

STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN

On this the 12th day of October, 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.

Kyle Simmons addressed the council on Emergency Management plan.

6. Discussion and or take action on presentation of JACK Payment Kiosk (Kiosk for utility payments).

This Kiosk can take all forms of payment and communicates with programing. It can auto deposit checks and will print, email or text a receipt once the transaction is done. It is accessible 24/7 and will be placed in the drive through window spot (it will fit in the space). There will be 24/7 technical support but the only thing that should need replaced is the printer paper. It is bilingual (English and Spanish). The cost is \$27,000 and \$800 annually. It comes with a 1 year warranty. Net Data also submitted their product which is their product is cheaper but the annual fee is more. Davis stated that he would see if the ARAPA funds would cover the cost.

Councilmember Armstrong motioned to approve the Jack Payment Kiosk pending ARPA response.

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

Ayes: Mayor Pro-Tem Henderson, , Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton
Nays: None

7. Discussion and or take action on Net Data Utility Billing Kiosk (Kiosk for utility payments).
No action.
8. Discussion and or take action: Update MRB Group on TWDB CWSRF & DWSRF Projects (Gil Gregory) There was no information for the council to review at this meeting. Gil told the council that the plans are 60% done for the water plant project. He will be getting with staff to go over questions. He has not heard on the filters pilot. He will be getting with staff on water distribution lines, fire hydrants and gate valves. A workshop can be done to bring the newly seated council up to speed. Sizing up lines

was discussed (147 & Hwy 7). The vault at the hobby tower was discussed and how the funds left form another project can be used for it, there were questions on if some o the money can be used to fix the line that recently broke on Live Oak. On the CWSRF There will need to be another part of the environmental study done, there will need to be another amendment to the project budget. The amendment would be for \$15,000 to cover the study. A workshop will be set up at a later date.

No Action.

9. Public Hearing on a request/application for a Special Use Permit for a new manufactured home to be located at 411 Martin Luther King Street , Marlin also known as S Rickelman BLK 2Lot 1A 0.086.

a) Speak in Favor

Ron Strickland spoke in favor he stated he will keep the property clean and the home will be a 2022 model.

Bridget Burlison spoke in favor, stating the home will be a 2022 model and bring beauty to the property.

Linda Garnett spoke in favor; she gave history on the individual moving it in and that the home would be a nice addition to the area.

Youlanda Wilson spoke in favor she gave a time frame of the process and said there are manufactured home two block away from the area.

b) Speak in Opposition

Susan Trumbaly spoke and said that a mobile home can lower property value if it does not look good. If it will look good, she is ok with it.

Sam Bosnick gave the definition of a mobile home and as long as it is not a flood prone area and not against code, it should be fine .

c) Questions by Citizens.

None

d) Close Public Hearing.

Hearing closed at 7:30pm

10. Discussion and or take action on the Planning and Zoning Commission recommendation on a request/application for a Special Use Permit for a new manufactured home to be located at 411 Martin Luther King Street , Marlin also known as S Rickelman BLK 2Lot 1A 0.086.

Councilmember Armstrong motioned to overrule the recommendation from the Planning and Zoning Commission recommendation on a request/application for a Special Use Permit for a new manufactured home to be located at 411 Martin Luther King Street , Marlin also known as S Rickelman BLK 2Lot 1A 0.086.

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

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

Nays: None

11. Public Hearing on a request/application for a Special Use Permit for a new manufactured home to be located at 817 Hunter Street , Marlin also known as Lots 8,9,10 Block 1, Fair Edition, Falls County Texas 0.137 Acres.

e) Speak in Favor

Susan Trumbly spoke in favor stating that if it will clean up Marlin then she is for it .

Bridget Burlison spoke in favor.

Linda Garnett stated she was in favor .

f) Speak in Opposition

None

g) Questions by Citizens.

