

STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN

On this the 30th day of June, 2020, the City Council of the City of Marlin, Texas convened in a Special Called 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
Nettie Moore
Rhonda Milton
Max Martinez
Douglas Porter
Terence McDavid

STAFF

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

1. Call to order by Mayor Lofton @ 6:00 pm
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. Discussion and/or take action:

Mayor Lofton- Extending the executive order issued on June 25, 2020 directing the use of face coverings. So umm Governor Abbott recommended the use of face coverings. As many of you have noted uhh most of the surrounding communities have already issued orders for this. Umm I can tell you here in Marlin and Falls County when I did this order we were at 25 cases, today we are at 28. I spoke with umm Falls Community Lab today. She said they are 50,000 behind today on testing. So the numbers aren't accurate because there are a lot of tests they haven't received and they're not going to be testing unless there is absolutely a necessity and then it's going to take however long to get those results back. I do know that uhh when one person was tested in a household, if there was someone else showing symptoms, they were not tested. So, you can potentially double this number as we stand right now. You can also expect this number to grow because without testing and with delayed results, we don't have any idea of how many actual cases we have within our city. So, the Governor recommended ordering face coverings, I know that in Waco today the County Commissioners office umm restricted the use of Fines For businesses, it is included in our order, I wanted to have some discussion about that tonight whether or not we wanted to continue with that. What the Governor recommended was that businesses require the use of masks to enter umm or be fined.

Mr. Davis- We did get a shipment of umm thermostats umm digital thermostats from the State umm it was a pleasant surprise because we didn't know the state was going to send them but they sent us 7 brand new thermostats. So we did get those from the State.

Mayor Lofton- Ok that's good... So do we have any discussion on the order?

Councilmember McDavid- Are you talking about fining the uhh companies the uhh stores, they already got uhh notice of this?

Mayor Lofton- This order went out uhh last Thursday the twenty fifth, this order went out, the emails that I have, the email addresses that I have for businesses, they received one. It was posted in the paper, it's going to be posted in the paper for this week and it doesn't go into effect until tomorrow.

Maryann- and I also sent it out umm on our website, on our website you can do emergency notices so anybody who signed up for our alerts got it as well.

Councilmember Milton- So goes going to verify the City of Marlin businesses? Will that be the City's responsibility to verify and confirm?

Mayor Lofton- well it wouldn't be the city itself but the police department went by and...If you read the order, as long as there is a glass separating. The employees don't have to wear masks but the patrons need to wear the masks coming in. Now we can't force people to wear masks businesses can require the mask within their establishment, same as they do with "no shirt, no shoes". They can require that. That's what the order was directing, the businesses because that was the only entity that the State couldn't enforce.

Councilmember Milton- That's what I was trying to say and that is what I'm asking. Who is going to check on the businesses? Will it be the Police Department, the officers? To verify each business in Marlin or Falls county.

Mayor Lofton- I don't know if they would be able to do both, to verify it but I would think that if they noted it that it wasn't happening then they can act but for the most part most of the businesses that have responded to me have been receptive. They're already getting their signs posted, they have asked if we have recommended signs that they could use and I know that Justin was going to be working on some. So, most of the people that I have spoken with have been willing to comply. Any other discussion?

Councilmember Milton- Do you have a list of all the businesses?

Mayor Lofton- Not all of them.

Councilmember Milton- Should we get a list of all the businesses?

Mr. Davis- We can attempt to get them all. That's not a problem.

Councilmember McDavid- The only ones that will need the list of businesses will be the Police Department.

Councilmember Milton- That's what I'm saying.

Councilmember McDavid- Our code enforcer, is she busy checking with the establishments also?

Mr. Davis- She can and if y'all want her, we can use her as well to go door to door.

Councilmember McDavid- cause there is more code enforcement going on more than anything else.

Councilmember Milton- It seems to me the council needs to take responsibility to ensure the businesses are following the stipulated policies.

Councilmember McDavid- you got somebody showing up at these businesses and actually checking.

