

STATE OF TEXAS  
COUNTY OF FALLS  
CITY OF MARLIN

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On this the 14th day of March 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 Neddie 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 Councilmember Armstrong.
5. Citizens Input.

Sam Bosneck addressed the council about the city regulating bringing art to Marlin, cleaning up the city how dilapidated houses bring down property value and need to be torn down.

Mayor Lofton referred him to the tourism director.

Mayor Lofton allowed the City Manager to give his update at this time. Cedric Davis introduced the council and citizens to Sakina Jackson, with a detailing of her experience. Sakina told the council she was honored and humbled to be joining the team. She gave her background. She intends to host a meet and greet coming soon.

City Manager Davis told Mayor Lofton that the city's rating went to a AA. The closing date was this morning. TCEQ got the preliminaries on the Nanostone project. , these are 20yr warranty filters. Apple Sport Park, Hellas Construction will be doing the soccer fields and basketball court. Monday next week, hoping to be done by this summer. Additional streets are being repaired.

Consent Agenda

6. Approval of the City Council Meeting Minutes from the January 25, 2022, February 14, 2023, and February 27, 2023, City Council Meeting
7. Conduct the second reading and consider for adoption, an ordinance amending Chapter 25, Streets and Sidewalks, of the Code of Ordinances of the City of Marlin, adopting policies and procedures for the review and approval of applications and requests submitted to the City to vacate and abandon City right-of-way, streets, and alleyways.

City Councilmember Levels-McDavid motioned to approve the consent agenda as read.

Councilmember Ponce 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 the MRB Group.

Gil addressed the council.

DWSRF the project for the water plant clarifier rehabilitation project was bid project was signed and got the notice to proceed . 4 bids were received for the 2<sup>nd</sup> part of the water distribution lines. It was below the base estimates.

CWSRF, plans will be submitted by the end of the month to TWDB. This is phase 1 , will take 30-45 days, there will be an add placed for bids. This will include Falls, Commerce, Gorge and Little. The closing for the second half was today and the contract is done. Outlays have been submitted a and up to date. EID is with he core estimated date is in 20224. The process is still back and forth with he core.

9. Discussion and consideration on presentation by Jody Czajkoski, MHWRE Commercial real-estate firm, Magnolia Bend on Lake Marlin.

Jody Czaikoski addressed he council about the city owned property around the city lake. He would like to acquire the land and develop it for housing. He told the council of his ties to Marlin and his ventures in the time he has left. He gave cost estimates for the housing and talked about city water services to the area. He produced the city attorney with documents to review and said he is looking forward to working with the city.

10. Discuss, consider, and adopt a resolution to designate authorized signatories for the Texas Community Development Block Grant program.

Councilmember Armstrong motioned to adopt a resolution to designate authorized signatories for the Texas Community Development Block Grant program.

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

11. Discuss, consider, and adopt a resolution authorizing the submission of a Texas Community Development Block Grant program application and adopting required CDBG Civil Rights policies.

This application is for \$500,000 , with the city's match being \$50,000.

Councilmember Armstrong motioned to adopt a resolution authorizing the submission of a Texas Community Development Block Grant program application and adopting required CDBG Civil Rights policies.

Councilmember 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

12. Consider and approve the appointment/re-appointment of Directors to serve on the Board of Directors for new terms for Place No. 2, Place No. 4, and Place No. 6 of the Board of Directors for the Marlin 4-B Economic Development Corporation.

Positions 2, 4,&6 are up , 4&6 will stay in place and Courtney Henderson will be appointed to place 2.

Councilmember Levels-McDavid motioned to approve the appointment/re-appointment of Directors to serve on the Board of Directors for new terms for Place No. 2, Place No. 4, and Place No. 6 of the Board of Directors for the Marlin 4-B Economic Development Corporation.

Councilmember Armstrong 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

13. Approve the election of officers as elected by the Board of Directors for the Marlin 4-B Economic Development Corporation.

Officers are as follows:

- President. John Barrett
- Vice President. Hermetta Paul
- Secretary. Wannika Muhammad
- Treasurer. Rhonda Milton.

Mayor Pro-Tem Moore motioned to Approve the election of officers as elected by the Board of Directors for the Marlin 4-B Economic Development Corporation.

Councilmember Levels-McDavid 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. Discussion and or take action on property leased by the Marlin Chamber of Commerce regarding the HVAC system for the leased property.

Discussion was had over the current state of the building. The electrical needs redone. MP Electric will come and do the work. it is estimated at no less than \$1,500. The council had a discussion on the effects of the electrical problem and the possibility of injury to persons if it remains unfixed and occupied. City Attorney Parker let the council know that the city can close the building till repairs are done for safety. The Chamber will be allowed to get what they need but they will need to get with the city to enter the building, Chief Hommel will facilitate.

Councilmember Ponce motioned to close the building and lock it up until repairs are done.

