

MINUTES OF PUBLIC HEARING and REGULAR MEETING

June 13, 2017

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: 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

Absent: Dave McCorquodale City Council, Place # 5

Also Present: Jack Yates City Administrator

INVOCATION

T.J. Wilkerson gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAGS

PUBLIC HEARING:

Convene into Public Hearing:

1. Alcohol Beverage Permit Application for China Tasty Restaurant (changing name to Taste of China), to be located at 20212 Eva Street, Ste. 140, Montgomery, Texas as submitted by Liqun Lin.

Mayor Jones convened the Public Hearing at 6:03 p.m.

There were no comments made during the Public Hearing.

Adjourn Public Hearing:

Mayor Jones adjourned the Public Hearing at 6:04 p.m.

Reconvene into Regular Session:

Mayor Jones reconvened the Regular Session at 6:04 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. City 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.

Mr. Philip LeFevre addressed City Council, stating that he thought that City Council Members were all very honest, and they spend a lot of their time and efforts to help the City. Mr. LeFevre said that he is worried that some of the things that they do, whether naivety or whatever opens them up to Monday morning quarterbacking, essentially attacking the integrity of Council.

Mr. LeFevre said that by default, City Council approved what the Montgomery EDC does; the City started to back one developer over another. Mr. LeFevre said that he had nothing against Chris Cheatham, he is a nice guy who is smart on how he gets his way. City Council gave Chris Cheatham \$120,000 to fix a City road, which to him is what the developer should be doing. Mr. LeFevre said that developers build roads, and the City should accept the roads from the developers. Mr. LeFevre said that the City was not here to make money for the developer, you are here to help them. Mr. LeFevre said that the City should not fund these things up front.

Mr. LeFevre said that he felt that the MEDC gives funds away and he felt that things needed to be reined in. Mr. LeFevre said that he wanted to focus on the Pizza Shack deal. Mr. LeFevre said that when someone buys a piece of land they are either paying fair value, because of the amenities, or at a big discount because it does not have any amenities. Mr. LeFevre said that with Pizza Shack the developer bought the piece of land to reflect no improvements. The City enabled a \$70,000 seed money from MEDC, plus a \$350,000 grant from the capital improvements. Mr. LeFevre said that overnight that property doubled in value without the developer having to put a penny into it. Mr. LeFevre said that MEDC ends up not just enabling the grant but guaranteeing the grant. Mr. LeFevre said that

the City should not be guaranteeing his or any other individual's obligations, and in this case the obligation is to provide a certain amount of jobs. Mr. LeFevre said that the City allowed the developer to make a bunch of money and took all the risk for the developer.

Mr. LeFevre said that he felt that the City should rein in Suddenlink, because they gave them \$9,000 to put conduit on their lines, which City Council did not see because it is under the reporting number. Mr. LeFevre said that there were plenty of other things that are really needed, and now he does not believe there is a whole lot of money left in MEDC. Mr. LeFevre said that he personally thinks that the Buffalo Springs Bridge is an MEDC thing, because it brings tourists in, it is a quality of life issue for Waterstone and it fits all the things necessary, yet City Council has completely ignored that whole part of the City. Mr. LeFevre said that if one or two of the City Council members lived in Waterstone the bridge would be fixed. Mr. LeFevre said that it was really important that they focus on being fair in the City.

Mr. LeFevre said that right at the same time that the Pizza Shack project was going on, he wanted to do Section One. Mr. LeFevre said that the City wanted the lift station that is at the bottom of the hill by the library taken out, which he had built. Mr. LeFevre said that before their plans were approved they had to take out the lift station, at their expense, and they had to spend \$130,000 to extend the sewer line. Mr. LeFevre said that the City is making some people pay for things and then on the other side, they are handing money out. Mr. LeFevre said that the City needed to look at the ethics.

Mr. LeFevre said that Mayor Jones had corrected him, because he thought the Flagship Boulevard landscaping was \$30,000, but the project was under \$10,000 and the person that did the work, even though he was related to the Mayor, was a good guy and knows what he is doing and his specialty is Texas plants. Mr. LeFevre said that if it has been \$30,000 he would have had a fit, because then it should have been put out for competitive bidding.

Mr. LeFevre said that the City is about to negotiate a relatively complicated land swap with a developer to enlarge the sewer plant, and he questioned who in the City is qualified to negotiate that deal because that is a real estate deal. Mr. LeFevre said that he felt that the City needed the benefit of people that did that for their business, and he did not feel that any of them were in the real estate business. Mr. LeFevre closed stating that he felt the City needed to be very careful how they structure the way they do things with the public so that it is fair and even for everyone, and it is clear up front what the City does and does not do.

