

**STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN**

On this the 9th day of February, 2021, 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 Rhonda Milton (absent)
Nettie Moore
Scottie Henderson
Max Martinez (absent)
Douglas Porter
Terence McDavid

STAFF

Cedric Davis, City Manager
Maryann Waddle, City Secretary
James Parker, City Attorney

1. Call to Order by Mayor Lofton @ 6:00pm.
2. Roll Call by Maryann Waddle.
Mayor Lofton let the council know that Mayor Pro-Tem Milton called to say she could not make the meeting.
3. Certify Posting in accordance with State Law by Maryann Waddle.
4. Pledge by Mayor Lofton and Invocation by Councilmember Moore.
5. Citizens Input.
Mayor Lofton let the council know that a email was received and it is in the council packet for review due to time constraints. Maryann Played a voice mail (Yanine The Flying Dutchman from California) stating that the airport has become a beautiful airport according to the article. Charles Brady and Glen Lewis addressed the council about previous occurrences and correctios they have made. They thanked the council for letting them apply for the Tax Attorney RFQ. Mr. Lewis told the council that he will be overseeing the city account.
6. Swearing in of new Municipal Judge
Mayor Lofton swore in Judge Morris Overstreet, the new Municipal Court Judge for the Marlin Municipal Court.
Court will be held the 2nd and 4th Tuesdays of the month in the years 2021-2022. Night Court for juveniles on the 4th Tuesdays of the month at 6pm. The 5th Tuesday will be for trials.
7. Introduction of New Employees: Tourism Director and ACO/Code official
Bryan LeMeilleur, Tourism/Marketing Director and William Hunt (Coder /ACO Official , were introduced to the council.
8. Discussion and or take action MRB Group (Gil Gregory)

Gil Gregory told the council that the DWSRF is on a hold pattern because of TWDB, waiting on the Environmental Determination. The Environmental Feasibility Report has been reviewed. They can not get approval until department in TWDB gives approval. The CWSRF is in the same pattern, no questions have been received, when received they will answer any question on the environmental report. The flood infrastructure program has taken all the personnel that would normally work on these projects. He understands that valves have been found, he will talk to staff to update the project. The problems at the Hobby Tower were discussed. Cedric said that the electronic junction box is not working. The box is about \$68,000 to replace. Jennifer said that valves on the outside of the box were not working, they had the valves properly enclosed to fix that part. It would be easier to connect all the lines in the vault, we are having to work around the vault. It is an elevation valve. The manual valves have been only being half turned, this wears on the manual valves. Manual valves would have to be looked at for replacement since the workings with the tower communications are a factor in the workings. There is a lot of old parts out there. Gil said the electronic valve is what is used to make it function normally. The bypass valves are not valves working properly. Gil said there are parts down there that are covered in the DWSRF. We can check the timing; it is waiting on approval.

No action on this item.

9. Discussion and or take action CWSRF Project 2 #73868 documents for additional loan amount

Mayor Lofton told the council that this project was originally thought to be part of the first set from TWDB, but due to funding it is a separate project. The

process, just like the original one, will have to be gone through.

Gil told the council that the 2.8 million was not funded with the original, the council came back a year later and applied for the 2.8 million to make the project whole. This will put it back to the original amount applied for to the TWDB. The city was ranked the same way, the interest rate will be the same or low, and there will be the forgiveness portion. It should have been on the board for November, but it got delayed. It does carry a separate debt. Mayor Lofton said that she asked if the project could be completed for the amount. Gil said that the council approved applying for the additional funds. We would do the told projects with this funding. TWDB said that the projects have to go through a separate process. Cedric said in September, it came back to the council because it was originally signed by a previous city manager. Our debt on the water side is around 900,000, the payment (from what Gilly said) would be 100,000, so that would take our debt to a little over a million in payments each year. Our goal is to try to get our debt down low. If council decides to take on the debt, we should have one of the debts paid off so the total amount would drop in the next year or so. The repay amount on the 2.8 million is around Mayor Lofton inquired about what projects are not in the original part that the city has to take on additional debt. Gil said under the original they would be doing projects one and two of the drainage project, they are working on that. There will be construction funds for one and two (1 street and the water quality pond at the city park. This would construction money down Commerce and Conolly, project two. That is why they went back to get the construction funds. Financial advisors were discussed. Mayor Lofton had spoken to James Gilly, he is looking it to it because he was not aware of it either. When

documents were presented for the separate project, the city and Mr. Gilly were unaware. Project one is 1st St. and the second one is the water quality pond. Piping under streets was discussed. Councilmember McDavid motioned to table item number 9, CWSRF Project 2 #73868 documents for additional loan amount.

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

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

Nays: None

Absent: Councilmember Martinez, Mayor Pro-Tem Milton

10. Discussion and or take action Resolution 021-002 Ordering and Calling a General and a Special Election for the May 1, 20221 Uniform Election Date to Elect Officials to the City Council.

Councilmember Porter motioned adopt Resolution 021-002 Ordering and Calling a General and a Special Election for the May 1, 20221 Uniform Election Date to Elect Officials to the City Council.

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

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

Nays: None

Absent: Councilmember Martinez, Mayor Pro-Tem Milton

11. Consider and take action Resolution 021-003 calling a bond election in the City of on May 1,2021.

Discussion on needed road repairs was discussed. How the bond would be funded was discussed. The feasibility of repairing with a bond was discussed. Road repair cost as proposed by and engineer were reviewed. Last known major road repairs were discussed. The council can meet with constituents in their precincts and decide on streets. There can be townhalls to determine this. Concrete could last longer but it is more expensive. The pipes underneath would have to be considered because the city does not want to have to tear it up after it is down. Park Street agreement was discussed. The reality is that all the streets can not be done , that is why each councilmember needs to figure out the streets in most need of repair.

Councilmember Moore made a motion to accept Resolution 021-003 calling a bond election in the City of on May 1,2021.

Motion received no second.

The City Attorney wanted to clarify that the Resolution did not pass , there will be no bond election.

12. Discussion and or take action Ordinance 021-002 adopting the 2015 Edition of the International Residential Code.

The city currently follows the 2005 International Residential Code. City Attorney James Parker told the council that there is a 2018 code but almost all cities have adopted the 2015. This is the first reading, the second will be at the next meeting. This is a standard code that is adopted every couple of years . The difference is building materials standards. Codes provide standards.

Councilmember McDavid motioned to adopt Ordinance 021-002 adopting the 2015 Edition of the International Residential Code.

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

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

Nays: None

Absent: Councilmember Martinez, Mayor Pro-Tem Milton

13 Discussion and or take action approval of Council Minutes 7/14/2020, 1/25/2021 cancelled, and 2/02/2021.

Councilmember Porter motioned to approve the council minutes for 7/14/2020, 1/25/2021 cancelled, and 2/02/2021.

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

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

Nays: None

Absent: Councilmember Martinez, Mayor Pro-Tem Milton

14. Discussion and or Take Action Council Member's picks for MAP

Discussion on how this project can be done and enforced. The council had concerns about the helpfulness of the project. Concerned was expressed on how the project might impact the city. This was presented in a previous council meeting. The city attorney said they would have no authority, they can submit claims as a concerned citizen for code violations. It would be up to the court to take action. Council had discussed nominating a person from each precinct. There were concerns about the individuals getting hurt, even the Code Enforcements has to call the Police to help. The only thing the committee could do is drive by and turn in code violations.

Councilmember McDavid motioned to decline the council member's picks for MAP .

