

STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN

On this the 14th day of July, 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 (absent)
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 Ordinance 20-006 Re- Appointing Municipal Judge
Councilmember Moore motioned to adopt Ordinance 20-006 Re Appointing Denny Lessman as municipal Judge.

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

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

NAYS: None

Absent: Councilmember Martinez.

Judge Denton Lessman was sworn in.

7. Presentation from TREAT

Andy Martinez presented the work that has been done by TREAT , there are 17 members.
They started with thing important to the community. They wanted to first attract people to

the community. In the plan they focused on how to get people to the area. Quality of life is important to maintain. Marketing and communication program, used to communicate with the community and world. Strengths and weakness of the community were talked about. There was a list of things for the future direction of Marlin. Annexation of more property on the other side of Hwy 6 was mentioned. Plans for utilities in the area would make it more attractive. Bringing on a designated Tourism Director will help with the progression. In the slides are recommendations and documentation on meetings held. Mayor Lofton asked if additional assistance would call for a new contract, Andy said yes. Mayor Lofton asked if the city had been billed anything on the other contract, the one before the county and city went in together. Andy said only when they attended the convention before COVID, a new contract, because the previous one has expired, would have to be done.

8. Discussion and or take action Tourism Marketing Specialist Project Manager

Tourism Specialist position was discussed. The council was provided the job description that is to be posted. The salary range on average \$42,000 to \$45,000 a year. Project manager was discussed and how to manage having one to only come when we need, their hourly is around \$125-\$140 an hour. RFQ was done for both positions were done and posted. Councilmember Porter stated that a marketing person is needed, they would sell the city and the program. Several ideas for promotion and the benefits of tourism were discussed. Places to look for work pool was ask discussed. The history of city relations were discussed. The work at the Tourism Building was gone over, it should be done in 30 days. A plan for marketing will be requested for whoever is hired.

Councilmember Porter motioned that city hire a Tourism Marketing Specialist for \$42,000 to \$46,000 per year.

Mayor pro-tem Henderson seconded the motion and the motion carried as follows:

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

NAYS: None

Absent: Councilmember Martinez.

Andy stated that the council could offer bonuses for makers/ goals meet, this would help attract talent. A museum was looked at in the past and information was gathered for it.

9. Public Hearing on a requested special use permit for a new manufactured home to be located at 418 2nd St. , Marlin also known as S 4160 Smith And Block 9 Lot 10,11.

a. Speak in Favor. None

b. Speak in opposition. None.

c. Questions by Citizens. None.

d. Close Public Hearing. Hearing was closed at 6:49pm.

10. Discussion and or take action on recommendation on requested Special Use Permit for a new manufactured home to be located at 418 2nd St. , Marlin also known as S 4160 Smith ADDN Block 9 Lot 10,11.

Maryann let the council know that the Planning and Zoning Board voted unanimously to recommend approval for this special use permit.

Councilmember Porter motioned to approve the special use permit for a new manufactured home to be located at 418 2nd St. , Marlin also known as S 4160 Smith ADDN Block 9 Lot 10,11.

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

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

NAYS: None

Absent: Councilmember Martinez.

11. Discussion and or take action approval of minutes from August 29,2019, February 14,2020, June 1, 2020 7p,, and June 16,2020 council meetings. .

Mayor Pro-Tem Henderson asked about the minutes on the tablets as to their location. He was shown the location. The council was informed that the minutes from August 29th were hold overs from a previous meeting.

Councilmember Milton made motion to table approval of minutes from August 29, 2019, February 14, 2020, June 1, 2020 7pm, and June 16,2020 council meetings, until council has had a chance to review them.

Mayor Pro-tem Henderson and Councilmember Milton requested hard copies of the minutes.

Mayor Pro-Tem Henderson seconded this motion and the motion carried as follows:

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

NAYS: None

Absent: Councilmember Martinez

12. Discuss and or take action water rates review

Mayor Lofton explained that the water has been increased about 35%, she proposes that the council reduce it by 15%, and that after reviewing the budget it does not seem that the decrease will affect it. She also proposed that the council stop the next two year increases as well. She just wanted the council to be informed of this going to working on the budget.

Councilmember Porter motioned to table this item. The money was placed to the side to take care of what was to take care of grants. McDavid said that it was supposed to only increase by 5%, the ex-city manager brought the proposal of the 30% and they did not take action to stop the extra 5% on the next years. Mayor Pro-Tem said that if we can see that the money is there in the budget then we need to move on and not go back to the past. The council was given a schedule for the budget planning. October 1 will be the next water increase by the old ordinance.

Councilmember Moore motion to table item 12, water rate review until budget review.

