

MINUTES OF REGULAR MEETING

November 9, 2021

MONTGOMERY CITY COUNCIL

CALL TO ORDER

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

Present:	Carol Langley	City Council Place # 1
	Kevin Lacy	City Council Place # 2
	T.J. Wilkerson	City Council Place # 3
	Julie Davis	City Council Place # 4
	Byron Sanford	City Council Place # 5

Absent:

Also Present:	Richard Tramm	City Administrator
	Dave McCorquodale	Assistant City Administrator
	Susan Hensley	City Secretary
	Alan Petrov	City Attorney

INVOCATION

T.J. Wilkerson gave the Invocation.

PLEDGE OF ALLEGIANCE TO FLAGS

VISITOR/CITIZENS FORUM:

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

Ms. Juanita- Simmons, 21910 Twin Creeks Road, Montgomery, Texas, said she read the new ordinance proposal regarding the food trucks and requested it is changed to allow for food trucks that have been approved by the County to stay for longer than 48 hours in a semi-permanent category.

Ms. Simmons said she also request, that Mayor Countryman recuse herself of any further influence and vote on the changing of this ordinance and this issue be tabled until a new Mayor is elected. Ms. Simmons said this is based on neighbors of the Mayor indicating there is a personal vendetta against the owner of the ice cream truck and a personal relationship between the Mayor and the owner of the sole competitor of the ice cream business. Ms. Simmons says there is also video evidence of how the Mayor is oppressing the opinions of City Council by intimidation, verbal abuse, and using radical social media, untruths, family members to beat down and harass City Council members, as well as the administrators so they are afraid to speak up for the citizens of this City. Ms. Simmons said they are being told they cannot have their opinions.

Ms. Simmons said a small business truck applies for a permit; he gets the permit. Ms. Simmons said it is approved, then unapproved, and then he gets a temporary permit when it becomes obvious the citizens of the City want the ice cream truck. Ms. Simmons said the City officials decide to change the ordinance so the ice cream truck has to leave town.

Ms. Simmons said the citizens want the ice cream truck but some members of City Council have gone on record saying they do not care what the citizens want. Ms. Simmons said we then have a big drama, a big government killing the American dream, power-hungry politicians that do not care what the citizens want. Ms. Simmons said there are neighbors against neighbors, misuse of power, the use of fear, intimidation, threats, harassment, and oppression to control others. Ms. Simmons said a personal vendetta, a politician hiding their criminal past, drama, and lies, all elements for a great movie.

Ms. Simmons said she saw the Mayor yell at and intimidate a City Council member for having an opinion. Ms. Simmons said the police had to get involved to stop the screaming that continued in the parking lot.

Ms. Simmons said every City official she has talked with recently have said they have been a victim or have seen this action done to others. Ms. Simmons said the coffee truck left last night and the ice cream truck is next. Ms. Simmons asked what is going to happen and what is the legal cost going to be

for this City. Ms. Simmons said if you run for any office in the City or this County be aware there are 109 County Precincts that you will need on your side.

Ms. Simmons said she is sorry she cannot continue to be here to see this meeting tonight but she has to attend that County Precinct meeting.

Ms. Susan Pecor, 199 Lake View Circle, Montgomery, Texas, said she would like to express her concerns about the local Kroger store on Eva Street, specifically the checkout process. Ms. Pecor said the process takes far too long and has been going on for an exceptionally long time. Ms. Pecor said she submitted some copies of a blog site Nextdoor that complains about the long lines and the non-responsiveness of management. Ms. Pecor said she has written the Kroger organization in Ohio and has not received any response.

Ms. Pecor said last Thursday she went to the store at 2:10 p.m. and there were two lines open that were going through the aisles. Ms. Pecor said there were people with full carts at the checkout line and that line was to the produce section. Ms. Pecor said she asked two separate employees twice if they could open up another register, along with the manager. Ms. Pecor said to purchase twelve items it took her an hour and 15 minutes.

Ms. Pecor said there were also some comments from parents that were shocked at the treatment their children had received in their first job at that Kroger.

Ms. Pecor said after her last experience she did call the corporate office in Ohio. Ms. Pecor said she was on the phone for 39 minutes. Ms. Pecor said twenty-four of those minutes she was waiting to speak with a supervisor. Ms. Pecor said when the supervisor finally answered he identified himself as "this is Tim." Ms. Pecor said she asked him for his last name and was told he cannot give her his last name. Ms. Pecor said she got his employee identification number. Ms. Pecor said she explained her reason for calling again and his response to her was "thank you for calling Kroger I will forward your comments to the district manager and we will see if there is anything that can be done." Ms. Pecor asked if she could get the contact information and she would do it herself and was told the public cannot contact the district manager.

Ms. Pecor said she is asking City Council to take a look at this because we as a community deserve better.

Mr. Efrain Lucas, Montgomery, Texas, said he cannot provide his personal address for safety and security reasons. Mr. Lucas said the food truck company in the downtown business area which he thought was in the City of Montgomery in the United States of America looks like it is in Cuba that was run by Castro. Mr. Lucas said many people come here for the freedom and opportunities within this Country.

Mr. Tom Cronin, Montgomery, Texas, said on the advice of City Council he cannot provide his personal address for safety and security reasons. Mr. Cronin said until recently he had the honor of serving on City Council with really good, elected individuals such as John Champagne, T.J. Wilkerson, Kevin Lacy, and Julie Davis. Mr. Cronin said he thinks these people get it and they realize they are elected by citizens to represent citizens and taxpayers and to vote for what the local citizens and taxpayers want such as public safety, well-maintained streets and sidewalks, and honest representation.

Mr. Cronin said on the agenda tonight is item #3 regarding the ice cream trailer. Mr. Cronin said they want the ice cream trailer and they do not want new building or restroom requirements. Mr. Cronin said as it stands it benefits many of the downtown businesses and brings additional people and revenue to the Historic District. Mr. Cronin said unfortunately you all know what will happen if you defy the Mayor's directives. Mr. Cronin said she will chastise you as evidenced by what happened at the last two meetings when Kevin Lacy and Julie Davis both voiced their support for the ice cream trailer. Mr. Cronin said Julie Davis was confronted in the parking lot by a confrontational Mayor.

Mr. Cronin asked Carol Langley and Byron Sanford to vote for what the people wanted and not be intimidated.

Mrs. Brandi Chrisenberry, 18913 Bethel Road, Richards, Texas, said not that many months ago this room was filled with citizens showing up to support two local families offering food on wheels. Mrs. Chrisenberry said those citizens were not worried about bureaucratic red tape, ordinances, regulations, restrictions, Planning and Zoning, or MEDC because other cities have been smart enough to figure that part out. Mrs. Chrisenberry said it is not of any concern to them that Montgomery has been labeled historic because chuckwagons were on wheels.

