

STATE OF TEXAS  
COUNTY OF FALLS  
CITY OF MARLIN

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On this the 1ST day of June, 2020, the City Council of the City of Marlin, Texas convened in a SPECIAL CALLED MEETING at 7:00 pm, 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  
Mayor Pro-Tem Scottie Henderson  
Rhonda Milton(absent)  
Neddie Lang-Moore  
Terence McDavid  
Max Martinez  
Doug Porter

STAFF

Cedric Davis, City Manager  
Maryann Waddle, City Secretary  
DeAndrea Petty, City Attorney

1. Call to Order by Mayor Lofton at 7:25pm.
2. Roll Call by Maryann Waddle, City Secretary.
3. Certify posting by Maryann Waddle, City Secretary.
4. Pledge by Mayor Lofton and Invocation by Councilmember Porter.

5. ENTER INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT

551.071(Consultations with Attorney) authorizes the governmental body to consult with its attorney in an executive session to seek his or her advice on legal matters. It provides as follows:

(1) when the governmental body seeks the advice of its attorney about ::

(A) pending or contemplated litigation;; or

(B) a settlement offer ;or

(2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.

Attorney's concerns emailed to the council on April 22, 2020. Payment for Investigating Concerns.

Council entered into Executive Session at 7:32pm

Council reconvened from Executive Session at 8:20pm

6. Discussion and or Take Action: Attorney's concerns emailed to the council on April 22, 2020. Payment for Investigating Concerns.

Mayor Pro Tem Henderson motioned to pay the attorney her fees .

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

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

NYES: None

Absent: Councilmember Milton,

Kyle Simmons was called to give his comment. He stated that on the night of the trolling he was asleep for a good three hours according to his CPAP machine. When the chief reached out and called me and asked me what I could see to do to get it to stop and I posted a comment on Facebook for it to stop. As far as the complaint process on Mr. Davis to take this long there's a problem somewhere. Because it should've been the attorneys hands back on February and he doesn't have the authority or the power to take and extend the complaint process for this long on him. And what happened on March 6<sup>th</sup> was a big no-no him and the mayor were discriminating against me and it's not from a physical disability is for one he made up and he did in front of chief McCall and even the city secretary that's what I have to say. Mayor Lofton said that his complaint originally stemmed from Mr. Davis's Facebook page from when he was mayor of box springs. The thing with chief McCall was a totally separate incident. He never filed an official complaint, because he never come in got a written complaint form regarding his February 4 complaint. Cedric said that in his email it said Mr. Davis is a racist because he supports the NAACP he supports the Cinco de Mayo celebration and I haven't seen anything he supports with white people. So my complaint is he's a racist. Councilmember Moore stated so he never filed a complaint. Cedric said no Councilmember Moore asked if that was something that our chief can now take on. Maryann stated the way we do the city is a citizen can come get a complaint form or file a complaint online. DeAndrea said as long as there's nothing on file there's nothing the city can do, that's why I requested of him to do the open records request. Councilmember Moore said understand all that but we could be dealing with somebody who might not be all here so can we let a police official address it so that he can have some sense of it. Cedric said so we can have a police investigation as to whether I'm a racist. Councilmember Moore said you're not listening to me, you're making sense but he's not making sense. You can't make sense out of what don't make sense. Davis said so you're gonna extend manpower to find out if I'm a racist. Councilmember Moore said we're convinced in the power anyway every time he calls were gonna have to deal with it. Mayor Lofton said I instructed him of the process

for the complaint that he has yet to complete. Councilmember Moore asked in our chief approach him and give him some kind of instruction. He want somebody to do something Ms. Petty said even chief can get to the point where he can't legally deal with it. Councilmember Moore said leaving alone is not working. Councilmember Porter said not leaving alone we're gonna handle it personally. Cedric said we're gonna handle the person they were gonna take it to the court and to the FBI so. We can handle it out for up in her.

7. Adjourn

Councilmember Moore made motion to adjourn. All in favor said "I". Meeting adjourned at 8:23 pm

PASSED AND APPROVED ON THIS THE 11TH DAY OF AUGUST, 2020.



  
Carolyn Lofton, Mayor

  
Maryann Waddle, City Secretary