

**MINUTES OF PUBLIC HEARINGS and REGULAR MEETING**

**April 25, 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:        Kirk Jones                    Mayor  
                  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:         Jon Bickford                City Council Place # 1

Also Present:   Jack Yates                    City Administrator  
                      Larry Foerster                City Attorney

**INVOCATION**

John Champagne gave the invocation.

**PLEDGE OF ALLEGIANCE TO FLAGS**

**PUBLIC HEARING:**

Convene into Public Hearing:

Mayor Jones convened the public hearing at 6:03 p.m.

1. **Alcohol Beverage Permit Application for Stoney's Liquor - Montgomery, located in Buffalo Springs Marketplace, 20212 Eva Street, Suite 240, Montgomery, on SH 105 at Lone Star Parkway, for a Package Store Permit, Beer Retail Dealer's Off-Premise License, Local Distributor's Permit and Package Store Tasting Permit; and**

Dave McCorquodale asked if the business would be located in the Kroger Center. Mr. Yates advised that was correct.

There were no other comments made.

Mayor Jones closed the public hearing at 6:05 p.m.

Mayor Jones convened the second public hearing at 6:05 p.m.

2. Alcohol Beverage Permit Application for The Kroger Company, located at 20168 Eva Street, Montgomery for a Wine and Beer Retailer's Off-Premise Permit.

Mr. James Langley advised that he welcomed all the new businesses coming into the City and said for them to come on and open for business.

There were no other comments made during the public hearing.

Mayor Jones closed the public hearing at 6:06 p.m.

**Reconvene into Regular Session:**

**VISITOR/CITIZENS FORUM:**

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

There were no citizens comments made during the meeting.

**CONSENT AGENDA:**

3. Matters related to the approval of minutes for the Public Hearing and Regular Meeting held on March 28, 2017 and Regular Meeting held on April 11, 2017.
4. Consideration and possible action to approve street closure of College, McCown, Caroline and John A. Butler Streets east of FM 149 for the Antiques Festival.
5. Consideration and possible action to schedule a public hearing regarding a zero lot line variance for 14419 Liberty Street -Monty West and Megan Stultz to be held on June 13, 2017 at 6:00 p.m.

Mr. Yates advised that the applicants for Agenda Item number 5 have requested to have their item removed from the Agenda at this time. Mr. Yates said that they will probably come back at a later date and have all their variance requests put together as one request. Rebecca Huss asked that when they bring the item back to City Council, she would like to request a larger map that would show their location. Mr. Yates said that he would advise them of the request for a large map.

Rebecca Huss moved to approve the Consent Agenda Items 3 through 4. Dave McCorquodale seconded the motion.

Discussion: Dave McCorquodale stated that the streets being closed for the Antiques Festival were the same streets that they had closed in years past.

The motion carried unanimously. (4-0)

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

6. Consideration and possible action on Department Reports.
  - A. Administrator's Report – Mr. Yates presented his report to City Council. Mr. Yates reminded City Council that on Saturday, April 29, 2017 at 10:30 a.m., there will be a ceremony to unveil the official street naming of Giesinger and McWashington Streets. Rebecca Huss asked if the gate that is across McWashington Street will be open, since it is a public street. Mr. Muckleroy, Public Works Manager, advised that it would be closed, but the gate is located further back by the lift station.

John Champagne commented that the Simonton House at Fernland needed to be painted, even though it had been supposedly recently painted. Mr. Yates said that he would check into that matter. Mayor Jones said that he might have some volunteers if they are needed for painting.

- B. Public Works Report – Mr. Muckleroy presented his report to City Council. Mr. Muckleroy advised that during the month they conducted heavy trash collection, coordinated blight removal dumpsters on Liberty Street, completed a commercial property backflow preventer survey and made asphalt repairs on Caroline, Maiden and Old Plantersville Road. Mr. Muckleroy advised that they had repaired a water leak at Caroline Street and Liberty Street. Mr. Muckleroy noted that they had power washed all the sidewalks in Cedar Brake and Homecoming Park, the Community Center and the bridges at Memory Park. Mr. Muckleroy said that they had also repaired the bulkhead, in several spots, at Memory Park.