Mrs. Chrisenberry said they do not care about the massive amounts of finger blaming, blame games, name-calling, and personal attacks that are going on. Mrs. Chrisenberry said they just want coffee, ice cream, capitalism, free enterprise, the American dream.

Mrs. Chrisenberry said last month Kevin Lacy held up a stack of printed emails two inches thick in support of Next Door's 300 comments pleading with you to support these businesses. Mrs. Chrisenberry said Ms. Juanita Simmons suggested the solution of a semi-permanent trailer category, an easy solution for the existing businesses and future food trailers.

Mrs. Chrisenberry said the press release the Mayor sent out in the past claiming she had produced a solution for the coffee truck to move to Jim's Hardware was not only disappointing but disingenuous and 100 percent deceptive. Mrs. Chrisenberry said she wished the public had been made aware there is not any infrastructure at that location. Mrs. Chrisenberry said the Mayor's press release was not a solution for them.

Mrs. Chrisenberry said after the Workshop, Mayor Countryman walked over to her and the coffee shop owner and excitedly told them how thrilled she was with the Workshop and was confident City Council would be able to work something out to allow these businesses to continue operating and yet here we are.

Mrs. Chrisenberry said Mayor Countryman also mentioned how frustrated she was with Dave McCorquodale for not falling on the sword and throwing her own City employee under the bus.

Mrs. Chrisenberry said it is on record where Mayor Countryman has called citizens liars and has told City Council members their opinions do not matter. Mrs. Chrisenberry said Mayor Countryman has led this town in building community division, supporting big, not small businesses, creating drama, bullying, name-calling, and general ugliness. Mrs. Chrisenberry said the Mayor serves the best interest of herself, best friends, and her political future. Mrs. Chrisenberry said Mayor Countryman had thoughts of bringing the City together but tore us apart all while smiling at our faces.

Mrs. Chrisenberry said our City and the citizens refuse to be tools to further your agenda. Mrs. Chrisenberry said if you care about your citizens, prove it. Mrs. Chrisenberry said like she told Mayor Countryman she will be here waiting, happy to give credit where it is due.

Mrs. Jenny Stewart, 205 Kings Lane, Montgomery, Texas, said she is here to correct the record which is on record of wrongful statements and accusations made by Mayor Countryman about the last City Council meeting.

Mrs. Stewart read excerpts from their neighborhood text group of nineteen people. Mrs. Stewart read "We have had two water snakes come up from the toilets. Kyle called the City. I hope this will stop this grotesque experience. Well, they said it was from a sewer break somewhere and sent smoke through the lines to find the break which I think they did. The first snake was found in the hallway by their powder room. My cat was batting it around and it went back into the powder room. At the time I had no idea how it got in the house. The second one was in the toilet bowl and its head was at the surface of the water and it was flicking its forked tongue. I could not believe my eyes and I did not think to take a picture. I am terrified of those creatures. That is when we realized where the first one had come from. We had plumbers come out and install some sort of flapper on the sewer line so that the water runs out toward the road and then the flapper closes so nothing can come back through the pipe. So far it seems to be working but I always check." Mrs. Stewart said there were two other previous incidents at that house with snakes and another one at another house on that road.

Mrs. Stewart said it is beyond pale that a Mayor would publicly call a private citizen a liar in a public recorded City Council meeting.

Mrs. Stewart said she has had to file two TCEQ complaints in the last four years under her leadership. Mrs. Stewart said sending four years of pictures, calling everyone they could think of, and the City, appearing before City Council on several occasions, her husband included, and complaining about the disgusting raw sewage that was coming out over that period was not enough to fix or take action on it. Mrs. Stewart said the State had to come in and cause the City to take action. Mrs. Stewart said a competent Mayor would have handled this immediately.

Mrs. Stewart said stop this vindictive governing by calling her a liar, bullying all these other people, and attacking Mr. Clevenger and his wonderful ice cream truck. Mrs. Stewart said please, all of you, focus on important issues in the City that are being neglected.

Mr. Bill Clevenger, City Resident, Montgomery, Texas, said what is going on and has been for the last five months is nothing short of political and personal revenge by Mayor Countryman and her friends.

Mr. Clevenger said he will share some truth behind those words. Mr. Clevenger said he was provided the all-clear by the City until Mayor Countryman and her friends wanted to run us out of town like they did the owners of Funky Monkey snow cone stand. Mr. Clevenger said shame on Mr. Tramm and Mr. McCorquodale as they stand here meeting after meeting spewing nothing but grade A crap to City Council and the residents of the City because you think you are protecting your jobs. Mr. Clevenger said truthfully you are both weak. Mr. Clevenger said Mr. McCorquodale provides his opinion that the 48-hour rule is etched in stone with the Montgomery County Health Department. Mr. Clevenger said when Texas Twist & Shakes opened its doors on August 6, 2021, there were 96+ days they had been serving ice cream at 404 Caroline Street and within those 96 days were visited by the Montgomery County Health Department several times and inspected thoroughly. Mr. Clevenger asked why did they come out so many times. Mr. Clevenger said because of Mayor Countryman and her friends. Mr. Clevenger said there were no violations or warnings from the Montgomery County Health Department and he has copies of water tests, samples taken each month, and records kept, receipts and wastewater being collected by a registered and licensed septic service by the State and Montgomery County. Mr. Clevenger said both Mr. Tramm and Mr. McCorquodale know this to be true and yet they continue to provide false information to City Council.

Mr. Clevenger said Texas Twist & Shakes and himself have not cut any corners and have done everything legally by the book. Mr. Clevenger said he has spoken with other city leaders and in this situation with all of their approvals they received from the City of Montgomery, Texas, Texas Twist & Shakes would be grandfathered into anything you are trying to pass from this point forward. Mr. Clevenger said anything other than that is political and personal revenge by Mayor Countryman.

Mayor Countryman said for the record she wanted to make sure City Council received the invitation from the Historical Society to the annual Thanksgiving luncheon. Mayor Countryman said the invitations would be in their inbox and if not she has details to get ahold of Mr. Tramm to RSVP.

Byron Sanford moved to take items #1 and #2 of the Consent Agenda individually. Kevin Lacy seconded the motion.

CONSENT AGENDA:

1. Matters related to the approval of minutes of the October 26, 2021 Regular Meeting.

Julie Davis moved to approve item #1 as presented. Kevin Lacy seconded the motion, the motion carried unanimously. (5-0)

2. Consideration and possible action authorizing the City Administrator to execute a Master Intergovernmental Cooperative Purchasing Agreement with Omnia Partners.

