

**MINUTES OF PUBLIC HEARING and REGULAR MEETING**

**January 9, 2018**

**MONTGOMERY CITY COUNCIL**

**CALL TO ORDER**

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

Present:	Kirk Jones	Mayor
	Jon Bickford	City Council Place # 1
	John Champagne, Jr.	City Council Place # 2
	T.J. Wilkerson	City Council Place # 3
	Rebecca Huss	City Council Place # 4
	Dave McCorquodale	City Council Place # 5

Absent:

Also Present:	Jack Yates	City Administrator
	Larry Foerster	City Attorney
	Susan Hensley	City Secretary
	Chris Roznovsky	City Engineer

**INVOCATION**

John Champagne gave the invocation.

**PLEDGE OF ALLEGIANCE TO FLAGS**

**PUBLIC HEARINGS:**

Mayor Jones announced that the order of the Public Hearings would be changed and Public Hearing 3 would be held first.

Convene into Public Hearings:

1. **Public Hearing - regarding Annexation of a 3.22-acre tract of land in the John Corner Survey, Abstract 8, Montgomery County, Texas, being out of a 5.71 acre tract as recorded under Clerk's File No. 2016-086083, also being out of a called 111.857 acre tract of land as recorded under Clerk's File No. 9512940 Deed Records Montgomery County, Texas. (Second of two Public Hearings).**

Mayor Jones convened the Public Hearing at 6:12 p.m.

Mr. Yates advised that this is the property that is immediately across from and south of the new Pizza Shack location and is 3.22 acres of land. Mr. Yates said that the annexation action will occur at the January 23, 2018 City Council meeting.

There were no other comments made.

**Adjourn Public Hearing**

Mayor Jones adjourned the Public Hearing at 6:13 p.m.

2. **Public Hearing - regarding Amendment of Impact Fees for the City of Montgomery.**

Mayor Jones convened the Public Hearing at 6:13 p.m.

Mr. Yates advised that this Public Hearing is for a consideration of Impact Fee Amendments. Mr. Yates said that the Capital Improvement Advisory Committee met in October 2017 and recommended a somewhat lesser Impact Fee. Mr. Yates said that the action on the Impact Fee Ordinance will be on the January 23, 2018 City Council Meeting.

Mayor Jones said that the Impact Fee exists, but the City is evaluating changing the numbers. Mr. Yates said that the Capital Improvement Advisory Committee was the group that came up with the first number in October 2016, and then City Council adopted it in December 2016. Mr. Yates said that this is the required annual review, according to State Law, and the Committee made a recommendation to City Council, which they have heard before this meeting.

Mayor Jones asked if these Impact Fees directly impact existing residents. Mr. Yates said that the Impact Fees do not impact existing residents, it is just for new connections. Mr. Yates said

that the basic idea for an impact fee is so that the new connections pay for the required new improvements to the water and sewer system. Mrs. Sara Countryman asked what new connections. Mr. Yates said that it would be new water and sewer connections in the new subdivisions.

### **Adjourn Public Hearing**

Mayor Jones adjourned the Public Hearing at 6:16 p.m.

### 3. **Public Hearing – City of Montgomery Community Development Block Grant (CDBG) 2016 Disaster Recovery – regarding the General Land Office (GLO) CDBG-DR 2016 Floods Program.**

Mayor Jones convened the Public Hearing at 6:02 p.m.

Mr. Yates advised that this is related to the General Land Office (GLO) Grant that has been discussed for the last several months. Mr. Yates advised that Mr. Jeff O’Connell, with Grantworks, was present.

Mr. O’Connell advised that Grantworks is putting together the Grant application for the 2016 Flood Grant that the GLO is administering. Mr. O’Connell said that they are working with the City and Jones and Carter to analyze the budgets for the different improvements that are going to be taking place in the City. Mr. O’Connell advised that Montgomery County was one of the most impacted counties, so all the funding that they have received for the City is not competitive money, it is basically monies that was allocated for the City of Montgomery. Mr. O’Connell said that the amount of money is \$2,280,000, and there are five different projects that they will be working on, with a due date of February 28, 2018 for submittal of the grant.

Mr. O’Connell stated that the projects that they are looking at right now, with the main project being MLK Drive and Baja Road Project, which involves several things, with relocation of a water line, upgrading of a sewer line, drainage on Baja Road and resurfacing of both of those roads, which comes out to \$1,170,000. Mr. O’Connell said that they were also looking at a water plant, emergency generator for Water Plant #3 that is \$550,000; rehabilitation of Lift Station #3 for \$250,000 and a generator for the Stewart Creek Wastewater Treatment Plant. Mr. O’Connell advised that when he worked on grants in 2012 and 2015, most of the grants

were emergency generators and there was a backlog on the generators, and Texas was using so many of the generators that they could not produce them fast enough. Mr. O'Connell said that it was really wonderful to have generators because if the power goes out in the City, it will keep things running and it is very important to have them.

Mr. O'Connell said that in order to get the funding, you have to have neighborhood target areas that have low to moderate income. Mr. O'Connell said that 51% of the target area has to comply with that in order for the funding to move forward. Mr. O'Connell said that they have been out in the City surveying different areas and they have come up with target areas for the lift station and for the roadway project on MLK and Baja. Mr. O'Connell advised that the City basically complied with all the requirements necessary to fund these projects.

Mr. O'Connell said that they are very close to getting the applications done, and advised that they would submit the applications to the City within a month's time, around mid-February, because the GLO requires a two week review by the City to make sure that everything that they put in the application is appropriate.

Rebecca Huss asked about the rest of the timeline after the application is submitted to the City for the two week review in February. Mr. O'Connell said that once the City has reviewed the information, they will submit the application to the GLO prior to February 28, 2018, and the GLO will take about 30-45 days to review the application, and then hopefully the projects will start after that review.

Rebecca Huss asked about the projects that Mr. Roznovsky has engineered and whether they would be ready to go. Mr. Roznovsky stated that everything was only preliminary, so all of those projects would still have to be designed once they get some response from the GLO on which projects are going to be approved and they have knowledge of the funding that will be available. Mr. Roznovsky stated that all those projects, with the exception of Buffalo Springs Bridge, are preliminary and initial cost estimates. Rebecca Huss asked what would be the estimated timing for the engineering. Mr. Roznovsky said that it would vary per the project, and there are five different projects, which includes MLK and Baja and a tributary that runs behind Baja, and will depend on how the funds come in. Mr. Roznovsky said that the MLK and Baja improvements and the generator at Water Plant #3 will be the top two projects, and

the rest will fall in after those. Mr. O'Connell said that once they get the grant approved, each project has to go through an environmental review that will take 30 to 45 days to get the review completed.

John Champagne asked for a point of order, and stated to the Mayor that this was a Public Hearing and Mr. O'Connell is giving a report, and the Baja and other discussions should be taken up in an engineering report. Rebecca Huss said that they do not have that on this agenda. John Champagne said that this was out of order. Rebecca Huss said that this was really a timeline question about the grant, which seems to be relevant to the presentation on the GLO grant. John Champagne stated that this was not a question and answer session, and is not on the agenda, this is a report. Mayor Jones said that there was an action item on this matter on the agenda. Mr. O'Connell said the idea was to have input from the public, which is why they are having the public hearing. John Champagne said that City Council is not the public. Rebecca Huss said that she thought they had addressed this matter the last time, and City Council is the public. John Champagne said that they were addressing it again.

Mr. O'Connell asked if there were any questions from the public regarding the information being presented.

Mrs. Snead, who lives on Martin Luther King Jr. Drive, asked if the area behind her house would be included in the project that was being described. Mr. Roznovsky said that was correct, that was one of the projects that is listed. Mrs. Snead said that the National Guard came by her home and gave her some assistance, but the City was supposed to be helping, but they say it is going to be sometime in May or whenever it is approved, which is what she is hearing. Mr. O'Connell said that it was his understanding that the bridge project is going to be funded through FEMA and through a prior CDBG Grant, and it is his understanding that the 25% match that the City has to provide has been taken care of. Mr. Roznovsky said that was correct; the bridge is going forward, the contractor is on site and they have had the pre-construction meeting.

T.J. Wilkerson asked about the 30-45 day review. Mr. O'Connell said that they would have to do the environmental review, design work and then go out for bids on the projects, which would be the process. Mrs. Snead asked if there would be another meeting before all that takes place.

Mr. O'Connell said that if the City wants to have another meeting they can. Mrs. Snead said that she wanted to make sure that she was included in any meeting that they have in the future. Mr. O'Connell said that the application would be available to the public and they will try to get the information online and have a copy available at City Hall so that it can be reviewed to make sure that they are included in the project listing.

Mayor Jones thanked Mr. O'Connell for presenting his report.

### **Adjourn Public Hearing**

Mayor Jones adjourned the meeting at 6:12 p.m.

### **Reconvene into Regular Session:**

Mayor Jones reconvened into Regular Session at 6:16 p.m.

### **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.

Mrs. Sara Countryman said that she had an opportunity to speak with some of the Councilmembers prior to the meeting. Mrs. Countryman said that she was a City resident and she lives in Buffalo Springs. Mrs. Countryman said that she is not happy with LDC, or the rate increases of LDC. Mrs. Countryman said that she has failed to come to a lot of the Council Meetings, where she would have learned at that time that City Council actually did have the residents' back, from what she understands. Mrs. Countryman said that as a resident, it is really hard to see that less than a mile from where you live, customers are paying a lot less because they have the opportunity to be with CenterPoint. Mrs. Countryman said that she thought there was a new charge that showed up a couple of months ago for a \$21,000 mistake that happened and is shown as the Lone Star Surcharge. Mrs. Countryman said that she did not feel that the residents should be on the hook for that, and asked if the contractor or developer had a bond and wouldn't that cover a mistake. Mrs. Countryman said that she understood that the matter went to the Railroad Commission after coming before the City Council, but at the same time

there has got to be another avenue of coverage. Mrs. Countryman said that she does not get to use that area, so why is she having to pay for it, and with rates going down in gas, why are their rates going up. Mrs. Countryman said that her rate is over \$100 more, and there are people in her neighborhood whose bill has tripled. Mrs. Countryman said that the price of living in the City is getting out of control, with the water going up, now the gas, and she would like to know, as a resident, what she can do.

Rebecca Huss asked Mr. Foerster and Mr. Yates about whether they looked into following up on the rate increase that was denied, that LDC received anyway. Mr. Yates said that he has not been able to contact the Railroad Commission. Mr. Yates said that basically what happened was that City Council denied the rate increase, it went to the Railroad Commission and it got improved anyway. Mrs. Countryman asked if they were talking about the \$15 surcharge that jumped to \$21, or are they talking about the other surcharge that has now been added to their bill that is called the Lone Star surcharge.

Rebecca Huss said that surcharge was because LDC built out their lines in advance of the Lone Star Bend Road going in, and the road ended up being in a different location, so they had to re-lay their pipe. Rebecca Huss said that City Council denied LDC's rate request specifically because they did the line on spec because they thought they could get it done cheaper by doing it all at once. Rebecca Huss said that it was not the City's responsibility to cover LDC's cost for building on spec, which City Council said specifically was the reason they denied their request. Rebecca Huss said that LDC went to the Railroad Commission and said that the City did not give a reason for denying the rate and the Railroad Commission said that the City was required to give a reason for the denial, and therefore the rate increase was approved by the Railroad Commission.

Mrs. Countryman said that she wanted to go on record that Larry Corley is a crook, and with that being said, what legal recourse the City has and is there anything that the City Attorney can do. Mr. Foerster said that they are probably too late right now, and said the City would have to retain an Austin attorney to appeal the Railroad Commission's ruling. Rebecca Huss said if there was any way to get the Railroad Commission to discuss the matter with the City without it going that way, and they could use the elected representatives for that as citizens. Mr. Yates said that he did speak to the Railroad Commission one time, and they said that it was required by the Railroad Commission that the City Council give a reason for their denial, and since City Council did not state a specific reason in the motion, the Railroad Commission did not consider that a denial by the City. Mrs. Countryman asked why the City did not give a reason for denial.

John Champagne said, to Rebecca Huss' point, a reason was given and one of the few times, he referred to the paper, he believed the newspaper said that they did not give a reason, but that is false and he would think that the minutes would reflect the fact that we gave a reason. Mrs. Countryman said that if the City gave a reason, maybe they need to go back and give a better reason and then maybe get legal involved, because she did not think that the residents should be paying for it if they are not using it. Mrs. Countryman said that she would like to know what the City can do, and said that she has people behind her that are not happy as well. Mrs. Countryman said that if she has to walk the streets and get people to sign something, she will because this is wrong.

Mr. Yates said that he would follow up with the Railroad Commission, because the answer to the initial question as to whether City Council gave a reason for the denial, City Council included the reason in their discussion, but they did not include it in their motion because they did not realize they were required to do that by the Railroad Commission. Mr. Yates said that what he needs to do is get to the Railroad Commission to find out what the City's appeal is to them, because he made a copy of the minutes about a month ago. Mrs. Countryman said that she would like to know if there is an appeal process and who is keeping up with that \$21,000 mistake; would that be the State, Mr. Corley or the City of Montgomery. Mr. Yates said that the LDC books are audited every year, and the Railroad Commission audits LDC's books every two years. Mr. Yates said that he can let the residents of Buffalo Springs know the results of the conversation with the Railroad Commission. Mrs. Countryman said that anyone that is affected by that cost should want to know where they are. Mr. Yates said that would be every LDC customer. Mayor Jones thanked Mrs. Countryman for expressing her thoughts to City Council.

**CONSENT AGENDA:**

4. Matters related to the approval of minutes for the Public Hearing and Regular Meeting held on December 12, 2017.
5. Consideration and possible action approving a leave of absence for Council Member Jon Bickford.
6. Consideration and possible action regarding DeWitt Lawson application for renewal of a Special Use Permit for 14611 Liberty Street to sell firewood.

7. Consideration and possible action regarding adoption of the Election Services Agreement by and between the City of Montgomery and Montgomery County, Texas for the May 5, 2018 Election.
8. Consideration and possible action regarding adoption of the Joint Election Agreement with Montgomery County and the participating entities for the purpose of jointly conducting elections to be held on May 5, 2018.

Mayor Jones stated that Consent Agenda Item 5 was not necessary for the meeting.

Jon Bickford asked about Item 6, and whether there were any issues or complaints regarding that location. Mr. Yates said that the property is much cleaner than it was last year. Jon Bickford asked if there were any complaints regarding traffic due to the business there. Mr. Yates said there were no complaints.

Rebecca Huss said that they were going to pull Consent Agenda Item 5 from the list. Rebecca Huss moved to approve the Consent Agenda Items 4, 6, 7 and 8, as presented. T. J. Wilkerson seconded the motion, the motion carried unanimously. (5-0)

#### **CONSIDERATION AND POSSIBLE ACTION:**

9. Consideration and possible action regarding adoption of the following Ordinance:  
AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING CITY ORDINANCE NO. 1989-2, DATED FEBRUARY 14, 1989, BY AMENDING ARTICLE II, "LICENSES," SECTIONS 6-25, 6-33 AND 6-34 OF CHAPTER 6, "ALCOHOLIC BEVERAGES," OF THE CITY CODE OF ORDINANCES RELATING TO THE APPLICATION AND RE-APPLICATION REQUIREMENTS FOR A LICENSE TO SELL ALCOHOLIC BEVERAGES IN THE CITY; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A TEXAS OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION.

Mr. Yates presented the information to City Council, advising that this was an ordinance to amend the Code of Ordinances to expedite the process for approval of Beverage Permit Applications and to tract the two year renewal term as provided by TABC. Mr. Yates advised

that the process will still require the vendor to come before City Council to get their Beverage Permit reviewed and approved, but would not require the public hearing mail out and publication of legal notice. Mr. Yates said that TABC publishes a legal notice for new applications, so this would be a duplication. Mr. Yates stated this process would expedite the process for the business owner, while still allowing the public process of the application. Mr. Yates advised that the City's Code has the beverage permit renewal annually, while TABC is set up on a two year renewal, so this would also update that information.

Jon Bickford asked that, if TABC announces an application, how is the public going to know. Mr. Yates said that they could see the application, and TABC requires a sign to be posted on the property. Jon Bickford asked, if it would no longer be a part of the agenda, how would people know. Mr. Yates said that the information would still be on the City Council Agenda and City Council would still have to take action on the item, they just would not be required to publish a separate notice. Rebecca Huss said that the residents would not be receiving a mail out directly notifying them that they live within 200 feet of the business. Jon Bickford asked if TABC would mail out a notice. Ms. Hensley, City Secretary, advised that TABC publishes a legal notice of application for the business applying for the permit, they do not mail out the letter of notice. Mr. Yates said that was his question also as to how a local person would be aware of the permit application, and Mr. Yates said that there is a certain size sign that is required on the property that is displayed.

John Champagne said that the short version is that they are taking out exactly what is in the process from the ordinance. Mr. Yates said that they are removing the City Council required public hearing in advance of the item being on the agenda. John Champagne asked what the motivation for this action was. Mr. Yates said that it was to expedite the process for the permit applicant and the City. Mayor Jones said that the process of calling the public hearings is cumbersome and expensive. Rebecca Huss said that she did not think that it made sense to have a process that is more onerous than what TABC requires. John Champagne said that he typically did not take his leave from another governmental entity, but if it short changes the public from having input on something that could be a negative, he was not sure it was the best route to take, if in fact, the public is aware and has an opportunity to do so. Mr. Yates asked the City Secretary about the current process. Ms. Hensley advised that under the current process, a notice is mailed out to property owners within 200 feet of the property requesting

the beverage permit. John Champagne asked if the City would still send out that notice. Ms. Hensley advised that with the amendment they would not have to send out the notices, and noted that the notice is published by TABC in the City's official newspaper, the Courier. Ms. Hensley stated that the information would also be posted on the City's website, on the agenda and the applicant would still be required to come before City Council for approval.

John Champagne said that to fast track something that was purposely impeded in the past, sometimes things that were done in the past is not a bad thing, so just for the sake of airing out what his thoughts are, he does not have a problem with slowing down more alcoholic beverages, if in fact a certain segment of the City might be affected negatively or the City as a whole would have a problem with it. Mr. Yates said that he was not saying that this is an answer or a rebuttal to John Champagne's statement, but the only difference and advantage to what they are doing now is the separate mail out that goes out to people within 200 feet. Mayor Jones said that the item would show up on the agenda and residents can come and speak in the public forum about the matter, so the public will still get a say. Rebecca Huss said that City Council has been consistently aware of the impact of the alcohol beverage licenses, and if people disagree with the permits, they still discuss them and they have not been rubber stamped. Mr. Yates said that if there were to be a conflict about the permit, nothing states that the permit has to be approved the first time it is on the agenda, and it could be postponed until the next meeting to give the public more notice. John Champagne said that he comes from an area where all you had to do was raise your hand and get an alcohol license, and one of the reasons that he is here on City Council, and one of the reasons that he feels that Texas has a higher quality of life than where he used to come from, was because of certain restrictions and not a lax view.

Jon Bickford moved to adopt the ordinance as presented. Dave McCorquodale seconded the motion, the motion carried with 4-Ayes and 1-Nay by T.J. Wilkerson. (4-1)

10. Consideration and possible action regarding adoption of the following Resolution:

A RESOLUTION OF THE CITY COUNCIL OF MONTGOMERY, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) APPLICATION TO THE TEXAS GENERAL LAND OFFICE; AND AUTHORIZING THE CITY ADMINISTRATOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE

IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE CDBG-DR PROGRAM.

Mr. Yates advised that this was to formally authorize the application. Mr. Yates said that for right now the plan was to include 70% percent of the projects that need to be in low to moderate income areas, with the priority being the Town Creek Tributary. Mr. Yates said that the following is a list of the project priorities:

- First - Town Creek Tributary is the first priority;
- Second - Martin Luther King to Baja Road Sanitary Sewer Cleaning and Televising; and
- Third - Martin Luther King Drive and Baja Road Water and Sewer Drainage and Paving Improvements. Mr. Yates said that the reason this is the third priority is because the City already has a CDBG Grant for Baja Road that will be happening during early Spring and Summer.

Mr. Yates said that depending on what the other projects cost, they will not need that much money for Martin Luther King and Baja Road Water and Sewer Improvements. Mr. Yates said that for the 30% of the projects, which are the non-low income, and for the first priority they are allowing \$46,000 for the GLO portion of the bridge repair, just in case there is not enough funds in FEMA or the existing CDBG-DR Grant that they have for that.

Mr. Yates said that the second priority is the Stewart Creek Wastewater Treatment Plant and Lift Station #1 with a generator. Mr. Yates said that Lift Station #1 is going to be moved over by the Sewer Plant so one generator is necessary at \$370,000.

Mr. Yates said that the third priority is the Water Plant #3 generator, located off of FM 1097, and the estimated cost is \$554,000. Mr. Yates said that those costs will eat up more than the \$647,000, which is 30% of the \$2,280,000 expected grant. Mr. Yates stated that a resolution is required for this process to make the application.

Dave McCorquodale moved to adopt the Resolution as presented. Rebecca Huss seconded the motion.

Discussion: T.J. Wilkerson asked Mr. Yates if 70% of those funds would be spent on Baja Drive. Mr. Yates said no, 70% would be spent in low to moderate income areas. Mr. Yates

said that the first priority is the Town Creek Tributary, which is between Martin Luther King, Jr. Drive and FM 149, behind Ms. Snead's home and is known as Anders Branch. Mr. Yates said that the \$59,000 is for Martin Luther King, Jr. Drive and Baja Road Sanitary Sewer Cleaning and Televising, and the third priority is Martin Luther King, Jr. Drive Water and Sewer Drainage and Paving Improvements. Jon Bickford said that would be more than 50% of the total \$2,280,000. Mr. Yates stated that it would be 70% of the total. Jon Bickford said that the two projects that are related to Baja Drive are approximately 50% of the total. T.J. Wilkerson asked whether they planned on building a subdivision in that area. Mr. Yates said that they have not submitted a final plat, but said that they have submitted escrow funds, so he felt that they were serious about the development. T.J. Wilkerson asked if the sewer would tie into that development. Mr. Yates said that was correct, but they would pay for their own sewer and none of this grant would be for that subdivision. Mr. Yates said that the grant work would go to the end of Baja to cover the last home on the right. Mr. Yates said that the new development would be able to tie into the line, but the line was being put in for the existing residents.

The motion carried unanimously. (5-0)

11. Consideration and possible action regarding appointment or reappointment of MEDC Board Members to fill the positions currently filled by Cheryl Fox and Bill Hanover.

Mr. Yates advised that both of the positions listed were up for renewal, and the applications had been posted on the City's web site and on the bulletin board, in addition to a newspaper article that Mr. Yates had submitted. Mr. Yates said that two applications were received, from Cheryl Fox and Bill Hanover. Mr. Yates said that their attendance and participation on the MEDC Board had been very satisfactory. John Champagne said that he would agree, and stated that he serves with them on the MEDC Board, and they do a good job. John Champagne said that this is why local, state and federal governments go down the tubes, because people do not get involved. Rebecca Huss said that one of the members is not a resident of the City, so they have nonresidents determining the use of City money, which she was not saying that the member was not a good steward of their monies, but he might have his own priorities. Mayor Jones said that the Bylaws for the MEDC does allow for the nonresident membership on the Board.

Jon Bickford moved to reappoint MEDC Board members Cheryl Fox and Bill Hanover. Dave McCorquodale seconded the motion, the motion carried unanimously. (5-0)

12. Consideration and possible action regarding a Beverage Permit Application for Cork This! Winery located at 21123 Eva Street, Suite 100, Montgomery, Texas, and if necessary schedule a Public Hearing to be held on February 13, 2018 at 6 p.m. at City Hall.

Mr. Yates said that City Council will need to take action to approve the application. Jon Bickford asked if this was the same type of license as the previous permit. Mr. Yates advised that was correct, it was just a new owner.

Jon Bickford moved to approve the Beverage Permit Application for Cork This! Winery located at 21123 Eva Street, Suite 100, Montgomery, Texas. John Champagne seconded the motion.

Discussion: Mayor Jones stated that the previous owner, Karla Nash, who was present, invented Cork This! Winery and has made it very successful and has been a big part of the City of Montgomery for a long time, and now they have the new owners that are taking it over and not changing much of anything, but carrying on as the previous business did and will be bringing some other new ideas to the City. Mayor Jones extended a welcome to the new owners and said that he felt it was great that they will carry on a great existing business.

The motion carried unanimously. (5-0)

13. Consideration and possible action regarding Longview Greens Miniature Golfing variance request to allow gravel to be used as a parking surface.

Mr. Yates advised that this was an extension to an existing parking surface variance given to Mr. Jason Long for Longview Greens Mini Golf on March 14, 2017 City Council Meeting, where he was granted a variance to pave the parking lot within six months of receiving his certificate of occupancy for the business. Mr. Yates stated the certificate of occupancy was issued June 7, 2017. Mr. Yates said that the business will lose its certificate of occupancy if it

is not paved. Mr. Yates said that he issued a letter to Mr. Long on December 29, 2017 stating that he had exceeded his six month time limit, Mr. Long said that he realized that but was asking for an extension. Mr. Yates said that he had advised Mr. Long that if he applied for the extension, then he would not remove his certificate of occupancy for his business until City Council had decided one way or another.

Mr. Long, who was present, advised that he was thankful that City Council has worked with him in the past to get his small business up and running, and for the variance that was issued. Mr. Long said that he does have the parking lot apron paved from Clepper to the parking lot, but the actual parking lot itself is not paved. Mr. Long asked City Council to consider extending the variance request so that he can have time to get that parking lot paved, because the cost is about \$25,000. Mayor Jones asked Mr. Long how much time he felt that he would need. Mr. Long said that he would like a full calendar year. John Champagne said that based on the past amount of business that Mr. Long has realized, he believes that 12 months would be a more appropriate request for this extension. John Champagne said that he passes by the business every day and there has not been a dust problem. Jon Bickford said that his concern was that it is not fair to do for one business and not the others, so where do they draw the line and say they are not going to give everybody 18 month extensions on paving, because then they could have a real mess. Mayor Jones said that if they do not extend the variance, then the business is shut down.

John Champagne said that this action was quite unusual for him, so he is directing this question to the City Attorney, and asked if it would be inappropriate to request an Executive Session to discuss this matter with Mr. Long at some point. Mr. Foerster said that it would be inappropriate.

Rebecca Huss said that the other item, which they had discussed before, was the discussion about possibly having MEDC partner with businesses to create a more pervious surface parking type of experience, which in some ways would be great for Mr. Long's setup, because it is a much more natural looking business. Rebecca Huss said that maybe there is another solution for the parking lot that would work really well for the City aesthetically as well as for water retention and dust elimination. Rebecca Huss said that regarding the variance, they either have to shut the business down or grant the variance, but this is a possible third variance. John

Champagne said that they have an ordinance in place that requires them to pave. Rebecca Huss said that the ordinances are in place to have minimum standards, but if someone comes in and says that they want to come in and do something that is better, but does not fit in the ordinance, that is the type of variance that she would love. John Champagne said that he was not against that, and said that there was certain technologies out there that provide a grid that contains sod and/or rock and other materials that would provide permeation for drainage.

Dave McCorquodale said that he would like a little more data and understanding about the business, and said that he was interested in the daily patrons, because that will tell them what the parking lot load is, and what he would propose is another six month extension, but that City Council would understand, prior to approval, and also said that he was not opposed to the calendar year extension, but he was thinking of it in two bites; whether there are issues with it and is there a solution where if the daily attendance is 25, don't pave 150 spaces, pave 40 or 30 spaces. Jon Bickford said that if that if followed up with a change or a variance of the ordinance that would be fine. Dave McCorquodale said he did not want to pull the certificate of occupancy, but he did want a little more information about what the exact set of perimeters that they are trying to solve. John Champagne said they are opening Pandora's Box, which is one of Jon Bickford's concerns, which is legitimate. John Champagne said that he would consider a three month variance, and they look for ways to solve the problem. Mr. Yates said that regarding Dave McCorquodale's suggestion, he felt that it might require two set ups, and maybe they pave the front half of the parking lot in the first 3-6 months, and then the other half of the parking lot in the next six months. Dave McCorquodale said that he understood the timing of the 3-6 months, but his concern was the practicality of January, February and March, with the revenue cycle. John Champagne said that he was in line with Dave McCorquodale's thoughts, but said that he just did not want the sense of urgency to go away by allowing six months, and said that he would not have a problem going another three months. John Champagne said that City Council wants to see Mr. Long succeed, so his desire, is that they do everything that they can as a body, in the perimeters allowed, to help him succeed. Mayor Jones suggested Mr. Long pave half the parking lot within the first six months, and the other half in the six months following.

Rebecca Huss moved to extend the variance for six months, and if Mr. Long comes back with a request for an extension, then he needs to come back with attendance and sales tax records

to the City, including other pertinent numbers that will help them make a decision about where they go from there.

Mr. Foerster asked for a clarification, he stated that the variance concluded in December, 2017, and asked if they were talking about six months from today's meeting. Rebecca Huss said that it would be six months from the previous expiration of the variance. Mr. Yates said that the variance expired on December 6, 2017.

John Champagne asked Rebecca Huss if she would be acceptable to an amendment to the motion that Mr. Long come back in 60 days to give City Council an update on how it is looking for him to get into compliance, and an estimated amount of time, or advise the City Administrator. Rebecca Huss said if he met with the City Administrator that would keep his private information private.

Dave McCorquodale seconded the motion. John Champagne asked about his recommended amendment to the motion. Rebecca Huss rejected the amendment to the motion. Mayor Jones asked Rebecca Huss to restate her motion.

Rebecca Huss moved that they provide a six month variance dated from the time of the expiration of the previous variance, and if Mr. Long intends to come back with a request for an extension of the variance, he is to provide pertinent numerical information, such as sales tax revenue to the City, attendance, etc., to help them make their decision. Mr. Foerster stated that he would ask that the minutes reflect that would be six months from December 6, 2017, and the variance deadline would be June 6, 2018. Rebecca Huss asked that the City Secretary note for the record that the deadline for the variance would be June 6, 2018. The City Secretary noted the addition of the date of the deadline. Dave McCorquodale stated that he had seconded the motion.

Discussion: Jon Bickford said that he would support the extension of the variance through April 6, 2018. Rebecca Huss said that if Mr. Long wants another extension, he will need to come back with numbers. Jon Bickford said that he would like to state, prior to the vote, that once again City Council should be prepared for other businesses to come in here to grant them a year to put their paving in after their building is done. Rebecca Huss said that she thought

that the time to deny the variance would have been at the very beginning as opposed to now, because she agrees, you never have more money than at the beginning. Jon Bickford said that he had tried back then, and they all said that they wanted to give him six months, and here we are again. Jon Bickford said that when Mr. Cheatham walks in and says that he doesn't want to pave his medical facility, he is going to support giving him a years' worth of mulch on it. Jon Bickford said that rules are rules, and said that builders come in to the City and say that they don't want their streets too wide, so they can't get two cars on them, and they want to keep amending things, eating away at the ordinances and the things that they are doing to try and keep the City clean and nice, but they keep making all these exceptions, so if they are doing it for one they have to do it for others, because it is not fair. Rebecca Huss said that Mr. Foerster has very specifically stated that nothing that they do here has set a precedent for the future in terms of what we are required to do. Jon Bickford said that might be the case legally, but morally he felt that it does, and he felt that they have an obligation to treat everyone fairly. Mayor Jones said that he would like to point out that the present situation is not causing a hardship or public nuisance or anything like that. Jon Bickford thanked the Mayor for the information, but said that was not his point. Mayor Jones said that Mr. Long also has to abide by the PDD. Rebecca Huss said that the variance will also have to be approved by Mr. LeFevre.

The motion carried with the following vote:

Rebecca Huss – Aye	John Champagne – Nay
Dave McCorquodale – Aye	Jon Bickford – Nay
T.J. Wilkerson - Aye	

14. Consideration and possible action regarding a Utility and Economic Feasibility Study for the 1.574 acre Walker Montgomery Community Development Corporation Baja Road Single Family Development.

Mr. Roznovsky presented the Utility and Economic Feasibility Study to City Council. Mr. Roznovsky advised that the development is currently comprised of four single family homes. Mr. Roznovsky stated that the property was already in the City limits and zoned residential. Mr. Roznovsky said that with four homes they are looking at 1,000 – 1,400 gallons of water per day, so that does not put any additional demand on the City's water system.

John Champagne asked about the additional runoff as a result of this construction, because he can remember a few months back, where they had a discussion regarding a parking lot. Mr. Roznovsky said that he would come back to that.

Mr. Roznovsky said that one thing to note is there will be a new waterline that will be going in, as a part of a grant project, and they will be served by that line, but it is not going in because of this development, it was in the works before.

Mr. Roznovsky said that the sewer service is the same way, very minimal impact on the system. Mr. Roznovsky said that regarding the sanitary line that the sewer will flow to, the developer will either fill the site to allow gravity flow or they are looking to install private grinder pumps at each house, owned by the property owners, but there will be no public lift station involved. Mr. Roznovsky said that most likely they will try hard to have the gravity flow, but they will come back with that information. Mr. Roznovsky said that it will all go through Lift Station #2, and there are no upgrades needed.

Mr. Roznovsky stated that regarding drainage, there is an existing easement on one portion of the property, and that easement does not go anywhere, so the options are they can get additional easements to the south to go away from Baja, as the land actually drains and down to one of the tributaries of Town Creek and make its way back to the lake; or they can outflow to Baja, but they have an issue with depth and making it all work, so it is up to them on which way. Mr. Roznovsky said that regardless of what they choose, a drainage has to be provided. Mr. Roznovsky said that they are providing a detention pond as shown on the site plan. Mr. Roznovsky said that part of their drainage study, they have to prove what size pond they need, and if they can reduce the footprint, they might be able to get a couple more houses for the development. Mr. Roznovsky said that the site plan currently is close to the minimum lot size. Jon Bickford asked if they would need to ask for a variance. Mr. Roznovsky said that right now he did not think that they needed a variance.

Mr. Roznovsky said that the total impact fees for the development are \$16,000, and the assessed value of the homes and their estimated sales price is \$150,000 - \$200,000, and they used \$150,000 valuation as an estimate, which is approximately \$2,300 per year in taxes. Mr. Roznovsky said that they have not advised the square footage of the homes.

John Champagne asked about the drainage of Baja, which runs from the west to the east. Mr. Roznovsky said that was correct, there was an easement granted years ago that allowed some of the drainage toward the middle of Baja and out, but that easement does not currently go anywhere, so it goes into an easement and stops. Mr. Roznovsky said that the easement was regraded a couple of years ago so it all goes back toward MLK and then down to the creek. Mr. Roznovsky said that this development was at the very western and southern end of Baja. Mr. Roznovsky said that they are proposing a cul-de-sac with the four homes. John Champagne said that he was excited that they are going to do Baja and get the drainage.

Mr. Roznovsky said there is not much to the project, and they are still in the preliminary stages, but the City has the ability to serve them water and sewer. Mr. Roznovsky said that they still need to look at the drainage and get easements, if needed. Mr. Roznovsky said that the developer is Walker Montgomery Community Development Corporation and said that they have done a similar type development in Willis. Mr. Foerster said that he was not aware of any complaints with the City of Willis. Jon Bickford asked Mr. Foerster if he was familiar with the developers. Mr. Foerster said that he was familiar with the fact that they have done construction in a small subdivision in Willis.

Mr. Roznovsky said that the study has nothing to do with approval of the plans or construction drawings or plats.

Rebecca Huss moved to accept the Utility and Economic Feasibility Study for the 1.574 acre Walker Montgomery Community Development Corporation Baja Road Single Family Development. T.J. Wilkerson seconded the motion.

Discussion: T.J. Wilkerson asked if they were going to look at changing the name of the street known as Baja, because they always wondered where it came from, you have MLK and then Baja. T.J. Wilkerson said that "Baja" in Spanish means "low," so they need to look at changing it. John Champagne said that they named it right. T.J. Wilkerson said that they did not name it right. John Champagne asked if it was not low. T.J. Wilkerson said that the street name where the people are does not represent them correctly. Mayor Jones asked what the process was to change the street name. Mr. Roznovsky said that was a City street, so if the City wants

to change it they can. Rebecca Huss said that they changed Wade Street to L.A. Washington Street with a motion from City Council. Jon Bickford said that he would ask the local residents what they want to name the street. T.J. Wilkerson said they have already done that, so they will get back with them.

The motion carried unanimously. (5-0)

15. Consideration and possible action regarding a proposal from Jones and Carter for the preparation of a City Geographic Information System (GIS).

Mr. Yates presented the information advising that this was for the City Engineer to put into place a Geographic Information System ("GIS") and to place approximately 25 layers to the system, with multiple additional layers to be added in the future. Mr. Yates advised that the layers could include as built plans, zoning district maps, fire hydrant locations and a multitude of other layers. Mr. Yates said that a GIS system is a fundamental element of a growing City. Mr. Yates said that he compares it to a water and sewer master plan or a capital improvement plan for the City, and said he felt that it was just as important and vital to proper City planning.

