

**MINUTES OF REGULAR MEETING OF  
MONTGOMERY CITY COUNCIL  
May 10, 2022, at 6:00 PM**

**CALL TO ORDER**

Mayor Sara Countryman 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

Also Present: Richard Tramm City Administrator  
Dave McCorquodale Assistant City Administrator  
Nici Browe City Secretary & Director of Administrative Services  
Alan Petrov City Attorney  
Chris Roznovsky, PE WGA Consulting, City Engineer

**INVOCATION**

Mayor Pro Tem T.J. Wilkerson provided the Invocation.

**PLEDGE OF ALLEGIANCE TO FLAGS**

**VISITOR/CITIZENS FORUM:**

**Terri Woodson** of Waste Management of Texas spoke to City Council and thanked them for their cooperation during her tenure since 2007, and announced her retirement and introduced her replacement, **Tiana Smith**, who has several years of waste management service.

**Larry Reiland** owner of PETZ, pet feed and supply store spoke about a sidewalk he had attempted to pour and install sidewalk, but was stopped by Police, Code Enforcement a big show. He provided pictures of the state of the stopped work and urged staff to do the right thing and allow him to continue to pour and finish, and stop the abuse of power.

**Mayor Sara Countryman** stated that she would take the privilege of asking both Kevin Lacy and Julie Davis if they wished to say any comments regarding the recent election.

**Councilmember Kevin Lacy** thanked everyone for their support, recognized that the result was not the direction he wished it had taken, however, is in favor of the democratic process. He is now looking forward to spending more time with family. He concluded by saying that it has been a fun and interesting two years.

**Councilmember Julie Davis** thanked everyone for the opportunity to serve the community and said it had been fun.

**Mayor Sara Countryman** then read from a script that she had written for the meeting. *A copy is attached to this official set of minutes. (see page 7)*

**CONSENT AGENDA:**

1. Presentation of Proclamation by Mayor designating the week of May 15-21, 2022, as “National Public Works Week”.
2. Minutes of City Council Meeting April 12, 2022
3. Minutes of City Council Meeting April 26, 2022

Councilmember Kevin Lacy moved to approve the consent agenda as presented. Mayor Pro Tem TJ Wilkerson seconded the motion. Motion passes (5-0).

Mayor Countryman then read the proclamation designating May 15-21, 2022, as National Public Works Week and presented it to Mike Muckleroy, Public Works Director with gratitude for his and his team’s dedication to the City.

**CONSIDERATION AND POSSIBLE ACTION:**

4. Consideration and possible action regarding the city entering into a Development Agreement with Redbird Meadow Development, LLC.

Mr. Richard Tramm introduced this item and communicated to Council that this development agreement had been discussed a lot in the last two years.

Mr. Chris Roznovsky, City Engineer provided City Council with a detailed explanation of the development agreement with Redbird Meadow Development, LLC.

Councilmember Julie Davis presented questions on the process for De-annexation as it relates to the property and area she lives in, as they do not receive any city services.’

Alan Petrov, City Attorney responded to Councilmember Davis stating that the petition to de-annex must meet certain specific requirements before the City will de-annex. This is based on recent changes to the law for a petition to de-annex.

Councilmember Byron Sanford moved to approve the Development agreement as presented. Councilmember Kevin Lacy seconded the motion. The motion passed (4-1). Councilmember Davis voted Nay.

5. Consideration and possible action regarding adoption of the following Ordinance: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS

CONSENTING TO A PETITION FOR THE CREATION OF MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 215 IN MONTGOMERY COUNTY, TEXAS AND ESTABLISHING CONDITIONS APPLICABLE TO THE CREATION OF THE DISTRICT"

City Administrator, Richard Tramm introduced this item to City Council and informed them that this is an additional part of the development agreement and is the consent to the creation of a Municipal Utility District.

Councilmember Julie Davis asked the Attorney questions regarding fitting in with the agreed upon timelines.

Attorney Mr. Petrov confirmed that it does fit with the timeline as TCEQ works at a much slower pace.

Councilmember Byron Sanford moved to approve the Ordinance providing authority to a consent of a Municipal Utility District as presented. Mayor Pro Tem TJ Wilkerson seconded the motion. The motion passed (4-1). Councilmember Davis voted Nay.

6. Consideration and possible action authorizing the City Engineer to proceed with design of the Old Plantersville Road 12" Waterline Loop and Old Plantersville Road Sanitary Sewer Force Main project pursuant to the Development Agreement between the City and Redbird Meadow Development, LLC.