Julie Davis said she was curious why the City did not have a contract as it looks like it was lost or has been in dinosaur age for a while. Julie Davis asked if anything is changing from the way it has been to the way it is now. Mr. Tramm said nothing on this is changing from the way it had been. Mr. Tramm said they could not find a copy of an executed agreement. Mr. Tramm said the reason it was being looked at was that Public Works was looking into bringing to City Council purchases related to items that were in the budget and were going to go through this process. Mr. Tramm said neither side had a copy of an executed agreement. Mr. Tramm said that is why this is presented to City Council today so we can move forward with the Intergovernmental Cooperative Purchasing Agreement with Omnia Partners. Mr. Tramm said being a cooperative as an entity they go through and obtain pricing from multiple suppliers of certain products and that is so they do not have to bid each item because if we buy from them it is already pre-bid.

Carol Langley asked if it was another name at one time. Mr. Tramm said not that he is aware.

Kevin Lacy asked how many years have we been dealing with this. Mr. Tramm said to his understanding it has been before he has worked here and he has been with the City two and a half years, so before that, although he does not know how far back it goes.

Kevin Lacy moved to accept the contract as presented. Byron Sanford seconded the motion, the motion carried unanimously. (5-0)

CONSIDERATION AND POSSIBLE ACTION:

3. 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. 1996-3, DATED JUNE 4, 1996, BY AMENDING CHAPTER 64, "PEDDLERS, SOLICITORS AND VENDORS" OF THE CITY CODE OF ORDINANCES; PROVIDING FOR A PENALTY FOR A VIOLATION OF THIS ORDINANCE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN

CONFLICT THEREWITH; PROVIDING A SAVING AND SEVERABILITY CLAUSES;
PROVIDING A TEXAS OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE
DATE AFTER PUBLICATION.

Mr. McCorquodale said attached are the most recent changes and steps in regulating food trucks in the City. Mr. McCorquodale said he understands the feelings and emotions. Mr. McCorquodale said his thought process is the County has written and verbal regulations.

Bryon Sanford moved to adopt the ordinance as presented. Carol Langley seconded the motion.

Discussion: Kevin Lacy said two City Council meetings ago, he was pounded on for about 20 minutes almost begging him to go with six days without having to move the truck. Kevin Lacy said he finally agreed to six days. Kevin Lacy said at the last City Council meeting it was brought back as two days. Kevin Lacy said when he asked about it he was told in the meantime between that City Council meeting and the other City Council meeting, Mr. McCorquodale was approached by some members on City Council; it was not Julie Davis, T.J. Wilkerson, or himself that said let us go with two days, like the County. Kevin Lacy asked Mr. McCorquodale in between those last two City Council meetings who talked with you about changing to two days. Kevin Lacy asked if it was Mayor Countryman. Mayor Countryman said they were at the last City Council meeting and Kevin Lacy was not there and the discussion was between all of them. Kevin Lacy said he watched it on television and saw the whole meeting.

Mr. McCorquodale said there is a motion on the floor and they need to dispense with that first. Kevin Lacy said he is saying no.

Mayor Countryman asked if either one of these entities has paid taxes and have we seen them on our tax roll. Mr. Tramm said the last tax roll he has is from October and has not seen Texas Twist & Shakes or a variation of that or Wilderlove Coffee.

Julie Davis asked if sales tax rolls were 90 days delayed. Mr. Tramm said 60 days. Julie Davis said according to TML from the training they just received it was 90 days. Julie Davis said in October you would be collecting for June or July.

Mr. Tramm said his understanding is if you are referring to business in June, it is recorded at the end of July so it would show up in September. Mr. Tramm said his report included September and October. Mr. Tramm said he has searched the document for the word "twist" and "shake" and Wilderlove Coffee and they do not appear.

Kevin Lacy asked why Julie Davis' question was answered and not his. Kevin Lacy asked was Mr. McCorquodale approached by anyone sitting at this table in between those two City Council meetings to discuss changing from six days to two days. Mr. McCorquodale said he got feedback from Byron Sanford and Mayor Countryman.

Kevin Lacy said the only two people up here, after everyone agreed to six days, approached Mr. McCorquodale and probably insisted he change it to two days. Kevin Lacy said his point is if you do not think things are going on in the background with people being pressured and bullied you are nuts. Kevin Lacy said these two approached Mr. McCorquodale behind everyone's backs and said you need to do two days or we will make sure you fall on the sword. Kevin Lacy said maybe that did not happen but they did approach Mr. McCorquodale.

Mr. McCorquodale said there was not a consensus for six days from City Council. Mr. McCorquodale said there were several mentioned as two, four, and six days.

Kevin Lacy said the point is that Byron Sanford and Mayor Countryman contacted Mr. McCorquodale to change it to 48 hours. Kevin Lacy said he asked Mr. Petrov, City Attorney if City Council could do whatever they wanted and he said they could. Kevin Lacy said this item needs to be tabled until they have a different Mayor that does not have a political vendetta against a small business in downtown Montgomery.

Mayor Countryman said as she has said before she does not have a vendetta and would love to see the video of her harassing someone. Mayor Countryman said she has seen the video that was asked for and there was no harassment. Mayor Countryman said a City Council member

came toward her rolling up their sleeves and if there is a different video she would like to make a records request.

Byron Sanford said 100 percent of Kevin Lacy's assertions are false. Byron Sanford said all he said was two days and would be willing to go with three and it never got past three. Byron Sanford said his rationale for that was what if they had festivals. Byron Sanford said it came up there are provisions made for festivals. Byron Sanford said bullying and some of the things they are about to put in place as far as protocol will help us proceed with meetings calmly and rationally. Byron Sanford said Kevin Lacy keeps bringing up these types of things and you do not know me if you think I can be bullied and I will not be bullied by anyone. Byron Sanford said he has been on record since the end of August, it is in writing, and he was the only City Council member to put it in writing. Byron Sanford said at no time was he ever convinced that this was a good idea. Byron Sanford said look at the Grand Plan which further enforces the element of safety. Byron Sanford said one gentleman talked about safety. Byron Sanford said let us talk about safety as he was in that parking lot. Byron Sanford said he is also on record as saying he wishes he would have been able to go back and say what is everyone thinking to let go of precious parking space to begin with. Byron Sanford said we can discuss all this forever, but for him, Mr. McCorquodale asked and he went to him after he said two to three days. Byron Sanford said Mayor Countryman did not ask him to do that or asked him to do anything. Byron Sanford said he does what he does because he can think for himself. Byron Sanford said so all your assertions are wrong and when wrong assertions are baseless like that you get into a tizzy and that is what this is. Byron Sanford said and more representation, all these so-called voters in here, did you canvass the ones that are actual voters. Byron Sanford said no you did not. Byron Sanford said he wants to see a record of that. Byron Sanford said, either way, he thinks for himself and he will do what is in the best interest of the City. Kevin Lacy said prove it. Byron Sanford said he is doing it now; he made the motion.