None

h) Close Public Hearing

Hearing closed at 7:39pm

12. Discussion and or take action on the Planning and Zoning Commission recommendation on a request/application for a Special Use Permit for a new manufactured home to be located at 411 Martin Luther King Street , Marlin also known as S Rickelman BLK 2Lot 1A 0.086.

Councilmember Moore made a motion to accept/approve the Planning and Zoning Commission recommendation to approve a request/application for a Special Use Permit for a new manufactured home to be located at 411 Martin Luther King Street , Marlin also known as S Rickelman BLK 2Lot 1A 0.086.

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

Ayes: Mayor Pro-Tem Henderson, , Councilmember Armstrong, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton
Nays: None

13.. 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 an update and status of pending litigation: Cheyenne Mitchell Frazier v. City of Marlin, Texas and Nathan Sodek, et. al.

Council convened in to executive session at 7:41pm.

Council reconvened into public and open session at 8:15pm

b. Reconvene into public and open session to take action as appropriate in the City Council's discretion regarding pending litigation: Cheyenne Mitchell Frazier v. City of Marlin, Texas and Nathan Sodek, et. al..

No Action.

14. Discussion and or take action to Approve an Interlocal Agreement between the City of Marlin and Falls Co. , related to performing street repairs in the City.

The city previously approved an agreement with the county to for road repairs in the city. This Agreement list the amount of \$33,000 , of which \$32,000 is for road oil and \$1,000 for new zipper teeth, to pay for materials that the county will be using. It will be paid to the county.

Councilmember Levels-McDavid moved to approve an Interlocal Agreement between the City of Marlin and Falls Co. , related to performing street repairs in the City.

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

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

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

Nays: None

15. Discussion and or take action to approve a resolution to authorize adding an additional signatory to City bank accounts.

The council was informed that as it stood after a previous employee let there are only two signatories on the city bank accounts. This resolution would provide a third person, Patsy Martinez (Court Clerk) would be authorized as the third signatory for the city.

Councilmember Levels-McDavid made a motion to approve a resolution to authorize adding an additional signatory to City bank accounts.

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

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

Nays: None

16. Discussion and or take action on a request received from Citizens State Bank regarding a claim of reimbursement of alleyway repairs.

A bill was presented to the council for repairs to an alley behind the Bank. Discussion was had over the repairs and what the basis for paying would be .

Mayor Pro-Tem Henderson made a motion to take no action on 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

17. Discussion and or take action approval a resolution authorizing the purchase of TARGA II membrane cartridges (filters) for the Marlin Water Treatment Plant.
Rich said that right now the plant could use 10 filters at \$2,800 each which comes to \$28,000. City Attorney Parker said that the council could set a limit not to exceed \$50,000 or the city would have to bid the services.

This resolution will enable the City to order filters, the council with this resolution can set a max amount to be spent so that if more filters are needed it will not have to come back to council

Councilmember Moore motioned to approve a resolution authorizing the purchase of TARGA II membrane cartridges (filters) for the Marlin Water Treatment Plant not to exceed \$50,000.

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

18. Discussion and or take action on the adoption of an ordinance or resolution to create and establish standing committees of the City Council.

The Mayor had previously mentioned that the council could pick an area of interest and help with projects. Several councilmembers have already expressed their area of interest. EDC needs to be brought back to form, but there is no need to create committees for these projects.

No action.

19. Discussion and or take action to approve the City Council meeting minutes for City Council meetings conducted on June 24, 2021 and on August 31, 2021.

Councilmember Levels-McDavid noted that on the August 31, 2021 minutes the last item City Manager needed to be changed to City attorney.

Councilmember Armstrong motioned to approve the minutes with corrections made to the August 31, 2021 minutes, and June 24, 2021 as presented.

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

20. Future Agenda Items.

Upcoming events were mentioned, and a workshop with MRB will need to be scheduled after elections.


21. Adjourn.

Councilmember Moore made motion to adjourn, all in favor said "Aye" meeting ended at 8:4pm

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




Carolyn Lofton, Mayor


Maryann Waddle, City Secretary