John Champagne advised that there was an exposed wire in the drainage creek on Bessie Price Owen Street. Mr. Muckleroy said that he thought it was telephone line and since it was part of Lake Creek, Section 2, he would contact Mr. Lefevre.

Mr. Muckleroy said that the Memory Park sign, which Don Carter built will be installed. Mr. Muckleroy advised that there were electric boxes throughout Memory Park, which he will check into getting a quote for low voltage lighting.

Mayor Jones asked about the markers that were put down at Pond Street and SH 105. Mr. Chris Roznovsky, City Engineer, advised that was related to the survey for the water line.

Mr. Muckleroy reported that the docents at Fernland Park reported a total of 1,149 visitors for the month and they provided 62 tours, which was a very busy month for them.

- C. Police Department Report – Chief of Police, James Napolitano, presented his report to City Council. Chief Napolitano advised that during the March Warrant Roundup, the

department decided to check the County warrants with City warrants, so that they could also serve City warrants at the same time. Chief Napolitano stated that they knocked on 22 doors and only took one in custody.

Dave McCorquodale asked about the A and B Shifts. Chief Napolitano advised that each shift is 12-hours, and each shift works two days, resulting in giving the officers every other weekend off and an opportunity for them to spend time with their families. Chief Napolitano said that with the weather getting warmer, the officers will begin wearing their tan uniforms during the day.

Chief Napolitano said that with the increase of traffic on FM 2854, people will begin seeing more traffic accidents. Chief Napolitano said that last Saturday night, while officers had a subject pulled over, a drunk driver ran into the traffic pulled over, thankfully the officer was able to get out of the way.

- D. Court Department Report – Ms. Rebecca Lehn, Court Administrator, presented her report to City Council. Ms. Lehn advised that last month had been another good month with increased warrant collections. John Champagne asked if there were any issues within the department. Mrs. Lehn advised that there had been no issues.
- E. Utility/Development Report – Mr. Yates presented the report to City Council. Mr. Yates advised that the total collected for utilities was \$78,782. The City collected \$4,572 for permit. Mr. Yates said that there were 571 active water accounts and a total of 27 permits were pulled during the month.

Mr. Yates advised that there had been only one paid rental of the Community Center, and the other eight rentals had been non-profit groups that do not pay to use the Community Center. John Champagne asked if Mr. Yates was tracking the costs for the Community Center. Mr. Yates said that he was tracking the costs. Mayor Jones said that a couple of the non-profit groups that use the Community Center had offered to do some work on the building.

- F. Water Report – Mr. Mike Williams, with Gulf Utility, presented his report to City Council. Mr. Williams advised that there was a high wet well at Lift Station 3, so the pump was pulled and cleaned and is now operating normally.

Mr. Williams said that there was a water main break on SH105 at Houston Street, which occurred during the last City Council Meeting. Mr. Williams advised that City staff made the repairs.

Mayor Jones asked if they were using Well No. 4 more because the water was softer. Mr. Williams advised that they had ramped up the usage at Well No. 2 to see if they could maintain the pumpage. There were electrical issues. Mr. Williams stated that Entergy had installed a higher quality meter. Mr. Roznovsky said that he would follow up to get the data from Entergy.

Mr. Williams advised that the flow for the month of February was 4,022,000 gallons. Daily peak flow occurred on February 21, 2017 at 305,000 gallons, which is 76% percent of the permitted value. The Average Daily Flow was 139,000 gallons, which is 35% percent of permitted value.

Rebecca Huss asked how the City was doing on the permit. Mr. Roznovsky reported that all the paperwork had been submitted to TCEQ. Rebecca Huss asked if there would be any problem if the new permit was not approved prior to the old one expiring. Mr. Roznovsky said that the current permit expires on June 1, and since everything has been filed TCEQ it will not be a problem.

John Champagne said that it would be nice if the graphs that show groundwater production could also show year to year, and maintain the previous years with the current month to show the comparison of the current month with the previous year.

Mr. Williams advised that regarding the effluent monitoring, everything was in compliance. There was 1.42 inches of rain for the month.

Dave McCorquodale asked when the calendar year rolled over. Mr. Williams advised that occurred in January. Dave McCorquodale asked if there was a plan regarding when Well No. 4 was being run. Mr. Williams confirmed that they did and advised that they had been running both wells to make sure that they stayed in compliance with the amount of water pumped. Mr. Shackelford advised that that City could file an amendment to the amount that they can pump if they can show that they need more water.

