

## MINUTES OF REGULAR MEETING

May 25, 2021

### MONTGOMERY CITY COUNCIL

#### CALL TO ORDER

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

Present:	Sara Countryman	Mayor
	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.

**CONSENT AGENDA:**

1. Matters related to the approval of the May 11, 2021 Regular Meeting Minutes.
2. Consideration and possible action regarding adoption of a Banking Resolution for all City of Montgomery Banking Accounts.

Julie Davis moved to accept the Consent Agenda cumulatively as presented. Kevin Lacy seconded the motion, the motion carried unanimously. (5-0)

**CONSIDERATION AND POSSIBLE ACTION:**

3. Consideration and possible action regarding affirming approval of funding Economic Development Grant request that was approved by Montgomery Economic Development Corporation for \$20,000.

Mr. Tramm said this item was presented at the MEDC meetings of April 19 and May 17, 2021, and was also the subject of a Public Hearing at MEDC on May 17, 2021. Mr. Tramm said this item is coming to the City Council to affirm the MEDC approval action because the approval is for an item over \$10,000.

Mr. Tramm said enclosed are the same items that were presented to the MEDC Board of Directors for its consideration on May 17, 2021. Mr. Tramm said these include a narrative attempting to quantify financial value for supporting the project, as well as some description for value within the project that may not be easily quantifiable. Mr. Tramm said also included is a recent newspaper article regarding “Breaking Strongholds,” an addendum to the standard MEDC Performance Agreement outlining several special conditions applying to this item and other supporting documents.

Mr. Tramm said the item was approved by the MEDC Board on May 17, 2021, with \$10,500 of the \$20,000 funds being budgeted from the Economic Development Grant category and \$9,500 from Consulting (Professional Services) funds within the MEDC budget. Mr. Tramm said those funds for the Consulting (Professional Services) were originally budgeted for the MEDC to have tourism-related videos produced and that did not happen because of the pandemic. Mr. Tramm said part of the items that will be conducted by the requestor of the

grant will be to produce a 2.5-minute tourism-related video using the actors who are in the film. Mr. Tramm said that will be provided to the City for the City's use and they will also use it for their promotion of the City as well. Mr. Tramm said also to be delivered by the grant requestor to the City will be several still digital images from their filming that will include scenic and iconic sites from within the City they can use in promoting the City for tourism and development purposes. Mr. Tramm said the third item they will deliver separately will be a photoshoot that will be arranged in the City with the actors.

Mr. Tramm said while on the surface this was a \$20,000 grant request that was approved, generally speaking with a grant, you see money going out and you do not immediately see money coming back in and hope the long-term return will be seen. Mr. Tramm said with this grant there is at least \$15,000 worth in value coming back to the City in the tourism-related areas which are items the MEDC had budgeted for and intended to carry out but did not. Mr. Tramm said the tie-in with MEDC's participation would be economic marketability as well as tourism. Mr. Tramm said if he does not take anything but the \$20,000 and apply that to the project, we would be reaching people at a far lower cost than what we already use on social media and feels that is the value City Council should consider. Mr. Tramm said on top of that the project is intended to help people and bring awareness to and show options for suicide prevention. Mr. Tramm said he thinks it is something that is just so difficult to quantify and this is where he originally saw it as being a worthy project that addresses quality of life issues which does fit in with the MEDC's interests.

Mr. Tramm said Mr. Tim Weaver with Reflective Life Ministries was in attendance to give a brief introduction and answer any questions City Council may have.

Mr. Weaver thanked City Council for allowing him to share the information regarding the production. Mr. Weaver said he is an actor in the show but also takes care of the marketing and development of the fundraiser for the show. Mr. Weaver said they have raised over \$400,000 and they are asking for a \$20,000 grant. Mr. Weaver said he would like to personally appeal to the business owners, residents, and City Council on a different level and that is the impact they are trying to add for the show which is to preserve life. Mr. Weaver said essentially they are combating teen suicide and depression. Mr. Weaver said while it is entertainment and they believe they have created something very entertaining, there is a bigger impact they are

looking for and that is to shine a light on very dark issues. Mr. Weaver said every city in the county has been impacted by teen suicide. Mr. Weaver said because it is such a dark issue there is not a lot of people talking about it and believes it is something they have to attack from multiple angles. Mr. Weaver said they are attacking it in the media. Mr. Weaver said there is very real destructive media going on and this is just the opposite. Mr. Weaver said they believe it is going to tell a story of hope and they are going to ultimately be able to save lives through this show. Mr. Weaver said they are also creating materials such as workbooks which can be used for six to eight-week studies that go along with the show so that a church, booster group, or high school club that wanted to watch this tv series, could also use the workbook and take a group of people through the study and learn about teen suicide and depression. Mr. Weaver said that combined with entertainment and through the message in the show, they are going to be able to do a lot of good through this.

Mayor Countryman said when she was at the MEDC meeting when Mr. Weaver gave his presentation, he brought up a very interesting fact about Stranger Things. Mayor Countryman asked Mr. Weaver to share that with City Council.

Mr. Weaver said they looked for a show that would be comparable to the age group and the town that it is filmed in and they found a town called Jackson, Georgia. Mr. Weaver said the town in the show actually takes place in Indiana, but because it is filmed in Jackson, Georgia the Stranger Things show which is on Netflix, they realized this tourism phenomenon where people are driving to the locations where the show is filmed to see where the film is produced. Mr. Weaver said they believe they have a very real opportunity because the City is very iconic and the shots they have chosen to use in the film stand out as it is a very neat-looking town. Mr. Weaver said they believe the show they are creating is edgy and relevant and it will attract an audience just like that town has. Mr. Weaver said there are local restaurants that have Stranger Things items on the menus and they retail shirts there. Mr. Weaver said it has driven a ton of tourism in the town. Mr. Weaver said their show was just presented to Netflix last Friday so they probably will not have results until the end of June or early July, but they are very excited about the opportunity.

Mr. Tramm said Breaking Strongholds has already been entered in at least 13 or 15 film festivals or more and they were named a semifinalist at the Waco Family & Faith International

Film Festival and selected for Kingdomwood International Film Festival. Mr. Tramm said just recently at the Dreams Come True Film Festival they were nominated in seven separate categories including best feature film and two actors were nominated for best lead actor and two actresses were nominated for best lead actress, in addition to the other categories. Mr. Tramm said they won awards at the Branson International Film Festival for the best television series, and they won awards in four categories including best television and web film for content at the Content Film Festival.

Julie Davis said she does not think there is any question it is a worthy cause, but stated she has a couple of questions. Julie Davis asked if the 2.5-minute commercial they are going to make would be more generic geared so it can be used exclusively for the City of Montgomery. Julie Davis said she knows they are talking about using it as a marketing tool at the beginning of the movie and then for us to market their shows, but she worries about the MEDC goal being to further the economic development. Julie Davis asked if it is going to be geared more toward what MEDC originally set out to do or are we gearing it more toward the theme of the show.

