

STATE OF TEXAS  
COUNTY OF FALLS  
CITY OF MARLIN

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On this the 9th day of June, 2020, 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 Carolyn Lofton  
Mayor Pro-Tem Scottie Henderson  
Douglas Porter  
Rhonda Milton  
Neddie Moore  
Max Martinez  
Terence McDavid

**STAFF**

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

1. Call to Order by Mayor Carolyn Lofton @ 6:00pm.
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.

None

6. Discussion and or take action approval of minutes from August 29, 2019, May 18, 2020,

Councilmember Porter motioned to approve the council minutes for August 29, 2019, May 18, 2020, May 22, 2020 6pm and May 18, 2020 7pm cancelled council meetings. Councilmember Martinez seconded the motion. Councilmember Milton stated that the minutes for August 29<sup>th</sup> should be held till next meeting since it was a critical meeting. Councilmember Porter amended his motion to be approve the council minutes for May 18,2020, May 22,2020 6pm and May 18,2020 7pm cancelled council meetings and to hold off on August 29,2020 minutes till the next meeting.

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

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

**Nays: None**

**Absent: none**

**7. Discussion and or take action TCEQ request to Voluntary Revocation of Permit or Registration (old City Dump)**

Maryann told the Council that TCEQ called, the site for the city dump still had a permit in place with TCEQ and they were wondering if since the city was no longer using it if the council would consider voluntary revocation (relinquishing the permit) or if the council wanted they could keep it if they were anticipating use of it in the future. When the permit was originally issued there were no limitations, no renewals. Cedric said it is almost 80 acres and has not been used in such a long time that the whole place is now just green grass. We now have contracted services.

Councilmember Porter motioned to voluntary revocation the permit for the old city dump. Councilmember Moore seconded the motion the motion carried as follows:

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

**Nays: None**

**Absent: none**

**8. Discussion and or take action creating bank accounts Court Technology, Court Security, Juvenile Case Management, and Leose Police Training.**

Judy told the council that all accounts were pooled and that separate accounts were needed to designate the funds. The bank needs minutes to open the accounts. The funds for each will be moved into the new accounts. Council was given the amounts for each account.

Councilmember Milton made a motion to create bank accounts for Court Technology, Court Security, Juvenile Case Management, and Leose Police Training.

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

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

**Nays: None**

**Absent: none**

**9. Discussion and or take action placing funds in newly created accounts.**

Mayor Lofton stated the amounts for each account Court Technology \$9,933.95, Court Security\$16,433.15, Juvenile Case Management \$4033.38, and Leose Police Training\$1,200.

Councilmember Moore made motion deposit the aforementioned amounts into the aforementioned newly created accounts.

Councilmember Milton seconded this motion and the motion carried as follows:

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

**Nays:** None

**Absent:** none

#### **10. Discussion and or take action presentation and Q&A Texas PACA Authority**

Charlene Heydinger gave a presentation to the council on the PACE Program.

Presented to the council what PACE does, this helps to build and restore. Loans can be obtained with low interest rates. It was created by Texas Legislator in 2018. PACE is privately funded for energy efficiency, water efficiency, save pay sight. No cost to the city or county. Used for commercial, nonprofit, agriculture, multifamily dwellings (apartments). The land is responsible for the loan pay back. Allows for a longer pay back on the loan. Has been used to refurbish old hotels. PACE is 5 years old. This is used as an Economic Development Program. Counties are usually the main objective since the county encompasses all cities in its bounds, the city simply states their support. They cannot be involved in the project since they approve it. If there is a default the lender can ask the city to enforce the same way back taxes are done. All cost for the city are covered. All documents are prepared and uniform. The business owner gets the forms from the city. The city has governmental immunity, it cannot be sued, no staff and no tax dollars used. This takes about three presentations to be fully understood. City would have to accept the program and then let the citizens know that the program is in place. No action was taken on this item.

