

STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN

On this the 14th day of June, 2022, 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 Moore
Timothy Lopez
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.
Items were moved to give council time to arrive.
- 5 Citizens Input.

Ruby Phillips addressed the council about cleaning up Marlin, She would like to help . She also expressed concern over street conditions. She was directed to get with the city manager
Larry Jackson addressed the council about an alley by his place of business and wanted to know about purchasing it, He was directed to get with he city manager.

Consent Agenda

6. Approval of City Council Meeting Minutes from the April 12,2022 and May 10, 2022 City Council Meeting.
- 7.Consider and approve a resolution appointing Kaci Nehring, Falls County Tax Assessor/Collector , to calculate the effective tax rate for the City of Marlin.
8. Consider and approve a resolution approving an Interlocal agreement with the Falls Tax Assessor Collector for assessment and collection.
- 9.Consider and or approve a resolution approving the purchase of 22 computers from CDW Government utilizing ARPA funds.

Councilmember Ponce motioned to approve consent agenda items as read.

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

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

Nays: None

Regular Agenda

10. Presentation from Linebarger Goggan Blair & Sampson, LLP, to the City Council.

Presentation of the firm was given. The process was explained to the council. There will be an auction on July 5, 2022 with 20 properties , 15 new and 5 resales. If there are properties that need to go on a future sale the council can let them know.

11. Up on TWBD, CSRF, & DWSRF Projects from MRB Grey Group and Texas Water Representative.

Gil called to say he would not be in attendance. Discussion was held on the bid process for the first project. The bid came in over projected amount for all parts. Mundo(city engineer) said that the electrical bid looked good , and that the city could choose bids to accept for projects that the city thought was reasonable. There was only one bid received. The fact that the project is going on four years now was discussed.

12. Review Responses to Request for Qualifications (RFQ) received for planning/engineering services for the planning and/or design of a Police Department Building and adopt a resolution to award a contract for planning and/or design services.

Cedric let the council know that two bids were submitted for the project. The scoring was done and Mundo & Associates was the highest scorer.

Councilmember Armstrong made a motion to approve the resolution awarding Mundo the contract for planning and/or design services.

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

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

Nays: None

13. Consider and or take action on submitting ARPA project to Grant Works for the purchase of street repair equipment (Asphalt Zipper).

No action this item will be covered in the City Manager updates

14. Consider and or take action on submitting ARPA project to Grant Works for funding the makeover and revitalizing of Tennis Court Park as a multipurpose use complex

No action this item will be covered in the City Manager updates

15. Consider and or approve a resolution denying the proposed change or increase in rates proposed by Oncor Electric Delivery Company LLC.

Maryann let the council know that this is done every year so that the PUC can set a suggested rate.

Mayor Pro-Tem Moore made a motion to approve a resolution denying the proposed change or increase in rates proposed by Oncor Electric Delivery Company LLC.

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

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

Nays: None

16. Conduct a first reading of an ordinance amending Chapter 7 of the Code of Ordinances to adopt building permit and inspection regulations for construction and other improvements to property within the City, adoption of a permit fee schedule, and adopt regulations applicable to the building official for the City of Marlin.

This is the first reading of the ordinance. This will update the old ordinance and set a schedule of fees for permits.

Councilmember Levels-McDavid motioned to approve the first reading of an ordinance amending Chapter 7 of the Code of Ordinances to adopt building permit and inspection regulations for construction and other improvements to property within the City, adoption of a permit fee schedule, and adopt regulations applicable to the building official for the City of Marlin.

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

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

Nays: None

17. Discuss and/or take action to adopt a resolution to approve and authorize the creation and formation of a public facility corporation under Chapter 303 of the Texas Local Government Code.

Council was told by City Attorney Parker that he needed names to put on the resolution of suggested board members to be able to file the formation with the state. Councilmember Armstrong gave the name of Ruby Phillips, Councilmember Moore gave the name of Morris Watson, Councilmember Lopez gave the name of Nekeji Young, Councilmember Ponce gave the name of Melinda Thompson, Councilmember Washington gave the name of Shawhina Walnell, Councilmember Levels-McDavid gave the name of Elizabeth Richardson, and Mayor Lofton gave the name of Winston Wilkins. Council will provide addresses for their nominees so that the resolution can be properly filled in and the item will come back at the next meeting. No Action.

