MINUTES OF REGULAR MEETING

April 14, 2015

MONTGOMERY CITY COUNCIL

CALL TO ORDER

Mayor Pro Tem Kirk Jones declared a quorum was present, and called the meeting to order at 6:00 p.m.

Present:	Jon Bickford	Position # 1
	Kirk Jones	Position # 3 (Mayor Pro Tem)
	Rebecca Huss	Position # 4
	Dave McCorquodale	Position # 5
Absent:	John Champagne	Position # 2
Also Present:	Jack Yates	City Administrator
	Larry Foerster	City Attorney

INVOCATION

Mr. T.J. Wilkerson, Council Member Elect, gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAGS

VISITOR/CITIZENS FORUM:

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must be recognized by the Mayor. Council may not discuss or take any action on an item, but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

Mayor Pro Tem Jones recognized a Boy Scout that was present. Travis Wilson, with Boy Scout Troop 491, advised that he was present to take notes from the meeting as part of the process to earn a merit badge.

The following citizens addressed City Council:

- Mr. Trey Kirby, candidate for Position 4 on the Montgomery Independent School District Board of Trustees, introduced himself and advised that he and his family had moved here in 1987 and said that he made the decision to run based on this being his home, and thanked Council for their time.

- Mrs. Sonya Clover, advised that she wanted to remind everyone about the Wine Paring Dinner benefiting Cedar Brake Park to be held at the Cozy Supper Club on April 26, 2015 at 6:30 p.m. – 9:00 p.m. The tickets are $100 and all the proceeds for the event will be donated to Cedar Brake Park. Mrs. Clover advised that the Cozy Supper Club is a new restaurant, located at the corner of

Caroline and Prairie, that is modeled a lot after the restaurants that were popular in the 30's and 40's, where you could spend the evening.

- Mr. Jessie Mendoza, Editor, with the new Conroe/Montgomery Edition of the Impact Newspaper introduced himself and said that he was very excited that the paper was coming to the Conroe/Montgomery area. Mr. Mendoza advised that on Thursday every residence and business would receive a copy of the newspaper in their mailbox. Mr. Mendoza advised that they had covered information on all the upcoming elections in this edition of the paper. Mr. Mendoza thanked City Council for welcoming them into the community.

- Mr. Mike Newman advised that on April 17, 2015 at 2 p.m. – 5 p.m., the Montgomery Iron Works Antique Car Show will be stopping by Fernland Park to have dessert. Mr. Newman advised that it will be clubs from around the area and it will be nice to look at the antique cars. Mr. Newman invited everyone to come out.

- Mr. Steve Williams introduced himself and advised that he was running for his third term on the Montgomery ISD School Board, Position 4. Mr. Williams advised that he has served on the Board for six years and has resided in the area for ten years and reviewed his background. Mr. Williams thanked City Council for their time.

CONSENT AGENDA:

1. Matters related to the approval of minutes for the regular meeting held on March 24, 2015.

   Rebecca Huss advised that on page 3 of the minutes, Mr. Foerster had stated that he would look into other ordinances that could be used for the pro rata tie in to water and sewer line extension to SH105. Mr. Foerster advised that he had already drafted an ordinance, and stated that it was something that the City could do.

   Dave McCorquodale moved to approve the minutes as presented. Rebecca Huss seconded the motion, the motion carried unanimously. (4-0)

CONSIDERATION AND POSSIBLE ACTION:

2. Consideration and possible action on scheduling a Public Hearing to be held on April 28, 2015 regarding the City of Montgomery Curfew Ordinance, as provided by Division 2 of Chapter 62 of the Code of Ordinances of the City of Montgomery, Texas, in accordance with Section 370.002 of the Texas Local Government Code.

   Rebecca Huss moved to schedule a Public Hearing to be held on April 28, 2015 at 6:00 p.m., regarding the City of Montgomery Curfew Ordinance, as provided by Division 2 of Chapter 62 of the Code of Ordinances of the City of Montgomery, Texas in accordance with Section 370.002 if the Texas Local Government Code. Dave McCorquodale seconded the motion, the motion carried unanimously. (4-0)

3. Consideration and possible action on receiving a request for removal and replacing a manufactured home, as submitted by Jane Hoover, to be located on 808 Community Center Road, Montgomery, Texas, and scheduling a Public Hearing.

   Rebecca Huss moved to schedule a Public Hearing to be held on April 28, 2015 at 6:00 p.m. regarding a request for removal and replacing a manufactured home, as submitted by Jane Hoover, to be located on 808 Community Center Road, Montgomery, Texas. Dave McCorquodale seconded the motion.

   Discussion: Rebecca Huss advised Ms. Jane Hoover that the last time Council considered this type of request, the person had submitted letters from the surrounding neighbors, which helped with their decision. Ms. Hoover asked if one letter would be sufficient. Rebecca Huss said it would be nice to submit a letter of support.

   The motion carried unanimously. (4-0)

4. Consideration and possible action regarding approval of Resolution regarding Texas Capital Grant – Lone Star Parkway/Hwy 105.

   After discussion, Jon Bickford moved to approve the application for the Kroger project at Lone Star Parkway/Hwy 105, and the Resolution regarding the Texas Capital Grant – Lone Star Parkway/Hwy 105. Dave McCorquodale seconded the motion, the motion carried unanimously. (4-0)

5. Consideration and possible action on approval of Resolution regarding Texas Capital Grant – Stewart Creek Road/Hwy 105.