Mr. Weaver said the way they have presented this would be a tourism and marketing video for the City and they would use it to help promote that for the City as a partnership. Mr. Weaver said it would be very City focused and they would include iconic shots and maybe some goat shots, but it would certainly include some of the iconic locations they use in the tv series so it is tied in directly with the show and this would be for the City.

Mayor Countryman said if you have not seen the trailer there are shots downtown so it is going to bring people downtown which is one of their big drivers. Mayor Countryman said people still go to Smithville, Texas to take pictures of the water tower from Hope Floats. Mayor Countryman said there are still economic drivers decades later.

Julie Davis said on the MEDC grant application she did notice it is typical of a \$5,000 grant and this is a \$20,000 grant so let us say that we fully expect for this to be successful because they have a standing reputation for it to be successful, but what is to say that two years from now they are coming back again asking for an additional \$20,000 or more, are we going to set a limit or MEDC set a limit of what they can continue to come back and ask for.

Mr. Tramm said part of the reason for setting the limit is just to avoid large requests. Mr. Tramm said MEDC does reserve the right to consider larger requests. Mr. Tramm said they have a budget they are generally bound to and \$10,000 or more has to come to City Council first for approval. Mr. Tramm said City Council as well as the Mayor has oversight for the approval of the budget within the fiscal year. Mr. Tramm said as to what would stop them from coming back in the future, anyone could apply and that becomes a judgment for MEDC as to they have already approved the grant why would they want to approve more, and is there merit there or is there not. Mr. Tramm said he thinks that should be considered individually. Mr. Tramm said certainly not in his experience and he does not think before his experience MEDC has approved a second grant for any entity and does not know why it would start. Julie Davis asked if there was any kind of policy as far as capping the amount of the award for so many years. Mr. Tramm said no and that is up to the Board itself to put in place and to make that determination. Mayor Countryman said if it draws half a million people to our town in two years then come on back.

Kevin Lacy asked Mr. Weaver about the credits on the show and how would he know exactly where Breaking Strongholds was filmed once this goes to Netflix. Mr. Weaver said the City will have a location credit in every episode and in the opening sequence they will show iconic shots of Montgomery including the statement "Birthplace of the Texas Flag". Mr. Weaver said there will be identification in every episode at the front of every episode to include multiple monument signs and it is very distinguishable. Mr. Weaver said the City will be upfront in the show every episode.

Kevin Lacy asked Mr. Tramm if MEDC was planning on doing something similar before and how much is set aside and approved for that from last year. Mr. Tramm said in the overall category for professional services there was \$49,000 budgeted which was not all for making videos, it was in marketing, tourism, and social media of which as he recalls, around \$15,000 to \$20,000 was intended for videos. Mr. Tramm said while this was not exactly what was intended, he thinks it was fully in the spirit of what was intended.

T.J. Wilkerson asked if they have many faith-based sponsors. Mr. Weaver said they do and most of the individuals and businesses have gotten behind this and the four churches who have sponsored the show have done it because of the message. Mr. Weaver said the message is he

plays a detective in the show and his son is on the edge of taking his life and the opening shot of the show is him up against a noose. Mr. Weaver said over the eight episodes he walks away from that idea and finds hope in Christ and a new passion for life. Mr. Weaver said there is a lot of other things that are addressed and while it is entertainment, the message is strong. T.J. Wilkerson said he saw the one that was shown at the Montgomery High School and at the end there was a hotline number people could call. Mr. Weaver said there is a suicide hotline at the end of every episode. T.J. Wilkerson said he knows he said earlier it is kind of dark, especially the scene shown from Montgomery, and if he is on the verge it is not going to entice him to stand under the clock. Mr. Weaver said they are dealing with dark topics on the show but their message is there is hope and that is upfront very early in the show so it is an inspiring message and also entertaining. T.J. Wilkerson asked if Montgomery County is still number two behind Smith County and Bell County. Mr. Weaver said he knows Montgomery County is up there and believes it is next to Travis County, which he thinks was number one in teen suicides.

Kevin Lacy asked what the rating for the show is as far as the appropriate age. Mr. Weaver said it will be rated PG-13. Mr. Weaver said they consulted with suicide research centers for the way to present this and they cannot present this too graphically because they know it has negative effects and he has some research that shows it glorifies suicide and caused an increase in suicide. Mr. Weaver said there is a show called Thirteen Reasons Why and it had horrible effects. Mr. Weaver said their show is the exact opposite of that show.

Kevin Lacy asked what specifically will the \$20,000 be used for. Mr. Weaver said it will be used for post-production. Mr. Weaver said right now they have one episode filmed and it is the one they take to film festivals. Mr. Weaver said they have three more episodes that have been filmed but not post-produced so they have to do all the editing and just editing of one episode is \$10,000. Mr. Weaver said this would cover the editing for two episodes post-production.

Byron Sanford said he is having a hard time finding any reason not to but with that said, \$20,000 is a lot of money. Byron Sanford said he thinks Mr. Tramm and the staff did a good job of presenting the efficiency of the business, the marketing, and the return aspect. Byron Sanford said if they were to try and accomplish anything close to this magnitude it would be far more costly. Byron Sanford said he appreciates that fact and being a minister he is going

to do everything he can to get behind it and his church has also talked about it. Byron Sanford said he has an article from July that Judge Mack was involved in. Byron Sanford said the COVID-19 was not the cause, but it could be a springboard type of thing and his church has been concerned about that. Byron Sanford said they do need to have a way to reach out to kids and people that are hurting. Byron Sanford said he voted for it and he is very strongly in favor of this.

Julie Davis moved to accept the request as presented. T.J. Wilkerson seconded the motion, the motion carried with 4-Ayes and 1-Nay vote by Carol Langley. (4-1)

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

A RESOLUTION OF THE CITY COUNCIL OF MONTGOMERY, TEXAS SUPPORTING THE CITY OF MONTGOMERY'S APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S 2021 TRANSPORTATION ALTERNATIVES SET-ASIDE (TA) CALL FOR PROJECTS. (*MLK, Clepper and Bessie Price Owens Sidewalks*)

Mr. Tramm said the City has submitted for two sidewalk funding projects under TxDOT's 2021 Transportation Alternatives Program. Mr. Tramm said a Resolution by the governing body supporting the project application is required as part of the process. Mr. Tramm said Mr. McCorquodale is the one pursuing this grant through TxDOT.

