

STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN

On this the 10th day of January 2023, 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 Nettie Moore
Sonia Ponce
Debra Levels-McDavid
Timothy Lopez
John Armstrong
Monica Washington

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 Mayor Pro-Tem Moore.
5. Citizens Input.
Susan Trumbly wanted to know about the completion of the spill way. She was referred to the City Manager .
Consent Agenda
6. Approval of City Council Meeting Minutes from the December 13, 2022, City Council Meeting.
7. Consider and approve the second reading of an ordinance amending Chapter 28 Utilities, Article II., Rates and Charges, Division 2 Water, to adopt amendments to the City's current water rates and water use charges.
Councilmember Levels-McDavid motioned to approve the consent agenda.
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 Levels-McDavid, Councilmember Washington, Mayor Lofton
Nays: None
Regular agenda
8. Update on TWDB, CWSRF, & DWSRF Projects from MRB Group.
Gil Gregory told the council that a precon meeting would be held at city hall with the awarded contractor. The contract is with B5 construction for upgrades to the water treatment plant. The water lines and hydrants project were submitted to TWDB. Bids for 1st, Commerce, Georgy, and Little st. at in the first round. They should get the paperwork to TWDB next week. On distribution, after the final letter advertisement can take place for 2-3 weeks and bids will be opened in the council chambers. The option of breaking the bids into smaller projects was discussed. Gil said it would cost less to bid in one. The fact that only one bid was received for the only bided project was discussed. Deadlines, start dates and completion dates were brought up and the EID being held up by the Core was talked about. On the CWSRF the design is 90% complete. . The fact that the project is four years on going was discussed.

9. Discuss and or take action regarding the work and services provided by the MRB Group on the TWDB, CWSRF, & DWSRF Projects.

No action

10. Discussion and or take action to adopt a resolution selecting a Grant Manager and to award and approve a professional services agreement for grant administration services for the 2023-2024 Texas CDBG Fund Program Grant.

Mundo was awarded the agreement but there is a cert he did not have. Grant works was the next in line. Grant Works has added personnel to help with the projects.

Councilmember Ponce motioned that Grant Works be selected by resolution as Grant Manager and to award and approve a professional services agreement for grant administration services for the 2023-2024 Texas CDBG Fund Program Grant.

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

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

Nays: None

11. Discussion and or take action to abandon city property or right-of-way in block 3 of the 53810 OLTORF JB #3 addition in the City of Marlin.

Curtis Pope addressed the council about the item. He owns around it and has been cleaning the city property. The City Attorney stated that the city can abandon right of way, alleys and roads, but not parcels of land, it would have to be sold under a bid process. He suggested that the city come up with a policy and procedure for abandoning alleys, right of ways, and roads so that it can be reviewed before it comes to council. Mr. pope asked if the city could put up no trespass signs, the discussion was had over cleaning up the property in question. Item 12 is the same as this item Attorney Parker will prepare policies and procedures to cover items like this and it will come back to council next month for review.

12. Discussion and or take action on ordinance to abandon an alley in block 3 of the A.E. Aikman addition in the City of Marlin.

No Action

13. Consider and or approve a lease agreement with Maddy Wilson for city owned home located at 878 County Road 182, Marlin, Falls County, Texas.

Attorney Parker told the council that Maddy would be the one residing in the house so the lease was changed to her name, and the improvement items were added to the lease.

Mayor Pro-Tem Moore motioned to approve a lease agreement with Maddy Wilson for city owned home located at 878 County Road 182, Marlin, Falls County, Texas.

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

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

Nays: None

14. Discuss/Consider and or take action on request from Marlin EDC to call for an election in May of 2023 to allocate one-eighth percent or one quarter percent of the existing one and one-half percent City of Marlin sales tax to the Marlin 4-B Economic Development Corporation as allowed by applicable law.

The city gets 1.5 of the sales tax collected. Of that .50 is for tax relief. Attorney parker suggested that the Ballot placing be for .25 or 1/8 and the reversal and the new adoption be on one ballot. A resolution calling for the special election will be provided for the council to take action on in the February meeting.

15. Consider and or approve Marlin EDC request that the City of Marlin pay for an errors and omissions insurance policy and/or bonding for the appointed Directors of the Marlin 4-B Economic Development Corporation.
Cedric contacted TML and found out the this can be covered under the cities policy for about \$257 a year.
16. 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 terms and conditions of the City's contract with the MRB/Grey Engineering, LLC. (MRB Group).
Council convened into executive session at 7:20 pm
Council reconvened into open session at 8:29pm
b. Reconvene into public and open session to take action as appropriate in the City Council's discretion regarding the terms and conditions of the City's contract with the MRB Group / grey Engineering, LLC (MRB).
Councilmember Ponce motioned to hold payments and approvals of outlays until documents and information are provided.
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 Levels-McDavid, Councilmember Washington, Mayor Lofton
Nays: None

17. Discussion and or take action on appointing members to serve on the City Parks Commission or Parks board.

It will be for all parks ARPA will be set aside., they will be overseeing the look and condition of the parks. The City Secretary has applications for each potential person needs to be filled out and submitted. Names are needed from 5, 4, and 6.

18. Discussion and review of Department Reports.

City Manager

1. Economic Development Information: Briefly met with Pvt. contracted developer of old VA facility: reconstruction started Monday 1/9/23, met with Enel Solar Energy about community projects & a potential Marlin maintenance shop, spoke with Co. Judge and Mr. J. Albright about future ambulance services, San Antonio: attended TML water/economic resource opportunity meeting, Met and or spoke with members of the MEDC.

2. Teleconference with financial adv. on \$2.4M street repair bond sale, additionally TWDB projects, engineer adv. Dam / Underwater study, boat ramp grant study, talked with city atty. on any or all legal matters.

3. Surveyed Special Projects, walked / drove city to prioritize infrastructure immediate needs and resources needed. (1st Phase- Splash Pad portion of Apple-Sport Park was completed by the contractor, staff trained on the use of the computer and valves of the pad). PHASE 2 walk through with HELAS construction for painting & turf application at Apple-Sport Park. Surveyed other parks & baseball fields.

4. Worked on pending & new grants: 22-23 Culvert Removal & Replacement Grant (\$196M), 23-24 RAISE National Infrastructure Investment & Jobs Act Discretionary Grant (\$1.5B).

5. Attended Meetings, Fielded Calls & Visited Complainants, Walked and or Drove the city.

Court

- ❖ GROSS COLLECTED- \$18,499.76
- ❖ STATE FEES- \$6,007.68
- ❖ KEPT BY CITY- \$12,492.08
- ❖ NO COURT DATES-CHECKED IN W/JUDGE
- ❖ Monthly and quarterly reports have been completed.

❖ **Nearly finished getting cases together for Judge and Prosecutor to review for "clean up"**

Police

- Submitted NIBRS report to DPS for the month of November.
- Interviewed 2 people for officer's positions
- Hired Officer Godley with 2.5 years police experience
- Total Call 593
 - Disturbances 30
 - Accidents 5
 - Unwanted persons 9
 - Stolen vehicle 1
 - Citations 139
- Marlin Police Department partnered with PSC Primoris and donated over \$2100 items to Golden Years Nursing Home for the Silver Santa Program. Items donated were, throw blankets, Yahtzee games, various other games, bathroom items, snacks, hose shoes, socks, and other items.
- Animal control has been busy getting dogs adopted. He is working with penny paws for low-cost vaccinations.
- Code Enforcement Officer has been working on getting the junked and abandoned vehicles off the city streets.

Fire Department

- ☐ 76 emergency responses
- ☐ 935 emergency responses during 2022 calendar year
- ☐ 2022 was MFD's busiest year since its establishment in the late 1800s.
- ☐ Three (3) residential structure fires occurred during December. No injuries or life loss occurred as a result.
- ☐ FAST-funded wildland engine (brush truck) should arrive in February or March.
- ☐ Per U.S. Drought Monitor (Dec 27th update): Drought conditions have improved slightly. Over 46% of county in severe drought (D2) and over 99% in moderate drought (D1). All of Falls County (100%) is considered abnormally dry (D0).
- ☐ Web EOC and Everbridge refresher training performed in-house by City of Marlin OEM in late December.
- ☐ City of Marlin OEM preparing for severe weather season. Early preparations for wildfire prevention, response, and mitigation are also underway.

Finance

- Bank account totals
 - General Account 2,924,049.20
 - 5% Dedicated Water Fund 396,471.01
- Water Office
 - Information for the new rates (if 2nd reading is passed) have been sent to prep the system and will take effect for February billing.
 - System Kinks are worked out
 - Bills for January went out

WATER DEPARTMENT

Scott had to leave but information was provided to the council.

Water Plant

- Rich was off put information was provided to the council.

19. Future Agenda Items.

Items tabled will be revisited next month.

20.. Adjourn.

Elections and policies for abandoning right of ways will go on the next agenda.

Mayor Updates:

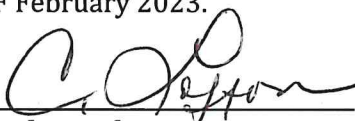
1. Data was collected on the Nano stone polite and over knighted to TECQ on December 22nd. The water produced was pure and is in close running with New Braunfels for best water.
2. There will be a MLK Film Festival on Saturday from 1-4 at the BTW.

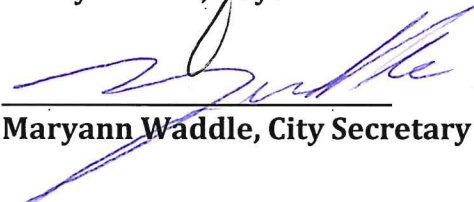
20. Adjourn.

Mayor Pro-Tem Moore made motion to adjourn, all in favor said "Aye" meeting ended at 8:57pm

PASSED AND APPROVED ON THIS THE 14TH DAY OF February 2023.




Carolyn Lofton, Mayor


Maryann Waddle, City Secretary