

**NOTICE OF REGULAR MEETING**

**June 28, 2016**

**MONTGOMERY CITY COUNCIL**

STATE OF TEXAS

AGENDA

COUNTY OF MONTGOMERY

CITY OF MONTGOMERY

NOTICE IS HEREBY GIVEN that a Regular Meeting of the Montgomery City Council will be held on Tuesday, June 28, 2016 at 6:00 p.m. at the City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas for the purpose of considering the following:

**CALL TO ORDER**

**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.

**CONSENT AGENDA:**

1. Matters related to the approval of minutes for the Public Hearings and Regular Meeting held on June 14, 2016.

**CONSIDERATION AND POSSIBLE ACTION:**

2. Consideration and possible action on Department Reports.
  - A. Administrator's Report
  - B. Public Works Report
  - C. Police Department Report
  - D. Court Department Report
  - E. Utility/Development Report
  - F. Water Report
  - G. Engineer's Report
  - H. Financial Report
3. Report regarding the proposed Tree Ordinance.

4. Consideration and possible action regarding adoption of the following Ordinance:  
AN ORDINANCE INVOLVING LIGHTING POLICIES FOR COMMERCIAL PROPERTIES BY ADDING TITLE VI TO CHAPTER 18 OF THE CITY OF MONTGOMERY CODE OF ORDINANCES: INCLUDING DEFINITIONS, COMMERCIAL OUTDOOR LIGHTING REQUIREMENTS, AND PROHIBITIONS; PROVIDING EXEMPTIONS, ADMINISTRATION AND ENFORCEMENT WITH PENALTIES FOR VIOLATIONS; PROVIDING FOR VARIANCES BY CITY COUNCIL; PROVIDING SEVERANCE CLAUSE AND TEXAS OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION.
5. Consideration and possible action regarding adoption of the following Ordinance:  
AN ORDINANCE BY THE CITY OF MONTGOMERY, TEXAS REGULATING HOURS OF MOVEMENT OF OVERSIZED VEHICLES; AMENDING CITY CODE OF ORDINANCES AT CHAPTER 86, "TRAFFIC AND VEHICLES," BY ADDING A DEFINITION OF "OVERSIZED VEHICLE;" SETTING PERMISSIBLE HOURS TO MOVE OVERSIZED VEHICLES WITHIN THE CITY AS A CONDITION OF A PERMIT ISSUED BY THE CITY; PROVIDING A PROCEDURE FOR A REQUEST FOR A POLICE ESCORT AND ESTABLISHING A PERMIT FEE OF \$110 FOR THAT ESCORT; PROVIDING SEVERABILITY AND REPEALING CLAUSES; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION AS PROVIDED BY LAW.
6. Consideration and possible action regarding variances requested from McCoy's Building Supply as follows:
  - a. from required side yard setbacks for the proposed McCoy's Building Supply; and
  - b. from required driveway spacing for the proposed McCoy's Building Supply.
7. Consideration and possible action regarding a variance request from required rear yard vegetative setback and visual barrier for the proposed SH-105 Retail Center.
8. Consideration and possible action regarding authorizing Jones & Carter, Inc. to proceed with preparation of the TPDES Permit renewals for the Town Creek and Stewart Creek wastewater treatment plants.
9. Consideration and possible action regarding an Agreement by and between the Kroger Company and the City of Montgomery for additional funding of the proposed public improvements intended to serve the 52-acre Kroger/Milestone Development.
10. Consideration and possible action regarding bid tabulation and recommendation of award for construction of the public paving and utility improvements to serve the Kroger development.

## **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.

11. Convene into Closed Executive Session pursuant to the Texas Open Meetings Act at Sections 551.071 and 551.072 of the Texas Government Code to meet with the City Attorney to receive confidential legal advice about real property transactions.
  
12. Reconvene into Open Session and take possible action resulting from deliberations made during Closed Executive Session.

## **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**



  
Susan Hensley, City Secretary

I certify that the attached notice of meeting was posted on the bulletin board at City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas, on the 24<sup>th</sup> day of June, 2016 at 2:10 o'clock p.m. I further certify that the following news media was notified of this meeting as stated above: The Courier

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*This facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary's office at 936-597-6434 for further information or for special accommodations.*

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