Mayor Countryman said she has said it before we are here for the entire City and not just one business owner. Mayor Countryman said at the end of the day, a good business decision, a bad business decision, buying a parking lot, buying something to put a building on, all different things that they do not control what is purchased. Mayor Countryman said what they do is set ordinances and policies. Mayor Countryman said what they are trying to do is set ordinance and policy on moving forward with this new way of providing food in restaurants since their

ordinance had not been updated since 1996. Mayor Countryman said she is in it for all the citizens and all the businesses from boundary to boundary. Mayor Countryman said she is not here representing just one person and one entity. Mayor Countryman said she challenges you to find anyone that calls her a bully. Mayor Countryman said she is not a bully and just wants it done right and if six people think she is a bully then so be it. Mayor Countryman said outside of that she has a much better reputation and appreciates that.

Mayor Countryman said there is a motion on the table that has been first and seconded and asked if there was any other discussion.

T.J. Wilkerson asked Mr. McCorquodale if there was anything regarding private property in the ordinance. Mr. McCorquodale said you do have to have permission from a private property owner to operate if you are a mobile vendor.

T.J. Wilkerson asked if he owned property and wants to put a trailer on it would he have to get permission for himself. Mr. McCorquodale said no. Mr. McCorquodale said if you want to open a mobile food truck on your property and it is commercial you would need a mobile food vendor kept at your restaurant that comes out at certain times every day and then goes back into the garage or a designated storage area. Mr. McCorquodale said, however, if you want the mobile food truck to be on the property all the time there are needs such as parking, drainage, grease traps, and sitting areas for customers needed and you would need to develop a business plan.

T.J. Wilkerson asked if the County has someone go out and inspect every 48 hours to make sure the mobile food truck has moved. Mr. McCorquodale said they do check some and Mr. Clevenger has had them come out to his business. Mr. McCorquodale said he does not think they are staffed to the point where they can say they have all the resources. T.J. Wilkerson said he went through Willis and FM 1485 going toward Splendora and Frazier Street and none of the vendors moved. Mr. McCorquodale said right now their rules are required to follow the County's rules.

T.J. Wilkerson said he found it written for a permit for Conroe is for one year. Mayor Countryman said the County's current one was just adopted on May 27, 2021, for four or six

hours. Mr. McCorquodale said that is the term of the permit and not how long they are in one place.

T.J. Wilkerson said he could not find anything in the County and even the City of Conroe does not want the mobile food trucks in the historical district. T.J. Wilkerson said he did not find any information where they inspect them and make them move after two days.

Mr. McCorquodale said the City of Conroe has six hours and they have to move.

Byron Sanford asked Mr. McCorquodale if they are responsible for a portion of County rules outside the City. Mr. McCorquodale said if the County is enforcing them, or is there some verbal exception that we are not a party to.

Byron Sanford said they need something enforceable and the code enforcer will have that responsibility. Byron Sanford said they talked about it at the retreat that if they are going to have this are they willing to support it. Byron Sanford said everyone said yes.

T.J. Wilkerson asked with the Comprehensive Plan, does the trailer tie into the downtown area, ribbons, tables, and flags. Mr. McCorquodale said all businesses have a place to go. Mr. McCorquodale said it is a matter of using something that was very clearly never meant to be a permanent business solution because they only give it to the mobile food vendor six months at a time. Mr. McCorquodale said using that as a tool to open a fixed location forever. Mr. McCorquodale said this has been his town for 16 years and it does matter a lot to him. Mr. McCorquodale said they will do what City Council wants them to do. Mr. McCorquodale said if City Council wants them to enforce regulations on food trucks they will. Mr. McCorquodale said if you do not, whether you agree personally or not they will do exactly what you want as long as it is within the boundaries of the law. Mr. McCorquodale said his recommendation would be if you do not have any interest in enforcing food trucks or you are interested in six days or something like that let us not change the ordinance now. Mr. McCorquodale said let us not do something that gives people points of confusion between the City's rules and the County's rules. Mr. McCorquodale said if we are going to adopt the rules he strongly encourages them to keep them consistent with the County to provide clarity and at least make them logically the same.

Kevin Lacy said to clarify what T.J. Wilkerson was talking about, have the food truck design go along with the new Comprehensive Plan.

Kevin Lacy said he understands how it is easy to copy the County and be done with it, but what he is here for is to do what the voters want and they said no and are very upset the Wilderlove Coffee mobile food truck left. Kevin Lacy said the voters want those two mobile food trucks to be left alone downtown, fix drainage and snakes, and everything else the voters want.

Byron Sanford said he strongly recommends they adopt the ordinance as presented. Byron Sanford said they have a motion and a second.

Kevin Lacy said, for the record, he was cut off twice by the Mayor and Byron Sanford when he had the floor. Kevin Lacy said all the City Council members have a duty to the voters to do what the voters want to do and everyone counts.

Mayor Countryman said everyone has an equal say. Mayor Countryman said businesses need to follow ordinances and if you are going to be permanent then you must be platted like a regular restaurant.

The motion failed with the following votes:

Carol Langley – Aye

Kevin Lacy – Nay

Byron Sanford – Aye

T.J. Wilkerson – Nay

Julie Davis – Nay

4. Consideration and possible action to adopt the Downtown Design Master Plan.

Mr. Tramm said the development for this planning has been ongoing for some time. Mr. Tramm said the presentation this evening by White Oak Studios is a result of the MEDC's approval in November 2020. Mr. Tramm said in the previous year's budget City Council authorized this as an MEDC expenditure. Mr. Tramm said the final Downtown Design Master

Plan was approved by the MEDC Board of Directors at the MEDC Special Meeting of November 1, 2021. Mr. Tramm said City Council is being asked to review and adopt the Downtown Design Master Plan. Mr. Tramm said City Council's adoption of the Plan will allow staff greater ability to pursue grant opportunities for expenses related to the elements within the Plan.

Mr. Jim Patterson, Landscape Architect with White Oak Studios said they have been working with the Gunda Corporation. Mr. Patterson said they have a three-part vision that focuses on the businesses downtown and the visitors who need to support those businesses with a three-prong approach of improving the arrival and parking experience, providing public streetscape improvements, and creating a safe enjoyable pedestrian environment.

Mr. Patterson said first is SH 105 with the objective to increase visibility and awareness of Downtown from SH 105, improve pedestrian and driver safety, and make it more beautiful. Mr. Patterson said at Prairie Street they would create a standard-width intersection, beautify the area, make it safer for pedestrians, and provide stacking space for vehicles.

Mr. Patterson said TxDOT will be looking at an Access Management Plan along SH 105 that may include medians and turn lanes. Mr. Patterson said street trees, decorative light poles with banners, and large Texas flags are their recommendations for that area.

Mr. Patterson said McCown Street now comes through to SH 105. Mr. Patterson said TxDOT is interested in limiting intersections as they are close to the intersection of FM 149. Mr. Patterson said this allows the traffic on McCown Street to access the businesses but shuts off access to SH 105. Mr. Patterson said there would be sidewalks and plantings to make it safer and more attractive and also improvements would be made along John A. Butler Street to include parking and landscaping. Mr. Patterson said the driveways to the businesses would be maintained but McCown would be blocked off.