Maryann- I can tell you there has been several calls from businesses they'll actually call over to the PD and let them know "hey, we have some people that are trying not to comply" and he tells them basically what the governor has said it's kind of like the "no shoes, no shirt, no mask, no service" and a lot of the businesses are actually doing that but these people will call in and say "hey these people aren't complying".

Mayor Lofton- I know they responded to a call last week umm, here in the city and he said that when they got there everybody had masks on but the store was complaining

that the people weren't wearing masks. But that is a directive for COVID we can do for code enforcement to you know..

Maryann- Yes ma'am.

Mayor Lofton-Someone will double check with Justin on some of the signs, he was talking about creating some sign as Emergency Management. We'll see if some of those are available...the order will end on the 1st of July and be extended for 30 days because I did the 7 days.

Councilmember Porter made a motion to extend the executive order issued on June 25, 2020, directing the use of face coverings for an additional 30 days.

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

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

Nays: None

6. MRB Grey No-Action Item-

Gil was letting the council know he talked with Connie over at water development board. We got the second funding the 2020 SRF funding for the construction funds for the drainage project. We were shorted for the first one. Meeting is set for Sept. 3rd. depending on everything going on. You're looking at a couple of months after that worth of time to getting the money into the bank maybe a November timeframe for the full funds available...The drainage issue and study being done, a sit down with TXDOT to talk about Live Oak and there are problems be caused from infrastructure into your infrastructure. County issues, a meeting needs to be had with the county about the outskirt areas that need to be taken care of....Gil is showing pictures and a presentation on drainage issues on the streets and items that were found in the system. MRB is getting with the Railroad about the culverts, either getting new ones or cleaning the ones they have now. Gil says he has been to TXDOT and in Waco also and they don't have any plans for Live oak and he was told that if he finds anything to get it to them. Commerce, all the lids are broken. More inlets are needed to get drainage. What they found is a 15 inch diameter pipe down First Street, "not very big". "We're figuring a 60 inch diameter pipe to catch that water" and adding an additional project to the north to take some water off of there. Inlets are 3ft wide and should be 6ft wide. Eventually everything ends up to the park, through the pond out to the creek and into the river. Gill is showing more pictures of the front of HEB and vehicles pushing water down Kennedy. They are looking into adding some additional inlets. That is another thing they need to talk to TXDOT about and get them to do some work along with them to alleviate some of that water out of there. He is showing more problems with Kennedy and if the area is flat they can't do much with it. Moore asked about the creek and how it plays into the plan. He states he has a picture about it later in the presentation. Henderson asked about a lady and how she isn't able to wash clothes or do anything when it floods and that they need to look into it and if the flood water is getting into the pipes causing it to clog up with sewer. Gil says he will get with Scott about her issue. Henderson says Scott is really good and they need to look at it and make sure nothing is collapsed. Gil shows more pictures of the park and project 2. Saying they are wanting to burn up along the tree line...Misc. drain issues,

railroad tracks. Gil was letting the council know of the few projects he is looking at to alleviate the buildup of a few streets that are really torn up and hold water. He is showing a slideshow of trenches and streets that need to be cleaned out and get the water going to the main trunk sewer they are going to propose for the project. He is showing pictures of culverts and railroad tracks, showing the drainage issues. Gil is saying how the water has a problem getting through because of the poor maintenance and silt blocking the drainage. Councilmember McDavid is asking if Gil is talking to the railroad and see what they are going to do to help. Gil states they will be talking with them. Gil is saying how dangerous it is with the water inlets near the hospital and how they need to know what the hospital is discharging or what chemicals if any causing the steam to come out of the culverts or if it is something natural.