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

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

Nays: None

Abstain: Councilmember Armstrong

15. Discussion and take action to conduct a first reading of an ordinance to adopt an amended and updated Marlin Police Department Policy Manual to include a Use of Force Continuum Policy.

The council was provided a copy of the updated PD policy. Procedures of Use of Force were gone over. There were no cases of excessive use of force . If there is deadly force of use the Texas Rangers are called in to investigate. The officers qualify every year for weapons use, with Sergeant Davis being certified in basic taser training.

Councilmember Ponce made a motion to approve the first reading of an ordinance to adopt an amended and updated Marlin Police Department Policy Manual to include a Use of Force Continuum Policy with a change to read the issued OC spray.

Councilmember Armstrong 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

16. Discussion and or take action on updated racial profile report from February 14, 2023 meeting.

Updated report was submitted to council, it was an error in the program. No action

17. Discussion and or take action on widening of Willis St. to accommodate increase in traffic and authorize advertisement for bids for street improvements.

The survey was provided to the council. City attorney Parker let the council know that the next step would be to get with the engineer to get the scope of work done, there will need to be land transfers if the study shows the need. Cedric said he would get with Mundo on the scope of work. No Action

18. Discussion and or take action to establish/adopt policies and procedures for providing information to parents regarding the release of information for their underage children.

Mayor Lofton addressed the council on this subject. She stated that minors are referred to juvenile probation there was an incident and PD took the report to juvenile probation with no hearing. Chief Hommel let the council know that all juveniles that are not apprehended are referred to juvenile probation, he said that all incidents where juveniles are involved but there is not arrest go to juvenile probation. He told the council that there are not enough beds so most do not go to the holding facility. The minors go to juvenile probation and if need be the DA brings it back. Due to the lack of beds this is done so that minors are not kept with adults in holding facilities. Mayor Lofton stated that there should be no move without parents. Chief informed the council that if a minor is detained the parents will be contacted where it permits. Sam Bosnick commented about the schools and truancy, Chief Hommel told him that the school has it's own PD and truancy is no longer criminal.

Councilmember Ponce made a motion to establish/adopt policies and procedures for providing information to parents regarding the release of information for their underage children and that chief review before they are sent to probation.

Councilmember Leves-McDavid 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

19. a. Convene into executive session pursuant to Tex. Gov't. Code 551.074 to deliberate the employment, duties, and compensation to the City Secretary due to an increase in delegated duties.

Council convened into closed session at 8:32pm

Council reconvened into open session at 8:56pm

b. Reconvene into public session and take action as appropriate in the City Council's discretion with regard to the employment, duties, and compensation to the City Secretary due to an increase in delegated duties.

Councilmember Ponce motioned to provide a stiffen in the amount of \$500 a month for extra delegated duties.

Councilmember Levels-McDavid 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

20. a. Convene into executive session pursuant to Tex. Gov't Code 551.071, Texas Gov't. Code, and section 1.05, Texas Disciplinary Rules of Professional Conduct, to consult with the City Attorney regarding legal advice on current Marlin Police Department policies on handling investigations, preparing reports, records retention, and related actions and activities.

Council convened into closed session at 8:05pm

Council reconvened into open session at 8:30pm

b. Reconvene into public and open session to take action as appropriate in the City Council's discretion regarding current Marlin Police Department policies on handling investigations, preparing reports, records retention, and related actions and activities.

NO Action

21.

Department Updates were allowed to speak at this time.

City Manager

Attended local meetings with developers.

Teleconference with financial adv. & bond council on \$2.4 million for street bond sale, additionally TWDB projects, engineer adv. Dam & Clean Water projects, talked with city atty. On any or all legal matters.

Worked on new Grants:

- A. TWDB Capital Improvement Water Fund
- B. TCEQ HHPD DAM Grant
- C. Boating Access Ramp Grant
- D. Texas Community Development Block Grant (TxCDBG 2023-2024).
- E. Texas Capital Fund (TCF 2023-2024) Downtown Revitalization Grant Program.
- F. Culvert Removal/Replacement and Restoration (AOP 2023-2024) Grant Program.
- G. National Infrastructure Investment & Jobs Act (RAISE Discretionary Funds) Grant Program

Surveyed special projects, walked / drove city to prioritize infrastructure immediate needs and resources needed.

Attended meetings, fielded calls, & visited complainants, talked with City Atty. on any or all legal matters.

Equipment to be purchased.