CONSENT AGENDA:

2. Matters related to the approval of minutes for the Regular Meeting held on May 23, 2017.

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

3. Consideration and possible action regarding a request for Freedom Fest road closures of Clepper Street, Prairie Street, Mason Street, John A. Butler, and FM 149 from 9:00 a.m. to 1:00 p.m., and College Street and McCown from 9:00 a.m. to 6:00 p.m. on July 1, 2017.
4. Consideration and possible action regarding Whitley Vineyards request of road closure on College Street from McCown to FM 149 and northern most 150 feet of McCown Street from 11:00 a.m. to 6:00 pm., Sunday, June 25, 2017.

John Champagne moved to approve the request for Freedom Fest road closures and Whitley Vineyards road closures listed under the Consent Agenda Items 3 and 4. Rebecca Huss seconded the motion, the motion carried unanimously. (4-0)

CONSIDERATION AND POSSIBLE ACTION:

5. Consideration and possible action regarding an Application for an Alcohol Beverage Permit for Taste of China Restaurant (previously shown as China Tasty) to be located at 20212 Eva Street, Ste. 140, Montgomery, Texas as submitted by Liqun Lin.

Jon Bickford moved to accept the Application for an Alcohol Beverage Permit for Taste of China Restaurant (previously shown as China Tasty) to be located at 20212 Eva Street, Ste. 140, Montgomery, Texas as submitted by Liqun Lin. John Champagne seconded the motion, the motion carried unanimously. (4-0)

6. Consideration and possible action regarding Request of Surcharge to Recover Relocation Costs for Villas of Mia Lago and Lone Star Bend Road by LDC, Corporation.

Mr. Yates advised that LDC came to City Council in January 2017 with the same request, which was denied by City Council. Mr. Yates said that LDC then filed for the cost recovery

from the Railroad Commission, who told LDC that they needed to place the relocated line before they could approach the Railroad Commission for reimbursement. LDC has now completed the line at a cost of \$20,527.60. LDC will, even with the City's denial, ask the Railroad Commission to consider the request.

Rebecca Huss moved that City Council again deny the request of Surcharge to Recover Relocation Costs for Villas of Mia Lago and Lone Star Bend Road by LDC, Corporation. T.J. Wilkerson seconded the motion, the motion carried unanimously. (4-0)

7. Consideration and possible action regarding scheduling a Public Hearing to amend the 2016-2017 Utility Fund Budget.

Mr. Yates advised that at the last City Council meeting, Council requested an expense item in the Utility Fund to equal the expected revenue from the GRP item listed on the City utility bills. Mr. Yates said that notation could easily happen by adding the letters "GRP" behind account number 26900-Capital in the Utility Fund, and by him adding \$20,300 to that line item budget amount, and reducing account number 26901-Utility Projects/Preventative Maintenance by \$20,300. Mr. Yates said that this budget amount line item change is allowed in the budget resolution of City Council, as long as the department total does not change.

Mr. Yates stated that he asked Mr. Foerster about whether the change in wording necessitated a formal budget amendment process, and Mr. Foerster advised that he did not have a problem with the name change if the item is in the same department and there is no change in the appropriated amount to that department.

Rebecca Huss stated, for people that were not here last time, specifically the City is collecting revenues as part of the GRP, which is the Groundwater Reduction Plan, and said that if the City is collecting money for the GRP, they feel that they should be spending it for Groundwater Reduction projects. Mr. Yates said that if they do not spend the GRP funds, that balance would carry over to next year.

Jon Bickford moved to add "GRP" to the line item 26900. Rebecca Huss seconded the motion, the motion carried unanimously. (4-0)

8. Consideration and possible action regarding roof repair at Hulon House at Fernland Historic Park.

Mr. Yates advised that the roof of the Hulon House had three bad leaks. Mr. Yates said that he consulted with two roofers and a claim was made to TML, which the City has property damage insurance coverage. The City received and deposited an insurance claim payment in the amount of \$11,207.28. Mr. Yates said that Public Works can do the interior repair work on the Hulon House and he had two estimates for the roof repairs. Mr. Yates stated that of the two estimates, ERS Roofing, owned by William Simpson who is a resident of the City, was the lower quote.

Mr. Yates said that his recommendation was to select ERS as the contractor for the roof based on the slightly lower quote and the company being owned by a City resident.