Councilmember Milton is asking if he is talking about the present day hospital and Gil replies "yes that it has been going on for years and they need to get with them to see what is being put into the pipes". Councilmember Milton asked if anyone has been in contact with the hospital and Mr. Davis stated that he has been trying to get a hold of someone and is waiting for a call back. Gil stated he needs to see if the city has an ordinance on discharge of high temperature water and that it's definitely a conversation that needs to be had. Councilmember Milton thanked Gil for enlightening the council on the situation with the hospital. Gil starts showing problem streets that are not letting the water enter into the inlets. Gil starts saying that throughout the years when the manhole lids needed to be replaced that the public works guys did a good job at keeping them covered so nobody stems through the hole but the problem is that they weren't using the proper manhole lid. He states there is a difference between a sewer manhole lid and storm sewer lid and the storm sewer manhole lid has holes in it to let water flow through it. The problem is that those are not usually kept on hand and that the sewer manhole lids are usually kept on hand so that is what is used but they have no holes to let the water through which causes the problem of the water building up. Councilmember Martinez asked if that will make a big difference and Gil replied saying it will make a big difference but even with the little holes in them that are small but any little bit helps. Gil starts showing pictures of blockage near the hospital that has sandbags around some pipes blocking the water from flowing saying that they had been there a long time. Gil states that they have several projects and how they need to work with the hospital, TXDOT, Railroad, county. Gil states that they have to go through and list what is on what property whether it be grass, rocks, gravel, road, concrete, driveways and knowing that will help them with calculations with different scenarios. He says they are looking at the past 10 year history of storms to see what they need to implement in their scenarios. Gil starts looking at number 2 on his presentation and explains it is what the Water Development Board is expecting to be done. They are looking into what size of inlets will need to be put depending on which is the best scenario. Gil says First Street is a main street that they are looking at and upsizing the lines around First Street and close by area. Gil says how they are looking to catch most of the debris so it doesn't affect the downstream of water flow. Number 3 is about Commerce and how they are looking into adding inlets to take water off of there. Number 4 is the George areas and cleaning the ditches that are currently there. Councilmember Martinez asked about additional inlets. Gil said they are looking into

doing both, adding inlets and cleaning the ditches. They are hoping to get more infrastructure down Kennedy to catch some water coming off of the intersection, but they are needing to get with TXDOT. Mayor Pro Tem Henderson asks Gil about Eddings where the new road is and if they can take a look at that because he thinks that “thing” is collapsed where it can’t get into that creek. Councilmember Martinez is confirming the picture he has is the correct one that Gil is talking about with the Eddings Street. Gil starts talking about San Antonio Street and Councilmember McDavid asks if they are thinking about just cleaning out the ditch or what they plan on doing with it. Gil says they are looking at cleaning it out and making it deeper. Councilmember McDavid is letting Gil know about the problem down the street he lives on and how it holds water. Gil says he will be getting a report and estimate done for the project. Mayor Pro-Tem Henderson is asking about the sewer lines at the park and why they couldn’t tell which way the water was going once they looked into the sewer lines after lifting all the manhole lids. Saying that the water was just meeting each other and not going anywhere, just sitting still. Gil let him know that all the manholes at the park are sewer manholes and they all lead to the lift station to the west of the pond. Gil is letting the council know that what they probably have there is what they call I & I (inflow infiltration) where old sewer lines, broken clay pipes, water getting in and messing up the collection system. Mayor Pro-Tem Henderson said that he and a few guys were trying to see how the water was flowing because more and more was getting in there but there was no outlet and it just seemed like it was backing up somewhere but they couldn’t figure out where. Gil says that is all they have for today and will have more detailed items at the next council meeting along with individual reports on some of the projects. He says they will be getting the probable costs together and figure out how much each one is going to cost. Says they have \$6 million worth of construction including that 19 funding and the 20 funding together that they are on the agenda for. Councilmember McDavid is asking if they are going to look at 10 or 12 ft. pipes. Gil says looking at them from the road, Pipes will be 48-60 inches. Mayor Pro-Tem Henderson asked if they are going to be digging up the streets and Gil says yes that they are going to be digging them up and will be figuring out the replacement costs. Mayor Lofton asked about the timeline on the projects and Gil replies that they are looking at bidding it in November and first of December due to lack of funds available until then for a contractor. Gil says that they won’t be going after the money until September and the timeline will work out perfect because it takes a few months to actually get the money transferred into the bank. He is hoping to get it all bidden as one big project rather than individual ones because it starts getting expensive with mark ups so they are going to try and get one contractor. Mayor Lofton asked how long the bidding process will actually be? Gil says they will actually receive prices from contractors in December. Following that, the recommendation will be provided to the city and a council meeting will be held to “award” the project and then the Water Development Board will review everything along with the award letter and then they will set up a pre-construction meeting and will issue a notice to proceed to the contractor. He says once they bid the city is looking at about 3 weeks for a notice to proceed to be granted depending on how fast the WDB gets the paperwork back to the city. Mr. Davis is reminding them of the holidays that will impact the process. Mayor Pro Tem Henderson is asking if they can

