

**COUNTY OF FALLS
CITY OF MARLIN**

On this the 10th day of August, 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 Henderson
Neddie Moore
John Armstrong
Sonia Ponce
Monica Washington
Debra Levels-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.
3. Certify Posting in accordance with State Law by Maryann Waddle.
4. Pledge by Mayor Lofton and Invocation by Councilmember Armstrong.
5. Citizens Input.
Tray Syide addressed the council told the council about road repairs and wanted to know about reimbursement.
Elizabeth Richardson she will wait until the item she wants to address.
6. Discussion and or take action to set 2022 effective tax rates as proposed (Kaci Nehring)
Kaci Nehring presented the council with a worksheet of rates . At .98938 the would be no election , that is the highest the council can go would be .89866 . No new revenue would be cause of tax values. Last years rate was .91846. There is 86-87% collection rate for the city of Marlin. A rate can be set between the two numbers. No Action
7. Discussion and or take action update MRB Group on TWDB CWSRF & DWSRF Projects (Gil Gregory)
Gil told the council it will be two weeks till we get the categorical exclusion . Meet with staff on preliminary . Water line project , they drove with distribution personal to look at locations. They are drawing up designs and they will get back with staff before it is submitted. Drainage project, there has been no information on the categorical exclusion , the EID on the pond project , they contracted with the consultant and the are finishing up the table top process and it will be submitted to the Texas Historic Commission. Once done it will be submitted to the Core of engineers and Texas Historical Commission.
8. Discussion and or take action on selection of Grant Manager for ARPA Funds (City Mngr.)
Scores from the scoring committee were read and the highest score went to Grant Works.

Councilmember Levels-McDavid motioned to select Grant Works as Grant Manager for the ARPA Funds

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

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

9. Discussion and or take action purchase of additional Targa II filters for Skid 200. Lou Let the Council know that he was trying to find some used ones from the other projects he is involved in .

Councilmember Ponce motioned to table number 9.

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

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

10. Discussion and or take action request to amend and increase the budget for the Library for the FY 2021-2022

Christopher Harris from the Library shared history of the city's help to the library. Polly Brown, treasurer gave history of funding and explained to the council that any help over what is already committed to would be appreciated. They are requesting to up it to 42,000 a year from the about 1,600 a month the city donates now. They are only open two day till 5:30. They use to receive money from the county but it messes with their accreditation. Councilmember Armstrong motioned to table the item.

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

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

11. Discussion and or take action on FY 2019-2020 Audit.

Councilmember Armstrong motioned to table item

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

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

12. Discussion and or take action closure of Heritage row for Christmas Event (Palace Board)

The event to be hosted was explained to the council , it would close Heritage row from Live oak to Coleman.

Councilmember Ponce motioned to approve the closure of Heritage Row for Christmas Event .

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

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

13. Consider and take action on resolution calling for a bond election in the city on Councilmember Armstrong motioned to table item

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

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

- 14. Discussion and or take action on the revision of the current Interlocal Agreement with Falls County.**

The original agreement needed more specifics to be added, using the format like that of the 2014 Inter Local Agreement. It would be resubmitted back to the county for their approval of the amended agreement. No additional Interlocal Agreement on Tree trimming was mentioned during this deliberation.

Councilmember Moore motioned to approve the revision of the current Interlocal Agreement with Falls County.

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

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

- 15. Discussion and or take action on creation of the Marlin EDC for the Nov. 2021 Gen. Election.**

The council would need to decide if they want a 4A or 4B, they do not need an election to create an EDC. The council can create a board by resolution. The board need at least three members. There can be an application processor the board can be appointed. The council can appoint certain functions and the board would answer to the council. No action on item

- 16. Discussion and or take action approval of Council Minutes July 13, 2021 4:30 pm, and July 13, 2021 6:00 pm.**

Councilmember Armstrong motioned to approve the minutes from July 13, 2021 and July 13, 2021 6pm

Mayor Pro-tem Henderson wanted some rewording was required on July 13, 2021 minutes.