Mr. McCorquodale said he first learned about these programs through TxDOT two years ago. Mr. McCorquodale said what TxDOT does every two years is alternate this program, which is the Transportation Alternatives, and by alternative, they mean alternative to an automobile. Mr. McCorquodale said they fund projects that are what TxDOT calls "On System" which is on their roads or "Off System" which would be on our City streets. Mr. McCorquodale said in two more years they will offer the Safe Route to School Program and alternate those two programs every two years. Mr. McCorquodale said the Safe Route to School is 100 percent grant-funded or TxDOT funded and the Transportation Alternatives, which is this project is 80 percent TxDOT funded and 20 percent is a local match. Mr. McCorquodale said one important thing to note is the City pays for costs upfront.

Mr. McCorquodale said they looked at two projects. Mr. McCorquodale said one was on MLK just north of the City limits down to Homecoming Park and the other is just north of downtown



from Prairie Street and the Clepper intersection around to the bottom of the hill on Bessie Price Owens. Mr. McCorquodale said this is something they have to have as part of the application and if we did not want to support this we would stop the application here.

Julie Davis asked if there is any way to do the sidewalk down MLK to Bessie Price Owens as the 100 percent as the transportation to schools since it is going right to Lincoln Elementary. Mr. McCorquodale said when they work on Safe Route to School Programs any sidewalk can be built in the City and would qualify for the Safe Route to School program. Mr. McCorquodale said in order to do the 100 percent they would have to wait two years and apply in that cycle of funding. Mr. McCorquodale said he believes the radius is two and a half miles to the school. Mr. McCorquodale said any sidewalk they build is just a matter of waiting every four years for the Safe Route to School Program because it is on a two-year alternating cycle.

Julie Davis asked if they are considering a project from MLK to Clepper any time soon and what she hears Mr. McCorquodale saying is two years from now the City can apply for 100 percent funding from MLK to Clepper because that would give a safe route to school for the rest of the kids that may not walk that direction but we are building it to walk the other direction. Mr. McCorquodale said exactly and that would work in both ways and obviously, that is a much longer project with a higher price tag but certainly one of those you want to maximize 100 percent.

Julie Davis asked if on the other project there is a way to extend the sidewalk up Clepper to FM 149. Mr. McCorquodale said if that is the direction City Council would like to go with that it can be amended. Mr. McCorquodale said this was a preliminary application and the detailed application is due in two weeks which they can make those types of adjustments. Mr. McCorquodale said they stopped at Prairie because it connected to another small sidewalk that should be rebuilt. Julie Davis said she worries about the parade route and that is always the parade route at Clepper and when those cars are coming and going in any direction she has personally been one who has had to jump into the ditch to get off the roadway because there is no right of way to walk on. Julie Davis said if we went all the way up to Jim's Hardware which is where you can expect all the parade participants to park and to the back of the old elementary school that would give a sidewalk between the two so that no matter where one parked you could walk to the parade and walk back safely. Mayor Countryman said if her

math is correct, that is only \$81,000 that the City would pay for both of these projects which is fantastic.

Mayor Countryman said on Bessie Price Owens there is already a sidewalk although not 100 percent. Mr. McCorquodale said the issue with that sidewalk is when the contractor did the curb cut for the driveways they took out the five feet of the driveway on either side of the driveway and did whatever they needed to do to transition as opposed to building the driveway to conform to the sidewalk. Mr. McCorquodale said in all fairness the sidewalk had already settled a bit and with it being around the library and Memory Park it is certainly something that has been on the City's radar. Mr. McCorquodale said they have known they need to do something and this allows them to do that.

Julie Davis asked if time is factored into the application process preparation for \$45,000. Julie Davis said under the funding summary there are the current fiscal year expenses which would be \$4,500 in application preparation but has your time been factored into that too. Mr. McCorquodale said yes that is what he thinks it would cost them. Mr. Tramm said Mr. McCorquodale is quite enthusiastic about certain projects around the City and when it gets to be something that addresses mobility and development those are areas he puts a lot of effort behind.

Mr. Tramm said he also wanted to emphasize the \$4,500 is for the expenses that would be expected this fiscal year. Mr. Tramm said if awarded these projects, the bulk of the expenses would go into the next two fiscal years. Mr. Tramm said they are not talking about a budget item for this year but about the expense, they will go ahead and plan in future years. Julie Davis said even those application expenses are reimbursed. Mr. McCorquodale said that is correct.

Kevin Lacy asked what would be the possibility of them seeing what it would look like with a sidewalk going all the way to FM 149 as well as to Racetrack Lane. Mr. McCorquodale said TxDOT would probably get them on trying to change too much of the scope. Mr. McCorquodale said the reason they did not go that whole way is because back to the original discussion with TxDOT and the FM 149 improvements, the slopes there as you go down along on FM 149 make it to where the solution is not something that is called a sidewalk whether it is called a shared-use path or called some type of a lane or path. Mr. McCorquodale said it is

just if you have a steep hill you cannot build a flat sidewalk on it. Mr. McCorquodale said to answer the question, to expand the sidewalk that much TxDOT would probably tell the City no. Mr. McCorquodale said getting that 100 percent funding is the next bite of the apple. Mr. McCorquodale said one of their thoughts behind not going for that is not knowing what TxDOT is going to do on FM 149, it is just they did not explore it this time and did not want to end up spending too much money because they do have a budget.

Julie Davis asked Mayor Countryman if she thought in two years we would have a better understanding of the downtown improvements and the roundabout at that same intersection. Mayor Countryman said she does and if you look at the Comprehensive Plan it goes to Prairie which is part of the historical district. Mayor Countryman asked Mr. McCorquodale if the sidewalk was on the south side or north side of Clepper. Mr. McCorquodale said the south side.

T.J. Wilkerson asked what about the sidewalk on MLK and how would that work because isn't that a County road. Mr. McCorquodale said TxDOT will fund an off-system sidewalk and their off-systems are the City's streets. Mr. McCorquodale said where he made the case to them on the MLK sidewalk was that TxDOT does not know yet what they are going to do on FM 149 and while they figure it out, the City is going to build this nice sidewalk on MLK ready to connect just as soon as they have their plans settled. Mr. McCorquodale said it is now starting to impact Anders Branch and will have a big impact because if they try to build a sidewalk over this now we are going to have to build a bridge and trying to build a bridge you are looking at \$400,000 trying to get a pedestrian bridge across the creek. Mr. McCorquodale said if they can do those Anders Branch improvements that they talked about with the GLO funds using the bridge in TxDOT's words was essentially a culvert that does not have a bottom. Mr. McCorquodale said one of the differences in the summary of costs with these two projects it is reasonably close to the same length and slopes and things they are dealing with. Mr. McCorquodale said one of the big differences is having to extend the culvert there on MLK so if they had to do it on a larger scale down on FM 149 it would not be 20 percent of the project. Mr. McCorquodale said 20 percent of the project would be much more than he could ask the City for.

Julie Davis said Mr. McCorquodale has the projects presented in two ways. Julie Davis asked if they take MLK first and then Clepper second or have it presented where they do both

simultaneously and asked what is his recommendation. Mr. McCorquodale said he would try and do them both at once because there will be a three-year window to spend the money after being awarded the money. Mr. McCorquodale said if they needed to break it out the sooner they do it the sooner they would get their money back.