Mr. Patterson said the intersection at Liberty Street would be upgraded and provide for safety and high visibility of Downtown

Mr. Patterson said the Virginia Adams lot at the northeast corner of the FM 149/SH 105 intersection is a very important location with high visibility from lots of traffic. Mr. Patterson said they have suggested two possible approaches for the City to be designed in detail. Mr. Patterson said both of them provide highly visible fun photo-opt images to make downtown Montgomery visible and promote it to visitors. Mr. Patterson said the south Downtown gateway would be arranged with large letters, Texas flags, and backed by a small park Mr. Patterson said an alternate approach might be to move two historic buildings to the property and to have pedestrian and retail hospitality space between those buildings.

Mr. Patterson said at the north end of FM 149, the heart of Historic Downtown, there is also a TxDOT right-of-way 50-feet which is fairly narrow compared to SH 105. Mr. Patterson said this is another opportunity to coordinate with TxDOT when they are going to do upgrades to the street.

Mr. Patterson said the north Downtown gateway beginning at Berkley they would propose an entrance into Downtown that would be welcoming and beautify the entrance, but it would also improve safety by slowing vehicular traffic down as it comes in from the north and would have a roundabout at the intersection with Clepper Street which they were pleasantly surprised to hear great support from TxDOT in terms of safety, vehicular accidents, and pedestrian safety. Mr. Patterson said there would be an opportunity for signs and monumentation to signify to the visitors they are entering Historic Downtown Montgomery.

Mr. Patterson said within the core area of the roundabout south to SH 105 it is the heart of Downtown and they would provide for a safe, walkable, connected shopping district that would emphasize pedestrians spaces and outdoor dining, seating, decorative lighting and banners, and street furniture to provide an attractive pedestrian-oriented environment. Mr. Patterson said all of this to not only facilitate a better environment for businesses to thrive but also to attract customers to those businesses.

Mr. Patterson said one thing that is unique about Montgomery is the history of using both the public right-of-way and adjacent private property for those businesses. Mr. Patterson said the public sidewalk is both on the highway right-of-way and businesses would use the space

behind the right-of-way on private property or amenities that would also cater to pedestrians and visitors.

Mr. Patterson said they looked at several options for parking along Liberty Street and working with TxDOT and representatives of the City's administration concluded it was preferable to focus on off-street parking that is accessed from side streets and not have people pull directly from Liberty Street into parking. Mr. Patterson said there are around 25 parking spaces along Liberty Street in that area. Mr. Patterson said when they looked at what would be required to provide parallel or head-in parking to accomplish that, it took up most of the available space where the urban sidewalk amenities would go. Mr. Patterson said this illustrates a shared approach to Downtown parking and the green spaces where the City would work with the private businesses to provide a shared parking approach.

Mayor Countryman said those are already parking spots and asked if more would be created. Mr. Patterson said they are existing parking spots, some private and some public. Mr. Patterson said they are encouraging a parking plan that would be a cooperative approach to that.

Mr. Patterson said events are very important to the City and just like any business it is not a good idea to design everyday parking spaces for peak capacity. Mr. Patterson said they have identified a couple of locations. Mr. Patterson said one is over at the shopping center south of SH 105 and one at Jim's Hardware that they hope the City could work with those organizations to provide event parking space and then have shuttles or other ways to bring people into downtown.

Mr. Patterson said another important thing is to use pedestrian throughways. Mr. Patterson said there are gaps between buildings that can provide connections for people to walk from Liberty Street to the streets that are parallel like McCown and Pond Street.

Mr. Patterson said they also provided for several 15-minute parking spaces so they are not cutting off parking entirely along Liberty Street.

Mr. Patterson said in the event the City has such great success that it needs more parking, in the future, you might consider other solutions.

Mr. Patterson said one of the exciting projects along McCown between College and Caroline Street is to close a portion of McCown and become a pedestrian space that would still have access for emergency vehicles and deliveries, but would allow cars to circulate to park and maintain the same amount of parking that is along McCown Street now.

Mr. Patterson said adjacent to that is Jacob's lot. Mr. Patterson said they would suggest realigning the parking from College Street and improving the area in front of the pavilion to look at possible improvements or replacement of the pavilion in the future, to provide a festival walk and other amenities that would be used on a day-to-day basis and also during festivals. Mr. Patterson said this is across the street from the Community Center and would provide a great anchor in Historic Downtown for festivals.

Mr. Patterson said Clepper Street is the north boundary of Historic Downtown which extends out of Downtown going toward the east. Mr. Patterson said when the City is ready to upgrade Clepper Street they would enclose the roadside ditches and build storm drainage pipes and build a 28-foot wide curb and gutter road, it would then give you the room to have a wide, almost bike trail on the north side that would accommodate both pedestrians and golf carts. Mr. Patterson said on the south side of the road there would be a five-foot sidewalk with pedestrians and on both sides, you could separate the sidewalks from the street with grass and trees. Mr. Patterson said this might be both in the Downtown area and the sidewalk project could extend eastward as the City decides to develop that street.

Mr. Patterson said Prairie Street is the east boundary of Historic Downtown. Mr. Patterson said it is a very quiet street and they do not see a need for any changes on Prairie Street for the foreseeable future but if in the future Downtown develops adequately where traffic is increased, it could be developed into what is called a traditional neighborhood approach where there are sidewalks, street trees, and low fences along the properties to have a very appropriate, small-town Texas feel.

Mr. Patterson said there are already lights, signs, and benches that have begun to be used as the City's standards. Mr. Patterson said they will select furnishings that are compatible with those to be used throughout Downtown.

Ms. Lori Sanguedolce with Gunda Corporation said regarding utilities in zoning and land use, part of their recommendation is to review the existing overlay districts and the zoning districts in the downtown area and make sure there is a good consistency for the development types the City wants and improvements that it needs.

Ms. Lori Sanguedolce said infrastructure utilities and drainage are important things to look at for a Master Plan for the downtown area so you can make sure you are accommodating for any improvements predevelopment.

Ms. Lori Sanguedolce said you also need to look at the roads and develop typical road sections for the downtown area to make sure there is consistency and always include utilities and drainage as part of the projects. Ms. Lori Sanguedolce said the City does have wayfinding and signage and it is always good to improve on that.

Ms. Lori Sanguedolce said MEDC discussed a collaborative effort with private businesses, non-profit organizations, and governmental entities. Ms. Lori Sanguedolce said they also discussed financial tool/funding mechanisms both for MEDC to fund projects and encourage development and redevelopment not just for downtown, but throughout the City.