Councilmember Armstrong amended his motion to approve the minutes from July 13, 2021.

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

Ayes: Mayor Pro-tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

- 17. Discussion and or take action approval of accepting Texas Commission of the Arts Grant (30% match)**

Brian Lemmier told the council about this grant. It would provide for murals on buildings in the down town area. the city would have to match 30%. The council still has questions and would like for it to be filled for at a later date.

Councilmember Ponce motioned to table this item.

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

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

- 18. Discussion and or take action renewal of Contract with the Chamber of Commerce.** Elizabeth Richardson ,President of the chamber, told the council that the current contract which was a 5 year one has expired. The memberships for the chamber have grown. Problems at the building were discussed. The contract will need to be revised and brought back.

Councilmember Ponce motioned to table this item.

Councilmember Moore seconded motion carried as follows:

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

Abstain: Councilmember Armstrong

- 19. Consider and or take action on adopting an Ordinance prohibiting semi-trucks/ 18-wheelers parking on streets and lots in residential areas of the city.**

Discussion was held over the effects the trucks have on the streets , when the enforcement would take place and the council requested that notice be given before citations are given. Council was let know that 60 notice will be given and warnings issued during that time.

Councilmember Armstrong motioned to adopt an Ordinance prohibiting semi-trucks/ 18-wheelers parking on streets and lots in residential areas of the city.

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

Councilmember Levels-McDavid seconded motion carried as follows:

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: Councilmember Ponce

- 20. Discussion and or take action on adopting an ordinance adopting and amending the animal Control Regulations for the City of Marlin.**

Attorney Parker stated that the current ordinance needed updating and this would be used to bring the city's code up to date. This is for the council's review they can look it over and it will be brought back for a first reading. This ordinance would not contradict the state laws.

Councilmember Moore motioned to table the item .

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

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

- 21. a. Convene into executive session pursuant to Tex. Gov't. Code 551.071, Texas Government Code , and section 1.05 , Texas Disciplinary Rules of Professional Conduct , to consult with the City Attorney regarding the legal authority and the procedures for the adoption or amendment of water rates for water utility customers in the City of Marlin.**

Council convened into executive session at 8:11 pm

Council reconvened into open session at 8:45 pm

b. Reconvene into public session and take action as appropriate in the Council's discussion regarding the adoption of amendment of water rates for water utility customers in the City of Marlin.

No Action

22. Discussion of water rates for churches and non-profit organizations in the city.

Councilmember Ponce motioned that the City Attorney bring back an ordinance for the council to review at the next meeting.

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

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

23. Discussion and consideration to approve an Addendum to the Consulting Agreement between Lou Portillo & Associates and the City (City Attorney)

This item needed to be amended to reflect Water Recourses at \$18000 and Lou Portillo at \$25,000 and that Water Resources would be a subcontract under Lou.

Councilmember Armstrong motioned to approve an Addendum to the Consulting Agreement between Lou Portillo & Associates and the City.

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

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

24. Take Action Authorize Signature on Council Approved NETDATA contract.

Councilmember McDavid authorized the signature of the NETDATA contract.

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

Ayes: Mayor Pro-Tem Henderson, Councilmember Moore, Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

25. Future Agenda Items.

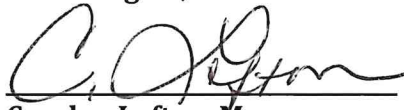
Street bond, amendment to the Ordinance covering the MAC, Audit, water filters and Mayor Pro-Tem Henderson stated he wanted an agenda item to deal with the letters that he had submitted to Mr. Parker and Ms. Lofton about code 551.074 and 551.071 section 10.5, he still wants a meeting with those.

26. Adjourn.

Councilmember Moore made motion to adjourn, all in favor said "Aye" meeting ended at 8:57pm

PASSED AND APPROVED ON THIS THE 16TH DAY OF August, 2021.




Carolyn Lofton, Mayor


Maryann Waddle, City Secretary