

On this the 12th day of March, 2019, the City Council of the City of Marlin, Texas convened in a REGULAR SCHEDULED MEETING at 5:30pm, 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 John Keefer
Mayor Pro-Tem Doug Porter
Scottie Henderson
Rhonda Milton
Curtis Smith
Susan Byrd
Terence McDavid

STAFF

Sandra Herring, City Secretary

1. Call to Order by Mayor Keefer at 5:35pm.
2. Roll Call by Sandra Herring, City Secretary.
3. Certify posting by Sandra Herring, City Secretary.
4. Pledge by Mayor Keefer and Invocation by Rev. Armstrong.
5. Citizens Input.
Susan Trumbly – junk vehicles and cited for storage building.
Susan Byrd – Veterans banners for active military.
6. Minutes of December 11th, January 8th, February 12th, February 19th, 2019.
Mayor Pro-Tem Porter made motion to approve the minutes with correction to February 12 as Special Meeting with Attorney present.
Councilmember McDavid seconded this motion and the motion carried as follows:
AYES: Councilmember Milton, Councilmember Smith, Councilmember Henderson, Councilmember McDavid, Councilmember Byrd, Mayor Pro-Tem Porter, Mayor Keefer.
NYES: None.
7. Rural Strategy Group Update.
Ronald McDonald was present and discussed the community collaboration efforts to identify the assets within the community. Mr. McDonald connected with community members, Deborah Rapheal, FA Green, Shirley King and others, who are assisting with identifying assets within Marlin for Economic Development possibilities. After researching, we determined that Marlin is a community of faith with 43 Churches and most everybody is connected to a church in some way. Ms. Rapheal was present and does community outreach with Communities in Schools and a vision to make a difference. They went out and spoke to the community and ask them to express their concerns. Some of those concerns were the roads, education, water, cleanup trash. How do we move forward and connect with these issues? Now were are ready to do a Community Asset Based Move. We have been meeting for 3 weeks and our first meeting was to figure out what were our assets and what made Marlin special. Our next meeting we began to discuss how we could

connect those assets and our third meeting we asked ourselves what is a project and what kind of work are we going to do? The group determined that cleaning up Park Street starting at Commerce and going down to King Street then down to San Antonio to included trash pickup cutting back the streets, minor street repair, and cleaning the ditches would be a good project to do together. Economic Development starts with people working together. Working together means understand the assets. We are going to say that everybody is invited to do the work and bring their asset. When economic development comes they're going to know what's your vision and what is the plan of the city. How does the City work with the County, how does the County work with the School and how does the School work with the Community. A collaborative effort is scheduled for a cleanup along Park Street to MLK Park for April 13th meeting at Robertson Funeral Home at 8am. FA Green would like to invite the media and everyone present to join us.

8. Update on engineering from MRB Group.

ECWAG Water Treatment Plant Improvements-replace the trough, and filled with water to check the leveling and we were not happy with the work done. The contractor is coming back to rehab what he has done along with the supplier to make the needed adjustments. Reviewed pictures showing work and areas that need repair. We will not accept until it is right.

Waste Water Discharge Permit is completed, issued in February and good for 5 years.

TWDB Drainage and Surface Water Treatment Project-We have been flying the City and have a good topo map, that data is being rectified into datamatrix which bring in the building lines.

Depot Water Tower as part of the big project – We have been working with staff to develop a plan to reduce dead line water lines and stagnant water to reduce the residuals so we can have the best water possible. Following contract execution we will get started with the water treatment plant and drainage projects. We will start sitting down with staff and groups to targeting on where we will be doing the work. We have submitted the 2020 PIF to substitute funding that was taken back in the process for the drainage. This funding will make that project whole. We have started getting that loan with 0% interest.

Mr. Henderson asked MRB to share the scope of the drainage project. The engineer shared that the project has been approved. The attorneys have worked on the contract and those are on the agenda for your review.

Entered Public Hearing at 6:02pm.

