

STATE OF TEXAS
COUNTY OF FALLS
CITY OF MARLIN

On this the 26th day of November, 2019, the City Council of the City of Marlin, Texas convened in a SPECIAL CALLED MEETING at 6:00 pm, 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-Tern Scottie Henderson
Rhonda Milton
Neddie Lang-Moore (6:01pm)
Terence McDavid (6:16pm)
Max Martinez (6:03pm)
Doug Porter

STAFF

Cedric Davis, City Manager
Maryann Waddle, City Secretary

- 1.Call to Order by Mayor Lofton at 6:00pm.
- 2.Roll Call by Maryann Waddle, City Secretary.
- 3.Certify posting by Maryann Waddle, City Secretary.
- 4.Pledge by Mayor Carolyn Lofton and Invocation by Councilmember Porter.
- 5.Discussion and consideration of Ordinance 19-011 approving the issuance and sale of "City of Marlin, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2019A" and approving various documents related to such certificates of obligation.

James Gilly from US Capital Advisors addressed the council, he let them know that the item was a legal action on the loan portion of the clean drinking water principle grant forgiveness that has been two years in the works. It has been a privilege serving the city. Action on the item by the council is needed to close on 12/19 on or about, at that time the draw fund will be placed to begin the project. He is not a lawyer but this is an overview. This ordinance will make it legal to issue the 0% interest loan and the forgiveness of half the money. Council member Milton asked 0% interest rate, but in section page 2 section 2 in the ordinance that said late fee would be charged on interest not paid. James let her know that there would be no charge because it is a no interest loan, the language just has to be in there. He let her know that the wording is standardized, but that it is a no interest loan. Milton asked about the pay date as stated on page 2 that says 2021. James said that the first payment is due July 2021 and the last in 2050. Milton asked who the issuer was and who the paying agent is. James said the city is the issuer of the debt, the paying agent is with Wells Fargo, they will also hold the loan money in the escrow account and the draws will be submitted for work and Wells Fargo will issue money to pay invoices. Milton mentioned that on page 3, section 3 it mentions a corporate trust of what is to go in the banks. James said that the Depository Clearing house firm is used nationwide for bond issuance,

bonds use to be issued in bare form, and they are not done that way now. They will keep electronic forms of all the bond debt securities outstanding. DTC deals with the Texas Water Development Board on Bond issuances, these are book entry forms not bare forms.

Councilmember Moore asked as our financial advisor, are there any concerns or information we should know. James said the TWDB put these through their credit analyses and had a lot of concerns, they went back and forth and it was determined that based of the city's net revenues on utility system, the city has more than enough sufficient funds to pay the debt service on the bonds. The question if the city would have problems paying, based on the city utilities revenue after expenses, the city can cover these two times over. Council member Moore Moved to adopt Ordinance 19- 011 approving the issuance and sale of "City of Marlin, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2019A" and approving various documents related to such certificates of obligation.

Councilmember Milton seconded the motion, the motion carried as follows:

Ayes: Councilmember Milton, Councilmember Moore, Mayor Pro-Tem Henderson, Councilmember Porter, Councilmember Martinez, Mayor Lofton

Nays: None

Absent: Councilmember McDavid

6. Discussion and consideration of Resolution 19-014 approving the execution and delivery of a loan forgiveness agreement relating to the CWSRF program and resolving other matters relating to the subject.

The Mayor stated that this was for the loan forgiveness that was discussed and asked if there was any further discussion. Mayor Lofton cited for the record that Councilmember McDavid arrived at 6:16 pm

Councilmember **Milton** moved to adopt Resolution 19-014 approving the execution and delivery of a loan forgiveness agreement relating to the CWSRF program and resolving other matters relating to the subject.

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

Ayes: Councilmember Milton, Councilmember Moore, Mayor Pro-Tem Henderson, Councilmember Porter, Councilmember McDavid, Mayor Lofton

Nays: none

7. Discussion and consideration of Ordinance 19-012 approving the issuance and sale of "City of Marlin, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2019B" and approving various documents related to such certificates of obligation.

Councilmember Porter made a recommendation that the city adopt Ordinance 19-012 approving the issuance and sale of "City of Marlin, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2019B" and approving various documents related to such certificates of obligation.

Councilmember Martinez seconded the motion, the motion carried as follows:

Ayes: Councilmember Milton, Councilmember Moore, Mayor Pro-Tern Henderson, Councilmember Porter, Councilmember Martinez, Councilmember McDavid, Mayor Lofton

Nays: none

8. Discussion and consideration of Resolution 19-015 approving the execution and delivery of a loan forgiveness agreement relating to the DWSRF program and resolving other matters relating to the subject.

Council member Porter motioned to adopt Resolution 19-015 approving the execution and delivery of a loan forgiveness agreement relating to the DWSRF program and resolving other matters relating to the subject.

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

Ayes: Councilmember Milton, Councilmember Moore, Mayor Pro-Tern Henderson, Councilmember Porter, Councilmember Martinez Councilmember McDavid, Mayor Lofton

Nays: none

9. Discussion and /or take action: Historic Downtown Marlin Association help keep the lights shining with a donation

Cedric Davis let the council know the HOMA reached out to the city and asked if the city wanted to donate. \$25 would be used to purchase a set of Christmas lights. Cedric asked that the city donate \$250, which would purchase 10 sets. Mayor Pro-Term Henderson asked where the lights would be placed. Cedric told him on top of the buildings in the downtown area. Council member Moore asked if they would replace the lights or add more lights. Cedric let her know that not all the buildings have lights so the money would be used for new as well as to replace.