18 Discuss and/or take action to adopt a resolution approving a new employment agreement between the City and the Chief of Police.

The agreement will be for three years, it will take affect after the old contract ends on 12/31, it will provide for an annual raise as per the budget(no resolution needed), an extra \$50 certification pay, an annual 3% raise and added vacation.

Councilmember Ponce motioned to adopt a resolution approving a new employment agreement between the city and the Chief of Police.

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

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

Nays: None

19. Consider and approve a resolution approving a five-year licensing agreement with Axon Enterprises, Inc., to provide storage of computer and electronic data and related services for the Marlin Police Department.

Councilmember Moore motioned to approve a resolution approving a five-year licensing agreement with Axon Enterprises, Inc., to provide storage of computer and electronic data and related services for the Marlin Police Department.

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

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

Nays: None

20. Consider and or approve the purchases of a John Deere tractor for sewer plant use.

Maryann let the council know that bids were gotten for tractors to get the sewer plant shredded . John Deer came in at \$25,564 . There was a lower bid but with the manufacture being outside the US part could be hard to obtain.

Councilmember Ponce motioned to approve the purchases of a John Deere tractor for sewer plant use.

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

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

Nays: None

20. UPDATES/STATUS: City Business Not needing immediate discussion or action from City Council (2-3 min) **City Manager –Updates (City Manager)**

There is a CDG for the US Department of Housing through the TDA for \$500,000 coming due in the spring of 2032. There will be a 10% match. ARPA funds can be used for the match portion. The airport is being looked at for projects. The tennis court (a drawn plan was shown) to include a splash pad, parking, redoing the tennis courts, and adding soccer fields. The City of Marlin is the owner of MLK Park , this was found through title research. The Asphalt Zipper project will be submitted to start the acquiring process.

Court - Update (Court Clerk Supervisor)

Interviews were conducted for court clerk , a start date will be set. \$35,915.65 was collected, \$14,589.66 went to the state , and the city kept \$ \$21,326.03. there were 198 violations.

Police – Update (Chief Hommel)

Chief Hommel is working to update information on grants, He will be working with Chief Simmons on training at the school. The city code official has sought other employment , the kennels are full and the city is looking to adopt out the animals currently being held.

Fire Department – Update (Chief Parker)

Justin is on vacation

Finance Department - Update (Finance Dir.)

As of 5/32 the General account had \$4,173,052.73 and the dictated fund had \$407,384.58. Aps are current , the auditor is reconciling accounts and doing the audit. There were notices sent out to water. accounts over \$500 , this was to get account holders in to set up a payment plan. EOAC is helping to pay water bills.

Public Works –Update (Public Works Dir)

Park and Norbit are being worked on, Charles and Tiller have the roller on them . Foster will be started next week. Park St has no curbing, Foster is ground down, The river pump is waiting on electrical components, a cable and hose have been ordered. FEMA s project is almost done from the winter storm damage.

Water Plant-Update (Water Plant Supervisor)

Cedric and Lou are working on the NANO Stone project. They are producing water at 1.4 a day.

Water Department- Update (Utility Billing Supervisor)

Was covered with finance

Tourism –Update (Tourism Director)

Options are being explored to protect the painted mural in downtown. Marlin Fest will be held July 2nd there will be fireworks and volunteers are needed (work time are two hour intervals). It will

be held on the Falls County Youth Pavilion grounds.

- 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 City's claim against Oncor Electric for damaging City property.

Council convened into closed session at 8:33pm

Council reconvened into open session at 8:48pm

- b. Reconvene into open session to take action as appropriate in the City Council's discretion including authorizing City's legal counsel to file suit against Oncor Electric for damaging City property.24. Future Agenda Items.

Councilmember Ponce motioned that City Attorney Parker to file suit against Oncor Electric for damaging City property.

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

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

Nays: None

24.Future Agenda Items.


WRC Contract, Work on Wills Street (widening the street, an survey can be done), Public Facilities Corp. TWDB

25. Adjourn.

Mayor Pro-Tem Moore made motion to adjourn, all in favor said "Aye" meeting ended at 8:56pm
PASSED AND APPROVED ON THIS THE 12TH OF JULY 2022.




Carolyn Lofton, Mayor


Maryann Waddle, City Secretary