

STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN

On this the 9th day of November, 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 City Manager item on the agenda. He stated that the city manager has gotten a raise on his allowance every year and that he uses his car to drive home .
6. Discussion and or take action to consider or approve the Final Audit Submittal (Danny Strunc)
Danny Strunc addressed the council and went through the audit report. The city is in good standings financially, the inventories have been done for supplies in the public works department. Financial statement was gone though and items explained. General has about 26-day reserve (if no money came in). Water has 134 days cash reserve. Water and sewer owes general about 300,000 dollars and with the city in good standings now is the time to pay it back. City Attorney Parker let the council know that the money could be transferred by ordinance. City debt was discussed. Previous audit adjustments were not done by the previous auditor. Danny will provide the audit adjustment entries.
Councilmember Armstrong motioned to approve the financial audit.
Councilmember Washington seconded the motion
and the motion carried as follows:
Ayes: Mayor Pro-Tem Henderson, , Councilmember Armstrong, Councilmember Ponce, Councilmember Moore, Councilmember Washington, Councilmember Levels-McDavid, Mayor Lofton
Nays: None
The council will meet again to review the agreement for the next FY audit and the year audit that is required when funds over 750,000 are received, it is a federal requirement. These will be reviewed at the next council meeting.
7. Discussion and or take action: Update MRB Group on TWDB CWSRF & DWSRF Projects (Gil Gregory No action).

DWSRF – Initial review and meeting with staff need to be done. Water plant will have the electrical engineer review next month. Outlay 7&3 were submitted to TWDB and 8&4 which are the Portillo Invoices.

A workshop can be done for the council to bring everyone up-to-date on the project. CWSRF email was sent on the Categorical exclusion. Pond project environmental report was sent in September, progress will be checked.

Gil asked that he be let know when the workshop is planned and he will attend.

8. Discussion and or take action on Resolution Canvassing the votes for the November 2, 2021, Special Called Bond Election

Maryann let the council know that the Talley was early voting for: 53 against 26, Election Day for: 75 against: 25. Total for: 128 total against: 51. Now the legal bond council stated that once the resolution for canvassing the votes is approved the process will move forward.

Councilmember Armstrong motioned to approve the Resolution Canvassing the votes for the November 2, 2021, Special Called Bond Election.

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

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

Nays: None

9. Discussion and or take action on City Manager Project Updates.

Cedric gave the council an update on projects he is working KA POW investors are looking at Marlin, in the next two week the top two will be announced. The Young Eagles Rally was this past weekend, 60 kids got to go up and there were 65 planes this year in attendance. SEP has been done for the sewer plant. The interlocal with the county should begin in January unless it is a harsh winter then it will be moved back to March. Street work will continue. Tow road companies came out last week. The street Bond passed; ideas are being looked at on how best to utilize the money to get more work done. The city will be doing the slow children at play campaign. Grant manager was met with, everything looks good and will be processed next week. TMAC has mortgage assistance. Micro Grants for the community organizations has several guidelines in place organizations can apply for \$250 two times a year and up to \$2,500 a year. \$50,000 will be put to the side for this.

10. Discussion and or take action to adopt a Resolution adopting an Investment Policy for the City of Marlin .

The city needed to adopt an updated investment policy, City Manager has already taken the class and is certified.

Councilmember McDavid motioned to adopt a Resolution adopting an Investment Policy for the City of Marlin.

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

11. Discussion and or take action to adopt a Resolution Designating Investment Officers for the City of Marlin.

Cedric said that he finished his class and Judy will be signed up to take her class to certify her as well.

Councilmember Levels-McDavid motioned to adopt a Resolution Designating Investment Officers for the City of Marlin.

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

12. Discussion and or take action on authorizing and approving an increase in the city Manager's monthly vehicle allowance; discuss and consider adopting a resolution authorizing and approving an amendment to the City Manager Agreement.

Council was informed that the budget reflect the increase for the car allowance from 400 dollars to 500 dollars, there just needs to be a resolution to amend the agreement and a resolution to make the change effective. The contract specifically states that changes are to be done by resolution. 3.5 address the vehicle allowance, this resolution would amend that. The question was if there would be another meeting on the financial end of this matter. Attorney Parker let the council know that the budget part is done now it is time to amend, like what was done with the Chief. Discussion was had about ratifying what was done with last year's salary, the. Attorney Parker told the council should ratify the previous salary amendment, he had tried in a previous meeting to get the council to ratify this matter. City Manager stated that he did not want a salary increase he wanted to see the projects he started finished and he would ask that his contract be extended a year.