Jon Bickford moved to select the low bidder, ERS, proposal for reroofing of Hulon House. Rebecca Huss seconded the motion

Discussion: John Champagne asked which building was the Hulon House. Mr. Yates said that it was the building next to the Blacksmith Shop, which is the second house on the right. John Champagne asked how much the City is putting toward the repair. Mr. Yates said that the City was not spending anything on the repair, because the insurance is paying.

The motion carried unanimously. (4-0)

9. Presentation of status report regarding the Buffalo Springs Road Bridge from the City Engineer.

Mr. Roznovsky said that as they discussed at the Town Hall Meeting on May 30, 2017, the City was assigned new FEMA representatives. On May 31, 2017 they had a meeting with the new representatives at the bridge, and they brought up new concerns that they had not heard before, specifically, construction within easements that the City has are existing easements outside the right of way where the existing pavement is located. The new representatives were questioning the ability to construct within easements, not right of way. Mr. Roznovsky said that they provided the new representatives with recorded plats showing the easements and how they were recorded. Mr. Roznovsky said that, as of today, they are still researching if they will

allow work within easements and not public right of way, even though it is a City easement. Mr. Roznovsky said that as of this morning, FEMA representatives expected to have a response by the end of the week as far as if the City can complete work in that area, or if the design needs to be changed to be only in the right of way. Mr. Roznovsky said that they have also asked to receive verification on if the City obtains public right of way and gets rid of the easements, will FEMA allow the work to be completed that way. Mr. Roznovsky said that according to FEMA, if the property is not a right of way or owned in fee, then you can't spend Federal dollars on it, so they are fighting that just because it is an easement granted to the public for drainage purposes, so it does not make any sense.

Mayor Jones asked if this new matter was holding up the Corp of Engineers. Mr. Roznovsky said yes because the design changes due to whether or not they allow the easement versus right of way. Mr. Roznovsky said that if they have to change the design and move everything, the design of what goes in the channel changes. Jon Bickford said that if FEMA does not allow it, that only means that they won't reimburse the City for that portion, and asked if that was correct. Mr. Roznovsky said that was correct. Jon Bickford asked what the impact would be if the City said that they would pay for that portion of the project, and not use the Federal funds, and asked how much that part would cost. Mr. Roznovsky said that he did not know what the cost would be, but they are trying to get an answer from FEMA on whether that would be allowed to use what is already there, and if the answer is no, then they will redesign. Mr. Roznovsky said that FEMA's answer to the City paying for just that portion that they won't fund, and their answer to that was yes, but the City would have to show that it won't function if it does not happen.

John Champagne asked to confirm that all of the questions are being addressed concurrently. Mr. Roznovsky said that was correct, they have asked all the questions and spoken with the sub-consultants, asking them to be thinking about it if they come back with the options, as to how they proceed and make the changes fit what FEMA says.

Mr. Shackelford said that it depended on which FEMA representative the City is listening to is part of the issue. Mr. Shackelford said that FEMA said that it has got to be like it was pre-disaster, and pre-disaster is slope paving based on the current limits. If they have to squeeze it into the right of way, then that will increase the cost because they will have to excavate more under the slope paving and come back with stable material. Mr. Shackelford said that it was

almost one big circle and there is no end in sight. Mayor Jones said that once you get into the FEMA loop it is hard to get out. Mr. Shackelford said that was correct.

Jon Bickford asked if we can't get to the superiors with FEMA. Mr. Shackelford said that the FEMA supervisors are not the ones showing up on the job site. Jon Bickford asked if we can contact the supervisors and resolve the matter. Mr. Shackelford said that they have Congressman Brady's office offer to assist with this matter. Mr. Yates said that Congressman Brady has offered to get everyone in the same room at the same time to discuss the matter. John Champagne said that they needed to do it. Rebecca Huss said that they were not asking for anything crazy, just logic at this point. Mr. Shackelford stated that FEMA has stated that even if City funds are used or donated, they will still be required to go through the Federal Procurement Process, which is cumbersome.

John Champagne asked whose task is it to contact Congressman Brady. Mr. Yates advised that he would be contacting Congressman Brady. John Champagne asked that City Council be notified when contact has been made and when the meeting would occur.

Mr. LeFevre commented that to him the issue is the bridge, the bridge itself is structurally sound, but it is the approaches that are not. There are issues with fixing the approaches. One of which is to fix it the sensible way, but the way that is being recommended, they have to get approval from the Corp of Engineers because you are putting materials in the waters of the United States and so they control them. Mr. LeFevre said they can essentially excavate all they want, as long as you don't accidentally drop that material back in the water and put the material on dry land, and once you do that the Corp of Engineers is done because it is out of their jurisdiction. Secondly, the bridge is a constriction, so when the water comes down, it is funneled right at that one spot and almost whatever goes there has to be built like a tank because of the amount of pressure it will have to take.