John Champagne asked if this information would be available digitally or in hard copy. Mr. Yates said that it would be either one. Dave McCorquodale said that the City Engineer's, he assumed, already used GIS data with the maps that they provide the City. Rebecca Huss said that they already have some of the layers that they are discussing putting in. Mr. Roznovsky said the layers that the City has is all the water and sewer overall and zoning in GIS. Mr. Roznovsky said what is not in GIS and what the main bulk of this proposal is you will go to a section of the street and you can pull up the construction plans, you can click on a line that will show you the material, installation date and date of the plans; they can track things like the last time the property was surveyed or smoke tested. Mr. Roznovsky said that this will also track repair issues, so they can receive a copy of a work order and they will put in the repair on that point so that they can see where all the water leaks were in 2017.

Jon Bickford asked whether the 4-square mile City of Montgomery really needs this program. Mr. Roznovsky said that this is a time saving tool, and with all the development that comes into the City, the plans will be included. Mr. Roznovsky said that all the plans for the lift

stations will be included as well as all the facility data. Jon Bickford said that if this is a time saving tool, who will it save time for and how much time will it save in hours. Mr. Roznovsky said that it would be hard to say in hours, but gave an example related to Gulf Utility. Mr. Roznovsky said that if Gulf Utility goes out in the field and they have a waterline leak that they can't locate, currently the process is figure out where it is and then they go back to the office and find the plans that apply and go back out to the site. Mr. Roznovsky said that with the GIS system, which is a web based version that is either mobile or on computer, so they would pull up the plans where they are. Jon Bickford said that he would like to see the cost benefit analysis that says if they spend this amount of money then you will save this much, because if they are not going to save enough, they are better off not having the system. Jon Bickford said that while it would be nice to have, these programs can grow into monsters with storage and extra servers and other related costs. Jon Bickford said that he wanted to make sure that if the City is going to do this, they do a study with a real cost benefit analysis.

Rebecca Huss said that they would be paying \$7,200 per year for the GIS service. Mr. Roznovsky said that is what the proposal is for Jones and Carter to host the GIS service. Jon Bickford asked about how much storage the fees were based on. Mr. Roznovsky said that was the whole system. Jon Bickford asked if that was covering unlimited storage forever. Dave McCorquodale said that this software is the standard, no better or worse, for geospatial data, and for the City to work on anything less would be for example, "why do you need that calculator or accounting machine," it is that analogy. Jon Bickford asked if the cost was \$7,200 per month or year. Mr. Roznovsky said that it would be \$7,200 per year, which is what is in the proposal to build out the layers for the GIS system, and to attribute all the information, construction plans, assets, facilities and everything the City has on file that is public, with the exception of private plans. Mr. Roznovsky said that they would also include developer agreements and developer areas. Jon Bickford asked if they had an estimate of how many pages of information that would include. Mr. Roznovsky said that he did not know how many pages of information that would be, but he could give examples of systems. Jon Bickford asked if the \$7,200 per year price was from Jones and Carter. Mr. Roznovsky said that the proposal is a lump sum build out price of \$20,000 to build the system, and then they would have the monthly maintenance of \$300 or \$600 to host the program and have it online and make updates on a monthly basis. Jon Bickford asked if they had the proposal. Mr. Roznovsky advised that it was included in the agenda pack. Jon Bickford asked if there was a copy of the draft contract

included in the pack. Mr. Roznovsky said that was the proposal, which is a standalone and references their contract with the City. Jon Bickford said that he would really like to understand the \$7,200 per year, because they could get a new development and they get drawings in, and asked when they are going to come back to the City and say that they never planned on the City having so much in the GIS system and they need to raise the price. Jon Bickford said that he wanted to know the threshold for the cost or that they were never going to raise their price for the system. Jon Bickford said that he would like to see the contract. Mr. Roznovsky said that they would be glad to table this matter and discuss the information together to answer any questions that Council might have. Jon Bickford said that storage is expensive, and asked how they are storing the information and do they have a data center. Mr. Roznovsky said that they have included that information in the pack, and said that they have an offsite in Houston and they also store the information in their own office and corporate office.

John Champagne asked who at Jones and Carter would be tasked with this project. Mr. Roznovsky said that they have a GIS team, which includes GIS operators who build the system out and perform all the updates and maintenance.

Dave McCorquodale asked about the interface, and said that on some cities' web sites he can pull up their maps. Mr. Roznovsky said that there will be two interfaces, one for the public, which will provide the basic information of the City, such as zoning, annexation, parks and buildings, but no information regarding utilities or anything like that, as it is a safety concern. Mr. Roznovsky said that the City's private side would include a log on to the web site, and will have all the public information, but will also include all the public facilities, water and sewer, drainage, plans, plats, agreements, facility data, and repair history built into the system. Mr. Roznovsky said that as they build out the city, they would commit a couple hours per month to put single family permit information into the system. Mr. Roznovsky said that they had met with Mr. Rick Hannah, City Building Inspector, because he currently is using a tracking system that may have capability to upload some of that information automatically into the GIS system. Mr. Roznovsky said that they would be able to include the information on the City's web site. Mr. Roznovsky said that they will get a temporary login, for one of the recent sites that they set up for the City or Burnet, and they have the same set up with a public and private side; that

way City Council can look at the information and then they can meet during the month with Jon Bickford to go over the terms of the contract and answer any questions.

Mr. Yates asked what would happen if the City no longer used Jones and Carter. Mr. Roznovsky said that the data would be turned over to the City, and said that they could also provide hosting services separate from their contract. Rebecca Huss asked if the system was a proprietary system or was it a standard industry-wide program. Mr. Roznovsky said that the program was commercially available software, ARC GIS and is available. Rebecca Huss said that they were not committing to Jones and Carter and the data will belong to the City of Montgomery. Mr. Roznovsky said that he thought that the proposal stated what happens to the data if the contract with Jones and Carter ended, stating that the data would be provided on multiple discs and provided to the City. Rebecca Huss asked if there was a way to get a copy of another contract with a competitor so they could see if the terms are roughly analogous. Mr. Yates said that he could get a copy of another contract. Mr. Yates said that anyone that has this system for three or four years would easily have 150 - 200 layers on the system. Jon Bickford said that he did see where they are going to pay for each time they have to add to the system. Mr. Roznovsky said that would be for the private items. Mr. Roznovsky said that when a new subdivision comes into the City, those public plans and drawing those lines are what is included in the base fee. Jon Bickford said that gets included for free. Mr. Roznovsky said that was correct. Jon Bickford said that this is too good to be true. Jon Bickford said that GIS is really a great tool. Jon Bickford said that he just needs an absolute statement that says this is it and as things come in to the system they will not be charging any more, which is fine with him, but he wants it in writing.