Ms. Lori Sanguedolce said the Capital Improvement Plan has three cycles with short-term, long-term, and medium-term projects. Ms. Lori Sanguedolce said the short-term projects are one to three years. Ms. Lori Sanguedolce said the Downtown Master Drainage Plan is \$50,000 which includes developing public and private partnership parking agreements along with staff time and consulting fees as needed. Ms. Lori Sanguedolce said the Downtown Utility Master Plan is \$50,000 and is City-funded not MEDC. Ms. Lori Sanguedolce said McCown Street reconstruction with streetscape is \$1,000,000, and Jacob's lot improvements are \$450,000.

Ms. Lori Sanguedolce said the medium-term projects are three to five years. Ms. Lori Sanguedolce said the Adams Lot Monument and Park are \$500,000, John A. Butler and Prairie intersection reconstruction is \$550,000. Ms. Lori Sanguedolce said the Community Building Property Master Plan is \$50,000, and the Master Plan Implementation is \$350,000, not including the building. Ms. Lori Sanguedolce said Maiden Lane reconstruction with streetscape is \$630,000, Prairie Street reconstruction with streetscape is \$680,000, parking

analysis and recommendations are \$25,000, Wayfinding and Signage Study is \$50,000, Clepper Street reconstruction is \$400,000, and Pond Street improvements is \$700,000.

Ms. Lori Sanguedolce said the long-term projects are five to ten years. Ms. Lori Sanguedolce said the FM 149 reconstruction with the streetscape, not including right-of-way acquisition is \$2,500,000, FM 149 and Liberty Street roundabout, not including right-of-way acquisition is \$1,250,000, and SH 105 improvements and streetscapes are \$2,000,000.

Ms. Lori Sanguedolce said MEDC can fund City construction for private property improvements. Ms. Lori Sanguedolce said private property improvements include McCown Street ramps, decks, etc. are \$500,000, the parking lot at the northeast corner of McCown and Caroline Street is \$150,000, and FM 149 reconstruction with streetscapes is \$370,000.

Ms. Lori Sanguedolce said TxDOT is potentially considering doing a call for projects and it is always good that you have a plan to present to them that shows the City is taking steps to move forward. Ms. Lori Sanguedolce said TxDOT did say that FM 149 with a roundabout would be a great contender for those types of projects.

Mayor Countryman asked if this is something the City can go to HGAC to obtain funding from as well. Ms. Lori Sanguedolce said it goes out through HGAC but it is through TxDOT.

Byron Sanford moved to accept the Downtown Design Master Plan as presented. Kevin Lacy seconded the motion.

Discussion – T.J. Wilkerson asked if the flag on the side in the middle of FM 149 and SH 105 will be metal. Mr. Patterson said they wanted to give some ideas of the scale. Mr. Patterson said City staff would work with a specific design when it is time to do it, but what that idea shows is a metal sculpture made of pieces of metal cut to look like the Texas flag. Mr. Patterson said it might be 15 to 18 feet tall.

T.J. Wilkerson asked if there are any designs on the east side and if there were any on the west side of the City. Mr. Patterson said yes it is the same on the west side of Liberty Street as it is on the east side. T.J. Wilkerson said when they get to that point at the intersection it would be

up to City Council if they want to rename it from Buffalo Springs past City Hall to Flagship Boulevard or something like that. Mr. Patterson said yes.

T.J. Wilkerson asked if there were splash pads and horseshoes included at the Community Center. Mr. Patterson said they did incorporate a splash pad and play area and it would be a place where the whole family would enjoy being.

Mr. Tramm said this is a conceptual plan, which MEDC has adopted and does not go into all the details. Mr. Tramm said when these projects begin they will be given a specific design. Mr. Tramm said City Council's approval to adopt this does not approve any of the work to move forward as all that work has to be individually approved and budgeted.

Mr. Patterson said this is a vision and a Master Plan, and in their experience visions change over time and this is just setting a picture. Mr. Tramm said it is a starting point.

Julie Davis asked if the Virginia Adams lot for \$500,000 includes the purchase of the land or does it just include the monument. Ms. Lori Sanguedolce said nothing includes the purchasing of property. Julie Davis asked if they close McCown Street and add this to the park area, is this also something the City needs to look at purchasing, and how does that work when there is a City maintained road. Ms. Lori Sanguedolce said if the City is still using it for public purposes it is up to City Council's discretion on the use.

Byron Sanford said curbs may have to be moved on McCown Street from that area coming out of the Community Center to allow for turning larger vehicles.

Julie Davis said in the presentation it was mentioned an average cost of \$1,000,000 a City block to bury electric lines. Julie Davis asked what would be the cost to bury all the drainage and what is the average expense to bury a City block of drainage and add a sidewalk or extra parking spots. Ms. Lori Sanguedolce drainage is not like electric and there is not a good average cost to give. Ms. Lori Sanguedolce said if Clepper Street is at the top of the hill it does not have much drainage, but if you get to the bottom of the hill and need a 36-inch pipe you have not accounted for those differences and it throws it off, so there is not an average unless you are doing it to the whole subdivision design.

Byron Sanford asked if given the fact they are going to start the process on sidewalk construction and given the Master Plan recommends ADA considerations along the way, can they just consider that on every sidewalk they do and why would they not do that. Ms. Lori Sanguedolce said it is required by law with any public project for access to be ADA compliant.

Julie Davis asked if there was an ADA compliance you could do for the City and what was that called. Mr. Tramm said it is the ADA Compliance Survey that is something they are keeping on their radar.

T.J. Wilkerson asked if the culture of the City will be incorporated into this plan. Mr. Patterson said when they have done work in other cities they find it very important to communicate the history and culture and there would be ways throughout the City to see and learn about the culture.

The motion carried unanimously. (5-0)

5. Consideration and possible action to adopt City Council Procedures and Decorum Policy.

Mr. Tramm said this item was first heard on September 28, 2021, and October 12, 2021, at City Council meetings. Mr. Tramm said after discussion and input from City Council, the City Attorney has provided an updated draft which is included for review. Mr. Tramm said this policy draft is intended to be a general set of procedures and may be adopted, amended, or expanded by City Council as it finds necessary.

Mayor Countryman said if City Council adopts them we certainly need to adhere to them.

Kevin Lacy moved to adopt the City Council Procedures and Decorum Policy as presented. Byron Sanford seconded the motion, the motion carried unanimously. (5-0)

6. Consideration and possible acceptance of a Proposal for Audit Services.

Mr. Tramm said at the August 24, 2021, City Council meeting, City Council directed the City Administrator to begin a Request for Proposals for Auditing Services. Mr. Tramm said City

staff published an RFP for audit services on September 22, 2021, that was advertised on the City's website and in the Conroe Courier. Mr. Tramm said several firms were contacted directly by City staff to inform them of the RFP for their consideration. Mr. Tramm said proposals were due to the City Secretary by 3:00 p.m., October 28, 2021.

Mr. Tramm said they received one proposal that was submitted by the firm Belt Harris Pechacek LLLP who previously did the City's audit. Mr. Tramm said there was a second firm that did submit late and as per the RFP requirements those were not accepted.