Mr. LeFevre said that the only thing that he can think of, and he might be wrong, is to get a bridge builder, on dry land, on top of the road, lay another section of bridge on the north and another section on the south, drive the pilings into the ground, then you can excavate under and do the bulk heading because you would be doing it at the new front, which would be non-jurisdictional. Mr. LeFevre said that as far as he was concerned, you could leave the concrete there and don't even touch it. Mr. LeFevre said that to him, that bridge originally cost

\$650,000, which included the engineering, so to him it should be possible to find some bridge builders who can lay a structure, whether it is 30 - 50 feet, and then come in and excavate and make it wider at that point, bulkhead it before you excavate, if need be. Mr. LeFevre said that he felt that they have disenfranchised a whole part of our City, and he does not think that it is anyone's fault. Mr. LeFevre said if they can take the project into their own hands, because he feels that as a community they need to get that bridge opened, and if there is a lower cost way to do it, and if there is a way not to mess with the Federal Government, that is what he thinks they should do. Mr. LeFevre said that they would literally be building a bridge on dry land and then digging the dirt from under it. Mr. LeFevre said that he did not know if that would work, and Mr. Shackelford is smarter than he is and will probably find a reason one way or the other. Mr. LeFevre said that doing it his way would widen the channel and gets the City away from the regulation and gets the bridge open. Mr. LeFevre said that he thinks that once the bridge is back open, it will show that the City is functional and that it is moving forward, and it does not need help from anybody.

Mayor Jones asked Mr. Shackelford for his thoughts about what Mr. LeFevre just suggested. Mr. Shackelford said that they would need to run a cost estimate to see how this suggestion compares with what the cost would be to go the route they are currently going. Rebecca Huss asked about functionality and endurance of the solution versus the other suggestion, because she did not want to spend \$650,000 or whatever it cost for the first bridge and have the second bridge wash out as well, she wants it to be a durable solution rather than a quick one.

John Champagne said that he had two questions. Will they reduce velocity if they open up the area, secondly is there any remediation necessary around the existing supports for the bridge or is the bridge stable and good the way it is. Mr. Shackelford said that the bridge was stable. Mr. Shackelford advised that the bridge abutment that was built, was built for a span coming off of one half of the abutment, so they would have to modify or build a second abutment next to the current bridge and then extend the beams. John Champagne asked if they were planning to do anything with the structures under the bridge. Mr. Shackelford said that they were going to be removed. Mr. Roznovsky said that the slope paving protects the piles that hold the bridge up. John Champagne asked if that would not be a reason to follow Mr. LeFevre's plan to keep from going into the waterway. Mr. Shackelford said that the reason they were going into the waterway was to replace the bulkhead, because the bulkhead failed. Mr. Shackelford said that

it backs it up to dry land, but they would still have the bulkhead on the canal that has failed. John Champagne asked if they could remove the bulkhead. Mr. Shackelford said that they can't touch it without a permit. Mr. Shackelford said that the question becomes, does the wooden bulkhead need to be replaced. Mr. Shackelford said that under the current concept, it has to be removed so that they can put a concrete bulkhead back, but if they look at the other concept maybe not, but the question is which is the less expensive. Mr. Roznovsky said that if they had asked FEMA what would happen if they scrapped the project and just built a new bridge, and they advised that the City would not be eligible for FEMA funds.

Mayor Jones asked if there was any part of the project that FEMA would pay for if they went with the parallel bridge versus a suspending bridge. Mr. Shackelford said that they can ask that question, but they are far enough down the path that they are close to an end. Mayor Jones said that he would suggest that they keep pursuing that end, but in the meantime can they research an alternative, and if they have to, do whatever it takes to get the bridge open. Mr. Shackelford said that they would look at the concept. Mayor Jones asked if the Corp of Engineers is going to set on the project for six months. Mr. Shackelford said that the Corp of Engineers will not set on the matter for six months because they are obligated by law to respond within 30-40 days otherwise the project is approved. Mayor Jones said that the problem is getting the information to the Corp of Engineers from FEMA. Mr. Shackelford said that they have to get to a certain point with FEMA so that they can submit the documentation to the Corp of Engineers.

Mr. LeFevre said that if the old bulkhead is sufficient they could tie into it, and he did not believe that they would need a permit.