#### **11. Update MRB Grey**

Gil Gregory addressed the council to update:

Drinking Water SRF scope was done to include list for funding lines so that all work is included , plan cannot be changed so all project are put in. project includes replacing filters , new clear well , repairing current clear well, and electrical work. How the water plant works was explained. The old plant was explained as no useable. The grounding system is not being found, grounding was cut out of the ECWAG funding. Clear well storage was explained, water aging in an

extra clear well was discussed. Restoration on the clear well was discussed. Funding use of change plans were discussed and how much would be left for the work that is really needed. 4 million will be used for the water plant and 2 million for the distribution. There are lines left in case there is left over funding after the bids. Hobby tower will be a part of the project (the over flow problems). Water loss is at 60% it should be 10% by standards. People are to be brought in to trouble shoot. Project will be sent over. Sewer plant in reference to ECWAG was questioned. \$16,000 was awarded but the project could have been awarded out of \$500,000. It was explained that this project was for the Brazos River Pump to be fixed and the filter train at the water plant was added. There were guide lines that were not complied with. Grant was not crafted right. Resubmission was discussed, Gill said you can submit it has deadline 30 days. Grant work is not billable. \$16,000 was granted for the repair of the electrical, moving up the hill, and instillation of intake system that is already bought. Filter train was denied because it was paid for in the previous ECWAG. Cedric and Judy will work on resubmitting the grant. Work is set to begin on the water side (SRF) is 6 months out from bid and another month for the bid process. Clean water SRF (drainage). Meeting is to be set to review the list of projects that are set to do. Drainage problems were discussed and trouble areas were discussed, mainly inlets. Culverts were cleared and trenched by the city. Additional inlets and broken inlets will be addressed in projects. Additional storm drains will be put in to take water to the park and to try to keep water off First Street. The second clean water was discussed and no one had heard the status of it. Waste Water project is still waiting on updates.

#### 12. Discussion and or take action Brushy Creek Attorney

Brian Sledge was not able to attend. Questions were asked about the conversations that were billed on the invoices. The Mayor was understanding that the project was in a holding pending the reevaluation. Brian emailed that billing was only done when the conversation was about the specific project. There are internal discussion that are billed, as all law firms do. Operations of a law firm were discussed. Questions about the filling of the NRCS & URCS Application. They are fine on sitting on standby. Nothing has been done since February, which was the last billed. No action was taken on this item.

#### 13. Discuss and or take action on trailer at the convenience station (unable to sell at two auctions)

Scott asked the council what can be done with the old white 16 ft. trailer at the convenience station. It has gone to auction two times and has not sold. The trailer is in horrible condition, the

only thing it could be used for would be scrap metal. One of the employees wanted to know if he could buy the Trailer from the city, he is offering \$50. The trailer is missing tires, the metal is bent, and the bed is rotted. The legality of selling the trailer was questioned. There were no bids put in for the trailer. DeAndrea stated she could look into to the legality of selling the trailer if the council wanted to table the item.

Councilmember Porter motioned to table the item.

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

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

**NAYS:** None.

**14. Update/Status: City Business not needing immediate discussion or action from City Council;  
City Manager**

Cedric let the council know that HOTCOG sent the agreement for the summer jobs program. The program (state) pays the worker. Pothole mix will be in and pothole patching will begin. They will start with the major potholes. 4,200 lbs. were ordered. John Stem donated a gate and No Trespassing signs for out at the airport. If we are granted a Grant it is now 100% no match. Flooding was talked about, and temporary relief was mentioned to help with the water flow. Hail damage was discussed. Muni WIFI is being looked at, this will enable all of the downtown area to have WIFI access. TWDB 2019 close out letter was sent to the city. Centex Web should be at the next meeting. Complaints about the mowing of parks were discussed. The project start date was discussed and there is some confusion about it starting in August or in 9 months. Councilmember Porter wanted it noted that after the long process a house that had been needing tore down, the tear down was finally started.

**Court**

Robin Miguez told the council that last month the court brought in \$14,065 and the city kept \$11,041. The juveniles that were to come to court now don't have to come, they graduated. Others on the list did what they supposed to do so they don't have to come to court either. The number for court went from 35 to 20. Court for next month some will be virtual and a few will come in, more will be virtual.

