

**NOTICE OF PUBLIC HEARING and REGULAR MEETING**

**December 13, 2016**

**MONTGOMERY CITY COUNCIL**

STATE OF TEXAS

AGENDA

COUNTY OF MONTGOMERY

CITY OF MONTGOMERY

NOTICE IS HEREBY GIVEN that a Public Hearing and Regular Meeting of the Montgomery City Council will be held on Tuesday, December 13, 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**

**PUBLIC HEARING:**

Convene into Public Hearing:

1. Receive report from the Montgomery Capital Improvements Advisory Committee regarding Impact Fees; and
2. Regarding adoption of Impact Fees for Water and Wastewater for the City of Montgomery, Texas. The amount of the proposed impact fee per service unit is \$4,045.00.

Reconvene into Regular Session:

**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:**

3. Matters related to the approval of minutes for the Public Hearings and Regular Meeting held on October 25, 2016, and Regular Meeting held on November 15, 2016.
4. Consideration and possible action regarding Cedar Crest Manufactured Home Park License Renewal.
5. Consideration and possible action to regarding rescheduling a Public Hearing for a Special Use Permit for Mark Eckhart Sims to open a Bed and Breakfast operation at 811 Caroline Street, Montgomery, originally scheduled to be held on December 13, 2016, to be held on January 10, 2017 at 6:00 p.m.

**CONSIDERATION AND POSSIBLE ACTION:**

6. 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
  
7. Consideration and possible action regarding adoption of the following Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING ARTICLE III, "IMPACT FEES" OF CHAPTER 90 "UTILITIES" OF THE CITY CODE OF ORDINANCES BY ADOPTING NEW IMPACT FEES FOR WATER AND WASTEWATER IMPROVEMENTS THAT ARE ATTRIBUTABLE TO NEW DEVELOPMENT IN THE CITY'S PROPOSED WATER AND WASTEWATER IMPACT FEE SERVICE AREA WITHIN THE CORPORATE BOUNDARIES OF THE CITY; PROVIDING FOR IMPACT FEE COLLECTION AND ACCOUNTING FOR FEES AND INTEREST; PROVIDING FOR IMPACT FEE WAIVERS; PROVIDING FOR SEMI-ANNUAL REVIEW OF IMPACT FEES BY CAPITAL IMPROVEMENT ADVISORY COMMITTEE; REPEALING CITY ORDINANCE NO. 2013-08 AND ALL ORDINANCES IN CONFLICT; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE AFTER PUBLICATION.
  
8. Consideration and possible action regarding adoption of the following Ordinance:

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF ORDINANCES FOR THE CITY OF MONTGOMERY, TEXAS; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE UPON PUBLICATION AS PROVIDED BY LAW.
  
9. Consideration and possible action regarding funding of East SH 105 water/sewer extension.
  
10. Consideration and possible action regarding City Sponsorship Letter for Heritage Place Medical Center, Houston Street driveway permit.
  
11. Consideration and possible action regarding adoption of the following Resolution:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, CALLING UPON THE TEXAS LEGISLATURE TO AMEND THE GOVERNING LAW OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT TO PROVIDE FOR THE DIRECT ELECTION OF THE MEMBERS OF THE BOARD OF DIRECTORS OF THE LONE STAR GROUNDWATER CONSERVATION DISTRICT.

12. Consideration and possible action regarding voting for City Representative to the Lone Star Groundwater Conservation District.
13. Consideration and possible action regarding approval of designating an engineering service provider for the 2017 Texas Water Development Board Safe Drinking and Clean Water Revolving Loan Fund application and project related engineering services.
14. Consideration and possible action regarding approval of designating a Financial Advisor service provider for the 2017 Texas Water Development Board Safe Drinking and Clean Water Revolving Loan Fund application and project related Financial Advisor services.
15. Consideration and possible action regarding approval of designating a Bond Counsel provider for the 2017 Texas Water Development Board Safe Drinking and Clean Water Revolving Loan Fund application and project related Bond Counsel services.
16. Consideration and possible action regarding approval appointment of four (4) Directors on the Montgomery Economic Development Corporation Board, whose 2-year term expires January 2017, currently served by: Kirk Jones, Randy Moravec, Bob Kerr and Andy Dill.
17. Consider and take action on a resolution that authorizes submission of an application to the Texas Department of Agriculture for a 2017-18 Texas Community Development Block Grant Program – Community Development Fund grant of up to \$350,000 to construct water, sewer, street, and drainage system improvements in Baja Street target area and designates the City Administrator as the City’s authorized signatory.
18. Consideration and possible action on adoption of a Citizen Participation Plan and Citizen Complaint Procedures to be followed during implementation of Texas Community Development Block Grant Program projects.

**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 items at this time.)*

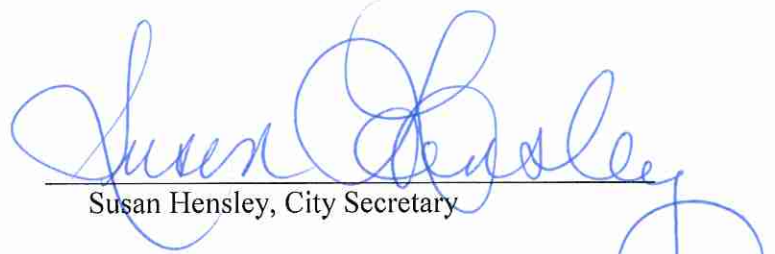
**COUNCIL INQUIRY:**

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**

(SEAL)



  
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 9<sup>th</sup> day of December 2016 at 3:05 o'clock p.m. I further certify that the following news media was notified of this meeting as stated above: The Courier

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.