Mr. Williams advised that they had 71% percent of the water return to the sewer plant. Rebecca Huss said that it looks like the same amount of water sold in January and February due to infiltration. Dave McCorquodale asked if there was an auto call alarm feature on all the lift stations. Mr. Williams said that out of the 14 lifts stations only half have the auto call feature. Mr. Williams advised that all lift stations are critical and said that he had spoken to the City about all the lift stations being equipped with the monitors, which would not require operations to come out to the site. Mr. Roznovsky said that he would look at the capital costs and pay back. John Champagne said that he would like items that will save the City money moved up on the project list. Rebecca Huss said that if it were a short term pay back, the City could pay for the expenditure out of reserves.

- G. Engineer's Report – Mr. Chris Roznovsky, City Engineer, presented his report to City Council. Mr. Roznovsky advised that they had received and recommended for approval of progress payment requests 3 and 4 in the amount of \$382,196 from Key Construction for the Kroger project. Mr. Roznovsky stated that they conducted the final inspection on March 22, 2017 and the contractor is addressing the punch list items identified at the final inspection. Mr. Roznovsky said that Pizza Shack was nearing completion of their project.

Mr. Roznovsky stated that they are proceeding with preparation of the bid package for the Flagship Boulevard Pavement Repair and they expect to present the bids at the May 23, 2017 City Council Meeting.

John Champagne said that he had sent some technical information to Mr. Shackelford regarding the Buffalo Springs Bridge, and asked if he had looked at the information. Mr. Shackelford said that he had not looked at it yet.

Mr. Roznovsky advised that they were addressing internal comments on the Mobility Study. Mr. Shackelford said that they were completed. Dave McCorquodale asked if it would be feasible to get a copy of the draft of the Mobility Study so that he could get some degree of knowledge of the document before it was finalized. Mr. Shackelford said that they would still need to review the document with their partners and Precincts 1 and 2. Mr. Shackelford apologized for the delay. Mr. Shackelford said that both Precincts 1 and 2 had been invoiced. Mrs. Cathy Branco, Financial Consultant, advised that she had edited the invoices, which were both in the amount of \$15,000, and mailed them.

Rebecca Huss said that they had discussed rotating City Council and having them participate in the earlier meetings and asked if that idea had been ratified. Mr. Yates said that he just forgot to invite anyone else.

Mr. Shackelford discussed the Lone Star Parkway to FM 149 County project. Mr. Shackelford said that he would bring a work schedule back to City Council. Mr. Shackelford said that the Lone Star Parkway project might be  $\frac{3}{4}$  done before the Bridge Project.

John Champagne asked Mr. Shackelford to look at the information that he sent to him regarding the bridge.

- H. Financial Report – Mrs. Branco, Financial Consultant, presented her report to City Council. Mrs. Branco reported the following account balances: General Fund - \$868,593, Construction Account - \$1,090, Debt Service - \$54,057, Court Security - \$4,287, Court Technology - \$22,418, Grant Fund - \$297, Hotel Occupancy - \$9,399, Montgomery EDC - \$729,121, Police Asset Forfeitures - \$4,272, Utility Fund \$373,943 and the Operating Fund is \$57,000 over in wages for the month. Ms. Branco advised that the wages show \$132,000 and the budget is



\$86,000. Mr. Yates said that it might be that the funds have not been transferred yet. Mayor Jones asked Mr. Yates to send City Council the answer to the difference in the wages once it had been determined. Mr. Yates advised that he would do that.

Dave McCorquodale moved to approve the Departmental Reports as presented. T.J. Wilkerson seconded the motion, the motion carried unanimously. (4-0)

7. Consideration and possible action regarding approval of Montgomery EDC funding for the following:
  - a. Houston Street Rehabilitation Project;
  - b. Water Line Placement in Houston Street; and
  - c. Water Line Placement on SH 105 at Houston Street.

Jack Yates presented the information to City Council advising that at the February MEDC Meeting the Board agreed to fund \$120,000 for resurfacing and widening Houston Street as part of the support of the Heritage Medical Plaza II, which is being built at the northeast corner of SH 105 and Houston Street. Mr. Yates said that since February two things have occurred that affect that decision.

