

STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN

On this the 8th day of August 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 Susan Byrd
Mayor Pro-Tem Debra Levels-McDavid (@6:03)
Sonia Ponce(absent)
Monica Washington
Timothy Lopez (absent)
Cecil Sparks
John Armstrong

STAFF

James Hommel, Interim City Manager/ Chief of Police
Maryann Waddle, City Secretary
James Parker, City Attorney

1. Call to Order by Mayor Byrd @ 6:00pm.
2. Roll Call by Maryann Waddle. It was noted that Councilmember Ponce tried to join via Zoom but there were technical difficulties.
3. Certify Posting in accordance with State Law by Maryann Waddle.
4. Pledge by Mayor Byrd and Invocation by Pastor Divia.
5. Citizens Input.

Mayor Pro-Tem Levels- McDavid @ 6:06pm

Kyle Simmons addressed the council on street repairs.

Consent Agenda

6. Approval of the Council meeting Minutes from the May 16,2023, June 13,2023, and June 20,2023, City Council Meetings.

Mayor Pro-Tem Levels McDavid motioned to approve the June 13, 2023 , June 20,2023 council minutes.

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

Ayes: Councilmember Sparks, Mayor Pro-Tem Levels-McDavid, Mayor Byrd

Nays: Councilmember Armstrong, Councilmember Washington

Absent: Councilmember Lopez , Councilmember Ponce

Regular agenda

7. Updates/Status: City Business not needing immediate discussion or action from City Council (2-3min):

City Manager

Worked On 2023-2024 Budget

Meeting With Water Board

Meeting With Heb On Water Needs And Concerns

Meeting Gas Station To Work On Possible Solutions For
Annexation

Chief Was In Training In Azle 7/21shenandoah On 07/27 @ 07/28

Weekly Staff Meetings

Several Meeting With Mrb Group

Court

○ GROSS COLLECTED- \$42,537.42

- STATE FEES- \$17455.36
- KEPT BY CITY- \$25,082.06
- Monthly reports are complete
- 1 court date –no trials
- 1 prosecutor conference date

Police

Submitted NIBRS report to DPS for the month of June.

25 Arrest

15 Suspicious Persons / Vehicle

Total Calls 843 including ACO calls

Disturbances 17

Accidents 16

Unwanted Persons 14

Citations 352

Worked a drowning at the upper city lake on July 4th.

Assisted other Agency 15

Assisted Us Marshalls, McLennan County serve Felony Warrants.

We also served an arrest and search warrant on subject.

We made an arrest at local hotel for 30grams of exactify, and 25grams of marijuana, other pills. Set of scales

ACO

We issued 20 micro chips out.

4 dogs picked up and 1 pig

3 puppies

1 citation dog at large

1 dog owner reclaim

1 adopted

Were working on scheduling an adoption day probably in October

Code

Code Enforcement has issued 18 code letters. 3 has set for court. Code has checked 6 business owners that needed permits. Code has issued letters and have towed 4 vehicles.

Fire

- 83 emergency responses for month of July 2023. 537 emergency responses since January 1st.
- No equipment, vehicle or facility issues during February.
- MFR responded to four (4) wildland fires during the previous month.
- Booster 2 is now in frontline service. Will be responding to in-city wildland fires with both wildland (brush) engines.
- Performing vegetation control around hydrants.
- Current forecasted wildfire danger is “Very High” (per TX A&M Forest Service). Increase in wildfire activity is being experienced across the region.
- High temperatures, high winds, no precipitation, & low humidity facilitate ignition, growth & spread of wildfires.

- Per U.S. Drought Monitor's July 27th update, our portion of the county is experiencing moderate drought (D1) while the portion west of the Brazos River is experiencing severe drought conditions (D2).
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FINANCE

Finance

- Bank Balances
 - General as of July 31, 2023, \$2,329,995.71
 - %5 Dedicated Water Fund as of July 31, 2023, \$332,827.38
- Loan Paid off
 - As reported to council in the July Meeting, final payment on Series 2016 was paid and declared satisfied on 6/12/2023

Water Office

- Water bills were sent out
- Notices for Back Flow Testing were sent out.

