

On this the 9th day of August, 2016, 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 Porter  
Norman Erskine  
Rose Morin  
Billie Jean Scaggs  
Scottie Henderson - Absent  
Neddie Moore

**STAFF**

Richard Fletcher, Interim City Manager  
Sandra Herring, City Secretary

1. Call to Order by Mayor Nelson @ 5:37pm.
2. Roll Call by Sandra Herring.
3. Certify Posting in accordance with State Law by Sandra Herring.
4. Pledge by Elizabeth Nelson and Invocation by Rose Morin.

5. Citizens Input:

Melvin Carter, 113 Neumann-List and rank of CM applications, Investors, road conditions & interlocal, map of progress, Marlin youth & pastors involved, budget 2016.

Mildred Wilson, 326 Capps- Newcomer social was a success, at Benitez building, approx. 80 of which 35 were new comers to Marlin.

Laverne Brown, Denison St-water bill going up and sewer line problems, need roads and trees cleaned up.

6. Discussion and take appropriate action, if necessary to approve minutes of July, 12, 2016 Regular Meeting and Special Meetings of July 19, 2016 and July 26, 2016. Approval of Minutes from February 16<sup>th</sup>, May 10<sup>th</sup>, May 25<sup>th</sup>, June 14<sup>th</sup> and June 28<sup>th</sup>, 2016.

Councilmember Erskine made motion to approve the minutes of July 12<sup>th</sup> and July 19<sup>th</sup>.

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

**AYES: Councilmember Morin, Councilmember Moore, Councilmember Scaggs, Councilmember Erskine, Mayor Pro-Tem Porter, Mayor Nelson.**

**NAYS: None.**

**ABSENT: Councilmember Henderson.**

**Additional motion made by Councilmember Moore to approve July 26<sup>th</sup> minutes.**

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

**AYES: Councilmember Morin, Councilmember Moore, Councilmember Scaggs, Councilmember Erskine, Mayor Pro-Tem Porter, Mayor Nelson.**

**NAYS: None.**

**ABSENT: Councilmember Henderson.**

- 7. Discuss and take appropriate action, if necessary, to approve the proposal and contract with MRBGrey for engineering services under the Emergency Community Water Assistance Grant (ECWAG).**

**Mr. Fletcher indicated that his is the assistance we need for the repairs at the water plant. The monetary value is \$500,000 and must be overseen by an engineer.**

**Mayor Pro-Tem Porter made motion to contract with MRBGrey for engineering services for the ECWAG Grant.**

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

**AYES: Councilmember Morin, Councilmember Moore, Councilmember Scaggs, Councilmember Erskine, Mayor Pro-Tem Porter, Mayor Nelson.**

**NAYS: None.**

**ABSENT: Councilmember Henderson.**

- 8. Discuss and take appropriate action, if necessary, to adopt Resolution No. 2016-012 directing that Marlin seek certification as a Film-Friendly Community.**

**This motion is required for the City of Marlin to be listed as a Film Friendly City.**

**Councilmember Morin made motion to approve Resolution No. 16-012.**

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

**AYES: Councilmember Morin, Councilmember Moore, Councilmember Scaggs, Councilmember Erskine, Mayor Pro-Tem Porter, Mayor Nelson.**

**NAYS: None.**

**ABSENT: Councilmember Henderson.**

- 9. Discuss and take appropriate action, if necessary, to adopt Resolution No. 2016-013 appointing the Building Code Board.**

**In order for the City to improve it's IOS rating, we must update our building codes. To ensure that we take everything into consideration we need to appoint a building code board that is compiled of certain tradesmen to review and recommend the best course of action.**

**Mayor Pro-Tem Porter made motion to approve Resolution No. 2016-013 appointing the Building Code Board.**

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

**AYES: Councilmember Morin, Councilmember Moore, Councilmember Scaggs, Councilmember Erskine, Mayor Pro-Tem Porter, Mayor Nelson.**

**NAYS: None.**

**ABSENT: Councilmember Henderson.**

- 10. Discuss and take appropriate action, if necessary, to adopt Resolution No. 2016-014 creating Keep Marlin Clean advisory committee.**

**Mayor Nelson is requesting that each Councilmember submit 2 names from their Precinct to ensure that the community is equally represented. Need names by 23<sup>rd</sup> of August.**