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

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

NAYS: None

Absent: Councilmember Martinez

13. Discuss and or take action memorandum of understanding with Mundo for TPWD Grant

The county has already entered into an agreement with the Mundo to file for grants to fix up it parks. They are asking the city to join in with the grant it is for \$500,000. The grant is a 100% Mundo will look at the lake to see what can be done. A portion will go to the county, city and other parts of the county. The city will also be seeking grants for TPWD on our own. This will be a partnership with the county for \$5000,000 and an individual one for the city as well.

Mayor Pro-Tem Henderson motioned to enter into a memorandum of understanding with Mundo for TPWD Grant.

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

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

NAYS: None

Absent: Councilmember Martinez

14. Discuss and or take creating bank accounts Court Truancy.

Judy Sisk told the council that the judge that outside of the other accounts just created, this needed its own account as well.

Councilmember Porter recommended that the city create an account for Court Truancy.

Mayor Pro Tem Henderson seconded this motion and the motion carried as follows:

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

NAYS: None

Absent: Councilmember Martinez

15. Discuss and or take action placing funds in newly created accounts, Court Truancy (\$3,023.53).

Councilmember Porter made a motion that the city move \$3,023.53 to the newly created Court Truancy fund

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

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

NAYS: None

Absent: Councilmember Martinez

16. Discuss and or take action on trailer at the convenience station (unable to sell at two auctions) (from previous meeting).

The council was provided pictures of the trailer. Scott told the council that it was junk metal, it would cost too much to fix. There is a worker that offered \$50 , Councilmember McDavid stated that it would be best to just say have it for removing it, we don't need to see to employees. Deandrea said that she spoke with TML, they said there is no law, the city has nothing in the charter about the matter, so it is up to the council what they want to do with it.

Councilmember McDavid made a motion the city employee can just remove the trailer form the premises.

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

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

NAYS: None

Absent: Councilmember Martinez

17. Discuss and or take action mowing contract with NO Complaints (Scott).

The council was provided pictures of the parks and cemeteries. Scott was unable to get in contact with the contractors. He saw them today, they stated they had a mower down. Scott told them the city had to start to mow because it has gotten out of control. Cedric said that they were put on a 30 day probation at the last meeting. The prospects of hiring an addition person to mow with the left over contract money.

Councilmember Moore motioned that the city void our current mowing contract with No Complaints Lawn Care.

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

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

NAYS: None

Absent: Councilmember Martinez

18. Discussion and or take action approval for rebuild on Sludge Clarifier at Water Plant.

Jennifer Trotter said bids were obtained for a new at \$62,000 and then it came back once the parts were looked at \$36,825. An explanation of the clarifier was given. The top and bottom parts of it were looked at. The gears and bearings need replaced. If rebuilt it will be as good as new. It had not been originally maintained. The maintenance schedule needs to be looked at. It had been broken for a while. The problems could have originated from the install. The price does include rebuild and install. A lift has to be rented. , that will cost \$1,400 and a pump will be needed it will cost \$1,200. For a grand total of around \$40,000. The pump will be used to get the sludge out. It will take about 2 weeks to get it done. The suggestion of getting the whole plant assessed was mentioned. Check lists for equipment need to be done to help with Maintince. This was supposed to be a part of the grant we are receiving, but we can't wait. The list needs to be checked for reimbursement. Gil will check to make sure it is something that can be prepaid.

Councilmember Moore moved to approve the rebuild of the sludge clarifier at the water plant.

Councilmember Porter seconded the motion.

Councilmember Milton wanted that the motion be changed to add check list for maintenance logs.

Councilmember Moore moved to approve the rebuild of the sludge clarifier at the water plant and assessment of the water plant and to set up a Maintince schedule for the up keep.

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

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

NAYS: None

Absent: Councilmember Martinez

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

Cedric Davis told the council that he and the finance director have been meeting with staff on budget. The council has been provided with a budget workshop schedule that complies with state guidelines. Commissioners were meet with to start working on an agreement on working the roads and to help with drainage, we are talking with TWDB to see if funds left over from another project can be used to help with the drainage and Bulldog Creek. Meet with the Falls Co. Tax Assessor, there are new state guidelines for setting the tax rate, and only one public hearing is needed. There are three figures that are figured it is called the TNT. Street pictures were provided. We are looking at purchasing equipment for street repairs. There are people looking to help revive the airport. There will be planes flying in for breakfast, they would like to get students involved with planes. They are also wanted to host a fly in event. Gamming Ordinance has been being worked on , it should be completed soon , it will be sent to the city attorney for review. Grants being worked on were discussed. On that helps tear down old houses, EWAG was given \$16,000, TPW is being worked on by Mundo, FAST and Planning grant have been passed, and the HOPE grant closed on June 3rd ,we are still in the running for it. EDA is coming up in August.