Mr. Chris Roznovsky provided a detailed explanation of the line that is anticipated to be needed for the Redbird project. He advised Council that the packet has cost estimates.

Councilmember Julie Davis inquired if this line placement would require the city to take imminent domain.

Mr. Roznovsky responded that if you look at page 63 in the packet, the line will not require that action, is the opposite side of the street and will in fact be placed within the right of ways and or easements.

Mr. Roznovsky continues his explanation by stating that the intent is to use the platted property's easements and at this time there are just four property owners that they will need easements from to proceed. He added that the waterline the intent there is to run the school side.

Mayor Sara Countryman inquired why this wasn't ran through the Technical & Operations Review (TORC) Committee.

Mr. Richard Tramm responded that the Torc group did not look it as a group, but he did have Randy Burleigh look at it and provide comments, which was forwarded to Chris to incorporate to what he is presenting tonight.

Mr. Roznovsky confirmed and stated that a couple of things Randy was concerned with were, the timing, the 12 inch loop and provided council with the phase 1 and additional phases, and capacity and use.

The other concern is Lift Station #2 which is being looked at along with all of the impact fees.

Councilmember Davis said there was a \$23 million short fall and how can that be dealt with.

Mr. Roznovsky explained the impact fees from all of the developments would not provide a shortfall.

Mayor Countryman asked Mr. Roznovsky if he has met and talked with the TORC Committee?

Mr. Roznovsky responded that he did not speak with the committee, but did speak with Mr. Tramm.

Councilmember Byron Sanford moved to approve the Sanitary Sewer Force Main project per the Development Agreement as presented. Councilmember Carol Langley seconded the motion. The motion passed (4-1). Councilmember Davis voted Nay.

7. Consideration and possible action on authorizing the City Administrator to execute an interlocal agreement with Montgomery County to share in the cost of emergency repairs to the bridge on Lone Star Parkway immediately east of Plez Morgan Dr.

Mr. Richard Tramm presented this item and stated that after speaking with the Attorney's Office today, this is more of a discussion item than action item by council.

Mr. Tramm informed the Council that the County Engineer has reviewed the bridge and feels that it is not an emergency item but rather urgent none the less.

Councilmember Julie Davis inquired what did they deem an emergency or what is their definition of emergency versus an urgent issue.

Mr. Tramm responded that the county stated that it does not need emergency repair but agreed it does need repair and will proceed through their usual process.

Mayor Countryman stated that she took a tour there just recently and she is horrified that it is in such bad shape and expressed her concerns as it is Horrible. She went on to add that on May 24, 2021, they were there, and it was in bad shape then, however, now the changes are so significant, and a wash out will take out the small apron area and has the potential to cause a major disaster.

Mayor Countryman went on to say that she has emails where staff have communicated with the County and said the City has approved half of the payment. She went on to say she learned more about this situation when she spoke with Randy, due to the impending rainstorm and is so concerned that this is not being addressed when it is in such poor condition.

Mayor Countryman also stated that she has great concerns why this has not been addressed much sooner. She then inquired with the Public Works Director where the approval was from for the half of the cost of repair?

Mr. Mike Muckleroy, Public Works Director responded that based on his determination and inspection that it was going to be an emergency expense he and the City Administrator approved to contributing 50% of the costs, under the emergency provision.

Councilmember Byron Sanford agreed that there has been no sense of urgency and especially from the County it appears. He also commented that staff needed to have been the greasy wheel.

Mayor Countryman concluded that staff didn't do that, they just sat on it and not working on vital projects like this daily.

Councilmember Julie Davis inquired with the attorney, if it is normal for a City to extend funds like this for something that is not theirs.

Mr. Petrov responded that for joint funded projects yes.

Mayor Countryman pointed out that the agreement was poorly drafted as it has Harris County listed, and clearly, we are not Harris County, and it's a county road they want us to repair and own and maintain .... that needs removing.

Councilmember Carol Langley inquired with the attorney, that this agreement was received late last week and it's their (County) draft, that you will go through and amend this before our approval and signature.

Mr. Petrov stated that is correct, he would make sure that the changes are made and sent back to the City Secretary.

Councilmember Carol Langley asked Mr. Tramm if this 50% cost was offered or asked for?

Mr. Tramm stated that it was through a verbal conversation that Mike the Public Works Director had with the Commissioner.