Public Works

WATER DEPARTMENT

TURN ON 14

TURON OFF 22

RED TAG 10

REREADS 3

READ METER 2,213

WATER LEAKS 20

SEWER BACK UPS 13

STREET DEPARTMENT

WORK PARADE, BLADE ROAD IN CITY PARK, WATER LEAK AT 729 OAK LANE, 306

BARLET ST, WEED EAT TENNIS COURT, SHRED AIRPORT,

PATCH ROAD WATSON ST, SOUTHLAND ST, OAK LANE, CLEAN CURBS ON EDDINS ST,

SEWER BACK UP AT 1528 LORENE LN, CEMETERY PLOT AT HILLCREST (L-4), ACO

CLASS, BLADE ROADS NETTLE ST, VANCE ST, EVANS ST, FLEMINGS ST, BROWN ST, ELM

ST ANNIE ST, CRAIK ST, ROSE ST, FALLS ST, FOSTER ST, HILLCREST CEMETERY, WATER

LEAK ON CR 2875 & CR 2874, LEAK ON BRIDGE ST & VANCE ST, SHRED CORNERS ROGER ST, QUAID ST, SWANN ST.

LAWN CARE

MOW PARKS, PAVILIONS, AND CEMETERYS

Water Treatment Plant

- Employee's – Our newest Hire has been on the 2nd shift for a few weeks now. We've already purchased his online Water Operator course and he is almost finished. We have already completed his application for his D license and waiting for his approval to take his test.
- A few employees have been signed up for more classes for license renewals.
- There have been no major repairs this month.
- We received the 10 Koch Membranes and 6 have already been installed
- There have been no complaints this month concerning the manganese issue we've been dealing with.
- MRB completed the plans for the new injection point and has submitted them to TCEQ
- We had our 3 year CCI investigation from TCEQ. It went fairly well. There are a few major repairs that need to be done to be in compliance.

Waste Water Treatment Plant

- All normal operations have been completed this month.
 - We are working with MRB on getting the application done for the WWTP permit.
 - All the water sampling has been completed and sent to the lab. Once the results come in MRB can complete the WWTP Permit application for renewal.
 - The groundskeeping is a constant and they are working hard to make the plant look great.
 - The flow meter is still having issues. It just needs to be replaced. We are waiting for an updated quote from Wallis Controls.
8. Update on TWDB, CWSRF, & DWSRF Projects from MRB Group.
Update was given by Gil from MRB on status of CWSRF and DWSRF.
9. Discussion and or take action to approve moving forward to allow staff to advertise to procure engineering Services, Bond Counsel and Financial Administration Services as required by the Texas Water Development Boards Lead Service Line Replacement (LSLR) inventory funding. .
Mayor Pro-Tem Levels-McDavid motioned to approve moving forward to allow staff to advertise to procure engineering Services, Bond Counsel and Financial Administration Services as required by the Texas Water Development Boards Lead Service Line Replacement (LSLR) inventory funding
Councilmember Washington seconded the motion and the motion carried as follows:
Ayes: Councilmember Armstrong, Councilmember Sparks Councilmember Washington,
Mayor Pro-Tem Levels-McDavid, Mayor Byrd
Nays: None
Absent: Councilmember Ponce, Councilmember Lopez
10. Discussion and or take action on an assurance agreement assures the U.S. Department of Agriculture that Recipient is in compliance with and will continue to comply with Title VI of the Civil Rights Act of 1964 42 USC 2000d et. Seq.), 7 CFR Part 15 , and Rual Housing Service , Rual business-Cooperative Service, Rual Utilities Services, Risk Management Agency, or the Farm Service Agency, (hereafter known as the “Agency”) regulations promulgated thereunder , 7C.F.R. 1901.202.
Mayor Pro-Tem Levels-McDavid motioned to act on an assurance agreement assures the U.S. Department of Agriculture that Recipient is in compliance with and will continue to comply with Title VI of the Civil Rights Act of 1964 42 USC 2000d et. Seq.), 7 CFR Part 15 , and Rual Housing Service , Rual business-Cooperative Service, Rual Utilities Services, Risk Management Agency, or the Farm Service Agency, (hereafter known as the “Agency”) regulations promulgated thereunder , 7C.F.R. 1901.202.
Councilmember Armstrong seconded the motion and the motion carried as follows:
Ayes: Councilmember Armstrong, Councilmember Sparks Councilmember Washington,
Mayor Pro-Tem Levels-McDavid, Mayor Byrd
Nays: None
Absent: Councilmember Ponce, Councilmember Lopez
11. Consideration and possible action to approve the Job Order Contract with Texas Rebuild in accordance with 791 Purchasing Cooperative Contract number 202303006 for wastewater treatment plant infrastructure improvements.
- The council wanted City Attorney Parker look at the documents. Items 11 & 12 are tabled till the next meeting.
12. Consider and or approve a resolution declaring the city intention to reimburse city from tax-exempt financing to mobilize the Texas Rebuild initiative.
Tabled.

13. Discussion and or take action to authorize the City Engineer to conduct an engineering field survey for the widening of Willis St., to accommodate increases in traffic.