First, County Commissioner Mike Meador agreed to place and pay for the asphalt to be placed on Houston Street, which reduces the estimated \$160,000 down to \$80,000. There is an estimated \$5,000 to be paid for the design of the road, making the Houston Street total \$85,000. Mr. Cheatham's participation in the Houston Street Rehabilitation is to be based on the 20.3 participation rate, which is \$17,255. MEDC's portion for this would be \$67,745.

Second, the water line in front of Heritage Medical Plaza II will need to be lowered to accommodate the sewer connection needed by this development. The cost of the line is estimated to be \$60,000. This section of the water line is part of the major water line replacement program, which will replace the existing 6 inch water line with 12 inch lines, as part of the TWDB projects. Mr. Yates advised that the section of the new 12 inch line can be placed now in front of Heritage Medical Plaza and connected to the new replacement

line when that work is done. Mr. Yates said that Mr. Cheatham requires the water line to be lowered now and has already paid his \$17,288 tap fee to the City.

Mr. Yates said that the City Engineer has recommended replacing the existing water line on Houston Street rather than placing new pavement over an old water line that might need replacing or repaired in the future. Mr. Yates said the cost of the new water line on Houston Street is estimated at \$20,000.

Mr. Yates stated that there was a peripheral issue concerning the escrow account amounts involving Mr. Cheatham, who has two escrow accounts. One has a balance of \$1,689.55, listed as Cheatham Development Agreement, which has no written agreement, nor implied agreement of any of any payment to the escrow account from Mr. Cheatham. A second escrow account has a balance of \$4,328.93 listed as Heritage Medical Plaza, which also has no written agreement nor implied agreement of any payment to the escrow account by Mr. Cheatham. Mr. Yates said that he and the City Attorney are reviewing the ordinances and minutes to determine a method of requiring payment. Mr. Yates said that he is also reviewing the engineering bills to determine appropriateness of the bills. Mr. Yates stated that he had sent a letter to Mr. Cheatham requesting him to place a \$3,000 deposit for an escrow account balance for further City involvement regarding Heritage Medical Plaza II.

Mr. Yates said that his recommendation on the matter of Houston Street and the water lines financing was to not take any formal action of denial based on back payment on the existing escrow accounts until a collection method is agreed to by him and the City Attorney, which may also require City Council action.

Mr. Yates said that another issue with Mr. Cheatham was the billing for the February 28<sup>th</sup> water line break caused by Mr. Cheatham's general contractor's plumber. A bill was sent to Mr. Cheatham on March 7, 2017 with a statement included in the amount of \$4,025 with a 30 day payment due date given. Mr. Cheatham has not paid the amount and has advised that he does not believe he is responsible for the payment, that the City should contact either the plumber who bore into the water line or the general contractor. Mr. Yates said that the City Attorney has advised him to send a statement to the general contractor and to

the plumber who did the bore into the water line. Mr. Yates said that if they do not receive payment within the 30 day period stipulated, he will advise the City Attorney who will determine who, if not all three, to sue in small claims court in order to collect the money.

Rebecca Huss said that she was concerned with the overall cost for Houston Street, as it stands, 10-20 people use the road every day. Rebecca Huss said that the urgency is purely driven by development.

John Champagne said that it would be much safer to have traffic turning out at the traffic light on Houston Street would be safer than just turning out onto SH 105. Rebecca Huss said that there are a lot of locations that don't have traffic lights where people turn out onto SH 105. John Champagne said that he does not want it to turn into FM 1960, so they have a choice to make.

Rebecca Huss asked why they had to lower the water lines. Mr. Roznovsky advised that they needed to be lowered to connect the tap. Mr. Yates said that they would have to lower the line either way.

After discussion, John Champagne moved to approve the MEDC \$120,000 cost share of Houston Street Rehabilitation and water line replacement, and authorize the use of \$27,745 from the existing Utility Fund Capital Outlay line item. Dave McCorquodale seconded the motion.

Discussion: Dave McCorquodale commented about the curb and gutter pipe as it was related to the drainage area. Dave McCorquodale said that with the Buffalo Springs Bridge being so close, if it is in the same watershed, he could not see why they putting in more pipes instead of looking at cost saving methods that won't use pipes.