Mayor Countryman asked Mr. Tramm so you agreed without seeking Council to facilitate the negotiation. Council had further discussion with Mr. Muckleroy on his communications with the County and Commissioner Walker personally, and the cost estimate for repair.

City Council had further discussions with Mr. Tramm on emails, timelines and authority to approve the expenditure.

Councilmember Julie Davies moved to approve the agreement with the following stipulations:

1. Change the City and County limits to read Montgomery County, not Harris County.
2. The 50% contribution to not exceed \$100,000.00
3. Delete Article viii - the city will have zero ownership of this road.

Councilmember Carol Langley seconded the motion. Motion passed (5-0).

8. Scheduling a Special Council Meeting to be held on Tuesday, May 17, 2022, at 6:00 PM. to canvass the May 7, 2022, City General Election results to administer the Oath of Office for the Mayor and City Council positions 2 and 4.

Mr. Richard Tramm presented this item and informed City Council that the canvassing period was too soon to make the agenda for this evening's meeting, therefore, staff is requesting to schedule a special meeting to canvass the votes and proceed with the Oaths of Office - May 17, 2022, at 6:00 P.M.

Councilmember Byron Sanford as "Mayor Elect" stated he would like to proceed with the canvassing on the 17<sup>th</sup>, however, as there have been indications from some of council won't be available that evening, that we hold off and make the Oaths of Office as one of the first items on the regular scheduled meeting on May 24, 2022.

Councilmember Byron Sanford moved to approve the scheduling of a meeting to canvass the election results only, on Tuesday, May 17, 2022, at 6:00 P.M. Councilmember Carol Langley seconded the motion. The motion passed (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.

## **Council went into Executive Session at 7:01 P.M.**

## **CITY COUNCIL RECONVENED AT 7:04 P.M.**

### **POSSIBLE ACTION FROM EXECUTIVE SESSION:**

>551.071 (Consultation with attorney).

No motion was made.

### **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.

No council inquiry was given.

Councilmember Julie Davis moved to adjourn the meeting. Councilmember Kevin Langley seconded the motion. The motion passed (5-0).

### **ADJOURNMENT 7:04 P.M.**

Submitted by: Nici Browe

Date Approved: 5-24-2022

Nici Browe, City Secretary

Byron Sanford

Byron Sanford, Mayor.

**From:** [Sara Countryman](#)  
**To:** [Nicola Browe](#)  
**Subject:** Re: I will be there after 11 to sign papers.  
**Date:** Wednesday, May 11, 2022 1:29:06 PM

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For the minutes:

Good evening citizens and council. I want to take a few moments to express my deep gratitude to the citizens of Montgomery. I have served as your Mayor for the past 4 years and it has been an honor and pleasure to do so.

During the last 4 years, we have come a long way and as I have heard it said, "Leave this place better than when you got there" and I can confidently say, so many things have been accomplished and I am so proud of each and every council I have had the pleasure to serve alongside.

Some of my most favorite accomplishments are branding the city as "Birthplace of the Texas flag", loud and proud.

While mayor we began:

- \*give flags out when a new water account is opened in the city
- the city now has painted Texas flags throughout
- We were successful with trademarking "Birthplace of the Texas flag" for the citizens of Montgomery.
- Comprehensive Plan approved that took 3 years in the making but gives us a footprint to work off of....prior plan was in 2008 and never was adopted
- First ever in history and in the county to approve 20% Homestead exemption and 65 and over exemption
- A number of families received a new home via the GrantWorks program, this initiative had been stalled out prior to me being elected and I am thankful to be apart of pushing this through.
- A stellar new Police Chief and the hands down the BEST PD in the County, I do appreciate our blue and back them 100%
- Kept historic preservation top of mind and a priority
- Most tax revenue ever collected in the history of the city (\$610K to date is the largest collection)
- Growth of businesses – 60 new businesses in total

- 10 CO's issued for businesses in 2018
  - 23 new businesses in 2019
  - 13 new businesses in 2020
  - 12 new businesses in 2021
  - 3 new businesses to date in 2022
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- Near triple growth in population
  - 2 hugely successful music events that bring thousands to our city at each event.  
Thanks for the great partnership Charlie Diggs
  - Resurrected the Heritage Festival, brought the actual declaration and acceptance of the Texas flag that was signed by Maribu Lamar
  - 15 year capital water/sewer plan for our future and framework
  - