

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

On this the 9th day of March, 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
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 wanted the record to note that Martinez called to say he couldn't make it.
3. Certify Posting in accordance with State Law by Maryann Waddle.
4. Pledge by Mayor Lofton and Invocation by Councilmember Moore.
5. Citizens Input.

Kyle Simmons gave a suggestion on how to blow out sludge and how to turn off and on water valves. A thank you card was received from Mrs. Culpepper.

6. Discussion and or Take Action Update MRB Group on TWDB CWSRF & DWSRF Projects

Gil told the council that he has provided them packets. There has not been a ton of change. Updates are in red, the reason there are not a lot of changes the Water Development has not move. There is still not a cleared environmental and categorical exclusion. These are holding us up. Gatesville is also being held up, as well as Hillsboro. On the CWSRF, there are no changes, they are looking at audit tracking items. Beth and Judy will get together to look over items. Mayor Lofton stated that on one item it looks like the city has not paid she wanted it clarified that the city has paid. Gill said correct, he will get a correction to the council. On the DWSRF there are no updates or changes, from the water development board on anything that has been submitted to them. Judy and Beth are putting together a tracking program to track issues. Mayor Lofton stated that she wanted the citizens to know that there is no money in holding and that the reason there is no working being done is because there has been no approval for the next steps. Gil said that is correct. We can't do anything, we are waiting on the Water Development Board. Gil said that drainage projects 1 and 2 which is in the 1st street area. And the pond area, for the clean water portion of the project, will be the first things they go after. On the water treatment side, it will be the filters, the first thing the are looking at. In attrition the pipes in the ground. In the back of the packets is a projection schedule, until we get a start date, we can't fill in the mild stones. Everything is on a state schedule. Davis stated that the citizens thought the city was given a 10 million lump sum at one time. Gil explained the city

citizens. The city also has the authority to issue tax notes, which do not require a citizen vote, but are limited to a 7-year term. These are backed by the ad valorem taxing authority of the city. The CO can be issued for up to 40 years, you don't want eh term to outlast the materials. If you would like to put it to the citizens, they can vote on the tax rate to fix the roads, this is a council decision. He had suggested that you want streets that last you go with concrete. He had given the suggestion of smaller tax notes, they will allow you to address the most urgent need. The next year you can issue another and work on another street. You need to fix the utility infostructure before the streets. You can go to the citizens for a big bond or just do smaller ones. The process of tax bonds was explained. If the city does a election that the work might not start till July of August, it is all a matter of timing. Other cities and how they had roads fixed was discussed. The amount it would take to fix roads was discussed. There was an engineer analysis done on some roads, it was presented to the counil at a previous meeting. There were town hall meetings on the subject. A survey of the streets would produce a study to decide on the streets that are most beneficial. Not giving the citizens a choice is why it came back to the counil. Funds were discussed. The drainage project will fix some streets. The debt ratio has to be looked at when going for matching grants. Temporary fixes will not fix the problem.

Councilmember Porter motioned to table Resolution 21-002 calling for a bond election. Councilmember Henderson seconded the motion and the motion carried as follows:

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

Nays: None

Absent: Councilmember Martinez

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

Cedric told the counil that James had stated that the project would add an extra hundred thousand a year to the city debt, it is a 30-year note. The money being put back can be used to pay the project. If it was by tax, the city could go up an extra 3%. This would put the city at a million in payments a year. But in a year, it would drop bac down since a previous project would drop off. The city revenue is up. The possibility to put in an interest baring account was discussed. The history of the 5% account was revisited. The first payment would not be due till a year after issuance. The forgiveness and interest was discussed.

Mayor Pro-Tem Milton moved that a workshop be set up so that they could discuss the CWSRF Project 2 #73868 documents for additional loan amount, on the next scheduled counil meeting in April and come in an hour prior or an hour and a half prior to the regular scheduled meeting, around 4:30.

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

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

Nays: None

Absent: Councilmember Martinez

11. Discussion and or take action Mitamura & McMullen Bill

Dave Mitamura told the council read a prepared statement. They accepted the project 2years for a 404 permit. Not all cities are successful in getting the permit. He gave

expenses. They will help compile a project list. Their fee is covered 100% within the funds as admin cost, for reimbursement. Individual citizens would have to submit their own, they can provide support. Other programs to help citizens were discussed. The Deadline is April 23rd, for the application. 100% of the cost of working with them is covered. If it cost \$1,000 you have to pay upfront, but you get the money back at 100%. City Attorney Parker looked at the contract, he had some comments and recommendations over. On the contract there needs to be a clear scope. There needs to be some clean up and rate sheets need to be attached. Brandy, said that it was written that way because they didn't want to be subjected to a cretin scop, they want it to be broad. Other cities they have worked with were mentioned. The city attorney has spoken with Oncor attorneys. This is not a monthly contract; we only pay for the services rendered. If Oncor covers the cost, then we let FEMA know, and they determine how to handle the mitigation. Budget questions were asked. They will file with the insurance first and when insurance denies then FEMA will take over.

Mayor Pro-Tem Milton moved to approve the contract with Brandy Brown and Associates, for providing emergency management / disaster recovery services.

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

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

Nays: None

Absent: Councilmember Martinez

14 Discussion and or take action COVID Update

Justin told the council that Governor Abbott has lifted the mask mandate. Counties with a lower number of hospitalizations are assessed. School, cities, and businesses can still require COVID protocols. Probable cases in Falls 158 this week and active 12. Weather has helped to keep people home. The Hospital has a COVID clinic and there is info on their web site. The groups that the shots are available to were reviewed. If employees are interacting with the public, they need mask. those who are vaccinated do not have to wear one.

No action taken on this item.

15. Discussion and or Take Action Notice of right of first refusal on property 503 FM 147. This is over the Amory outside of town. Gene Brown told the council that the city has first right of first refusal. He plans to use the facilities to produce his wind turbines, he is looking for grants to help, but he would like the chance to purchase the property. He has backers for his project. James said that the city has the right to the property and purchase the property, it is not known why the city has not been involved before in the sale. The city has 45 days to accept, to purchase, they can let the 45 days run out, or they can waive the 45 days and exercise the right of refusal.

Councilmember Henderson motioned to waive the 45 days and refuse the property 503 FM 147.

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

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

Nays: None

Absent: Councilmember Martinez

22. Future Agenda Items.
none

23. Adjourn.

Councilmember Moore made motion to adjourn, all in favor said "Aye" meeting ended at 8:45pm

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



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

Carolyn Lofton, Mayor

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

Maryann Waddle, City Secretary