Julie Davis asked if the grant is two years from now or are they are contingent upon this grant being completed to get the next grant. Mr. McCorquodale said no they stand alone but if they were rejected on one of these, they could fine-tune it and submit it again under the Safe Route to School Program.

Julie Davis moved to accept this Resolution as presented and move forward with both simultaneously if possible. Byron Sanford seconded the motion, the motion carried unanimously. (5-0)

5. Consideration and possible action regarding the award of the contract for “Water and Sewer Operations and Maintenance Services” and authorize the City Administrator to execute the contract.

Mr. Tramm said the City’s RFP’s for Water and Sewer Operations and Maintenance Services were due on May 6, 2021. Mr. Tramm said the Director of Public Works and the Public Works Foreman were the primary reviewers of the bids submitted.

Mr. Mike Muckleroy, Director of Public Works said they reviewed the bids and compared four companies with each other but it is not apples to apples on all four. Mr. Muckleroy said two of the companies did not provide the full bid they asked for. Mr. Muckleroy said what they asked for was base operations and any preventative maintenance to be included on all facilities. Mr. Muckleroy said the two companies that included all the information were H2O Innovation and Inframark. Mr. Muckleroy said the other two companies are low prices and you may think why was the higher price chosen, but that is because those are only for basic services and they did not provide any preventative maintenance, which is a large portion of the contract. Mr. Muckleroy said the two being compared are Inframark and H2O Innovation. Mr. Muckleroy said he is making the recommendation to stay with H2O Innovation. Mr. Muckleroy said what they were currently paying for basic services and preventative

maintenance together is \$103,000 a year. Mr. Muckleroy said the price is going up a little bit, but that price also includes adding four lift stations.

Mr. Muckleroy said one of the main factors on the decision to stay with H2O Innovation was cost and materials. Mr. Muckleroy said they are proposing 10 percent on their cost plus on all materials, whereas Inframark was at 15 percent. Mr. Muckleroy said H2O is also proposing zero percent markup on disinfectant chemicals, which is where they are at now and Inframark was 15 percent. Mr. Muckleroy said H2O also proposed a \$3,000 maximum on cost-plus so if it hits the 3,000 mark and basically it gets a free review and it passes straight through to them for direct pay.

Mr. Muckleroy said another factor was grease trap inspections. Mr. Muckleroy said he liked the \$45 a month versus \$60 a month as those are direct costs that are passed on to business owners and that was a significant factor. Mr. Muckleroy said H2O was his recommendation.

Mr. Muckleroy said he did add some wording in the new contract just like what was done to the mowing contract. Mr. Muckleroy said it is a three-year contract that will come back every year for City Council review.

Kevin Lacy asked why is there such a big difference in H2O's cost per hour for equipment as opposed to the other business. Mr. Muckleroy said the shoring is \$100 per use, Hays is \$50 per use and the others are by the hour. Mr. Muckleroy said they are going to charge the City \$100 if they show up for half a day and it is going to be a flat rate. Mr. Muckleroy said the whole equipment section is a rarity to be billed for anyone because they try to do all leaks in-house and these charges are going to fall under commercial tap fees which are being paid for by the builder so it would not be a direct cost to the City anyway. Mr. Muckleroy said he does not know why their prices are a little more than the other company. Mr. Muckleroy said the bottom section is more of a utility crew coming in to fix a major leak or something like that, which Public Works does in-house. Kevin Lacy said he understands where H2O Innovation is \$100 per use period and the other business would charge \$25 for four hours.

Mayor Countryman said they are paying \$103,000 now and this proposal is \$113,340 so for \$10,000 are they are going to check four more of the lift stations every month. Mr. Muckleroy

said three times per week. Mr. Muckleroy said this is not just a revision of their original price, it is a completely new proposal. Mr. Muckleroy said they were able to bring down some of the prices of the preventative maintenance, for instance, the cooling tower where it was originally bid at a certain amount of dollars and they figured out within the last couple of years they could bring the price down knowing exactly what they were doing and how much time it is going to take. Mr. Muckleroy said some areas dropped and some went up for normal inflation but this is what the bottom dollar ended up being.

Carol Langley moved to authorize the City Administrator to execute the contract for Water and Sewer Operations and Maintenance Services to H2O Innovation. Kevin Lacy seconded the motion, the motion carried unanimously. (5-0)

6. Consideration and possible action regarding the appointment of Ward, Getz & Associates LLP as City Engineer, and approval of a professional services agreement with Ward, Getz & Associates, LLP for engineering services.

Mr. Tramm said since the City Council meeting of May 11, 2021, he has worked with Ward, Getz & Associates to work out a professional services agreement under which they would take over the duties of City Engineer and perform the primary engineering duties of the City. Mr. Tramm said this agreement has also been reviewed by the City Attorney.

Mr. Tramm said with the approval of the above recommendation by City Council, he will work with both Ward, Getz & Associates (WGA), and Jones Carter towards an organized transition of the engineering services for the City. Mr. Tramm said this transition would identify which items will transition immediately, which items will transition in the future over a phased schedule, and which items will remain with Jones Carter until either completion or indefinitely.

Mr. Tramm said under the advice of the City Attorney, they would not need to take any specific action related to Jones Carter. Mr. Tramm said the action to name a new City Engineer replaces the previous one and the contract they had in place with Jones Carter will allow them to continue to utilize them on certain projects as appropriate for the foreseeable future.

Julie Davis said she would like to point out again that this is still contradictory to the vote on April 27, 2021, and on May 11, 2021. Julie Davis said she thought they were getting an additional bid from the RFQ's from January and that Mr. Tramm would come back and present City Council with an option of three similar to what Mr. Muckleroy just did regarding water and sewer and that they could collectively decide on Ward & Getz. Julie Davis said it is a \$368,000 annual budget and we have spent \$52,000 with Jones Carter this month alone. Julie Davis said it has nothing to do with the fact her husband works for another civil engineering firm. Julie Davis said it has to do with the fact that it would have been nice as the City Administrator for City Council to be presented the information very much like Mr. Muckleroy just did and treated as if they read the minutes.

Mr. Tramm said he is sorry she had the impression that he was forcing a singular firm on City Council. Mr. Tramm said he believes what he did is exactly the direction he was given at the last meeting, and realizes it was different than the direction that came out from the previous meeting. Mr. Tramm said the difference between the two is that they had an election and a change on City Council and there was also one Council Member who was not here for the April meeting, which is why he considered presenting the item again to City Council and received a different direction. Julie Davis said they still had the majority vote on April 27, 2021, and it was made by the City Council that is still present on this Board right now. Julie Davis said with that aside, it was still a directive from this City Council to Mr. Tramm that was approved by this City Council. Mr. Tramm said yes and he was given different directions at the following meeting, so he could only follow one directive. Mr. Tramm said if City Council would rather he do something different, then he needs to get that direction tonight and he will be happy to do that.

Mayor Countryman said she feels like they just went through the whole vetting process in January and because of the personnel, they chose Jones Carter because of who presented. Mr. Chris Roznovsky brought his A-game and is sure he had Mrs. Katherine Vu behind him, but at the end of the day they did not choose the shingle above their head where they work. Mayor Countryman said she thinks Mr. Roznovsky and Mrs. Vu have done an excellent job and in a critical time, they know where everything is. Mayor Countryman said she has repeated this before at another meeting, so she will not go into all the details, however, if things do not work out, we can easily divorce from the company. Mayor Countryman said they believe in Mr.

Roznovsky as he has done a great job and Mr. Roznovsky and Mrs. Vu are a great team and have done well for the City. Mayor Countryman said with some new faces on City Council she thinks it is important to keep some consistency and if you do not do your job you go away.

Byron Sanford said he is new on City Council and he heard before he was elected some of the prior conversations and it seemed to him there was consistency in the fact that there was confidence in the people over the organization, and he is very familiar with that in management. Byron Sandford said you go with someone you are comfortable and confident in, but he is also an ex-coach and you have u-haul on speed dial in case something does not work out. Byron Sanford said he thinks something he heard earlier which is wise and prudent is when you enter into an agreement you need to review it every year and he likes that concept.

Julie Davis said this is nothing towards Mr. Roznovsky or Mrs. Vu, this is significantly just that their RFQ process was really poor even in January there was no disclosure from Mr. Tramm of the seven firms that were bidding and they received no information like we just received from Mr. Muckleroy this evening. Julie Davis said Mr. Muckleroy laid it all on the line and said here is everything and they did all of their due diligence. Julie Davis said they have not seen that from Mr. Tramm.

Mr. Tramm said what happened with the RFQ process for the engineering firms was it was set up differently. Mr. Tramm said it was set up by City Council, which was before the elections and he had advised City Council at some point who those seven firms were that were originally submitted, but that was left to him and a couple of the department heads to review and make a City selection and bring that back to City Council. Mr. Tramm said he believes that was a consistent process. Mr. Tramm said under advice from the City Attorney since that process was done back in January, the City had already reviewed the firms recently and that is why we did not need to go through the full RFQ process now. Mr. Tramm said he is here just trying to present to City Council what he believes that it wants and if City Council does not want this firm and wants a different process, City Council should advise him of that and he will do it differently.



Kevin Lacy said in his job working for the bank they built a bank from one branch to \$10 billion a day off one premise of the people bank with people. Kevin Lacy said he is a firm believer in that and he agrees with the move City Council is about to make right now.

Julie Davis asked if this means the contract date is set in January for renewal or will they revisit this in May of next year. Mayor Countryman said she thinks they give them a full calendar year to show us how their performance measures up. Mr. Tramm said if they move forward with the contract with them the contract date becomes what they decide.

Julie Davis asked what happens with the Jones Carter contract that is already still in effect that they are not getting rid of. Julie Davis asked do they renew that one in January, this one in May, and have two that they go back and forth on and what happens to the RFQ process then. Mr. Tramm said the City Council in the past had not annually renewed the professional services agreements. Mr. Tramm said it was something he recommended that the City Council do at a minimum of every three years, if not sooner. Mr. Tramm said this is the last of his recommendation to City Council going back before the pandemic when they review every single one of the professional firms that worked for the City. Mr. Tramm said this is a process that in a year or so he will say they need to start going out for these. Mr. Tramm said with the utility operations company they determined not to change operations with the City Engineer previously and his recommendation was to stay with Jones Carter in January but it was heavily presented on the relationship they had with Mr. Roznovsky and Mrs. Vu which changed all dynamics in his opinion, which is why it came back to City Council.

Julie Davis said what she hears Mr. Tramm saying is that in one year they are going to do RFQ's again, but the contract is written for three years, so is this going to be a matter of record that in one year they are going to come back and revisit this or are they going to keep going for three years and not look at anything. Mayor Countryman said if they can do three years, let us do three years. Mr. Tramm said he would be happy to lock them in, but in the contract their prices are up for annual renewal, which is a standard professional agreement and he believes all firms should be reviewed annually. Mr. Tramm said there is a difference between being reviewed as a firm and going out for an RFQ and doing interviews with various firms. Mr. Tramm said he would say for professional services they should do that for all firms at least every three years going through a full RFQ process and make them fight for the work. Mr.

Tramm said annually he thinks you should review the companies that you have. Mr. Tramm said he also thinks the City Attorney should be subject to an RFQ after three years. Mr. Tramm said previously in his career he worked 17 years for a company that worked for local governments and at that time he put his services up for review any time necessary and believes this company should do the same. Mayor Countryman said it happens in the private sector too. Mr. Tramm said they should be reviewed wherever they are in this every year, but he would not do an RFQ process.

Mr. Chris Roznovsky, Engineer with Ward, Getz & Associates, LLP introduced several department heads of Ward, Getz & Associates, LLP and then Mrs. Katherine Vu and himself who went to Ward, Getz & Associates, LLP which is a new name and new face and that is why he wanted everyone here to be introduced and get to know everyone because it takes more than just Mrs. Vu and himself as it is with Jones Carter. Mr. Roznovsky introduced Mr. Ken Sheblak who is in their hydrology department, Mr. T. Wayne Holcomb with the Gradient Group, which is a sister company of Ward, Getz & Associates, LLP which has a very heavy traffic and transportation focus, Mr. Jerry Ince is in charge of the water and wastewater group and they do a lot of the permit renewals with GPS, water, wastewater plants, and Mr. Ryan Getz, CEO of Ward, Getz & Associates, LLP.

Mr. Ryan Getz said he founded Ward, Getz & Associates, LLP in 2007. Mr. Getz said they are a professional services company. Mr. Getz said he understands their number one asset is the people and you should be reviewed. Mr. Getz said he got where he is today by being reviewed over and over again. Mr. Getz said it is an honor being here and he appreciates City Council taking the time to discuss this. Mr. Getz said if you are looked at over and over again you cannot hide a lot of stuff and it comes out pretty quick.

Carol Langley asked Mr. Getz if he graduated from Montgomery High School. Mr. Getz said yes he did.

Julie Davis asked Mr. Tramm if he could send the percentages they currently have with Jones Carter so that a year from now when they are looking at percentages that were just approved here they can compare something side by side. Mr. Tramm said yes.

Kevin Lacy moved to designate Ward, Getz & Associates, LLP as City Engineer and approval of a professional services agreement with Ward, Getz & Associate, LLP for engineering services. Carol Langley seconded the motion, the motion carried with 4-Ayes and 1-Nay vote by Julie Davis. (4-1)

**DEPARTMENTAL REPORTS:**

7. City Administrator's Report for April 2021 – Mr. Tramm presented his report to City Council. Mr. Tramm said as a reminder the City Council meetings are recorded and streamed live. Mr. Tramm said it has been a long-term goal of City Council that they have the meetings recorded and kept on the website which he believes becomes a valuable resource for people to view. Mr. Tramm said they started the pandemic with a lot of people watching the meetings live and over months that number dwindled downward and what they learned was there were not fewer people watching, fewer people were watching live, and more came to realize those meetings had been recorded and posted and they could watch meetings on their schedule. Mr. Tramm said those recorded meetings are valuable to the public in that not everyone can come to this building at the scheduled time when City Council meets and not everyone can watch it streamed at the same time but they can certainly watch it at a time they choose to which he believes is a valuable service they provide to the community.

Mr. Tramm said going forward in the future starting with the next mail out, they will be including on utility bills and late notices a QR code where individuals with a smartphone can scan it and get to the login screen for their water account either to make payments or to look up the information. Byron Sanford asked if it cost the customers anything for that service. Mr. Tramm said there is not a cost to the customers. Mr. Tramm said the City, through the MEDC, has a subscription for QR codes and unless they go over 40,000 scans this year it will not change the subscription. Mr. Tramm said they do get a monthly report of scans with QR codes and while they do not know individually who is scanning, they can see the total that is scanned for the month and he can report those numbers back to City Council.

Mr. Tramm said the City's Administrative and Police Departments are working together on updating a permitting form for festival events.

Mr. Tramm said while the City is working with MISD and Emergency Services District #2 on disaster planning as a larger group effort, the City is also looking at some equipment needs in terms of messaging as well as backup power. Mr. Tramm said he is thinking within the next month they will approach City Council to approve items that are outside of the budget but what they believe they will need for disaster planning. Mr. Tramm said City Council may remember they purposefully kept a conservative budget because there was a lot of unknowns, and fortunately the economy has done better than anticipated in the City, and he believes the money existed and the City has collected, they just have yet to budget some of those funds. Mr. Tramm said they will have the money for those items, they just have to assign it. Mayor Countryman asked if they would be able to get the communications and the equipment in place and ready before hurricane season. Mr. Tramm said he does not know what the timeline would be on that but they will have the information when they present it. Mayor Countryman said she thinks generators have a two-year waiting period. Mr. Tramm said he assumes the answer would be different for different pieces of equipment, but even when it comes to messaging, they are looking at more than one option. Mr. Tramm said some things can be distributed high tech and some can be distributed by lower-tech but you need to be able to diversify the way you reach out to the people. Julie Davis asked if they are talking about short or long-term. Mr. Tramm said long-term. Mr. Tramm said in terms of messaging they are looking at items that can be used in more than one way and not something that is going to sit here waiting for a hurricane or disaster but something that has usage beyond just a disaster application. Julie Davis asked what do they do in the short term and do they have resources for an emergency shelter since they know the Community Center is not going to work out or just partner with the school and send people back to Walden. Mayor Countryman said they have people working on emergency plans since all of that happened and they will share that information shortly. Mr. Tramm said from their perspective parts of the hurricane season that are going to be worse for them are going to be later in the year. Mr. Tramm said it is not just hurricanes as they saw a winter storm disaster that was outside of what is normally seen here in our lifetimes. Mr. Tramm said they are trying to be in a position to be as broad as possible in response. Mr. Tramm said the City has two heavy use vehicles. Mr. Tramm said they do not have a lot of flood problems in the City but they do have some issues and the City has that on hand already. Mr. Tramm said they do have some backup power generation. Mr. Tramm also said they cannot plan for every emergency but they will do their best job to plan for as many as possible. Mr. Tramm said that is why they are having monthly meetings with MISD and the ESD so at

a minimum they are communicating, but if they had something happen next week, they are in a better position to respond than they were three months ago. Mr. Tramm said their primary focus is going to be communication and thinks they have it pretty well down with the coordination of working with those other entities.

Mr. Tramm said on the development side both residential and commercial developments continue throughout the City on the east end and Kenrock Development finally received long-anticipated plans from Wendy's that will be on the east side. Mr. Tramm said also on the east side in The Shoppes of Montgomery Panda Express is in the process of building and Auto Zone is getting closer to completion.

Mr. Tramm said there are no new updates on the state of Town Creek Crossing but they are moving forward with their construction activity and he believes by July they will be ready to start home construction. Mr. Tramm said the last section of the Hills of Town Creek was approved and will start moving forward. Mr. Tramm said there is no specific update for the Kammerer Tract. Mr. Tramm said those are all signs of different parts of the City where residential activity is moving forward. Mr. Tramm said 19 homes were completed during the calendar year through April 30, 2021.

Mr. Tramm said on mobility TxDOT has the contract for the right turn lane on SH 105 but he does not have the construction time on this project.

Mr. Tramm said if he goes to the utility report the collections are starting to increase with the weather and the water increases which for the next billing cycle the utilities will include the QR codes that will be on both the regular billing and late notices that are sent out.

Mr. Tramm said building and other permits continue to be issued for all phases starting with construction through completion. Mr. Tramm said it is not just because there have been homes completed, there are homes throughout the construction process and the water use level is showing less on those reports. Mr. Tramm said you will see a big jump for the last month of Memory Park compared to last year. Mr. Tramm said Memory Park's irrigation system has improved.

Julie Davis asked if the apartments going up on FM 1097 are tax credit or HUD. Mr. Tramm said he does not know but will inquire about it.

Julie Davis said she thought Panda Express was going in between Starbucks and the strip center but it looks like they are turning dirt on the west side of Starbucks and asked if that will be Panda Express going in that location. Mr. Tramm said that is correct. Mr. Tramm also said the apartments being built on FM 1097 will be market-rate apartments.

T.J. Wilkerson asked what happened to Discount Tire and asked if they were still coming to Montgomery. Mr. Tramm said they are still waiting to hear from them. Mr. Tramm said as a reminder, Wendy's was originally submitted over two years ago and it was just about a month ago they received new plans.

Julie Davis asked where Wendy's was going to be located. Mr. Tramm said over near Pet Supply Plus.

Julie Davis said she did hear a Taco Bell was coming just outside the City limits at Commerce Road and SH 105. Mr. Tramm said he heard that but since it is outside the City limits he has no information on that.

T.J. Wilkerson asked if they are going to be adding more apartments. Mr. Tramm said he does not know of any more than just those. Mr. Roznovsky said they only own that tract but he has heard recently another developer is looking at more apartments on Plez Morgan. Mr. Roznovsky said that has not been approached to the City yet but it has been mentioned. Mr. Roznovsky said it is on the opposite side of the street closer to Old Iron Works right next to the creek. Mr. Roznovsky said it is a seven-acre tract and one that with the GLO funds you are partnering with them to buy some land for a pond to offset that drainage. Mr. Roznovsky said he had a meeting with the property broker on that tract and he is saying they are looking at it for apartments. Mayor Countryman asked if they would have any control over that. Mr. Roznovsky said he would need to go back and look because Plez Morgan was the dividing line, but he cannot remember now but wants to say the PDD encompasses both sides of the street. Mayor Countryman asked what happens if it does encompass the other side of the street. Mr. Roznovsky said the apartments are not subject to the zoning because it is zoned in the

PDD. Mr. Roznovsky said the PDD will still apply for our inspection control. Julie asked if that expires in 2030. Mr. Roznovsky said yes there were three different agreements.

T.J. Wilkerson asked if they going to do something on Buffalo Springs across from where Mr. Philip Lefevre is developing and are they going to clean off the properties and do something there. Mr. Tramm said it took several calls to get them to put fencing there around the property. Mr. Tramm said the land has just been cleared and they have not presented any plans to them.

Julie Davis asked Mr. Muckleroy if any sprinklers have been turned off at Memory Park. Mr. Muckleroy said they are off now and any time they have several days of rain they always manually turn the sprinklers off for all the systems.

8. Public Works Report for April 2021 – Mr. Muckleroy, Public Works Director said on the waterside of the report they repaired a two-inch service line on SH 105, installed a three-inch extension on a hydrant at the entrance to Kroger's off Lone Star Parkway, and relocated a meter on Scenic Hills Drive.

Mr. Muckleroy said on the wastewater side they cleared debris from a manhole in Town Creek Crossing and completed two work orders for sewer-stop ups.

Mr. Muckleroy said on the streets/drainage side they set a new culvert at 612 Worsham Street and painted additional footage of the fire lane on Emma's way.

Mr. Muckleroy said on the building and equipment maintenance they straightened one of the flagpoles at the Community Center and completed 18 work orders for general City Hall maintenance.

Mr. Muckleroy said on the parks and recreation side they replaced the main rotten porch beam on the Jardine Cabin at Fernland Park and the docents reported 838 visitors and provided 63 tours for the month.

Mr. Muckleroy said they attended a meeting with Verizon to discuss downtown Wi-Fi needs and completed 26 work orders for general maintenance issues.

Byron Sanford asked why at 154 Scenic Hills Drive the meter was relocated. Mr. Muckleroy said what happens sometimes in the development stage a developer will come in build a neighborhood and all the meters are set in place and as they build the individual houses especially on a cul-de-sac it ends up where the meter may need to be shifted a bit. Mr. Muckleroy said the builder notifies them and pays the fee upfront for them to come out and relocate it.

Mr. Muckleroy said they received reports from the Buffalo Springs area of feral hog issues. Mr. Muckleroy called the Texas Department of Wildlife and the City of Conroe where they run a full wild hog eradication program dedicated to trapping and disposing of hogs. Mr. Muckleroy said they ordered a trap which arrived today and he is working on a right of entry for the neighborhood. Mr. Muckleroy said the piece of property they are going to put the trap on is owned by the POA so it is easy to access. Mr. Muckleroy said they will need them to sign legal documents which are with the City Attorney for review. Mr. Muckleroy said hopefully within the week they will be able to set the trap up and start catching wild hogs.

9. Police Report for April 2021 – Chief Solomon said their first CERT (Community Emergency Response Team) training will begin. Chief Solomon said that is going to go a long way in helping them prepare for these disasters and hurricanes and will begin in July. Chief Solomon said they already have 30 people signed up for the class which will take place at City Hall.

Chief Solomon said he wanted to congratulate Lieutenant Joe Belmares who just completed LMC (Leadership of Montgomery County) and he attended his graduation. Chief Solomon said his team took on four projects and one of those projects was CASA which is the Child Advocate of Montgomery County. Chief Solomon said the team went in and redid the entire building. Chief Solomon said Lieutenant Belmares was very proud of the work they did. Chief Solomon said the kids were very happy and this is where kids go when they are no longer safe at home. Chief Solomon congratulated Lieutenant Belmares for completing the project.

Mayor Countryman said she was again receiving compliments for Chief Solomon's team and officers and in particular Officer Lucy Saah. Mayor Countryman said she continuously receives compliments and congratulated Chief Solomon and his team and said she appreciated his leadership and all they do. Chief Solomon said they have a very good group of men and



women and they do a great job. T.J. Wilkerson said he also wanted to thank all the officers and the work that they do.

Carol Langley asked how many officers are in the department. Chief Solomon said there are 15.

10. Court Report for April 2021 – Mrs. Kimberly Duckett, Court Administrator said they collected \$40,808.03 in April with 114 citations for that month.

Mrs. Duckett said the Court is going to be preparing for the Citizens Academy tomorrow and in the upcoming months she is going to be preparing for the RAD (Rape Aggression Defense) training. Mrs. Duckett said she is the instructor along with Officer Griffin and they will be with Montgomery County preparing for this so they can start in the upcoming months of handling their own RAD training in the City of Montgomery.

Mayor Countryman said she wanted to commend her staff as she was in her office not too long ago and during the pandemic, there were a lot of citations going out and the Court was collecting them according to the collections which is a great job. Mayor Countryman said at least people are paying their fines and warrants. Mrs. Duckett said yes they are.

Julie Davis said she noticed tickets are down but revenue is significantly up. Mrs. Duckett said the tickets for that month do not fluctuate the month of collections. Mrs. Duckett said they have previous warrants that help funnel into their monthly collections.

11. Utility/Development Report for April 2021 – See Mr. Tramm’s City Administrator’s report.
12. Water Operations Report for April 2021 – Mayor Countryman congratulated Mr. Mike Williams on having their contract renewed.

Mr. Mike Williams, Vice President of H2O Innovation said there were four district alerts and were all due to power-related issues. Mr. Williams said by the time they arrived on site on all four occasions the normal power was running so they reset all the monitoring systems and did not find any issues at that time. Julie Davis asked if the City pays extra for them to come out and reset the monitoring systems or is that included in their contract. Mr. Williams said emergency jobs are extra. Julie Davis asked if there is a way for something like this that is simple enough for Public Works to be able to reset it or you could teach them how to do it. Mr.

Williams said that is something they can discuss, but if there are bigger issues with the plants there on site it would be better for properly licensed personnel to take care of it.

Mr. Williams said the daily effluent total for the period was 5,714,000 gallons. Mr. Williams said the daily peak flow on March 21, 2021, was 348,000 gallons and the daily average flow was 184,300 gallons with 46 percent of permitted capacity.

Mr. Williams said all effluent monitoring samples for the month of April were in compliance.

Mr. Williams said for the water report they pumped a total of 10,837,000 gallons, flushing at 318,000 which brings it to a 96 percent accountability. Mr. Williams said there were 1,013 connections reported through the Beacon System.

