties with half a million population or greater. Right now we have city staff, in office, that are working a half day in office the other half from home. Maryann has built a COVID line to track any and all expenses to the pandemic. We will use the reports to submit to FEMA and we will keep track till the end of the pandemic. PD has submitted for DHSA grant. Sergeant Pereyra had submitted it, it got kicked back but he and I corrected it and now stand to get \$200,000. We plan on starting our Code project May 4th or 14th we will be putting out stickers. Scott and I are taking a look at the street project. We are getting the list together by looking at the distribution line repair list so that we don't fix a road that will be torn up later. Mayor Pro-Tem

Henderson asked when City Hall open is so that people can pay their bill. Cedric stated that in the in the Order it states that a reduction in hours in office if possible. People can use the drive through from 8-12 pm every day to drop-off payment, get permits, and all other city business. There is a drop box that is checked daily for those who cannot make it during that time frame. There is also online and call in payment options available. The order states that people are to stay home and limit movement to slow the spread, city employees in office, go and work from home the last half of the day. Mayor Pro-Tem Henderson said that he just wanted clarification. Mayor Lofton said that city hall has had its doors closed since March when all this began. If it were to be open then the staff would have to sanitize after each person that walked in and sanitization supplies are hard to find. The water customers can use the drop box because cash is no longer accepted and has not been taken since November 2019. They will have their stub from their money order or their cancelled check as proof.

Police

Chief McCall told the council that GPS for the units have be purchased. There is a Bell Ring being placed in dispatch. Code/ Aco have moved departments. Sergeant Brewer will be moved off his previous shift to cover for the loss of officers. We had two officers leave this month. There are other things in place. I went to the high school had a callout over there. , and I will get the information the council requested.

Fire Department

Justin Parker told the council there was not anything pressing at this time and did they have any questions. Mayor Pro – Tem Henderson said I like you report it explains in detail what you department is doing and has done.

Public Works

Scott Fornash addressed the council, and let them know there have been a lot of sewer problems about 300 feet of an 8-10 in sewer line and a few water leaks. ! Employee was out he lost his dad. Two employees were out for a week and he will be getting two part-time employees to help on the street project. Councilmember Moore asked who lost their dad. Scott said K. Sanders.

Court

Robin Miguez told the Council that she missed everyone, she has been working from home since COVID started. Maryann scans in the court mail and she processes it.

Water Department

Nancy Dominguez told the council that March was ok with \$295,938.50 coming on the water side and \$318,779.01 on the general side for a total of \$618,140.86. Mayor Lofton asked if tax revenue was still coming in. Nancy said not a much as February. On the water side due to COVID a lot of people did not come in to pay their water bill.

Finance

Judy Sisk told the Mayor good job on her taking action on COVID. The Yearly audit should be done at the end of April. Mayor Lofton said that she was glad Mr. Stewart was going to stay on and donate his time to once a month come and help straighten things out. Judy stated she was glad also there is a lot of work to be done.

18. Future Agenda Items.

Mayor Pro-Tem Henderson asked that all departments submit a weekly.

Mr. Davis stated that the reports received are emailed out every week.

19. Adjourn.

Councilmember Moore made motion to adjourn, all in favor said "Aye" meeting ended at 10:51 pm

PASSED AND APPROVED ON THIS THE 8TH DAY OF September, 2020.




Carolyn Lofton, Mayor


Maryann Waddle, City Secretary