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

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

Nays: None

Absent: Councilmember Martinez, Mayor Pro-Tem Milton

15. Discussion and or Take Action RFQ for delinquent tax attorney.

Discussion was held on RFQs received. Linbrger and Predue have submitted RFQ s for services. The lack of communication between the county attorneys and the city tax attorneys was discussed. Glen Lewis said that the Legislature set fees on attorneys by statute. Resales were discussed. Tax sales are done by the sheriff. The process of properties being struck off was discussed, and how all taxing entities communicate. told the council there is a process, it is not legal for a city to pick and chose who they are going to sell property to. You go through the auction at the court house and only if no one meets the minimal bid then you have the option of entertaining the lower bids. The amount is accumulative of taxes, penalty and interest or the appraised value of the property , whichever is less. The attorneys assigned to Marlin are Charles Brady , James Guest, and Glen Lewis

Councilmember Henderson motioned to rehire Linbarger as the city delinquent tax attorney.

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

Ayes: Councilmember Moore, Councilmember Porter, Councilmember Henderson

Nays: None

Absent: Councilmember Martinez, Mayor Pro-Tem Milton

16. Discussion and review of Department Reports.

City Manager

The Public Assistance Money was extended, CARES, they upped it to 100% and they retroacted it to January 2020, we can submit additional information for the three months. Had a phone conference with PMIC, a developer, they are going to send some additional information. TEXDOT has increased their contribution to us, they will match the \$25,000. There is also an aviation grant, I am going to try to get more money to fix the airport. The downtown Marke is working. The Marlin Animal Control Center is up and the plumbing is being done and the electric should be connected this week. FARM has reached out and said there is \$13,000 they will give the city for the ACO Building.

Court

Robin told the council that in January the city collected 15,000. The city kept 9,000 and 6,000 went to the state. There were 88 traffic tickets with 112 violations. We have a new Judge, still waiting on standing orders, he said he will get them to me.

Police

Chief Hommel told the council that NIBERS reports were done. There were 522 calls for service. The printers are done. The department is fully staffed. They have been working with the DA to get cases to the Grand Jury.

Fire Department

Justin Parker told the council an update on COVID numbers. The Falls Community Hospital and Clinic have been doing Vaccinations. HOTCOG as received a communications grant, so maybe we can take down the old tower and erect a new one. Locations on towers were discussed. Vaccination locations and how to find them were discussed.

Finance

The General fund balance as of January 31st was \$2,546,792.54. The dedicated water fund balance is \$371,935.57. AP's are current.

Public Works.

Scott Fornash is out and Derrick was going to speak but he got called out. His report is in the packets.

Water Plant

Jennifer Trotter told the council that she has a new hire that went to evening and will eventually go to nights, and is waiting for paper work on another. She is almost fully staffed. A HAA5 notice went out on the back of water bills, there is not a lot of water going into town, but the automatic flusher seems to be working. Test for the new quarter were done so we are waiting to see the numbers on that one. A blower went out, it will be replaced. Maintenance is changing oil and other maintenance. Clarifier

1 is still being delt with by a contractor. We have to get a welder to take the pipe down and then put it back up.

Water Office

Nancy Dominguez told the coucnil that in January Water took in 222,989. The general 41,908.26. in the other general there was 416,448.65 taken in and in the other water 8,065.32. For a grand total of 692,586.25. Delinquent notices were sent out<126 of them. There were 94 responses. They either paid off or set up a payment plan. There were 68 no responses. Those people did get cut off. We are trying to work with them, they will pay a reconnect fee and start a payment plan. We have taken 27,000 since last Friday. We are still trying to work with people. 500 and under is divided by 6 months, anything over is broken down to be paid with in a year. Not have not been seniors in these numbers.

Tourism

Brian told the council he is looking at bringing back some events, keeping COVID regulations in mind. The marque is going and there are four bring trained on how to use it . Travel Texas first appearance should be July. Cemetery information needs to be gotten out to the public.

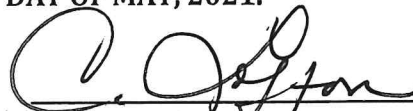
22. Future Agenda Items.
none


23. Adjourn.

Councilmember Moore made motion to adjourn, all in favor said "Aye" meeting ended at 8:28pm

PASSED AND APPROVED ON THIS THE 11TH DAY OF MAY, 2021.




Carolyn Lofton, Mayor


Maryann Waddle, City Secretary