Mr. Tramm said City staff has reviewed the proposal and believes it is worthy to accept and would lock them in for another four years. Mr. Tramm said with the current pressures of the economy, having a four-year agreement may be to their advantage. Mr. Tramm said one advantage of being with the same firm is there will not be a restart process involved.

Mr. Tramm said City Council's options are to accept this or reject it and ask City staff to go out again. Mr. Tramm said if they do go out for an RFP process they will not have time to meet the requirements to have it done on time.

Julie Davis asked who is the second firm that turned in a late proposal. Mr. Tramm said he does not recall that name and set that box aside because according to the RFP guidelines they were not going to accept it because it was received by a member of City staff after our hours. Mr. Tramm said it was an out-of-state firm.

Julie Davis asked who they contacted for additional bids. Mr. Tramm said Mr. Anthony Lasky our Senior Accounting Clerk contacted four firms with names he received from others in his field. Mr. Tramm said he does not have that list of names but could provide it.

Julie Davis said earlier today she googled CPAs that audit cities. Julie Davis said she found the City of Conroe's which is Whitley Penn and contacted them asking if they knew the City of Montgomery had an RFP. Julie Davis said they did not know, but they were very interested in bidding on it. Julie Davis said she also called the Willis ISD audit company and it was the same thing. Julie Davis said those are two local entities that have audits already being

performed by other companies and were very happy to bid on our contract but they did not know it was up for renewal.

Mr. Tramm said they went well beyond what they normally do by contacting other firms. Mr. Tramm said there are a variety of reasons why firms may not have chosen to bid but it was not communicated to City staff.

Julie Davis asked if this is a little over twice what they paid last year for an audit. Mr. Tramm said he thinks it was around \$15,000 last time so it is not quite twice but what they put forth in this engagement letter is a bit above \$2,000 what they originally paid. Mr. Tramm said, however, the engagement letter was two years and this is a four-year engagement.

Byron Sanford moved to accept the Proposal for Audit Services. Carol Langley seconded the motion. The motion was carried with 4-Ayes and a 1-Nay vote by Julie Davis. (4-1)

7. Consideration and possible action regarding acceptance of the Water & Sanitary Sewer Infrastructure for Town Creek Crossing Section One.

Mr. Chris Roznovsky, City Engineer said they are asking for acceptance of the water and sewer so they can allow the homebuilders to begin to make the taps. Mr. Roznovsky said the water and sewer system has been inspected and they have received the maintenance bond for that infrastructure. Mr. Roznovsky said they did a punch list inspection and they are down to two-meter boxes and mostly everything else was completed.

Mr. Roznovsky said what they are asking for is to initially approve this subject to all the items being completed and it does allow them to start home construction without having to wait until the next City Council meeting to accept the infrastructure with what is left.

Mayor Countryman asked if this opens them up for any liability or any issue because of it not being in order. Mr. Roznovsky said this does not change even if they were fully accepting it. Mr. Roznovsky said it is their responsibility to maintain it and it is still in the one-year warranty period. Mr. Roznovsky said this is allowing them to begin home construction. Mr. Roznovsky

said they have made significant progress as 95 percent of the items are complete and the maintenance bond is in place.

Byron Sanford moved to conditionally accept the Water & Sanitary Sewer Infrastructure for Town Creek Crossing, Section One pending the completion of all water and sewer punch list items and receiving all required bonds and documents. Kevin Lacy seconded the motion, the motion carried unanimously. (5-0)

8. Consideration and possible action regarding acceptance of the SH-105 and Buffalo Springs Drive Traffic Signal Warrant Analysis.

Mr. Roznovsky said he would be presenting the study for Jones|Carter's traffic group who were unable to attend.

Mr. Roznovsky said on August 25, 2021 traffic counts were collected and they found peak hours were reached between 6:30-7:30 a.m. and 4:45-5:45 p.m. Mr. Roznovsky said during that day 22,000 vehicles went through that intersection. Mr. Roznovsky said what he found interesting was only 4.2 percent were not passenger cars. Mayor Countryman asked if that was normal. Mr. Roznovsky said with a total of 22,000 there were 416 semi-trucks. Mr. Roznovsky said based on the traffic counts it did not meet the warrant for signalization. Mr. Roznovsky said when they went back and did the review they recommended they include additional developments and see how the projection shows. Mr. Roznovsky said on page 82 the new developments they included in the analysis for Town Creek Crossing, Section One assume 50 percent of the traffic from that development would continue southbound from Buffalo Springs including a tire shop at the corner and connecting the driveway that goes behind the tire shop and over to Kroger, as well as connecting the driveways at Panda Express and Chick-Fil-A. Mr. Roznovsky said it does not include any other development around this area in the future projected condition. Mr. Roznovsky said no other open tracts are being developed.

Mr. Roznovsky said the 2023 conditions did meet the signal analysis for the first two warrants which is an eight-hour and a four-hour volume.

Mr. Roznovsky said they are looking for the acceptance of the study and direction if wanting to move forward and get this in front of TxDOT to start the process. Mr. Roznovsky said based on these numbers, 2023 will be a warrant to the intersection. Mr. Roznovsky said the timeline for Discount Tire and the thorough street for both on the north and south side of those developments will be the first or second quarter of next year.

Julie Davis asked if Shipley's is at that intersection. Mr. Roznovsky said that does not include Shipley's; it is one over, at CB Stewart. Julie Davis asked if they included any of the projected growth from that development in the FM 1097 study. Mr. Roznovsky said they did not and did not have to since it already met with the existing conditions. Julie Davis asked if the standards are that much greater because there are more lanes and more traffic can be on the road and that is why they did not meet it because FM 1097 is two lanes and SH 105 is four lanes. Mr. Roznovsky said when you look at the numbers and how it is broken down it is the amount of traffic that is on Buffalo Springs. Mr. Roznovsky said there is a lot of traffic on SH 105 but when you look at the numbers he believes it was 47 on Buffalo Springs and a total for the day was 114 heading northbound and 499 heading southbound of the total 22,000.

Julie Davis said she does not go to that intersection because it is too dangerous to cross, but it would be interesting to see how much traffic they could alleviate from Lone Star Parkway light or FM 149 light by having another one there. Mr. Roznovsky said he agrees especially since the only option to exit from Kroger is onto Lone Star Parkway from SH 105.

Mayor Countryman said Lone Star Parkway was to alleviate the big trucks from going downtown and the City has that. Mayor Countryman asked when the south loop is coming in. Mayor Countryman said she asked the Commissioner about it and he does not have a timeline. Mayor Countryman said they are at capacity and need to start planning the south loop. Mayor Countryman said they need to include the Commissioner and TxDOT. Mayor Countryman asked what is the timeline on this. Mr. Roznovsky said the first step is the Red Bird development and how they are setting the first quadrant of how it connects to SH 105 on the west side of town and where it will follow through going back to the east. Mr. Roznovsky said the first of the year will be seeing preliminary plats and the rest is developer-driven. Mr. Roznovsky said he believes FM 149 and FM 2854 will be heavily driven by the development of that property. Mr. Roznovsky said there is no definite timeline.