Councilmember Levels-McDavid motioned to authorizing a \$500 vehicle allowance and approving an increase in the city Manager's Agreement by resolution.

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. 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 review and adoption of new or revised safety policies and procedures for the Marlin Water Treatment Plant.**
Council convened into executive session at 7:16 pm.
Council reconvened into public and open session at 7:37 pm

- b. Reconvene into public and open session to take action as appropriate in the City Council's discretion regarding the review and adoption of new or revised safety policies and procedures for the Marlin Water Treatment Plant.**

Councilmember Ponce motioned that the City Manager and the City Attorney bring back an updated work policy for at the Water Treatment Plant.

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

14. Discussion and or take action on updating public services and personnel policies and procedures.

Councilmember Ponce motioned that the City Manager and the City Attorney update public services and personnel policies and procedures.

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

15. Discussion and or take action to approve a resolution authorizing the creation of an economic development corporation , appointing directors, and authorizing the filing of a certificate of e formation with the Texas Secretary of State for the formation of an economic development corporation .

City Attorney Parker told the council of the two types of EDC the type B is the one that is most inclusive. The council would select the board names and the council can come back and put those selected names in the blank spaces of the resolution. Discussion was had over applications for the directors' spots. Bylaws can be done later. It would need to be filed with the Secretary of State first. They will need to provide seven names and addresses.

No Action

16. Discussion and or take action on approving of a lease agreement with the Chamber of Commerce.

The agreement is for 3 years and 500 dollars a year. The membership dues for the chamber is \$250 so it would only be two memberships to pay for the lease. Discussion was held on needed improvements at the building.

Councilmember Ponce motioned to approve the lease agreement with the Chamber of Commerce.

Councilmember Levels-McDavid 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 Moore, Councilmember Ponce, Councilmember Washington, Councilmember Levels- McDavid, Mayor Lofton

Nays: None

Abstain: Councilmember Armstrong

17. Discussion and or take action to approve a resolution casting votes for directors for the Falls County Board of Directors.

The council has the option to cast all 310 votes for one person or they can split their votes between candidates. City Attorney Parker prepared a resolution to accompany the ballot.

Councilmember Armstrong made a motion to approve a resolution casting votes for directors for the Falls County Board of Directors and that all 310 votes of the city go to Linda Mitchell.

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

18. Discussion and or take action adopting a Resolution for Federal Procurement Policies and Procedures.

Councilmember Levels-McDavid motioned to adopt a Resolution for Federal Procurement Policies and Procedures.

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

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

Nays: None

19. Discussion and or take action approve a resolution to authorize designating individuals as the authorized signatories to city bank accounts.

Councilmember Levels-McDavid motioned to approve a resolution to authorize designating individuals as the authorized signatories to city bank accounts.

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

20. Discussion and or take action Brushy Creek Reservoir Project.

The Mayor let the council know that the permit is good until 2024, this project has been going on for over 50 years and other entities have pulled out of the project leaving only the city left with the project. It would cost the city an estimated hundred million dollars for the project. Cedric told the council that he can check to see what all the new infrastructure bill has in it to see it will cover the project
No Action .

21. Discussion and or take action approval of Council minutes from September 14, 2021, September 23, 2021, September 27, 2021 and October 12, 2021.

Councilmember Armstrong motioned to approve council minutes from September 14, 2021, September 23, 2021, September 27, 2021 and October 12, 2021.

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

22. Future Agenda Items.

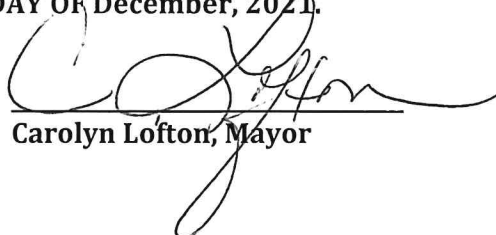
Auditor contract, Workshop with MRB, Contract extension Resolution, Economic Development Board, Personnel Policies update, meeting will be set for the 30th of November.


23. Adjourn.

Councilmember Moore made motion to adjourn, all in favor said "Aye" meeting ended at 8:20pm

PASSED AND APPROVED ON THIS THE 14TH DAY OF December, 2021.




Carolyn Lofton, Mayor



Maryann Waddle, City Secretary