Mr. Roznovsky said the reason that they have to go to the Corp of Engineers is because they are proposing something within the channel. Mr. Roznovsky said that because the bulkhead did fail, there was the scour potential, so to mitigate that there is either the concrete channel lining or the rip rap. Both of these options are placing something within the channel that requires the Corp of Engineer's permit. Mr. Roznovsky said that unless there is some other option to get away from that solution, the Corp has to provide a permit.

John Champagne requested that, based on this conversation tonight and suggestions made, a list of options that are available to the City now be sent to City Council in the form of an email,

and if they pull in Congressman Brady, then the agenda could be based on those options, to determine the quickest and most cost effective way to get them done. Mr. Roznovsky said that they would look into those options and pursue getting their questions answered, along with getting with Congressman Brady to see what they can do.

Mayor Jones asked if they extended the bridge on both ends, part of the problem was the water coming down from the south and eroding everything, so would they have to do something regarding that situation. Mr. Shackelford said that they would have to take care of that matter, which he would think that they would still go with the pipe concept that they had shown City Council, it would just extend the length of the pipes on both the north and south side. Mr. Shackelford said they needed to remember that those pipes are going through a bulkhead and discharging into the canal, so that gets them back to the Corp of Engineers permit.

Mayor Jones said that he knows how it looks to everybody, and the City Council is very frustrated, but they have to get something done. Mr. Shackelford said that every time that FEMA says that they have to go and look at something else, it is costing the City more for the preparation.

Rebecca Huss said that in the past City Council has been very specific that they don't want just take the cheapest option; durability and quality is an important component of any engineering solution that they choose. Rebecca Huss said that they do want this project to be something that lasts, so that ten years from now they are not facing the same thing that they are right now. Mr. Shackelford said that is also FEMA's interest because they don't want to have to fund another million dollars every time there is an 8 inch rain.

Mayor Jones thanked Mr. LeFevre for his input and the City Engineers.

10. Consideration and possible action regarding authorization for the City Engineer to prepare a bid package and solicit bids for the cleaning and televising of the public sanitary sewer line adjacent to FM 149 between FM 1097 and SH 105.

Mr. Roznovsky presented the information to City Council advising that TxDOT is planning and widening project adjacent to FM 149 between FM 1097 and SH 105, and part of that widening will put the City's existing sanitary sewer in conflict with the road.

Mr. Roznovsky said that their recommendation is that they do an evaluation of that line segment that will be along the project route, make any necessary dig repairs now before the TxDOT project, so that way they would not have to dig up the new road. Mr. Roznovsky said the estimated cost for that project is approximately \$48,000.

Rebecca Huss said that the televising was something that the City Engineers put in the City's Maintenance Plan or Sewer Plan two years ago. Mr. Roznovsky said that was correct, and said that something that they would need to do in the future would be looking at 8,300 feet of sewer line and inspecting all of the 27 manholes on that route. Rebecca Huss said that if they are just looking at what is already here, why is the engineering \$12,400 out of the \$32,400. Mr. Roznovsky said that entails the review of the bids, because by the time they set down and review the videos, mark up the deficiencies and make recommendations, cost estimates and present a plan that is what it would cost. Mr. Roznovsky said that they can get through approximately 1,000 feet per hour of the review, then it is another 10 plus hours to be able to prepare the cost estimates and recommendations.

Mayor Jones said that more than likely, the lines have not been looked at since they were installed. Mr. Roznovsky said that they checked for any documentation for previous inspections of the line. In 2005-2006 there was some inspection and televising done on portions of the line, and there were some deficiencies, but they did not find any documentation on repairs being done. Mayor Jones asked about the age of this infrastructure. Mr. Roznovsky said that he did not know, it is located down FM 149 and is serving the Historic District and going to the old sewer plant, and the sewer plant was constructed in the early 70's if he remembered correctly. Mayor Jones said that they could have a lot of clay lines and brick manholes.

Mr. Roznovsky said that this is a ballpark estimate without knowing what they are going to find. Rebecca Huss said that if they authorize \$48,000, that would not be the actual amount. Mr. Roznovsky said that when they get the bid prices in, they can update City Council on where they stand and the costs. Mr. Roznovsky said that until they get into the process it is hard to say what all it is going to take to get it done. Mayor Jones said that there is a chance that the bids could come in less.

Mr. Yates said that the Utility Projects/Preventative Maintenance in the Utility Fund has \$74,000 budgeted, with \$73,476 available.

John Champagne moved to approve the project as presented. Jon Bickford seconded the motion.