get someone out to business 7 to clean all the debris. Gill says they will be doing a "first flush" where they will be putting concrete and creating kind of like a spillway. Mayor Pro-Tem Henderson is letting Gil know about the drainage issue near the High School and Wal-Mart where it goes into the creek and gets stuck. He is saying that debris coming from the Wal-Mart area is meeting with the water coming from the High School causing it to get deep. Gil is asking if there is a pipe going from manhole to manhole in that area and Mr. Davis told him yes. Gil says that could be a problem because of so much debris from both areas causing the lack of drainage. Gil says he will have to go look more at it but they do understand the area that is being talked about. Mayor Lofton asked if they will be getting a proposal for project 1 with the costs. Gil says yes they will be getting that together to show what the funding looks like and see where they are sitting at. He says they will be able to bring them to the next meeting. Ms. Scaggs is saying how nothing Gil says is concerning anything south of First Street. She starts explaining what streets that need to be looked at because there are several streets within 2nd street and 1st street. Councilmember McDavid is helping in explaining how the water all flows down one way. Ms. Scaggs is saying how part of it leads towards the County and how they aren't taking care of their area which causes the water going back to First street, George street, Samuel, railroad tracks and Commerce St. too. Ms. Scaggs is asking if anyone has gotten in contact with the railroad and let them know what they need to do. Gil says he has been in contact with them. Councilmember McDavid and Ms. Scaggs are both letting Gil know what needs to be taken care of with Falls St., Kennedy St. and across Commerce St. by the railroad because it is all going back down to First, Second St. and Dunbar instead of going out somewhere. Ms. Scaggs suggested that they try to get an interlocal agreement with the county because they need to help with it also. Gil said that is something they need to discuss with the county once they get a meeting set up. Ms. Scaggs is asking Gil why he hasn't said or shown any projects on trying to get those streets fixed and Gil let her know that he has been taking notes and will get to looking at all that she has been saying. She said that it should have been already added just like the other streets that he has been talking about because the people can't wait for something to get started. They need to get on it as soon as possible. Ms. Scaggs was letting Gil know that there are too many holes on the corner of George street and she had the county put dirt there one time and it all washed away, she was saying that someone's kid can fall in and if it's dark you can't see them so if people don't know they're there then they'll just fall in there. Ms. Scaggs is letting them know that someone closed it off and the water can't go anywhere. Mayor Lofton thanked Ms. Scaggs for her input in the discussion. Mayor Lofton asked if there is any further discussion or questions for Mr. Gil. No other questions were asked.

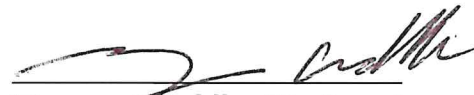
7. Adjourn

Councilmember Moore made motion to adjourn, all in favor said "Aye" meeting ended at 7:20 pm

PASSED AND APPROVED ON THIS THE 9TH DAY OF MARCH, 2021.

A handwritten signature in black ink, appearing to read "Carolyn Lofton".

Carolyn Lofton, Mayor



Maryann Waddle, City Secretary