

STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN

On this the 22th day of September, 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 (absent)
Douglas Porter
Terence McDavid

STAFF

Cedric Davis, City Manager
Maryann Waddle, City Secretary

1. Call to Order by Mayor 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. Discussion and or Take Action : Fallen Memorial Wall Sponsorship

Cedric Addressed the council he told them that the wall has is to remember those who are public servants who have died. This is the only time this memorial will be in Texas, it was scheduled for Houston and Austin but both cancelled. They are asking for \$2500 cash donation and \$2,500 in in-kind. This would include fixing the roads in the park. The event will bring in 5 to 10 thousand people. The dates will be 10/26-11/2. Mayor Lofton spoke of the nonprofits that will benefit and that none of the youth organizations were listed. She stated that Faith Hope and Charity and the MYA (Marlin Youth Association) was not listed as well as they were not even contacted.

Cedric said you can put stipulations in there to see if they can include these charities. Councilmember Milton asked if there was a criteria that had to be meet.

Councilmember McDavid said they are 501 c 's. He said there two on there, the Youth Fair and the Boys and Girls club. Mayor Lofton said it is not the students it is the association. They listed the building and that would go to the adults not he children.

Cedric tried to call Judge Elliot, but there was no answer. Councilmember Porter asked what the Chamber was contributing. Cedric said the cost is \$7,500.

Councilmember asked but how much is the chamber contributing. Mayor Lofton said

the total cost is \$7,500 and we are donating \$2,500 cash. Maryann let the council know that there is another meeting on the 29th for the tax rate adoption. Mayor Pro Tem Henderson stated that the contract states that the city gets two free days year. Cedric said that the city does get two days a year but this is not a city sponsored event, someone else is bringing them here. Mayor Pro Tem Henderson said that on the paper it states that the Falls County Youth Fair is providing the facility. Cedric said that that is where the event is being held. Mayor asked how that was going to work and it needs clarification. She asked who else did we know of that was contributing to the event. Cedric said Apple Sport is donating \$10,000, of that \$8,000 cash and \$2,000 in in-kind. The Executive in which was the Best Western is doing \$2,500 in-kind which is the hotel stay for the Gold Mother, she will be put up for the week. Councilmember Porter asked about the donation boxes listed on the information, he wanted to know about the amount of people in one area and wanted to know that mask and social distancing were going to be observed. Cedric said the people will be spread out over the days and that they have procedures in place to check and monitor the visitors. Mayor Lofton said that on the list there is only one organization that would benefit actual children and the rest are adults. She would like to see if Faith Hope and Charity could be added to the list. Councilmember Milton said we should make suggestion to them that they research other organizations in the area that meet the talked about criteria and see if they can be added. She also wanted to state that the schools should be notified. Cedric said that they are supposed to be advertising all over.

Councilmember Porter motioned to table the item to the next meeting on the 29th.

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

Mayor Pro Tem Henderson stated that the contract with the Marlin Youth Fair Association needed to be looked at. The City owns the park and the city is doing work in the park. If they are getting a profit the city needs to benefit, we need to look into it, if they are providing the facility we could have given it to them ourselves. Our name could be put with providing the facility also. This is just a question.

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

Nays: None

Absent: Councilmember Martinez

- 6. ENTER INTO EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT 551.074 (Personal Matters) authorizes certain deliberation about officers and employees of the governmental body to be held in executive session:**

- a. This chapter does not require a governmental body to conduct an open meeting :**

1 to deliberate the appointment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or

2. To hear complaint or a charge against an officer or employee.

- b. subsection (a) does not apply if the officer or employee who is subject of the deliberation or hearing request a public hearing.**

Interviews with Respondents for City Attorney RFQ

Council convened into Executive session at 6:23pm

Council reconvened into Regular session at 7:55 pm

- 7. Discussion and or take action: Employ or Appoint city Attorney**

Councilmember Porter made a motion to hire Parker Law Firm as the Marlin City Attorney Councilmember Milton seconded the motion and motion carried as follows:

Ayes: Councilmember Moore, Councilmember Porter, Councilmember Martinez, Councilmember Milton, Mayor Lofton

Nays: Mayor Pro-tem Henderson, Councilmember McDavid

Absent: Councilmember Martinez

- 8. Discussion and or take action : Mitamura & McMullen Bill**

Mayor said he broke down the charges so that they were itemized, it was sent in a email. There items were not present. He submitted a breakdown of the bill we had questioned, she had thought the council had had copy, we have a nothing meeting Tuesday and we can put it on there so that the council can look at it. The charges were broke down by date, and some of the dates went back to March, after they told us they did nothing, so there are dates on there from those dates. Councilmember Porter asked what are the options as far as the bill. Mayor Lofton said we need to discuss whether or not this was done. . Mr. Davis went back and looked and it matched some

of the conversation of our water attorney. There were other conversation that were between each other.

Councilmember McDavid made a motion that we table the Mitamura & McMullen Bill

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

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

Nays: None

Absent: Councilmember Martinez

9 Adjourn.

Councilmember Moore made motion to adjourn, all in favor said "Aye" meeting ended at 8:21 pm

PASSED AND APPROVED ON THIS THE 13TH DAY OF October, 2020.




Carolyn Lofton, Mayor


Maryann Waddle, City Secretary