Discussion: Mayor Jones said that he assumed that City Council would see the bid prior to the project occurring. Mr. Roznovsky advised that they expect to have the bids to City Council at the first meeting in July. Rebecca Huss wanted to be clear that this would not be paid for out of GRP funds. Mr. Yates said that was correct.

The motion carried unanimously. (4-0)

11. Consideration and possible action regarding the award and execution of construction contract for the Heritage Plaza Medical Center 12" Waterline.

Mr. Roznovsky presented the information stating that this is the waterline in front of Heritage Medical Plaza that needs to be relocated because it is being upsized to a 12 inch line. Mr. Roznovsky said that they received bids for the project on June 6, 2017. Statewide Services was the low bidder at \$65,617.50 for the 12-inch line along SH 105. They also solicited proposals for a couple alternatives, to look at ways that they could save cost and an additional water line.

Mr. Roznovsky said on Caroline Street there is an existing 8 inch waterline and 6 inch waterline connected by a 2 inch waterline, so all flow is going through a bottleneck, which creates pressure flow issues. Mr. Roznovsky said that upsizing the line, which they provided an alternate bid for, will reduce the bottleneck and provide an alternate path for the water to get through the City. The additional cost to install the waterline is \$32,000.

The low proposal for both the SH 105 waterline and Caroline Street waterline is in the amount of \$97,706.50 as submitted by Statewide Services. Mr. Roznovsky said that the increase in cost is due to the line being located under existing pavement. Mr. Roznovsky said that they were asked to bid two different ways, either boring underneath the asphalt or digging up the asphalt and the boring was approximately \$11,000 cheaper.

Mayor Jones said that part of the way that the line gets paid for is the Heritage Plaza project included a waterline that they were going to replace under Houston Street, which has been determined that they don't need, so the funds they were going to use for that project will go toward this project.

Mr. Roznovsky said that across the board Statewide Services is who they recommend working with and is the low bid. Jon Bickford asked if the City is getting a break in the price for the alternate because the contractor is already on location. Mr. Roznovsky said that the contractor figured the alternate as a separate bid, and he will already be mobilized.

John Champagne asked how a 2-inch line got placed between a 6-inch and 8-inch line. Mr. Roznovsky said that his understanding is that the line was extended from Houston Street to serve those houses, and it was there when the 8-inch line from Shephard and Westside Park was put in so they just connected the two instead of replacing the line.

Mayor Jones asked when they do the Heritage Plaza line on the east side, what will they be connecting the lines to. Mr. Roznovsky said that on the east side they will tie into the existing 8-inch waterline and will be stubbing out to a 12-inch line.

Mr. Roznovsky stated that they were recommending to do both Caroline Street and SH 105 in the amount of \$97,706.50.

Jon Bickford moved to follow the engineer's recommendation and award and execution of the contract for the Heritage Plaza Medical Center 12-inch waterline and authorize the Mayor to execute the contract. Rebecca Huss said that if Jon Bickford's motion is to accept the Statewide Services Base Bid and Alternate items A2 and A8, and authorize the Mayor to execute the contract, she seconded the motion. Jon Bickford confirmed that was his motion. The motion carried unanimously. (4-0)

12. Report from the City Administrator regarding the following: Public Notification System, Joint Meeting with the Planning and Zoning Commission, Auditor selection process and Review Committee, surplus property sale and Groundwater Reduction Plan (GRP) rate increase.

Mr. Yate presented his report to City Council. Mr. Yates discussed Public Notification Systems that are used for emergency notification to the public, detailing the benefits and cost

of some proposed services. Mr. Yates said that he was asking City Council if they wanted him to pursue quotes on a provider for this type of system. Mr. Yates said that there probably would not be any funds spend this fiscal year, but they would need to put \$6,000 in the 2017-2018 budget. Jon Bickford said that he thought Montgomery County has this type of system. Mr. Yates said that he knows Montgomery ISD has this system, which he has been trying to work with them to get the City connected. Jon Bickford said that something is in place already, and asked if they could tie into that instead of spending \$6,000. Mr. Yates said that they could do that because the school district has a system. Jon Bickford said that is a service for the citizens, and he would ask \$8-\$10 per home to get this service, maybe we ask them if they are willing to pay for this service. Mayor Jones said that he felt that the cost seemed kind of high for the benefit. Jon Bickford asked how frequently they would use the system. Rebecca Huss said that when Mr. Cheatham drilled into the water main and all the businesses had to shut down they could have used it. Mr. Yates said that the City of Willis uses Code Red. Jon Bickford said that the Chief of Police had told him how to connect to the notification system. Mrs. Rebecca Lehn-Kendall, Court Administrator, advised that the City has Nixel. Mayor Jones asked why the City can't use Nixel. Mrs. Kendall said that the City could use it. Jon Bickford asked who owns Nixel. Mrs. Kendall advised that it was an application that the Police Department can send notifications out to the public, if they join the Nixel alert free of charge. Jon Bickford said that it was free of charge.

