

STATE OF TEXAS  
COUNTY OF FALLS  
CITY OF MARLIN

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On this the 11th day of March 2014, 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 Elizabeth Nelson  
Mayor Pro-Tem Henderson  
Rose Morin @ 5:36pm  
Cecil Sparks  
Billie Jean Scaggs  
Tommy Tate @ 5:34pm  
Arthur Allen-Absent

**STAFF**

Richard Fletcher, Interim City Manager  
Sandra Herring, City Secretary  
Mike Dixon, City Attorney

1. Call to Order by Mayor Nelson @ 5:32pm.
2. Roll Call by Sandra Herring.
3. Certify Posting in accordance with State Law.
4. Invocation & Pledge by Billie Jean Scaggs and Cecil Sparks.
5. Citizens Input: Noe Beltram, 267 Live Oak, has not received a trash can in four months and would like credit and a trash can please.

6. Approval of Minutes from February 11<sup>th</sup>, 2014.

Councilmember Morin made motion to approve the minutes from February 11<sup>th</sup>, 2014.

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

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

NAYS: None.

ABSENT: Councilmember Allen.

7. Discussion and action on adopting Ordinance #14-002 to update the Flood Hazard Prevention regulations to comply with the requirements of the National Flood Insurance Program (Second Reading)

Councilmember Tate made motion to approve Ordinance No. 14-002 updating the Flood Hazard Prevention regulation.

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

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

NAYS: None.

ABSENT: Councilmember Allen.

8. Discussion and action on awarding a Mowing Contract for Area B (cemeteries) based on bids received Friday, Feb. 7<sup>th</sup>, 2014.

Mr. Fletcher explained that the original company that received the award for Area B, refused the award. The options available are to award to the next lowest bidder or to rebid Area B for a future award.

Councilmember Tate made motion to award the Mowing Contract for Area B (cemeteries) to the next lowest bidder which was \$29,000 annually from Mosby's Land Management.

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

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

NAYS: None.

ABSENT: Councilmember Allen.

9. Discussion and action on receiving the Marlin Police Department's Calendar Year 2013 Racial Profiling Report.

Presentation given by Captain John Cornish and is attached for the record.

10. Discussion and action on proposed Resolution #14-004 urging action to complete renovations on U.S. Post Office main building.

Mr. Fletcher explained that it may benefit the citizens if the City were to bring to the attention of the U.S Government leaders the Post Office Renovation that has been stalled. A copy of this Resolution will be sent to our Congressman and U.S Senators as well as the U.S. Postmaster General.

Mayor Pro-Tem Henderson made motion to approve Resolution No. 14-004.

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

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

NAYS: None.

ABSENT: Councilmember Allen.

11. Discussion and action on Interlocal Agreement with Falls County for road repair.

Councilmember Tate explained that this is a portion of CR 116.

Councilmember Tate made motion to approve the Interlocal Agreement with Falls County for road repair to Country Club Road/County Rd. 116.

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

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

NAYS: None.

ABSENT: Councilmember Allen.

**12. Discussion and action on Interlocal Agreement with Falls County for drainage work.**

Mr. Fletcher explained that his research on the drainage problem resulted in finding some drainage channels along the railroad and Falls Street that have filled in over time. This interlocal agreement allows the County to assist the City in opening up the channel that crosses under the Union Pacific Railroad at First Street from its beginning and continue behind BTW School to the City Limits. Also to open the channel that begins at Falls Street and Little Street and continues to a location on the east side of Business 6 (Williams St) near the City Park entrance based upon this agreement.

**Mayor Pro-Tem Henderson made motion to approve the Interlocal Agreement for drainage work.**

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

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

**NAYS: None.**

**ABSENT: Councilmember Allen.**

**13. Discussion and action on street lights.**

Discussion included police making reports on light that are out. Mr. Fletcher indicated that Oncor is scheduled for a street light inventory during the second quarter.

**14. Discussion on resuming solid waste collection in house.**

Councilmember Sparks expressed that he believes that it would be beneficial to the City to explore resuming solid waste services within the City. He has asked the Mr. Fletcher to work up a probable cost estimate for future discussion.

**15. Executive Session: 551.074 Personnel Matter – discussion of hiring, assignment, reassignment, evaluation, duties and compensation of various personnel.**

Mike Dixon, the City Attorney determined that the executive session was lacking in its posting and failed to individualize each position for discussion.

**16. Discussion and action on personnel matters.**

No Action Taken.

**17. Future Agenda Items. President's Initiative.**

**18. Adjourn.**

**Councilmember Tate 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, Mayor Nelson.

NAYS: None.

ABSENT: Councilmember Allen.

PASSED AND APPROVED ON THIS THE 8TH DAY OF APRIL, 2014.



*Elizabeth Nelson*  
Elizabeth Nelson, Mayor

*Sandra Herring*  
Sandra Herring, City Secretary