- 9. Public Hearing: Proposed changing the name of Commerce Street to the new name of BTW Parkway at the request of the Falls County BTW Alumni Association National President Louis McGowan.**
- a. **Speak in Favor. F.A. Green and Louis McGowan spoke in favor,**
 - b. **Speak in Opposition. None.**
 - c. **Questions by Citizens. None.**
 - d. **Close Public Hearing at 6:09pm**

10. Discuss and consider action on Ordinance No. 19-004 changing the name of Commerce Street to BTW Parkway.

Councilmember Henderson made motion to approve Ordinance No. 19-004, changing the name of Commerce Street to BTW Parkway.

Councilmember Byrd seconded this motion and the motion carried as follows:

AYES: Councilmember Milton, Councilmember Smith, Councilmember Henderson, Councilmember McDavid, Councilmember Byrd, Mayor Pro-Tem Porter, Mayor Keefer.

NYES: None.

11. Discuss and consider action on Hanger C Airport Lease Agreement.

John Stem spoke wanting to renew lease that was granted from the Tinsley family. Mr. Stem has made various improvements to the hanger and wishes to continue the lease.

Councilmember Henderson made motion to renew the lease for Hanger C with John Stem.

Councilmember McDavid seconded this motion.

Councilmember Porter made the recommendation that we compare rates before renewing at the current rate. City Attorney Dixon recommended continuing on a month to month until the comparison could be done.

Councilmember Henderson withdrew his motion.

Councilmember McDavid withdrew his second.

Further discuss included that there was enough time to bring back to Council after comparing rates.

Councilmember Henderson made motion to Table.

Councilmember McDavid seconded this motion and the motion carried as follows:

AYES: Councilmember Milton, Councilmember Smith, Councilmember Henderson, Councilmember McDavid, Councilmember Byrd, Mayor Pro-Tem Porter, Mayor Keefer.

NYES: None.

12. Discuss and consider action on placing Airport Hanger A and D up for bid.

Councilmember Henderson made motion to table 12 contingent upon review to current compatible rates.

Councilmember Byrd seconded this motion and the motion carried as follows:

AYES: Councilmember Milton, Councilmember Smith, Councilmember Henderson, Councilmember McDavid, Councilmember Byrd, Mayor Pro-Tem Porter, Mayor Keefer.

NYES: None.

13. Discuss and consider action to approve the contract for Engineering Services with MRB Group Engineering for Texas Water Development Board (TWDB) Drinking Water State Revolving Fund (DWSRF).

Gil Gregory with MRB Group and City Attorney Mike Dixon were present to speak to the Council about the project and requirement of the contract. There are some items in the contract that need additional review by the attorney.

Mayor Pro-tem Porter made motion to approve the contract for engineering services with MRB Group Engineering for the TWDB Drinking Water State Revolving Fund pending review and changes made by the Attorneys'.

Councilmember Henderson seconded this motion and the motion carried as follows:

AYES: Councilmember Milton, Councilmember Smith, Councilmember Henderson, Councilmember McDavid, Councilmember Byrd, Mayor Pro-Tem Porter, Mayor Keefer.
NYES: None.

14. Discuss and consider action to approve the contract for Engineering Services with MRB Group Engineering for Texas Water Development Board (TWDB) Clean Water State Revolving Fund (CWSRF).

Mayor Pro-tem Porter made motion to approve the contract for engineering services with MRB Group Engineering for the TWDB Clean Water State Revolving Fund pending review and approve by the City Attorney.

Councilmember Henderson seconded this motion and the motion carried as follows:

AYES: Councilmember Milton, Councilmember Smith, Councilmember Henderson, Councilmember McDavid, Councilmember Byrd, Mayor Pro-Tem Porter, Mayor Keefer.
NYES: None.

15. Discuss and consider action on a Water Resale Agreement with Neuhaus Partnership Trust.

The Mayor indicated that they would be purchasing from the City contract rights. The funds would go to the Water Fund.

Mayor Pro-tem Porter made motion to approve the Water Resale Agreement with Neuhaus Partnership Trust effective until September 30th, 2019.

Councilmember McDavid seconded this motion and the motion carried as follows:

AYES: Councilmember Milton, Councilmember Smith, Councilmember Henderson, Councilmember McDavid, Councilmember Byrd, Mayor Pro-Tem Porter, Mayor Keefer.
NYES: None.

16. Discuss and consider action on closing temporarily Heritage Row for the Second Annual MARS Fest on April 20th from 3pm to midnight.