   After discussion, Jon Bickford moved to approve the Resolution regarding Texas Capital Grant – for the Pizza Shack property near Stewart Creek Road/Hwy 105. Dave McCorquodale seconded the motion, the motion carried unanimously. (4-0)

6. Consideration and possible action on approval of a Resolution in Support of the Application for Transportation Alternatives Program Funding for the City and Assuring the Local Cash Match for the Project.

   After discussion, Dave McCorquodale moved to approve a Resolution in Support of the Application for Transportation Alternatives Program Funding for the City and Assuring the Local Cash Match for the Project, with the correction of the typographical error in the second paragraph. Jon Bickford seconded the motion.

   Discussion: Jon Bickford asked if they could ask that the City go back and approach the Montgomery Economic Development Corporation ("MEDC") to pick up the additional funds. Mayor Pro Tem Jones advised that they would get that item placed on the MEDC agenda, and they could address that matter in a budget addendum. Jon Bickford stated that City Council would be appreciative of the help.

   The motion carried unanimously. (4-0)

7. Consideration and possible action regarding approval of a Resolution Supporting Special Legislation for the Creation of Montgomery County Municipal Utility District No. 150.

Mr. David Oliver, attorney with Allen Boone Humphries Robinson LLP, spoke on behalf of Signorelli Company, made the presentation. Signorelli has purchased property on the eastern jurisdiction of the City and it is partly in the City's ETJ and partly in the City of Conroe's ETJ, and advised that all they are asking for at this point in time is a resolution that is stating that the City does not have any objection to the legislation. Mr. Oliver stated that there would be a more formal discussion in the future. Mr. Oliver stated before the entity can do anything in the future, they would have to come back to the City to obtain formal consent from the City as well as the service options.

Rebecca Huss questioned whether the City's building codes would apply to property in the City's ETJ, and what would they be deciding right now as far as giving that right away. Mr. Oliver said that he would defer to the City Attorney, but stated that property that is in either ETJ is subject to the regulations of the City's ETJ. Mr. Foerster, City Attorney, advised that it had always been his understanding, and he would have to go back and check the Water Code, that once a MUD is created, if the ETJ is shared between two cities, the MUD has the option of selecting which City it may want to have the ETJ.

Jon Bickford stated that he did not want any expectations being set for this project, because this City Council has made no decision to move forward with this project, and there is a large investment that they would have to make to move that way. Mr. Shackelford stated that developers know that there has been no commitment by the City of Montgomery to provide utilities. Mr. Foerster advised that by adopting this Resolution, the City is not consenting to the creation of the District, or the inclusion of land in the District, at this time.

Steve Williams, Assistant City Administrator & Chief Financial Officer with the City of Conroe, advised that the City of Conroe passed this resolution at their last meeting. Mr. Williams advised that Conroe will be requiring them to enter into a Strategic Partnership Agreement, which will lead to the future annexation of the property, otherwise it would be very unlikely that they would consent to the creation of an ETJ-MUD.

After discussion, Rebecca Huss moved to approve a Resolution Supporting Special Legislation for the Creation of Montgomery County Municipal Utility District No. 150. Dave McCorquodale seconded the motion, the motion carried unanimously. (4-0)

8. Consideration and possible action regarding a Documation Agreement for copiers and printers for the City.

Jon Bickford stated that $70,000 was a lot of money, and suggested considering purchase of the printers with extended warranties versus leasing the equipment. Mayor Pro Tem Jones asked Mr. Yates to check into the lease and warranty for the large printer, and possible purchase of the smaller printers. Rebecca Huss asked to check in to purchasing all three. Mr. Yates advised that he would look into other options.

After discussion, Jon Bickford moved to table the item, and to look into other options. Rebecca Huss seconded the motion, the motion carried unanimously. (4-0)

9. Consideration and possible action regarding CenterPoint Energy Annual GRIP Filing and Suspension Request.

Cindy Westcott, CenterPoint Energy, made the presentation to City Council.

After discussion, Jon Bickford moved to take action to suspend the GRIP increase. Dave McCorquodale seconded the motion, the motion carried unanimously. (4-0)

EXECUTIVE SESSION:

The City Council reserves the right to discuss any of the items listed specifically under this heading or for any items listed above in executive closed session as permitted by law including if they meet the qualifications in Sections 551.071(consultation with attorney), 551.072 (deliberation regarding real property),551.073 (deliberation regarding gifts), 551.074 (personnel matters), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Government Code of the State of Texas. (No current items at this time.)

COUNCIL INQUIRY:

Pursuant to Texas Government Code Sect. 551.042 the Mayor and Council Members may inquire about a subject not specifically listed on this Agenda. Responses are limited to recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place on the agenda of a future meeting.

ADJOURNMENT

Rebecca Huss moved to adjourn the meeting at 7:20 p.m. Jon Bickford seconded the motion, the motion carried unanimously. (4-0)

Submitted by: Susan Hensley Date Approved: 04/28/15

Susan Hensley, City Secretary

Kirk Jones

Mayor Kirk Jones

CITY OF MONTGOMERY, TEXAS ★ FOUNDED 1837 ★