2011 CAT 160M

New: \$471,00

City of Marlin Cost:

\$115,000

#### Court

- GROSS COLLECTED- \$38,540.18
- STATE FEES- \$11,555.57
- KEPT BY CITY- \$26,984.61
- 2 COURT DATES HELD W/ BENCH TRIALS- NO JURY TRIALS
- Monthly reports have been completed
- Clean up” is still on going- no active warrants will be issued until it is completed.
- Police
  - Submitted NIBRS report to DPS for the month of January.
  - Fixed the State Racial Profile Report.
  - US Marshalls Task Force assisted us in arresting a suspect in 2 of our agg assault w/Deadly weapon both Shooting cases
  - Coffee with a cop at Lakeview restaurant.
  - We went to trial on a Harboring Fugitive Case.
  - Total Calls 568
    - Disturbances 20
    - Accidents 10
    - Unwanted persons 9
    - Citations 162
- The completion MACC (ACO) building should be completed by 03/17/2023. This will add additional 15 kennels.
- ACO and Marlin Police Department have been issuing citations for dogs at large and vicious dogs.
- Penny Paws at Walmart had 48 pets got vaccinated
- Code Enforcement Officer
  - has been able to get all the junked vehicles off the roadway and is currently working to make sure permits are being gotten.
- Fire
  - 87 emergency responses for month of February 2023.
  - 172 emergency responses between 01/01 & 03/06.
  - No equipment, vehicle or facility issues during February.
  - MFD responded to 14 weather-related incidents as a result of Winter Storm Mara; 12 incidents involved power lines.
- “B” Shift firefighters conducted authorized controlled burn at City Lake burn site on 02/28/23.
- City of Marlin OEM continues Disaster Summary Outline (DSO) and pSTAT reporting following Winter Storm Mara.
- MPD and MFD communications were unaffected by power outages due to stand-by generators in service at MPD and Depot Street radio tower.
- Huffman Communications continues to work on radio frequency relicensing for Depot ST. communications tower. Will also be reporting Bus 6 & Lakeview tower dismantling to FCC.

#### Finance Balances

General : \$3,001,150  
5% Dedicated Water Fund: \$402,268

## Water Office

Bill were mailed on time

New rates were put in for garbage as passed by Resolution on 2/14/2023

## Water plant

**Personnel:** We had one employee quit (end of December). We set up a hiring committee of 3 interviewers. 4 applicants responded for the interviews and we hired someone whom started the last week of February.

**Production:** Our average raw water flow has been between a 1.0 MGD to a 1.28 MGD daily. We produced 26.3 million gallons of finished water this month.

**Weekly Operations:** All normal operations were performed this month. The daily activities at the WT Plant were taken care of. The weekly DIT's were performed and passed.

**Maintenance:** High Service Pump 3 has been fixed and waiting install. The ground has been saturated we can't get a lift close enough for the install. Filter Feed Pump 1 has been picked up and awaiting repair. Decant pump 1 has also been picked up and awaiting repair. We are waiting on 1 threaded knuckle to install a mixer motor.

**Filter Maintenance:** Last month I reported that we are having a flow issue with the filters. We have conducted a filter clean maintenance and this did add a little extra flow. However, not as much flow as we hoped. The I-test is still passing but again, not as hoped. We may see better results as the water's temperature increases. And we can always try another CIP (clean in place)

**Waste Water plant:** All weekly operations have been performed. The TCEQ inspection went great. We finished taking care of all the issues TCEQ required so that we have no violations. Right now there is just a verbal from TCEQ but they said the Mayor and City Hall should be getting the for exit interview report within a few weeks. Verbally they have said all conditions have cleared.

called a CIP, which stands for Clean-in-place. This is something we do at the plant and is required periodically. We've been holding off and spreading them out for long periods of time because it is not good on the old filters and there is a ton of filters that need pinning afterwards.

## Public Works

WATER DEPARTMENT  
TURN ON 19  
TURN OFF 28  
REREADS 226  
DATALOG 1  
LOCATE REQUEST 10  
WATERLEAKS 7  
SEWER BACK UPS 11  
STREET DEPARTMENT



DOWN TREES IN ALL OVER TOWN,ROAD WORK ON KENNEDY ST ,SAN ANTONIO ST, MLK,  
S.GRESHAM ST,ROYAL DR,BLUE BONNETT,NUEMAN, MISTLETOE,SWANNE,  
NORTHRIDGE,NORBERT.  
LAWNCARE  
HUAL LIMBS

22. Future Agenda items.

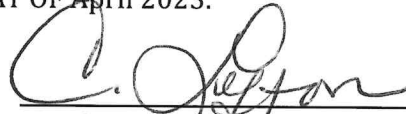
Widing of Willis Street will come back to the council.

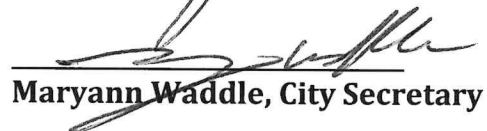
23 . Adjourn.

Mayor Pro-Tem Moore made motion to adjourn, all in favor said "Aye" meeting ended at  
9:15pm

PASSED AND APPROVED ON THIS THE 11TH DAY OF April 2023.



  
Carolyn Lofton, Mayor

  
Maryann Waddle, City Secretary