

STATE OF TEXAS  
COUNTY OF FALLS  
CITY OF MARLIN

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On this the 10th day of February 2015, 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  
Cecil Sparks - Absent  
Billie Jean Scaggs  
Tommy Tate  
Douglas Porter

**STAFF**

Richard Fletcher, Interim City Manager  
Nancy Dominguez, WT Office Supervisor

1. Call to Order by Mayor Nelson @ 5:30pm.
2. Roll Call by Nancy Dominguez.
3. Certify Posting in accordance with State Law by Mr. Fletcher.
4. Invocation by Rose Morin & Pledge by Douglas Porter.
5. Citizens Input: Sam Bosnack, 403 Capps Street about animal shelter and other matters.
6. Discussion and action on approval of minutes from January 13, 2015.  
Councilmember Tate made motion to approve the minutes as presented.  
Councilmember Porter seconded this motion and the motion carried as follows:

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

NAYS: None.

ABSENT: Councilmember Sparks

Council proceeded to discuss Items 7, 8 and 9 together.

7. **Discussion and action on Resolution No. 15-005 to name GrantWorks, Inc. to prepare and submit the 2015/2016 Texas Community Development Block Grant Program (TCDP) Application for the City of Marlin.**
8. **Discussion and action on Resolution 2015-004 Authorizing Submission of the 2015/2016 Texas Community Development Program Application.**
9. **Discussion and action to adopt Citizen Participation Plan.**

Mirenda Harris of Grantworks was present to discuss the 2015/16 TCDP application process. The City of Marlin applied for repairs to the Marlin Lake and New Marlin Lake dams during the last TCDP cycle but was not funded. Those repairs are still needed therefore it is proposed to present that same application during the current funding cycle. The first item in this series, Resolution 15-005 authorizes GrantWorks, Inc. to prepare and submit the application. Second, Resolution 2015-004, authorizes the submission and names the Mayor as the city's authorized representative and thirdly, the Citizens Participation Plan provides complaint procedures for citizens to use concerning services provided under the TCDP.

**Councilmember Tate made motion to approve Items 7, 8 and 9.**

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

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

NAYS: None.

ABSENT: Councilmember Sparks

**10. Discussion and action on designating electric service provider for the City of Marlin.**

The City has an retail electric provider agreement with MP2 that extends through the first quarter of 2016 but since electric power prices are currently low, Texas Energy Aggregators is recommending that the city enter into a new contract that will go into effect when the current arrangement ends in 2016. Michael Carlisle with Texas Energy Aggregators presented a number of options

in the 4.6 cent range. The Texas Coalition for Affordable Power (TCAP), formerly known as the Cities Aggregation Power Project is a state-wide aggregation group made up of cities and other public entities. TCAP offered comparable rates that would be in effect until the end of 2017 at which time TCAP power contracts would be replaced. After noting that the proposal from Texas Energy Aggregators would cap energy costs for a longer period of time, beyond the 2017 ending date of the TCAP proposal.

**Mayor Pro-Tem Henderson made motion to accept Texas Energy Aggregation agreement.**

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

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

NAYS: None.

ABSENT: Councilmember Sparks

**11. Second Reading: Discussion and action on Ordinance No. 15-002 adjusting Temporary Water Service Rates.**

When water rates were adopted last fall, the temporary water service rate was overlooked. This rate, used for temporary service only, is traditionally pegged to the minimum monthly bill.

**Councilmember Porter made motion to approve Ordinance No. 15-002 adjusting the Temporary Water Service Rates.**

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

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

NAYS: None.

ABSENT: Councilmember Sparks

**12. Discussion and action on Ordinance No. 15-003 calling a General Election for May 9, 2015 and associated matters.**

It is time to call a municipal election to fill Precincts one, three and five as well as the at-large mayoral position. This ordinance calls the election and provides for the various details of the election as provided in state law.

**Mayor Pro-Tem Henderson made motion to approve Ordinance No. 15-003. Councilmember Morin seconded this motion and the motion carried as follows:**

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

NAYS: None.