Councilmember Henderson made motion to approve the temporary closing of Heritage Row for the MARS Fest.

Councilmember Milton seconded this motion and the motion carried as follows:

AYES: Councilmember Milton, Councilmember Smith, Councilmember Henderson, Councilmember McDavid, Councilmember Byrd, Mayor Pro-Tem Porter, Mayor Keefer.
NYES: None.

17. Discuss and consider action on closing temporarily a section of Ward Street from Live Oak to Fortune Street for the First Annual Falls County Agriculture & Garden Expo to be held April 26th and 27th, 2019 from 6am to 7pm.

Councilmember Smith made motion to approve the temporary closing of a portion of Ward Street for the Expo.

Councilmember Milton seconded this motion and the motion carried as follows:

AYES: Councilmember Milton, Councilmember Smith, Councilmember

Henderson, Councilmember McDavid, Councilmember Byrd,
Mayor Pro-Tem Porter, Mayor Keefer.

NYES: None.

- 18. Discuss and consider action on a recommendation from the Planning and Zoning Committee on a re-plat proposal of Block 2 Lot 1 and Block 2 Lots 2A and 2B in the A.E. Aikman Subdivision to become A.E. Aikman Subdivision Block 2 Lot 1. After much discussion, Councilmember Henderson made motion to approve the re-plat.**

Councilmember Smith seconded this motion and the motion carried as follows:

AYES: Councilmember Milton, Councilmember Smith, Councilmember Henderson, Councilmember McDavid, Councilmember Byrd, Mayor Pro-Tem Porter, Mayor Keefer.

NYES: None.

- 19. Discuss and consider action on Resolution 19-003 setting updated City Fees for permits and inspections.**

There was a lot of discussion on this item including definition's, reflective cost and reserving the decisions on exemption's for a Council determination.

Councilmember Henderson made motion to table this item.

Councilmember McDavid seconded this motion and the motion carried as follows:

AYES: Councilmember Milton, Councilmember Smith, Councilmember Henderson, Councilmember McDavid, Councilmember Byrd, Mayor Pro-Tem Porter, Mayor Keefer.

NYES: None.

- 20. Update on Brushy Creek.**

Sledge waiting on TCEQ and waiting on Finance to complete audit.

- 21. Discuss and review of Department Reports.**

Council entered Executive Session at 6:45pm.

- 22. Executive Session: A closed meeting will be held pursuant to Section 551.074 of the Local Government Code (V.C.T.A.) so that the City Council can deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a City employee or officer:**

- **City Manager**

Council reconvened into open session at 7:31pm.

- 23. Discuss and possible action on City Manager's employment.**

Councilmember Byrd made motion to entered into a mutual separation agreement with the City Manager.

Councilmember Henderson seconded this motion and the motion carried as follows:

AYES: Councilmember Milton, Councilmember Smith, Councilmember Henderson, Councilmember McDavid, Councilmember Byrd, Mayor Pro-Tem Porter, Mayor Keefer.

NYES: None.

Sledge Law Firm has submitted the Extension Permit and we are waiting on TCEQ approval. Waiting on Finance to complete audit on WCID.

21. Discuss and review of Department Reports. (Skipped)

City Attorney indicated that his needed to be posted differently.

Council entered Executive Session at 6:45pm.

22. Executive Session: A closed meeting will be held pursuant to Section 551.074 of the Local Government Code (V.C.T.A.) so that the City Council can deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a City employee or officer:

- City Manager

Council reconvened into open session at 7:31pm.

23. Discuss and possible action on City Manager's employment.

Councilmember Byrd made motion to accepted mutual agreement to terminate employment contract with the City Manager.

Councilmember Henderson seconded this motion and the motion carried as follows:

AYES: Councilmember Milton, Councilmember Smith, Councilmember Henderson, Councilmember McDavid, Councilmember Byrd, Mayor Pro-Tem Porter, Mayor Keefer.


NYES: None.


24. Adjourn.

Councilmember Byrd made motion to adjourn. All in favor said "I".

PASSED AND APPROVED ON THIS THE 29TH DAY OF AUGUST, 2019.




Scottie Henderson, Mayor Pro-Tem


Terence McDavid, Councilmember