Julie Davis asked if Mr. Williams foresees any capacity issues with all the rain there has been this month. Mr. Williams said no as the City's permit is based on a running average for the month so even if there is a lot of rain you will trend up with that, but overall your average will keep you in capacity. Mr. Williams said with as much space as there is right now he is not worried about it.

Julie Davis asked if he foresees any issue within the next year with the chlorine shortage. Mr. Williams said he does not foresee any issues because the only time they use that type of chlorine is to do some cleaning. Mr. Williams said the disinfection chlorine they checked with their manufacturer and they have not had any issues, it is the chlorine gas and they checked with their liquid bleach wholesaler and they have no issues transporting it.

13. Finance Report for April 2021 – Mr. Anthony Lasky, Senior Accounting Clerk presented his report to City Council.

Mr. Lasky said the account balances for the general fund are currently at seven and a half months of reserve.

Mr. Lasky said the MEDC fund has two years of reserve and the utility fund is less than a year's worth of reserve.

Mayor Countryman asked if the hotel occupancy tax fund is the tax the City is putting away when they receive it. Mr. Lasky said the only ones he knows of are for the Caroline House. Mayor Countryman said she is seeing there is a balance there and asked what are we doing

with that money. Mr. Tramm said right now it is just accumulating and there are limits on what they can use from that fund. Mr. Tramm said since they do not have a specific target for it they are just letting it accumulate.

Mr. Lasky said for the cash flow for the general fund they did receive a sales tax of \$215,206. Mr. Lasky said it is the lowest they have seen for the fiscal year, but it is still good for being over \$200,000. Mr. Lasky thinks some of it had to do with the freeze that happened back in February because that was February's collections and that was probably the reason why for a bit of a dip in that number, but for the other numbers it has been relatively steady.

Mr. Lasky said a couple of things they did for the month was pay the TWC and filed 941 quarterly for April. Mr. Lasky said the one expenditure that stands out for this month is the State Comptroller for just under \$44,000 for State criminal costs. Mr. Lasky said everything else was steady for April.

Mr. Lasky said for the budget they received \$161,000 of that \$215,000 in sales tax for April, the rest of it for MEDC. Mr. Lasky said they did receive the May numbers and since it was a quarterly filing month they received \$440,000 for May with \$330,000 going into the general fund and \$110,000 going into the MEDC fund.

Mr. Lasky said for the total revenues what he typically does is take out the Home Grant stuff because it is more of a one-time thing and they are about \$375,000 over and that is doing very well. Mr. Lasky said he knows that they do have the extra money they plan to spend on different projects and repairs that he knows will be taking place over time.

Mr. Lasky said on the expense side everything for seven months' worth is looking very steady and after calculating everything they are just less than \$1,000 under and they are right at that number for total expenses which is very good for seven months' worth of budgeted revenues and expenses.

Kevin Lacy asked about the Home Grants. Mr. Tramm said there was a long-term project the City participated in that led toward government money being used to build several homes and he believes four homes were built in the community. Mr. Tramm said they do have some names that have requested interest should there be more funds available in the program in the future. Mr. Tramm said if anyone knows of anyone that might qualify they are accumulating a list for

those names and if there is another opportunity that becomes available they will pursue that again.

Mr. Lasky said they did transfer \$160,000 from the MEDC fund to the capital projects fund which went toward the Downtown Waterline Project. Mr. Lasky said they also had Pay Estimate #3 being paid from the capital projects funding of \$207,382.50. Mr. Tramm said the \$160,000 paid toward the Downtown Waterline Project was an item that was in MEDC's annual budget.

Julie Davis asked if there was a reason that all the legal fees were billed quarterly and then monthly as well. Julie Davis said they were both March and then October and February were all billed this month too. Mr. Tramm said they were backlogged and then all billed at one time.

14. Engineer's Report for April 2021 – Mr. Donald Durgin, Operations Manager with Jones Carter said they will be happy to help with the transition back with Mr. Roznovsky and Ward, Getz & Associates, LLP and they will do a fine job for the City.

Mr. Durgin said a couple of weeks back there were questions regarding how soon they were going to be able to finish the Waterline Project. Mr. Durgin said the performance date is scheduled to end June 13, 2021, and there may be a couple of rain delays but they are going to wrap up on SH 105 and then finish up on FM 149 which should be right about that time.

Mr. Tramm said it seemed they were doing really well on schedule until all the rain came along. Mr. Tramm said his observation was they were really getting on top of the project and managing their time pretty well. Mr. Durgin said they have approved Pay Estimate No. 4 for \$135,400.50.

Mr. Durgin said regarding the Baja Road Water and Drainage Improvements, there were some one-year punch list items the contractor was not doing. Mr. Durgin said the issue on this is that the grant funding has not been turned into the City just yet, but the contractor is not going to finish until he gets paid for his final payments. Mr. Durgin said they are recommending the City go ahead and pay the contractor to finish the punch list items and the grant funding will follow suit.

Julie Davis asked if the grant funding was more than what the City still owes. Mr. Roznovsky said the grant money that is due back to the City covers the last construction pay estimate, grant

administration, and some engineering, and it has already been paid out of the last grant draw so there should be money that will go to the City's account that does not have to be paid out because it is reimbursing the cost. Mayor Countryman asked if they have made a little bit of money. Mr. Roznovsky said no it is just the City already paid the invoices and the only thing that has not been paid ahead was the last pay estimate to the contractor.

Mr. Durgin said for Water Plant No. 3 they held the pre-construction meeting on May 12, 2021, and notice to proceed will be issued this week and they are expecting to return the contracts soon.

Julie Davis asked if there is any update on the Kammerer tract. Mr. Roznovsky said he knows they closed on it and he had a meeting with the developer a few weeks ago. Mr. Roznovsky said the Discount Tire site is the tract next to Christian Brothers, and Discount Tire sold to Texas First Bank and they will be building a branch on that site.

Julie Davis moved to accept the Departmental Reports as presented. Byron Sanford seconded the motion.

Discussion: T.J. Wilkerson asked if they are still doing a speed study on FM 1097. Mr. Tramm said they will be as he has an engineering proposal for that project under review right now.

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 said there was a fire hydrant at Caroline and FM 149 at the entrance to Wings Over Montgomery that has a giant hose attachment hooked onto it. Julie Davis asked if there is a way to have it removed and asked why it is there. Mr. Muckleroy said it is a hydrant meter. Mr. Muckleroy said when a contractor comes into town and they need to get water they come in and put a deposit down and rent a hydrant meter and they put it at a place of their choosing. Mayor Countryman said they had issues of contractors stealing water so they had to regulate them.

**ADJOURNMENT**

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

Submitted by:  Date Approved: 06/08/2021  
Susan Hensley, City Secretary

  
Mayor Sara Countryman

