

STATE OF TEXAS  
COUNTY OF FALLS  
CITY OF MARLIN

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On this the 8th day of July 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 – exit at 6:05pm  
Cecil Sparks @ 5:46pm  
Billie Jean Scaggs - Absent  
Tommy Tate  
Douglas Porter

**STAFF**

Richard Fletcher, Interim City Manager  
Sandra Herring, City Secretary

1. Call to Order by Mayor Nelson @ 5:30pm.
2. Roll Call by Sandra Herring.
3. Certify Posting in accordance with State Law.
4. Invocation & Pledge by Douglas Porter and Tommy Tate.
5. Approval of minutes from June 10, 2014.

Councilmember Tate made motion to approve minutes from June 10, 2014.

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

AYES: Councilmember Morin, Mayor Pro-Tem Henderson, Councilmember Tate,  
Councilmember Porter, Mayor Nelson

NAYS: None.

ABSENT: Councilmember Sparks & Councilmember Scaggs.

Council moved to Item 7.

6. (7) Discussion and action on proposed agreement with Tri-County SUD on service territory. Kristen Fancher with Sledge Fancher PLLC was present to discuss with Council the agreement of dual certification with Tri-County. Mr. Fletcher explained that dual certification was needed for Tri-County since they had a number of existing customers within the city's CCN (Certificate of Convenience and Necessity). The agreement as presented allows Tri-County to service their current customers within the city's CCN but could not add any additional customers. In the future, if a new connection was requested in Marlin's CCN where Marlin service was not available, the city would have the option of allowing Tri-County to service the new customer.

Councilmember Tate made motion to approve the agreement with Tri-County SUD for dual certification.

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

AYES: Councilmember Morin, Mayor Pro-Tem Henderson, Councilmember Tate, Councilmember Porter, Mayor Nelson

NAYS: None.

ABSENT: Councilmember Sparks & Councilmember Scaggs.

Council returned to item 6.

Councilmember Sparks entered the meeting at 5:46pm.

**7. (6) Discussion and action on receiving FY 2012-2013 annual audit.**

Frank Steele with Anderson, Marx and Bohls was present to discuss the audit with Council.

Mr. Steele distributed copies of the 2012-2013 audit to members of the City Council and briefly discussed the highlights of the document. He stated that his cover letter conveyed an unqualified opinion. Pointing out that the City operated at a loss last year, Mr. Steele indicated that perhaps services are being provided that the city can no longer afford.

Mayor Pro-Tem Henderson made motion to accept the audit as presented.

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

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

NAYS: None.

ABSENT: Councilmember Scaggs

Councilmember Morin exited the meeting at 6:05pm.

**8. Second Reading: Discussion and action on adoption of Ordinance No. 14-018 amending Chapter 1 General Provisions of the Code of Ordinances by adding Sec. 1.12.1 providing how actions for violating provisions of the city code may be initiated.**

Mayor Pro-Tem Henderson made motion to approve Ordinance No. 14-018 on the second reading.

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

AYES: Councilmember Sparks, Mayor Pro-Tem Henderson, Councilmember Tate, Councilmember Porter, Mayor Nelson

NAYS: None.

ABSENT: Councilmember Morin & Councilmember Scaggs.

**9. Second Reading: Discussion and action concerning Ordinance No. 14-016, on readoption, modification or repeal of juvenile curfew ordinance.**

Mayor Pro-Tem Henderson Sparks made motion to approve Ordinance No. 14-016 on second reading..

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

AYES: Councilmember Sparks, Mayor Pro-Tem Henderson, Councilmember Tate,  
Councilmember Porter, Mayor Nelson

NAYS: None.

ABSENT: Councilmember Morin & Councilmember Scaggs.

**10. Second Reading: Discussion and action concerning Ordinance No. 14-017, consideration on Thru Truck and Truck Route Ordinance.**

Mayor Pro-Tem Henderson Sparks made motion to approve Ordinance No. 14-016 on second reading..

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

AYES: Councilmember Sparks, Mayor Pro-Tem Henderson, Councilmember Tate,  
Councilmember Porter, Mayor Nelson

NAYS: None.

ABSENT: Councilmember Morin & Councilmember Scaggs.

**11. Discussion and action concerning acceptance of radio tower from Falls County.**

Mr. Fletcher briefed the Council on the offer from Falls County to convey their interest in a 250 foot radio tower located on N. Business Highway 6 at FM 2308. Since the land under the tower is not owned by the County, Mr. Fletcher requested that the Council delay action on acceptance until arrangements had been made with Oncor Electric Delivery, owner of the real estate. Council took no action on this item.

**12. Consideration of offering additional farm land for lease.**

Mr. Fletcher indicated that there were two additional properties identified by an adjoining property owner that had potential of being leased. The property is absent a fence that would divide the property and also has no public access.

Councilmember Sparks made motion to allow staff to advertise the properties lease.

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

AYES: Councilmember Sparks, Mayor Pro-Tem Henderson, Councilmember Tate,  
Councilmember Porter, Mayor Nelson

NAYS: None.

ABSENT: Councilmember Morin & Councilmember Scaggs.

**13. Consider disposal of non-working office equipment.**

The City Secretary indicated the property in question included computer monitors, mouse's, keyboards, printers, and computer bases. Any memory components would be removed before taking to Cameron Electronics.

Councilmember Tate made motion to approve Resolution No. 14-019 to allow staff to dispose of the items.

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

AYES: Councilmember Sparks, Mayor Pro-Tem Henderson, Councilmember Tate,  
Councilmember Porter, Mayor Nelson

NAYS: None.

ABSENT: Councilmember Morin & Councilmember Scaggs.

**14. Discussion and action on the Falls County Appraisal District proposed budget for 2015.**

Councilmember Tate made motion to accept the Falls County Appraisal District 2015 Budget.

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

AYES: Councilmember Sparks, Mayor Pro-Tem Henderson, Councilmember Tate,  
Councilmember Porter, Mayor Nelson

NAYS: None.

ABSENT: Councilmember Morin & Councilmember Scaggs.

**15. Future Agenda Items.**

**V.A. Building**

**Revive Park Commission**

**Building Code**

**F.A.R.M. (ACO) issues.**

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



*Elizabeth Nelson*  
Elizabeth Nelson, Mayor

*Sandra Herring*  
Sandra Herring, City Secretary