Mayor Countryman said the City is about to be in gridlock with 550 houses coming as well as over 1,000 that were announced for FM 1097 and in the City itself almost 1,000 houses. Mayor Countryman said she spoke with Montgomery ISD and they expect 5,000 more rooftops times two cars are 10,000 more cars and this is in the next three to five years. Mayor Countryman said our infrastructure cannot take this. Mr. Roznovsky said that is correct. Mr. Roznovsky said it is on the County-wide Developer Plan. Mr. Roznovsky said some are in the City limits and some are outside the City limits. Mr. Roznovsky said it is going to take the City and County working together. Mr. Roznovsky said once it is developer-driven it then becomes more County, City driven to go and try to acquire those properties and acquire the right-of-way to close those gaps.

Julie Davis said Red Bird Meadows does not connect to SH 105 unless you are talking about Old Plantersville or Spring Branch. Julie Davis said Lone Star Parkway runs through the lumber mill and if that came through the lumber mill and back around, are you talking about behind the AG barn and just following Red Bird Meadows around. Mr. Roznovsky said the County's latest Thoroughfare Plan goes south around the development, with Spring Branch lining up going east and west.

Mr. Roznovsky said it is definitely time to begin conversations with the County regarding the south loop, the north loop, and extensions of that. Mayor Countryman said it has been two years since Mr. Tramm has been here and asked Mr. Tramm if he has ever had a meeting with Commissioner Charlie Riley. Mr. Tramm said he has had two phone conversations. Mr. Tramm said they are plugged into the Precinct Mobility Studies and he has attended some of those meetings so he has been plugged in with conversations there. Mr. Tramm said they have relayed statements about this in their Mobility Studies.

Mayor Countryman said the concern is the City has rooftops coming north, south, east, and west right now and we have to get with Commissioner Riley. Mayor Countryman said the south loop is going to be imperative to have and what she has seen and been told too is that the County has pushed it off. Mayor Countryman said the south loop was supposed to be here two years ago. Mr. Tramm said the County looked at the growth between SH 105 and FM 1488 and said they would worry about that someday and now so much growth has occurred in

the last 10 years and they are finding they should have worried about it 10 years ago. Mr. Tramm said he is going to reach out and get those conversations going.

Byron Sanford moved to accept the SH-105 and Buffalo Springs Drive Traffic Signal Warrant Analysis as submitted. T.J. Wilkerson seconded the motion.

Discussion – Mayor Countryman said she is concerned about Friday nights and going to the games that the SH 105 traffic is jammed and asked if this is going to help alleviate that. Mr. Roznovsky said it is only going to slow people down. Mr. Roznovsky said it is going to help people on Buffalo Springs get out and it is more of a true alternate route for people to go versus all on SH 105.

Julie Davis said it could push more traffic to Lone Star Parkway and have them go around that way. Julie Davis said she does not think enough people know about the back entrances to the stadium. Mr. Tramm said it might be an opportunity to let people know about all routes. Mr. Tramm said they do have speed issues on the eastern side of town coming in from SH 105. Mr. Tramm said as fast as they are going 55/45 mph into the City there have been several accidents on the traffic crossing at SH 105 and Kroger and the Chick-Fil-A side. Mr. Tramm said another light there is going to help, and also properly timed lights will help with traffic flow. Mayor Countryman asked if that can be controlled from City Hall. Mr. Tramm said that is a TxDOT communication question. Mayor Countryman asked if they could request control at City Hall. Mr. Tramm said they can request. Julie Davis asked if the City of Conroe controls their lights. Mr. Tramm said they do.

The motion carried unanimously. (5-0)

9. Consideration and possible action to cancel City Council Meetings for November 23, 2021, and December 28, 2021, due to City's holiday schedule.

Mr. Tramm said the second meeting of the month for November and December are typically canceled due to holiday scheduling conflicts between both City Council and staff. Mr. Tramm said businesses normally heard during these meetings will be moved to the next City Council meeting.

Carol Langley moved to cancel City Council meetings for November 23, 2021, and December 28, 2021, due to City's holiday schedule. Kevin Lacy seconded the motion, the motion carried unanimously. (5-0)

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.

There was no Executive Session held.

POSSIBLE ACTION FROM EXECUTIVE SESSION:

COUNCIL INQUIRY:

Pursuant to Texas Government Code Sect. 551.042 the Mayor and Council Members may inquire about a subject not specifically listed on this Agenda. Responses are limited to the 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.

Julie Davis asked just to clarify, the budget and monthly departmental reports for November will be presented at the December 14, 2021 meeting. Mr. Tramm said the reports that would normally be presented the second week of the November meeting will be presented at the December 14, 2021, City Council meeting.

Julie Davis asked if the insurance differentials that were to be presented at this meeting will be presented at the December 14, 2021 meeting. Mr. Tramm said they are still in the open enrollment period right now, but will present those final numbers within the next couple of weeks.

Byron Sanford said he would like to request staff by the first or second meeting in January, given these downtown recommendations for what amounts to a series of tax incentives and drawing in businesses

to the downtown area, to give City Council members some options and advice on how to proceed whether that occurs first with MEDC or not.

Byron Sanford said please show some progress in communication with the County. Byron Sanford commented that we have not moved in negotiations to get what we know is going to be some thoroughfare issues.

Mayor Countryman asked for clarification that we have not done any smoke testing yet. Mr. Tramm said that is correct. Mayor Countryman asked if the testing will be done in February. Mr. Roznovsky said yes.

T.J. Wilkerson asked if Mr. Roznovsky knows when the apartments on Plez Morgan will be complete. Mr. Roznovsky said he does not know but said they are working with L Squared.

Kevin Lacy said that he wanted it on the record that respectfully disagrees with what was said earlier. Kevin Lacy said he does appreciate Mr. Tramm and Mr. McCorquodale very much for how hard they work and what they do for the City. Kevin Lacy said he knows they have been working under some extenuating circumstances that make things a bit difficult to do their jobs day to day and thanked them for that.

Mayor Countryman said for the record she does not tell them how to do their job; we all agree they can do their job just fine.

T.J. Wilkerson said he is still waiting on the bench for the park. Mayor Countryman asked what the lead time was for benches. Mr. Tramm said it used to be six months but he will check on it tomorrow.

ADJOURNMENT

Kevin Lacy moved to adjourn at 7:47 p.m. Julie Davis seconded the motion, the motion carried unanimously. (5-0)

Submitted by: Susan Hensley
Susan Hensley, City Secretary

Date Approved: 12/14/2021

Sara Countryman
Mayor Sara Countryman