**Police**

Chief Hommel addressed the council and let them know that he has three coming for interviews and another potential interview. TCOLE paperwork was discussed with a representative from the agency, paper work on employees who were hired since December is incomplete, and he will be

working to get it straight. NIBRS system was discussed, the clarity. Body Cams and mobile cams were talked about, the need for more of them and the lack of them. Axon Body Cameras will be looked at, 12 of them. The cost is about \$8,700. The batteries last about 4 years and cost about \$20 to replace. Storage prices were discussed. In car cams were talked about and the ability to acquire them cost \$6,780. The money donated and from seizures would be used to purchases if council is willing. The lack of computers in the cars was mentioned. Mayor Pro Tem Henderson wanted that the council approve the purchases of the equipment so that the action was stated in the record. Chief Hommel said cameras will be assigned to officers and engraved to reflect assignment. Paper trails were discussed and making sure documentation is being done. Mayor Lofton stated that what can be purchased within the City Managers powers should not be put off. Chief Hommel said he did not intend for the council to purchase tonight, he had every intention to bring it to the council at a later date.

#### Fire

Chief Parker told the council that they are moving forward after the storm damage. Mayor asked about COVID numbers. She was told there are 5 in the county.

#### Finance

Judy Sisk told the council the balance for the 5% account is \$298,186.94. Bill Stewart will be here next week to help with the finances, as he promised. Councilmember Porter wanted that balances on revenue be checked and the packet was lacking a check register. Debt services are due next month he wanted to make sure the money set aside. Judy said she didn't run it, she would run it, get the debit service information and email them to him.

#### Public Works

Scott Fornash told the council that the three day cleanup was good. There were 61 trailer loads and 36 truckloads. The limb pile and the convenience station were open. The accessibility and cost of the limb pile were discussed. Bluebonnet will be started on Monday and should be completed Friday. Trucks down, one motor went down, vac truck, and one is down because of the high water. There was a water leak that was found and fixed today. The roller is down, it is the hydraulics. ACs are being fixed. Street crew is coming early to start work before the heat of the day. They have laid 12 loads of asphalt. Mayor Pro Tem Henderson asked about the hail damage. Scott said that the estimates were done and the work to be done was discussed. Mayor Lofton commended the crew on their work. Communications with the Engineer was asked about. Councilmember Milton asked about a city engineer. She would like that the city need an engineer to know what the project engineer knows, the city needs someone to look out for the city's interest. Cedric stated he is hearing that in the new budget a city engineer needs to be added. Past experiences with overseers of projects was discussed.

**Water Plant**

Jennifer Trotter said that the AC in the control room was fixed. Sludge Clarifier has stopped working on the top part. It is being looked at because the total replacement is too high, a rebuild is what is being looked at. A hose is being used to keep it from sticking. The 2 violations went out. One from December, Ransom Ware, the letter was the last part. HAA5's is the only this outstanding, this is a correctable violation. They are done quarterly, we get the results back soon. Elevations need to be looked at. The generator had a sensor go out, it was fixed. Records keeping was discussed. Chlorine burns were explained. The council was invited to visit the water plant.

**Water Department**

Nancy Dominguez told the council that in May \$306,034.58 came in on the water side. \$175,574.01 On the general side. The total for May was \$486,003.59, this was an increase over the last month. Mayor Lofton asked about the 38 meter inspections. Nancy said yes there were a lot of transfers and new consumers, people paying off old bills and restarting service. Councilmember Porter asked if she was doing deposits and who put the payments into INCODE, He wanted to know about the note that states deposits for Nancy to put in payment on. Nancy said she does not enter deposits that are put into the bank, she just enters it into INCODE. Sales tax was discussed. Councilmember Milton suggested an aging report be done on equipment. We need to keep an aging inventory detail list.

15. No Action Item: Any items needed to be placed on future agendas.

Putting the Police cams on the next meeting. Storage of meeting packets on tablets were discussed.

16. Adjourn.

Councilmember Moore made motion to adjourn. All in favor said "I". Meeting adjourned at 8:43 pm

**PASSED AND APPROVED ON THIS THE 12TH DAY OF January, 2021.**



A handwritten signature in blue ink, appearing to read "Carolyn Lofton", is written over a horizontal line.

Carolyn Lofton, Mayor

A handwritten signature in blue ink, appearing to read "Maryann Waddle", is written over a horizontal line.

Maryann Waddle, City Secretary