

STATE OF TEXAS  
COUNTY OF FALLS  
CITY OF MARLIN

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On this the 13th day of August, 2013, 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 555-041 with the following members present to wit:

**ELECTED OFFICIALS**

Mayor Elizabeth Nelson  
Mayor Pro-Tem Henderson  
Rose Morin  
Cecil Sparks @ 5:35pm  
Billie Jean Scaggs  
Tommy Tate  
Arthur Allen

**STAFF**

William McDonald, City Manager  
Sandra Herring, City Secretary

1. Call to Order by Mayor Nelson @ 5:33pm.
2. Roll Call by Sandra Herring.
3. Certify Posting in accordance with State Law.
4. Invocation & Pledge by Billie Jean Scaggs and Rose Morin.

5. Citizens Input:

Juliet Evans, 720 Bryden: Clean overgrown lots & ditches and control loose animals.

Michael Mayer, 1025 Walker: Beacon light out at airport, vehicles racing down

Lakeview and Walker in the early am hours and throwing trash in his yard, wants someone to monitor the problem.

Rev. Waylon Sias, 909 Coleman: First Street, no closure of railroad. Opposed.

Sam Elfrez, 125 Coleman: serious concerns about building at corner of Wood St. and Commerce St., effecting his business, terrified of building collapse, what is city doing and city needs to consider other businesses in the area.

6. Approval of minutes for July 12<sup>th</sup>, 2013.

Councilmember Morin made motion to approve minutes with corrections as necessary.

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

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

**NAYS:** None.

7. **Consideration and Action concerning Resolution No. 13-035, authorizing entering agreement for employee health care benefits.**

Discussion was lead by Nick Brown, Human Resources Director and Judy Spinks of Insurers of Texas. The discussion indicated that the city employees are limited in the health care benefits they receive under the current health care plan with First Care. Due to a higher claims rate for this fiscal year, the rates are increasing by approx. 19% with the preferred PPO plan option offered by Humana. With the PPO plan, the city employees and family members covered by the plan will have greater options which included urgent care Concentra facilities. The city could also qualify for additional discounts based on participation. Council asked if the employees present at the meeting would like to speak as to their experience with First Care that my assist the Council in making a decision today. The employees spoke and expressed concerns with the First Care plan and were not favorable to move forward with First Care. After brief discussion amongst the councilmembers, they were ready to make a motion.

**Mayor Pro-Tem Henderson made motion to approve Resolution No. 13-035 as presented.**

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

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

**NAYS: None.**

8. **Consideration and Action concerning Resolution No. 13-036, acceptance of land lease bids and proposed agreements.**

**Councilmember Allen made motion to accept the highest bids.**

**Mayor Pro-Tem Henderson seconded this motion.**

**Councilmember Allen amended his motion to include the wording “or the next highest bidder”.**

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

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

**NAYS: None.**

9. **Consideration and Action concerning Resolution No. 13-040, consider termination of financial advisor agreement with Coastal Securities and authorizing required notification of such termination.**

Councilmember Sparks was concerned with the wording in the Resolution and the delay in bring the new advisor to the table. It was indicated that the City Attorney recommended the procedure of notifying the current financial advisors before engaging in a new contract. The new contract will be presented at the September meeting.

**Mayor Pro-Tem Henderson made motion to approve Resolution No. 13-040 as presented.**

**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.**

**ABSTAIN: Councilmember Sparks.**

- 10. Consideration and Action concerning Resolution No. 13-038, consider appointment of Diane Michalk to calculate the effective tax rate for 2013.**

**Councilmember Allen made motion to approve Resolution No. 13-038 as presented.**

**Councilmember Tate seconded this motion and the motion carried as follows:**

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

**NAYS: None.**

- 11. Consideration and Action concerning the acceptance of the collection and assessment with Falls County Tax Assessor-Collector.**

**Councilmember Tate made motion to approve the agreement as presented.**

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

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

**NAYS: None.**

- 12. Consideration and Action concerning First Reading of Ordinance No. 13-037, amending FY 2012/2013 Budget.**

Discussion included taking a loan from the General Fund Improvement Note of \$32,288.50 to balance the General Fund and use the atrazine settlement funding in the amount of \$78,205 and a loan from the Water Rehab Fund in the amount of \$59,552 for a total of \$137,757 to balance the Water Fund.

Council also discussed the need to end with a balanced budget for the fiscal year and that this year was a difficult year with the water plant incident. Much of the shortage was due to that incident. Claim funds are due to come in around \$29,000 projected in the next few months and more possibly in the extended future based on a the law suit.

**Councilmember Allen made motion to approve Ordinance No. 13-037 with the claim funds to go back to the originating funds as identified.**

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

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

**NAYS: None.**

**13. Consideration and Action concerning discussion of 2013/2014 budget and authorizing advertisement of public hearing and proposed tax rate.**

After brief discussion on the unknown needs of the new budget, Council received clarification on the difference of what tax rate is advertised and what rate is adopted. Mr. McDonald indicated that if we advertise a higher tax rate, it leaves the city with the option to adopt "up to" the advertised rate which could range from .675 to .775.

**Councilmember Allen made motion to advertise a rate of .775 with the first public hearing to be on September 10, 2013 at 5:30pm and seconded public hearing to be September 17, 2013 at 5:30pm.**

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

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

**NAYS: None.**

**14. Future Agenda Items: Job Description and Pay Scale.**

**15. Adjourn.**

**Councilmember Morin made motion to adjourn.**

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

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

**NAYS: None.**

**PASSED AND APPROVED ON THIS THE 10TH DAY OF SEPTEMBER, 2013.**



*Elizabeth Nelson*  
Elizabeth Nelson, Mayor

*Sandra Herring*  
Sandra Herring, City Secretary