Court

Robin Miguez told the council \$12,487.74 was collected and the city kept \$9,740.94. There were 60 citations which was 40 more that last month. Court is coming up, some will be Zoom. The appearances will be staggered and temperatures will be checked. There are 25 in each section of which 10 at a time will be in the court room the others will remain in their cars.

Police

Interim Chief Hommel told the council the patrol cars will be taken one by one to have the hail damage fixed. He was told that repairs could take a while since roofs had to be replaced, the repairs will be pushed back a couple of months because repairs can take 30 days for each. Mobile cams and body came in and the mobile cams are being installed time permitting. All officers have been assigned a body cam. Maintenance schedule has been set so that every 3 months the maintenance can be done. There are three new hires. TCOLE paper work is almost done and qualifications will be done by the end of the month. Total calls was around 300. Story of helping a citizen was told.

Fire

Chief Justin Parker was on vacation.

Finance

Judy Sisk told the council accounts payable were current. Debits are current. In the 5% dedicated water fund there is \$308,699.41 and in the general fund there is \$2,511,350.72. Bill from Stewart and Hurst was scheduled to come but he had to reschedule. Budget is being worked on.

Public Works

Gil Gregory with MRB Group told the council that Jennifer got with him on some items (fuses blowing, levels of troughs, and other issues arising) they are still with in the warranty so they will be looked at this week. The grant for the waste water plant has been pushed back for the whole state, there are no updates at his time. On the CWSRF, meet with county commissioners on a inter-local agreement, they are willing to help. A preliminary budget will be available at the next meeting. We are looking at projects like Bulldog Creek, this will be a good project to do with the county. On 2nd street, the railroad is being talked to on how to help in keeping the water moving. The clarifiers interworking were discussed, and how maintenance was not done along with the torque required to power it. Manuals are supplied after construction is done. Waiting on the final approval for the work that can be done, both the water and drainage projects will be done. They have been working to find values for the water line. First street was the project brought up, it is a problem area, it will be the biggest focus. Work will be done above 1st to try to keep the water off the area. The current pipe is 16in, they are looking at a 60 in pipe for the replacement. The funding schedule on The TWDB project was explained (the money is not in the city account). The outlays (invoices) are submitted to the TWDB, once approved a fund letter is sent to Wells Fargo to releases that amount, and then the city can transfer the money to bank account to pay the invoice. The TWDB only sends out the money when the money is approved. There are two parts, the loan and the free money. Any prepaid will be funded through reimbursement. There is a bottle neck with some of the reimbursement. A meeting will be held to try to get the money owed moving. The money does not just sit in the city account.

Scott Fornash told the council that road work is being done on MLK and they have a few things left on Bluebonet before the move to Northridge. Pothole work will begin next week, but with the weather getting dry some of the crew might have to be taken off roads to help with leaks. Roads that are part of the TWDB project are being avoided, don't want to do them twice. Some of the ones on the project list are getting holes filled because they are so bad. Communications with TCEQ have been constant. There were 4 possible violations. One was a water complaint, but through documentation the complaint was dismissed. A CCI report was sent and it will be reviewed and TCEQ will notify of their findings. F2(HH5) in Royal area are being looked at ,

meetings on how to correct are being attended. Another violation from 2016 is being worked on to correct, it was a monitoring violation. There is one waste water violation, from an inspection in 2017/2018. The fine is \$130,000. Scott has 3 things left to work out to fix the violation. There will be a form for financial inability to pay, it could lower or elevate the fines. The sewer plant is in bad state that is why grants are being applied for. The lack of employees in the past has led to low Maintenance. The guys are starting work at 6am just to be working in the cooler hours.

Water Plant

Jennifer Trotter told the council they have two new people at the plant. Two have passed their C Licenses. Filters were pulled and maintained. Not out of the violation, they are doing a class to help. There will be an automatic flusher put on the fire hydrant to help. Budget items for fines from TCEQ were discussed.

Water Department

Nancy Dominguez told the council that in June water brought in \$296,621.27, general brought in \$189,161.59 for a grand total of \$488,257.86. Collections are going up, people are paying, and entities are helping with bills. Ways to get help were discussed.

20. No Action item, any items needing to be put on future agendas.

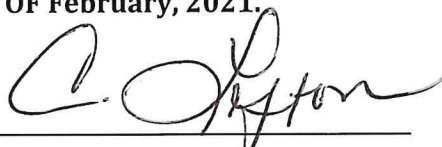
Councilmember Henderson asked that MRB be placed early on the agenda. Schedule for the budget workshop was reviewed. Chamber discussing to be put on later agenda.

21. Adjourn


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

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





Carolyn Lofton, Mayor



Maryann Waddle, City Secretary