

STATE OF TEXAS  
COUNTY OF FALLS  
CITY OF MARLIN

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On this the 19th day of March, 2013, the City Council of the City of Marlin, Texas convened in a SPECIAL CALLED MEETING, at 5:30pm, the same being open to the public and having been posted as prescribed in Local Government Code, Section 555-041 with the following members present to wit:

**ELECTED OFFICIALS**

Mayor Elizabeth Nelson  
Mayor Pro-Tem Henderson  
Rose Morin  
Cecil Sparks-Absent  
Billie Jean Scaggs  
Tommy Tate  
Arthur Allen

**STAFF**

William McDonald, City Manager  
Danica Lewis, City Clerk

1. Call to Order by Mayor Nelson @ 5:35pm.
2. Roll Call by Danica Lewis.
3. Certify Posting in accordance with State Law.
4. Invocation & Pledge by Scottie Henderson and Arthur Allen.
5. Consideration and Action on Resolution No. 13-013, approving the replacement of the waterline and addition of fire hydrants on Southland and Agartia Streets.

Mr. McDonald presented the Resolution and indicated that the line had been pressure tested and we are here tonight to find a resolution. The City Attorney indicated that the water line was pressure tested and that there was no doubt that was a major issue with the lack of pressure. He suggested that multiple ways to handle this. One is to find where the funding will come from, two is to determine that this needs to be resolved.

Mayor Pro-Tem Henderson made motion to fix the waterline in the amount of \$40,315.57.

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

**AYES:** Councilmember Morin, Mayor Pro-Tem Henderson, Councilmember Scaggs, Councilmember Tate, Councilmember Allen, Mayor Nelson.

**NAYS:** None.

**ABSENT:** Councilmember Sparks.

Discussion continues; Mayor Pro-Tem indicated that the City did not have the funds to repair this line and want to see the loan funding used for this line. Dixon explained that this line is in the danger area of priorities and should be repair now. It is a health hazard. Mayor Pro-Tem Henderson was concerned with why this line was not discovered during other waterline project. Mayor Pro-Tem Henderson is concerned that the City is using the Water Rehab Funding and is concerned with the ending balance. Councilmember Allen indicated that he has the same concerns but that this is what the Water Rehab Fund is for, situations like this one and the City

cannot afford to wait for this repair. Councilmember Scaggs indicated that the same problems exist on First Street and no one is fixing those lines. Councilmember Scaggs said the City should use the atrazine money for this repair. Mr. McDonald indicated that various lines have been replaced in south Marlin. Dixon indicated that the atrazine money is a result of damage to your water supply and logically is it water funding and not general funding.

There as much more discussion between Council, City Staff and City Attorney over using Rehab Funds or Atrazine Funds.

Mayor Pro-Tem Henderson made motion to use Atrazine Funds for the repair on Southland and Agarita. (Resolution No. 13-013)

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

**AYES:** Mayor Pro-Tem Henderson, Councilmember Scaggs.

**NAYS:** Councilmember Morin, Councilmember Tate, Councilmember Allen, Mayor Nelson.

**ABSENT:** Councilmember Sparks.

Motion failed.

Councilmember Tate made motion to use Water Rehab Funds for the repair on Southland and Agarita. (Resolution No. 13-013)

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

**AYES:** Councilmember Morin, Councilmember Tate, Councilmember Allen, Mayor Nelson.

**NAYS:** Councilmember Scaggs.

**ABSTAIN:** Mayor Pro-Tem Henderson.

**ABSENT:** Councilmember Sparks.

## 6. Adjourn.

Mayor Pro-Tem Henderson made motion to adjourn.

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

**AYES:** Councilmember Morin, Mayor Pro-Tem Henderson, Councilmember Scaggs, Councilmember Tate, Councilmember Allen, Mayor Nelson.

**NAYS:** None.

**ABSENT:** Councilmember Sparks.

PASSED AND APPROVED ON THIS THE 16TH DAY OF APRIL, 2013.



*Elizabeth Nelson*  
Elizabeth Nelson, Mayor

*Sandra Herring*  
Sandra Herring, City Secretary