ABSENT: Councilmember Sparks

**13. Discussion and action on Resolution No. 15-006 authorizing filing 2015-2016 Justice Assistance Grant funded through the Heart of Texas Council of Governments. This grant will provide funding for safety equipment and vehicles.**

The Justice Assistance Grant (JAG) is made available by the Governor's office to assist law enforcement agencies in the state of Texas. This resolution authorizes the application for funds from the state to be used to purchase police vehicles and safety equipment. It was pointed out that the five vehicles proposed to be lease/purchased by the city only replaces about half of the needed units. Under this grant, one or two more replacements might be obtained.

**Councilmember Morin made to approve Resolution No. 15-006. Councilmember Tate seconded this motion and the motion carried as follows:**

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

NAYS: None.

ABSENT: Councilmember Sparks

**14. Discussion and action on Resolution No. 15-007 authorizing the lease purchase of 5 police units.**

Council expressed to Chief Allen that the lack of maintenance on the police vehicles was a major concern and has been for a long time. The Council has requested many times maintenance logs be kept on the vehicles and to date they have not received them. Councilmember Tate voiced concern whether adequate funding, as provided in the budget, is actually available for such purchase.

**Mayor Pro-Tem Henderson made motion to table this item.**

**Councilmember Tate seconded this motion.**

**With a motion and a second to table this item the motion carried as follows:**

AYES: Mayor Pro-Tem Henderson, Councilmember Scaggs,  
Councilmember Tate , Councilmember Porter.

NAYS: Councilmember Morin, Mayor Nelson

ABSENT: Councilmember Sparks

**15. Discussion and action on Resolution No. 15-008 designing KSA Engineers to do a Water and Wastewater Treatment Plant Efficiency Report.**

Funding for this report is contained in the grant obtained by the Heart of Texas Council of Governments (Heart of Texas Efficient Towns and Counties). KSA is the city's engineer of record and is most knowledgeable about the city's operations. It is recommended that KSA be named to prepare this report. Alan Draper P.E. with KSA was present to accept the assignment.

**Councilmember Porter made motion to approve Resolution No. 15-008.**

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

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

NAYS: None.

ABSENT: Councilmember Sparks

**16. Discussion and action on receipt of Marlin Police Department Racial Profiling Report.**

Chief Allen spoke to Council of the contents of the Racial Profiling Report as required by state law. No action necessary.

**17. Discussion and action on Resolution No. 15-009, authorize the purchase of six computer work stations.**

As part of the on-going effort to update and upgrade the city's water billing system, computer equipment that is not at end-of-life is required to support the new Incode billing and financial software. A new server was recently purchased and these work stations will complete the needs for the financial and billing offices to make the transition to Incode.

**Mayor Pro-Tem Henderson made motion to approve Resolution No. 15-009.**

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

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

NAYS: None.

ABSENT: Councilmember Tate , Councilmember Sparks

**18. Discussion and action on Interlocal Agreement(s) with Falls County for road repair.**

Two interlocal agreements for road repair were presented. One included a short section of Anders just off Rock Dam Road and the other was on Sewanee from Rock Dam to Ward. The Sewanee project would need to be deferred until after the water line project.

**Mayor Pro-Tem Henderson made motion to approve the Interlocal Agreements with Falls County for road repair.**

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

AYES: Councilmember Morin, Mayor Pro-Tem Henderson,  
Councilmember Scaggs, Councilmember Porter, Mayor Nelson  
NAYS: None.

ABSENT: Councilmember Tate , Councilmember Sparks

**19. Future agenda items.**

Mr. Fletcher took this opportunity to designate March 31<sup>st</sup> as his last day. Mayor Pro-Tem Henderson suggested to call a special meeting to go over city manager applications. Mayor Nelson would like Coleman by the hospital and Ward St. looked at by the interlocal agreement. Councilmember Morin would like the large pothole at Live Oak and Kennedy repaired.

**20. Adjourn.**

**Councilmember Morin made motion to adjourn.**

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

AYES: Councilmember Morin, Mayor Pro-Tem Henderson,  
Councilmember Scaggs, Councilmember Porter, Mayor Nelson  
NAYS: None.

ABSENT: Councilmember Tate , Councilmember Sparks

**PASSED AND APPROVED ON THIS THE 10TH DAY OF MARCH, 2015.**



*Elizabeth Nelson*  
Elizabeth Nelson, Mayor

*Sandra Herring*  
Sandra Herring, City Secretary