Mayor Jones said that City Council is in favor of something, less expensive. Mrs. Kendall said that the City can create an account with Nixel versus the Police Department so that they can send out notifications from City Hall via a text message. City Council said that they would like to pursue that type of notification system.

Mr. Yates then discussed the Planning and Zoning Commission was interested in scheduling a Joint Meeting with City Council regarding a proposed Land Use Plan, several City initiated proposed zoning changes and the Mobility Plan Draft. Mr. Yates said that the reason for the Land Use Plan and Zoning changes would be to get direction from City Council, because they will be conducting public hearings on these items. The Commission wanted to meet with City Council before they began that process to make sure that they are going in the right direction. Rebecca Huss said that she would ask that they meet on the July 13, 2017, because she will not be available for the other date.

Mr. Yates discussed the selection of the auditor process and Review Committee. Mr. Yates advised that the RFP's for Auditors is due June 20th, and he is proposing that the Review Committee that consists of T.J. Wilkerson and Rebecca Huss will go through the proposals and narrow down the candidates. After discussion, City Council concurred that the Review Committee pick the top three and then make their recommendation to City Council. Rebecca Huss said that she does not get back into town until July 10, 2017. Mr. Yates said that he felt they could get the recommendation to City Council by July 25, 2017 meeting.

Mr. Yates advised that two of the surplus vehicle were sold, and asked to rebid the two remaining vehicles with the same minimum price.

Mr. Yates then discussed the LSGCD announcing a rate increase going from 6.0 cents per 1,000 gallons to 9.5 cents. Mr. Yates said that his thought is to write a letter of nonsupport of the increase to the LSGCD. Mr. Yates said the increase would come out to 22 cents per customer per year. Jon Bickford said that since this is a 60 percent increase he would like to see how much the Catahoula Well has saved the City. Mr. Roznovsky said that it would be approximately \$2,600 savings. Mayor Jones said that the reason for the increase is because the City of Conroe won't pay their bill, so he definitely was not in favor of the increase. Mayor Jones said thank God for the Catahoula Well. Rebecca Huss said that they should be thankful for the citizen board that made the recommendation to get the Catahoula Well.

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. (There were 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.

Rebecca Huss said that she had perused through the Traffic Study and she spoke to the City Engineers about the study, and said she was kind of disappointed with the lack of conclusions and non-capital type of improvements. Rebecca Huss said that they had spoken previously about changing the timing cycles on the traffic lights, and they need to make a formal resolution in order for TxDOT to consider changing their maximums for the light cycle, which is not mentioned at all. There is no mention of the timing of projects, in terms of priority, and how to get them done. Rebecca Huss said that there was no analysis that if you change this intersection, it will reduce pressure on this intersection, and it seems like everything is in a vacuum and is basically a data dump with not as many conclusions that they have come to expect from the City Engineers. Rebecca Huss said that she did not feel it was an actionable document.

Mayor Jones said that he would suspect that the City Engineers did not feel that kind of detail was in the scope of their work, but if it could be done, it might be done in a separate report. Rebecca Huss said that they had specifically talked about needing that Traffic Study in order to get changes to the light cycles, in particular, to try and deal with some of the congestion from the schools, specifically talked about that's what the money would buy us was a recommendation to support our assertion that they could improve our congestion by changing from the State mandated minimums or maximums. Mayor Jones said that he remembered that discussion, but not with regard to this study. Rebecca Huss said that when they met with the representatives, that was specifically what they told them they needed to do, make a recommendation based on data to get support to make these changes. Mayor Jones said that the data is there. Rebecca Huss said that the data is there, but you need to be an expert to know what it means, and unfortunately none of us are. Rebecca Huss said that when the City Engineers did the sewage treatment and water analysis, they gave a list of projects and an idea of what it would do to other parts of the City along with timing and the urgency of projects, and said those type of conclusions would be useful with this giant piece of data. Mayor Jones said that the City Engineers were charged with two other County Precincts and the City to get a bigger picture, not just an intersection, but they can get the information out of the study.