Councilmember Porter motioned to donate \$250 to The Historic Downtown Marlin Association.

Mayor Pro-Term Henderson seconded the motion the motion carried as follows:

Ayes: Councilmember Milton, Councilmember Moore, Mayor Pro-Tem Henderson, Councilmember Porter, Mayor Lofton.

Nays: none

Abstain: Councilmember Martinez absent for discussion abstained

Absent: Councilmember McDavid

10. Discussion and/ or take action: Giving permission to the Marlin Chamber of Commerce to hold a "Best Christmas Tree" contest around the pavilion and the City absorb the electrical cost of the event.

City Manager Cedric Davis let the council know that Marlin Chamber of Commerce wanted permission from the city to hold a "Best Christmas Tree" contest around the Pavilion and they also ask that the city absorb any electrical cost for the event. Milton asked how we knew about the contest. Davis let her know that he only received the request and that was all he knew about the event. He stated he has not even seen flyers yet. McDavid asked if it would be the same night as the Ladies night out and the Vendors Market. Davis stated I believe so. Milton asked if the cost of the lights and the cost of electricity were budgeted. Mr. Davis said that these items could come out of tourism, people will come to see the lights and lighting. Milton asked so this will come out of tourism? Davis said yes that is where I plan to cover it from. Yes ma'am. Mayor Pro-Tem Henderson asked if it was for just one day. Davis stated I believe it is two days and only at night, not all day, and when they leave they will turn the light off.

Mayor Pro-tem Henderson motioned that the city give permission to the Marlin Chamber of Commerce hold a "Best Christmas Tree" contest around the Pavilion and that the city absorb any electrical cost for the event.

Councilmember McDavid seconded motion and the motion carried as follows:

Ayes: Councilmember Milton, Councilmember Moore, Mayor Pro-Tem Henderson, Councilmember Porter, Councilmember Martinez, Councilmember McDavid, Mayor Lofton

Nays: none

Mayor Pro-tem Henderson suggested that the city make sure that the area is clean for the event.

11. Discussion and/ or take action: Falls County to discuss fire code requirements related to the remodel of the County Court House

County Judge Elliott addressed the council and stated that a work around was found so that the county does not need a variance. Chief Parker found in the 2003 standards, if the renovation is less than 50%, which is what it will be, it goes back to the 1970 standards, because of that we get to save two hundred and fifty thousand dollars, this is what the fire suppression would have cost. He let them know that on the second and third floor there are fire hoses already, and every office has fire extinguishers and there are public extinguishers. The likely hood of something burning in the hall way is low considering it is marble and concrete. I will make sure Justin gets that piece of paper from our engineers. Justin did great work in finding the exception for this. I thank him 250 thousand times

Justin Parker stated that protecting the city staff from any future mitigation is the most important thing, so I will make sure the paper work is in order, and I will be talking with our fire inspector, Assistant Fire Chief Pruitt and we will be looking over everything to see if there is any official documentation needed on our end. In ordinance 08-057 it states that if the renovation is less than 50% then it falls under the 1975 fire code. Judge Elliot stated that the only thing being built into the court house is the second egress route for the third floor, a stair well down to the second floor. Everything else is two offices, a/c and HVAC. As it stood without the changes, the county would have been two hundred forty six thousand over budget. I have been really watching the money, because I want the court house to be a center piece for Marlin and all the county. Justin stated that they will continue to work together to ensure the safety of all during the renovation. Judge Elliot stated that Justin is a good one and he helped them recently with training. He would like to continue working together with interlocal agreements or whatever to ensure the community keeps getting better.

There was no action on this item

12. Discussion and/ or take action on the proposed lease purchase of a quality, pre-owned fire truck (engine/pumper)

Justin Parker, Fire Chief, addressed the council. He told them the condition of the current fleet, he let them know that engine 4, 1999 model, is not great condition and is not being used. He stated that it has had electrical fires and the pump is not working. The cost to repair the truck would be far more than it's worth. He has been looking for months for a suitable replacement and has found a cost efficient replacement. The fire truck found is \$75,000 and the lease company will be First Government leasing. The fire truck is 2001 and is in great working order. Mayor Pro-tem Henderson asked if it was in the budget. Justin explained that the first payment would not be due till November 2020 which will not be in this budget year. Justin let the council know that there are two options, a five year lease or a seven year lease. The payments would be \$18,825 a year for five years or \$14,357 a year for seven years. Mayor Lofton stated that she would prefer the 5 year purchase agreement, this way it was paid off quicker.

Council member McDavid motioned that the city do the lease agreement for 5 years with First Government Lease Co. to total \$94,25.00 for the 2001 fire truck.

Mayor Pro-Tem Henderson seconded the motion, the motion carried as follows:



Ayes: Councilmember Milton, Councilmember Moore, Mayor Pro-Tem Henderson,
Councilmember Porter, Councilmember Martinez, Councilmember McDavid, Mayor
Lofton

Nays: none

13. Adjourn.

At 6:49 pm Councilmember McDavid made motion to adjourn. All in favor said "I".

PASSED AND APPROVED ON THIS THE 10TH DAY OF March, 2020.


Carolyn Lofton, Mayor
Maryann Waddle, City Secretary