Rebecca Huss said that in the future they might have to revisit this issue and wish they had the \$120,000. Mayor Jones said that if development keeps going on there will be more funds available.

The motion carried with a vote of 3-Ayes and 1-Nay by Rebecca Huss.

8. Consideration and possible action regarding approval of an Alcohol Beverage Permit Application for Stoney's Liquor - Montgomery, located in Buffalo Springs Marketplace, 20212 Eva Street, Suite 240, Montgomery, on SH 105 at Lone Star Parkway, for a Package Store Permit, Beer Retail Dealer's Off-Premise License, Local Distributor's Permit and Package Store Tasting Permit.

Rebecca Huss moved to approve the Alcohol Beverage Permit Application for Stoney's Liquor – Montgomery. T.J. Wilkerson seconded the motion, the motion carried unanimously. (4-0)

9. Consideration and possible action regarding approval of an Alcohol Beverage Permit Application for The Kroger Company, located at 20168 Eva Street, Montgomery for a Wine and Beer Retailer's Off-Premise Permit.

Rebecca Huss moved to approve the Alcohol Beverage Permit Application for The Kroger Company. Dave McCorquodale seconded the motion, the motion carried unanimously. (4-0)

10. Consideration and possible action regarding adoption of the following Ordinance:  
AN ORDINANCE BY THE CITY OF MONTGOMERY, TEXAS, REGULATING LIQUEFIED PETROLEUM GAS WITHIN THE CITY'S JURISDICTION, ADOPTING THE TEXAS RAILROAD COMMISSION'S LP-GAS SAFETY RULES IN CONFORMITY WITH SECTION 113.054 OF THE NATURAL RESOURCES CODE; REPEALING ALL OTHER ORDINANCES OR PARTS THEREOF PURPORTING TO REGULATE LIQUEFIED PETROLEUM GAS WITHIN THE CITY'S JURISDICTION ONLY TO THE EXTENT THAT SUCH OTHER ORDINANCES OR PARTS THEREOF RELATE TO LIQUEFIED PETROLEUM GAS; AND PROVIDING A SAVINGS CLAUSE; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE UPON PASSAGE.

Rebecca Huss asked what the Fire Marshal was willing to do regarding this information. Mr. Foerster said that as he reads the information, Mr. Williams, County Fire Marshal, objects to the fact that the propane company does not recognize the additional rules of Chapter 38, which deals with the propane cylinders. Mr. Foerster advised that the legislature had passed laws a few years ago, that were examined by TML, and they had no objection to. The Texas Natural Resource Code was created by the Texas Railroad Commission, and any ordinance that was in conflict with it would be preempted, as the statute provided. The Attorney General concluded that the Railroad Commission rules would trump any local issues. The State also passed a statute that provides that an entity can ask the Railroad Commission for the rules to be stricter if they want.

Mr. Foerster said that he recommended complying with the rules of the Railroad Commission, specifically Chapter 38, Article 5, and asked City Council to adopt the Ordinance adopting the Railroad Commission rules. Mr. Foerster said that the ordinance on file probably came from the County Fire Marshal.

John Champagne asked if a Fire Marshal can adopt ordinances. Mr. Foerster said that they cannot adopt ordinances, but they can require more stringent rules. Dave McCorquodale said that businesses that sell or store propane cylinders or restaurants that have patio heaters.

Rebecca Huss said that it did not make sense to do other than what the Attorney General said to do.

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

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

A RESOLUTION OF THE CITY COUNCIL OF MONTGOMERY, TEXAS, IN SUPPORT OF A PROPOSAL BY ENTERGY TEXAS, INC. REGARDING THE APPLICATION OF ENTERGY TEXAS INC. TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY TO CONSTRUCT MONTGOMERY COUNTY POWER STATION IN MONTGOMERY COUNTY IN PUBLIC UTILITY COMMISSION OF TEXAS DOCKET NO. 46416

Mr. Foerster advised that this Resolution was going to all Entergy cities, and it was his recommendation to pass the Resolution.

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

12. Consideration and possible action regarding approval of a Sponsorship Letter to TxDOT regarding Houston Street.

Mr. Roznovsky advised that he had drafted a letter tying the project into the TxDOT project.