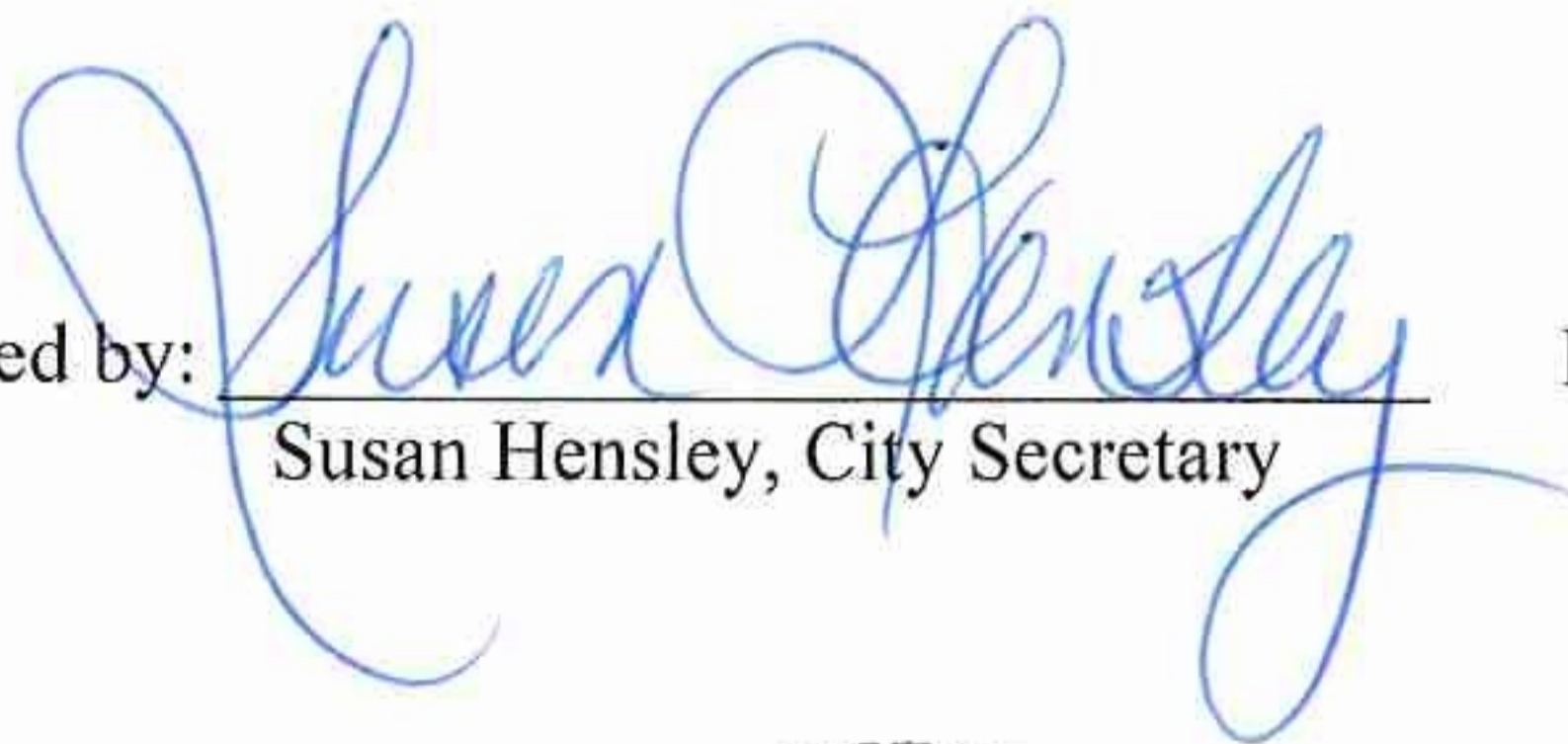
Mayor Jones said that he thought that they needed to dissect the study at another time. Rebecca Huss said that she would like to see that done in a public forum. Mr. Shackelford said that part of the conversation earlier in the meeting, was to present the Traffic Plan as part of the joint meeting with the Planning and Zoning Commission. Mr. Shackelford said that the reason that City Council received the study early was so that they could look at it and start forming questions, because they still need to meet

with the two County Precincts. John Champagne asked Rebecca Huss when she got the traffic report. Mayor Jones said that she received the report two weeks ago at the last Council Meeting. John Champagne advised that he was not present at the last meeting. Mr. Shackelford said that they welcomed the comments.

ADJOURNMENT

John Champagne moved to adjourn the meeting at 7:30 p.m. Rebecca Huss seconded the motion, the motion carried unanimously. (4-0)

Submitted by:


Susan Hensley, City Secretary

Date Approved:







Mayor Kirk Jones