Councilmember Armstrong motioned to authorize the City Engineer to conduct an engineering field survey for the widening of Willis St., to accommodate increases in traffic.

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

Ayes: Councilmember Armstrong, Councilmember Washington

Nays: Councilmember Sparks , Mayor Pro-Tem Levels-McDavid, Mayor Byrd

Absent: Councilmember Ponce, Councilmember Lopez

14. Consider and or approve selection of a tax rate as proposed by Falls Tax Assessor Collector for 2023.

Mayor Pro-Tem Levels McDavid motioned SELECT THE Voter approved rate of .8097 for the 2023 tax rate.

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

Ayes: Councilmember Armstrong, Councilmember Sparks Councilmember Washington,

Mayor Pro-Tem Levels-McDavid, Mayor Byrd

Nays: None

Absent: Councilmember Ponce, Councilmember Lopez

15. Discussion on the possibility of adding solar power to streetlights within the city.

The city will keep looking at alternates.

16. Discussion and or take action to select/ approve the purchase of a tractor/shredder for public works department.

Councilmember Armstrong motion to approve the purchase of a tractor/shredder for public works department pending the attorney review and approval of the bid documents

Councilmember Sparks seconded the motion and the motion carried as follows: .

Ayes: Councilmember Armstrong, Councilmember Sparks Councilmember Washington,

Mayor Pro-Tem Levels-McDavid, Mayor Byrd

Nays: None

Absent: Councilmember Ponce, Councilmember Lopez

17. Discussion and or take action on RDO invoice for damages to a rental bulldozer used for limb pile burn.

Mayor Pro-Tem Levels-McDavid motioned to pay \$10,673.29 on RDO invoice for damages to a rental bulldozer used for limb pile burn.

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

Ayes: Councilmember Armstrong, Councilmember Sparks Councilmember Washington,

Mayor Pro-Tem Levels-McDavid, Mayor Byrd

Nays: None

Absent: Councilmember Ponce, Councilmember Lopez

18. Discussion and or take action on purchases from Core & Main to restock public works supplies.

Councilmember Armstrong motioned to approve the purchase from Core & Main to restock public works supplies for \$12,557.28.

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

Ayes: Councilmember Armstrong, Councilmember Sparks Councilmember Washington,
Mayor Pro-Tem Levels-McDavid, Mayor Byrd

Nays: None

Absent: Councilmember Ponce, Councilmember Lopez

19. Discussion and or take action on streets and drainage repairs on Bills/Hayes Streets near the Housing Authority and surrounding related areas.

Discussion was held , no action

20. Update, discuss, and take action on Splash Pad repairs at Apple Sport Park.

Discussion was held , no action

21. Discussion and or take action on Robert E. Lee Drive maintenance and condition.

Discussion was held , no action

22. Discussion by the chair of representative from the Marlin 4-B Economic Development Corporation and or take action on Marlin Truck Stop request for water service and possible annexation.

Discussion was held , no action

23. a. Convene into executive session pursuant to Tex. Gov't. Code 551.071 of the Texas Government Code, and section 1.05, Texas Disciplinary Rules of Professional Conduct, to consult with the City Attorney regarding the Texas Open Meetings Act, Open Meetings Act compliance requirements, and required Open Meetings Act training.

The council convened into closed session at 8:21 pm to discuss both items 23 & 24.

The council reconvened into open session at 9:24 pm.

- b. Reconvene into public and open session to take action as appropriate in the City Council's discretion regarding the Texas Open Meetings Act, Open Meetings Act compliance requirements, and required Open Meetings Act training.

No action

24. a. Convene into executive session pursuant to Tex. Gov't. Code 551.071 of the Texas Government Code, and section 1.05, Texas Disciplinary Rules of Professional Conduct, to consult with the City Attorney regarding potential warranty claims and other claims related to street maintenance/improvement work performed by Big Tex. Tar and Chip.

- b. Reconvene into public and open session to take action as appropriate in the City Council's discretion regarding potential warranty claims and street maintenance/improvement work performed by Big Tex. Tar and Chip.

No action.

25. Mayor's Update.

Mayor Byrd provided an update to the council.

26. Discussion on upcoming budget workshops for council.

If notice permits the next meeting will be August 22 . council will be updated.

27. Future Agenda items

Workshop, Oncor settlement, City Manager application process.

- 28 . Adjourn.

Councilmember Armstrong made motion to adjourn, all in favor said "Aye" meeting ended at 9:28pm

PASSED AND APPROVED ON THIS THE 12TH DAY OF September 2023.




Susan Byrd, Mayor


Maryann Waddle, City Secretary