John Champagne moved to approve the Sponsorship Letter to TxDOT regarding Houston Street. Dave McCorquodale seconded the motion, the motion carried unanimously. (4-0)

13. Consideration and possible action regarding approval of a driveway and pavement of parking area variance request for the property located at 300 Prairie Street as submitted by Jeffrey Angelo, owner.

Mr. Yates presented the information to City Council, and advised that the Planning and Zoning Commission had unanimously recommended approval of the variance requests.

Mr. Angelo was present and said that the variance request would be in lieu of concrete and asphalt surface. Mr. Angelo said that the permeable paving system was made of recyclable plastic and the grass will grow through the sub-base of gravel. Mr. Angelo advised that L-Squared was the design group and it will help with the water shed. Mr. Angelo said that he will hydro seed with Bermuda grass. Mr. Angelo said that he has brought in antique vendors and he will be using the existing facias to keep the antique look.

Rebecca Huss asked about the longevity of the plastic material. Mr. Angelo advised that it had a 25 year warranty, with 25-60 years without needing maintenance. Mr. Roznovsky advised that the plastic will hold the top soil and the weight will go to the plastic and gravel base. John Champagne asked if this material was recommended for daily use. Mr. Angelo said that it was, and stated that they would have a cement pad for handicapped parking.

Dave McCorquodale asked if this material would be acceptable for fire trucks, and would they have to designate a fire lane. Mr. Yates advised that they would have to check with the Fire Marshal.

Mayor Jones asked about the relative cost of the product. Mr. Angelo said that it was about \$2.00 less per square foot than asphalt, which runs \$7.00 - \$7.50.

Rebecca Huss asked if City Council could be invited out to see the installation of the product, and mentioned that this would be a way to preserve trees in the City. Mr. Angelo said that he would be glad to invite the City Council out to see the installation. Rebecca Huss asked if Mr. Angelo had spoken to his neighbor about his plans. Mr. Angelo said that he did inform his neighbor.

Dave McCorquodale moved to approve the driveway and pavement of the parking area variance request, using the True Grid product, as presented. John Champagne seconded the motion.

Discussion: Dave McCorquodale asked that if something should change, and they do not use the True Grid materials as presented, then he would like to have this brought back for a presentation of the other materials. Mr. Angelo advised that he would be using True Grid.

The motion carried unanimously. (4-0)

Mayor Jones said that he was very excited about this project. Mr. Yates advised that he will mention this product to the miniature golf development. John Champagne said that they should mention it to the Cozy Grape. Mr. Shackelford said that he has also seen that product used with crushed granite instead of grass.

14. Consideration and possible action regarding adopting an Encroachment and Maintenance Agreement by and between the City of Montgomery and Town Creek Storage, LLC.

Dave McCorquodale asked about the maintenance of the berm. Mr. Shackelford said that the top of the bank to the property line was approximately 10 feet wide. Rebecca Huss asked to

confirm that the fence was not part of the encroachment. Mr. Shackelford said that was correct.

Rebecca Huss moved to approve the Encroachment and Maintenance Agreement. Dave McCorquodale seconded the motion.

Discussion: Dave McCorquodale said that he did not want to see grass move than 12 inches tall in this area.

The motion carried unanimously. (4-0)

15. Consideration and possible action regarding a Terms of Service Agreement regarding Cedar Crest Home Park for City Utility Service.

Mr. Yates advised that he was requesting guidance, as he had done several months ago regarding a permanent meter at each mobile home.

John Champagne moved to authorize the City Administrator and City Attorney to proceed based on Option No. 1. Dave McCorquodale seconded the motion.

Discussion: Rebecca Huss asked for a total of arrears for the property. Mr. Yates advised that there were 4-5 past due accounts for the property. Rebecca Huss asked how much had been written off for the property. Mr. Yates said that they could charge a renter's deposit rate.

Mrs. Marcy Bennett, Owner of Cedar Crest Home Park, advised that a higher portion of people that live there are owners and they only have a few renters. Mrs. Bennett stated that the composition of the park was changing to younger families with new homes, which is improving the appearance of the property. Mrs. Bennett said that Option No. 1 would continue life as it is and would be more manageable for them.

John Champagne asked about common dumpsters, and asked if the City had given them permission for dumpsters. Mrs. Bennett did not care for dumpsters. John Champagne advised



that he thought the dumpsters were an eyesore and messy and they would have trash strewn around the historic area.