Mayor Jones said that the initial cost is \$20,000 and then the maintenance fee. Mr. Roznovsky said that there were two options for maintenance: a) \$300 per month for just normal maintenance and updates, not putting in new information just bare bones to keep the system running; and b) \$600 per month is the updates that come in. Jon Bickford said that it is \$7,200 and for the extra \$300 per month it would include new plans and development. Jon Bickford said that they could not afford to not include the extra \$300 per month.

Rebecca Huss moved to table item #15, the GIS System, pending provision of additional information. Jon Bickford asked that they table for four weeks, because he will not be available in two weeks. T.J. Wilkerson seconded the motion, the motion carried unanimously. (5-0)

16. Buffalo Spring Bridge Report by the City Engineer.

Mr. Roznovsky advised that the contract times started last week on Thursday, January 4, 2018 and the Notice to Proceed was issued to the contractor. Mr. Roznovsky advised that the equipment was moved on site yesterday, they had a preconstruction meeting with the contractor today and for the rest of this week the contractor will be moving additional equipment in and getting the initial barriers put up, and according to the contractor the demolition will begin on Monday. Rebecca Huss asked what the demolition would include. Mr. Roznovsky said that there would not be any explosives, just slowly working their way through. Mr. Roznovsky said that the contractor has until the end of the week to provide his first construction schedule, so what they will do is go through that and present the milestones to City Council at the next meeting.

Jon Bickford asked when they feel like the bridge is going to be done. Mr. Roznovsky advised that the contract time is six months, but said that the contractor is stating that he will be in advance of that time period, so once they receive the schedule of construction they will present it to City Council and let them know where they stand, and then every meeting, as they have been doing, will update them on the bridge schedule and progress. John Champagne asked if the contractor falls behind there will be ramifications. Mr. Roznovsky said that was correct, there are liquidated damages in the contract and if the contractor starts slipping off the schedule, he will begin to receive letters.

Mayor Jones asked if he was assuming that the roads leading up to the bridge will have to be cut completely out. Mr. Roznovsky said that when you look at the bridge, where the concrete ends and asphalt begins, they are going approximately 80 feet back on the south side and 60 feet back on the north side, and all that asphalt and everything will be replaced because it all has to be dug down, rebuilt, waterline, sewer line and drainage pipes will be going in, and a lot of the asphalt has been undermined. Mayor Jones asked about the status of the waterline on the bridge. Mr. Roznovsky said that the waterline and also the bridge construction meeting was held today and the notices to proceed were issued and the contractors will be working

simultaneously to get the projects done, and they will have roughly the same time frame, if not sooner, because once the bridge contractor has built everything up to where the waterline goes, they will install the waterline and the bridge contractor will bury the line and proceed on with the project. Mr. Roznovsky said that they will have roughly the same time period for both projects. Mayor Jones said that they are excited that dirt is about to move on the 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.

17. Convene into Closed Executive Session as authorized by the Texas Open Meetings Act, Chapter 551 of the Government Code, in accordance with the authority contained in the following:
  - a) 551.071 (confidential consultation with the City Attorney); and
  - b) 551.072 (deliberation regarding real property).

Mayor Jones convened into Closed Executive Session at 7:38 p.m.

18. Convene into Open Session.

Mayor Jones reconvened the Open Session at 8:11 p.m.

**POSSIBLE ACTION FROM EXECUTIVE SESSION:**

19. Consideration and possible action, if necessary, on matters deliberated on during Closed Executive Session with the City Attorney.

There was no action taken by City Council.

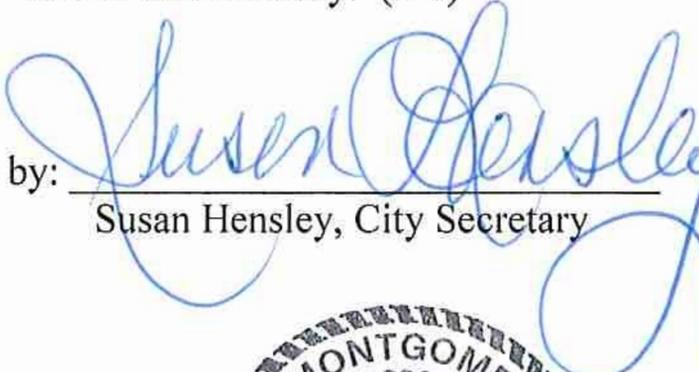
**COUNCIL INQUIRY:**

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.

Rebecca Huss stated that she was pretty shocked, appalled and disgusted by the electronic sign at Brookshire Bros. that got approved, that apparently conforms to the City's sign regulations, which she discussed with Mr. Yates before Christmas. Rebecca Huss said that she has been feeling that some of the signs along SH 105 are not necessarily in keeping with what the City is looking for, and would like to propose that Mr. Yates speak to the Planning and Zoning Commission about updating the Sign Ordinance to have a definition strengthening the regulations, because she does not want to see the plywood signs, blinking and flashing signs. John Champagne said that Ransom's is a nice prototype. Rebecca Huss said that she had a problem with the Brookshire Bros. sign. Jon Bickford said that he wanted to say he told them so, and asked who was the first one to put one of those signs up? Jon Bickford said that it was the City of Montgomery. Rebecca Huss said that Ransom's sign was up first, but either way the Brookshire Bros. sign is worse and it is apparently legal. Rebecca Huss said that since the Planning and Zoning Commission has done a good job in other things, she would like them to extend their mandate to look at updating the sign ordinance. Mr. Yates said that he would advise the Commission.

**ADJOURNMENT**

Rebecca Huss moved to adjourn the meeting at 8:14 p.m. Dave McCorquodale seconded the motion, the motion carried unanimously. (5-0)

Submitted by:  Date Approved: 02/13/18  
Susan Hensley, City Secretary

  
Mayor Kirk Jones

