

STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN

On this the 12th day of September 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
Sonia Ponce
Cecil Sparks
Timothy Lopez
John Armstrong (absent)
Monica Washington(absent)

STAFF

James Hommel, Interim City Manager/ Police Chief
Patsy Martinez, Municipal Court Clerk
James Parker, City Attorney

1. Call to Order by Mayor Byrd @ 6:00pm.
2. Roll Call by Patsy Martinez.
3. Certify Posting in accordance with State Law by Patsy Martinez.
4. Pledge by Mayor Byrd and Invocation by Pastor Hartsfield .
5. Citizens Input.

Sam Bosnack addressed the council on uncompleted city jobs.

Gerald Hammer addressed the council on his current housing problems.

Consent Agenda

6. Approval of the Council Meeting Minutes from the May 16, 2023, July 11, 2023, July 16, 2023, August 8, 2023 and August 29, 2023, City Council Meetings.

Mayor Pro Tem Levels-McDavid motioned to approve Council Meeting Minutes from the May 16, 2023, July 11, 2023, July 16, 2023, August 8, 2023 and August 29, 2023, City Council Meetings.

Mayor Byrd seconded the motion and the motion carried as follows:

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

Nays: Councilmember Sparks, Councilmember Ponce

Absent : Councilmember Armstrong , Councilmember Washington

Regular Agenda.

7. UPDATES/STATUS: City Business Not needing immediate discussion or action from City Council (2-3 min):

City Manager –Updates (City Manager)

- WORKED ON 2023-2024 BUDGET
- WEEKLY STAFF MEETINGS
- ZOOM MEETING WITH MRB GROUP
- WORKED ON CITY MANAGER APPLICATIONS
- MONITORED CITY LAKE CONDITIONS
- WORKED ON CLOSING OUT FISCAL YEAR BUDGET

Court - Update (Court Clerk Supervisor)

- ❖ GROSS COLLECTED- \$39,897.64
- ❖ STATE FEES- \$15,665.99
- ❖ KEPT BY CITY- \$24,231.65
- ❖ Monthly reports are complete
- ❖ Both Clerks attended a legislative update seminar

Police – Update (Chief Hommel)

- Submitted NIBRS report to DPS for the month of July.
- 26 Arrest
- 10 Suspicious Persons / Vehicle
- Total Calls 795 including ACO calls
 - Disturbances 17
 - Accidents 11
 - Unwanted Persons 6
 - Citations 352
- Officers stopped a vehicle coming into the city. During the investigation officers located approx. 63 pounds of Marijuana, 17 grams of Cocaine, and \$18,000 in US Currency.
- Marlin Police Department seized the Currency in coordination of Chapter 59 of the Code of Criminal Procedures (Forfeiture of Contraband)
- Officers have been working Burglaries in the area. We do have a couple suspects in these Burglaries. Also working with Waco Pd in connection with these also. Sgt Davis has been working nights on burglary patrol.
- We took in 21 dogs and 8 cats.
 - 17 dogs went to rescues along with 8 cats
- We had 2 dogs that were adopted out.
- We are looking into a possible adoption day probably in October
- Code Enforcement has issued 26 code letters. Contacted 14 people with out permits in which he has made them get proper permits.
- We have towed 2 vehicles illegally parked

Fire Department – Update (Chief Parker)

- ☐ 88 emergency responses for month of August 2023. 632 emergency responses since January 1st.
- ☐ No equipment, vehicle or facility issues during February.
- ☐ MFR responded to eight (8) wildland fires during the previous month. Three (3) inside city limits and five (5) in Marlin VFD service area.
- ☐ The new Squad 1 (Ford Bronco) will be upfitted by Wildfire Trucks in Alvarado, TX. This is the same company that built Booster 2 (the new brush unit).

- ☐ Current forecasted wildfire danger “High” to “Very High” (per TX A&M Forest Service). Uptick in wildfire activity continues across our county, region, and state.
- ☐ Per U.S. Drought Monitor’s August 31st update, our portion of the county is experiencing “Extreme Drought” conditions (D4). This is the second highest drought intensity rating issued by U.S. Drought Monitor.
- ☐ Per numerous health authorities, statewide COVID-19 cases and hospitalizations have begun to increase.

Finance Department / Water Department - Update (Finance Dir.)

Bank Balances as of 8/31/2023

General \$2,151,124.73

5% Dedicated Water Fund \$332,869.78

AP’s are current

Audit is ongoing (general account is the last one being reconciled and CPA is almost done)

Public Works –Update (Public Works Dir)

WATER DEPARTMENT

- TURN ON 54
- TURN OFF 75
- REREDS 6
- RED TAGS 41
- WATER LEAKS 20
- SEWER BACK UP 10

STREET DEPARTMENT

- ROAD WORK : EVANS ST,BROWN ST, TILLER ST, NETTLES ST, LITTLE ST,DUMBAR ST, CAREY ST, ROSSERVELT ST, BENARD AVE, S.GRESHAM ST,HUNTER ST, LAKE LN ,LANGE ST, SOUTHLAND ST.
- REPAIR RAW WATER LINE, PLOT GARVES (D,7,3), (D,2,7),(H,8,10),REPLACE METER AT THE RELAX INN,TURN ON WATER (108 CR2867),924 WARD ST, 1404 ROCKDAM RD.SEWER BACK UP 910 KENNEDY,FORTUNE ST,402 DONOHOO ST,AND 1000 PARK ST.AND WATER LEAK AT 110 WAYNE ST