The motion carried unanimously. (4-0)

**EXECUTIVE SESSION:**

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

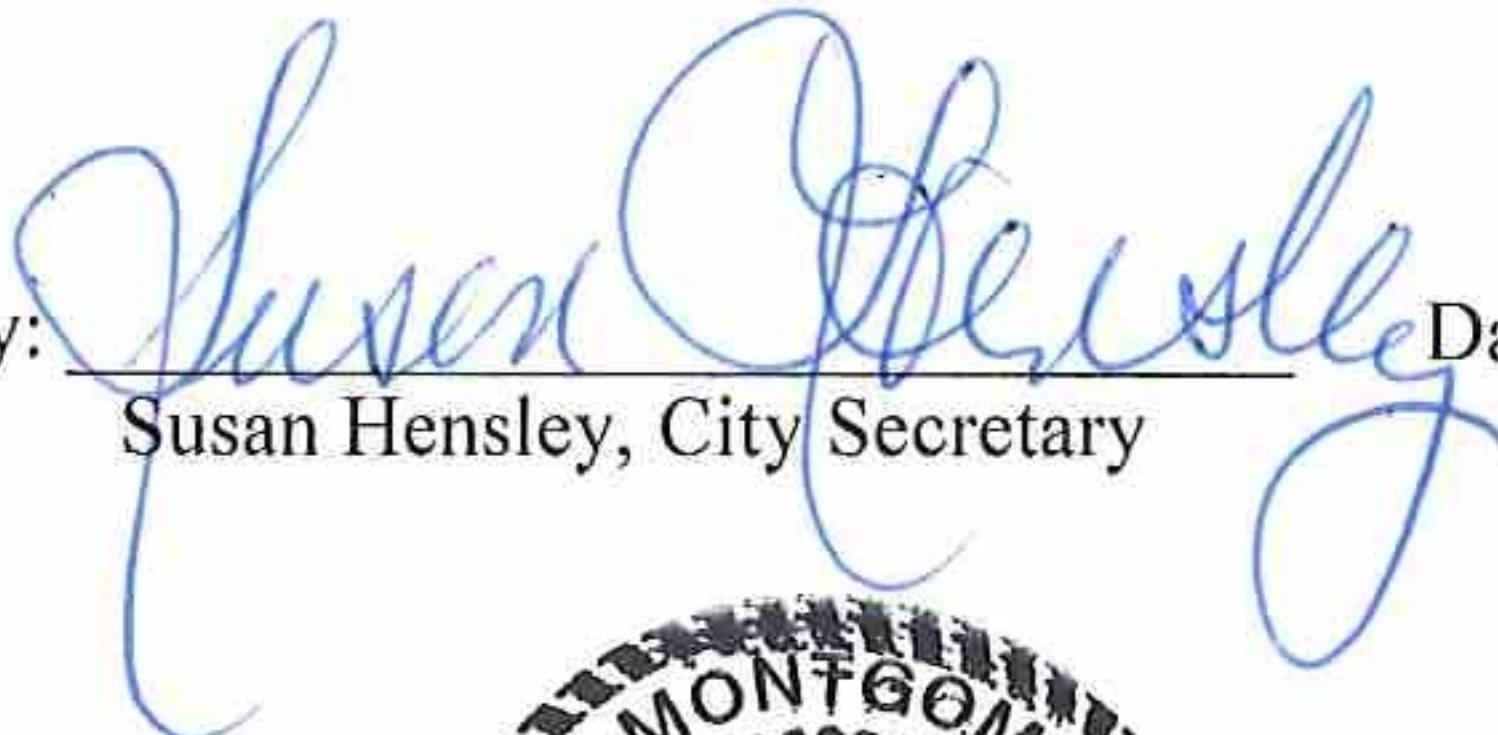
**COUNCIL INQUIRY:**

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.

There were no comments or inquiries made.

**ADJOURN**

Rebecca Huss moved to adjourn the meeting at 8:30 p.m. Dave McCorquodale seconded the motion, the motion carried unanimously. (4-0)

Submitted by:  Date Approved: 05/09/17  
Susan Hensley, City Secretary



  
Mayor Kirk Jones