**Councilmember Moore made motion to approve Resolution No. 2016-014.**

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

**AYES: Councilmember Morin, Councilmember Moore, Councilmember Scaggs, Councilmember Erskine, Mayor Pro-Tem Porter, Mayor Nelson.**

**NAYS: None.**

**ABSENT: Councilmember Henderson.**

**11. Discuss and take appropriate action, if necessary, to appoint a Charter Review Commission.**

**Mike Dixon, City Attorney, was present to speak on the issues of a Charter Review Committee. You must have someone who can head the committee that is familiar with the process and the needs within the Charter considering ballot space. Russell Devorsky from the HOTCOG Board will volunteer as chair of the committee.**

**Councilmember Moore made motion to submit names for the Charter Review Committee for appointment at the October Regular Meeting.**

**Councilmember Scaggs seconded this motion.**

**Further discussion included that the names need to be submitted prior to the meeting date to notification the appointees.**

**Councilmember Morin made motion to submit names for Charter Review Committee by the September regular meeting.**

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

**AYES: Councilmember Morin, Councilmember Moore, Councilmember Scaggs, Councilmember Erskine, Mayor Pro-Tem Porter, Mayor Nelson.**

**NAYS: None.**

**ABSENT: Councilmember Henderson.**

**12. Discuss and take appropriate action, if necessary, to declare surplus and authorize disposal by sale of the scrap metal accumulated at the Citizens Convenience Station on Highway 7.**

**Mr. Fletcher explained that there is a generous pile of scrap metal that needs to be taken to be recycled and seeking permission for such.**

**Councilmember Erskine made motion to declare the scrap metal surplus.**

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

**AYES: Councilmember Morin, Councilmember Moore, Councilmember Scaggs, Councilmember Erskine, Mayor Pro-Tem Porter, Mayor Nelson.**

**NAYS: None.**

**ABSENT: Councilmember Henderson.**

**13. Discuss and take appropriate action, if necessary, on scheduling a Clean-Up Drive.**

Mr. Fletcher informed the Council that he was preparing a City Wide Clean-Up Day-Free Trash Day for September 10<sup>th</sup>. There would be 4 in-city area containers as well as the Citizens Collection Station to received standard trash.

Councilmember Morin made motion to approve September 10<sup>th</sup> as the Clean-Up Day.

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

**AYES:** Councilmember Morin, Councilmember Moore, Councilmember Scaggs, Councilmember Erskine, Mayor Pro-Tem Porter, Mayor Nelson.

**NAYS:** None.

**ABSENT:** Councilmember Henderson.

**14. Executive Session: Consultation with Attorney, Open Meeting Act Section 551.071: pending or threatened litigation, settlement offers, claims, or other matters for which the attorneys' duties to their client under the Texas State Bar Disciplinary Rules of Professional Conduct conflict with the Open Meetings Act (Ch. 551, Gov. Code) with regard to the following pending lawsuit:**

- a. **City of Marlin, Texas v. Falls County Water Control Improvement District No. 1.**

**Entered into Executive Session @ 6:43pm.**

**Exited Executive Session at 7:55pm.**

**15. Discussion, consideration, and possible action regarding the pending lawsuit: City of Marlin, Texas v. Falls County Water Control Improvement District No. 1.**

**No Action Taken.**

**16. Discussion, consideration and possible action on drainage.**

Areas of discussion were Bennett Street at George (drain clogged), Samuals Street, County to pull their own drainage, railroad to open their ROW for drainage, Martin Street.

No Action Taken.

**17. Budget Workshop.**

Mr. Fletcher presented a balanced budget that reflects an increased effective tax rate of .82717 as well as water/sewer rate increase. The increased rates will provide for payment of bonds, vehicle lease, employee health insurance increase, 3 percent pay increase, matching grant funds, additional personnel at the water plant along with mandated equipment by TCEQ, and employ a city engineer.

**18. Future Agenda Items.**

**19. Adjourn.**

Mayor Pro-Tem Porter made motion to adjourn all in favor said "Aye".

**PASSED AND APPROVED ON THIS THE 13TH DAY OF SEPTEMBER, 2016.**



*Elizabeth Nelson*  
Elizabeth Nelson, Mayor

*Sandra Herring*  
Sandra Herring, City Secretary