LAWN CARE

- MOW TOWERS, LIFT STATION ,CITY HALL , MACC BUILDING, TENNIS COURT,AND PAVILLIONS AND RIGHT OF WAYS

Water Plant-Update (Water Plant Supervisor)

- Our newest Hire has finished his Basic Water class and is waiting for an approval from TCEQ to take his test.
- 1 other employee has been approved by TCEQ to take her test. She’ll probably do it the beginning of October
- We will probably form a study group to help pass the exam soon.
- A few employees have been signed up for more classes for license renewals.
- Prestige Worldwide was at the plant to repair the valve that was leaking on one of the backwash pumps.
- Backwash Pump 2 has now gone down. It is scheduled to be picked up next week
- There have been no complaints this month concerning the manganese issue we’ve been dealing with.
- We are still waiting for the approval of the new CT Study with TCEQ
- 39.5 Million Gallons of Water was treated this month. Average of 1.3 MGD

8. (a) Conduct the second reading and discuss and consider the final adoption of an ordinance to approve and adopt the City of Marlin Budget for the 2023-2024 Fiscal Year;

Mayor Pro Tem Levels-McDavid motioned to Conduct the second reading and discuss and consider the final adoption of an ordinance to approve and adopt the City of Marlin Budget for the 2023-2024 Fiscal Year.

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

Ayes: Councilmember Lopez, Councilmember Ponce, Mayor Pro-Tem Levels-McDavid, Mayor Byrd

Nays: Councilmember Sparks,

Absent : Councilmember Armstrong , Councilmember Washington

(b) Discuss, consider, and approve ratification of the property tax increase reflected in the budget.

Councilmember Ponce motioned to approve ratification of the property tax increase reflected in the budget

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

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

Nays: None

Absent : Councilmember Armstrong , Councilmember Washington

9. Discussion and or Take Action : Approval of the M&O (maintenance and operation expenditures) Component of the Tax Rate of .69467 per \$100.00 of taxable valuation of property.

Mayor Pro Tem Levels-McDavid motioned to Approval of the M&O (maintenance and operation expenditures) Component of the Tax Rate of .69467 per \$100.00 of taxable valuation of property.

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

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

Nays: None

Absent : Councilmember Armstrong , Councilmember Washington

10. Discussion and or Take Action: Approval of the Debt Service Component of the Tax Rate of .11508 per \$100.00 of taxable valuation of property.

Councilmember Ponce motion for Approval of the Debt Service Component of the Tax Rate of .11508 per \$100.00 of taxable valuation of property.

Mayor Pro Tem Levels McDavid seconded the motion and the motion carried as follows:

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

Nays: None

Absent : Councilmember Armstrong , Councilmember Washington

11. Conduct the second reading and discuss and consider and take action to approve and adopt an ordinance to adopt a tax rate and levying Ad Valorem Taxes for the City of Marlin, Texas, for the 2023-2024 Fiscal Year.

Mayor Pro Tem Levels-McDavid moved that the property tax rate be increased by the adoption of a tax rate of .08975 per 100 taxable valuation of the property , which is effectively a 16.4329% increase in the tax rate.

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

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

Nays: None

Absent : Councilmember Armstrong , Councilmember Washington

12. Update on TWDB, CWSRF, & DWSRF Projects from the MRB Group.

Gill Gregory for MRB gave an update on ongoing projects.

13. Discussion and or take action to issue a Notice of Award for the TWDB CWSRF Phase I Drainage project (73822) to Quality Contractors.

Mayor Byrd motioned to issue a Notice of Award for the TWDB CWSRF Phase I Drainage project (73822) to Quality Contractors.

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

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

Nays: None

Absent: Councilmember Armstrong, Councilmember Washington

14. Discussion and take action to approve a City Council resolution to create, and appoint members to serve, on a Charter Committee for the purpose of recommending and proposing future amendments to the City Charter.

Tabled

15. Consider and or take action to sign the TPWD New City Lake Boat Access Ramp Planning Gratin Time Extension Amendment Documents.

Tabled

16. Discussion and or take action on Brushy Creek project and entering into an agreement to retain Bryan Sledge (Attorney) to provide legal services.

Councilmember Ponce motioned to enter into an agreement to retain Bryan Sledge (Attorney) to provide legal services.

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

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

Nays: None

Absent: Councilmember Armstrong, Councilmember Washington

17. Discussion and or take action to review applications received for the vacant city manager position and take action to select applicants for interviews fro the vacant city manager position.

Discussion was held on conducting interviews.

18. Mayor's Update

Update was given

19. Future Agenda items.

Auditors come to October Meeting , Forensic Audit cost, budget, and other info . Mundo to come. Previous charter committee resolution.

23 . Adjourn.

Mayor Pro-Tem Moore made motion to adjourn, all in favor said "Aye" meeting ended at 8:30pm

PASSED AND APPROVED ON THIS THE 10TH DAY OF OCTOBER 2023.



Susan Byrd, Mayor

Maryann Waddle, City Secretary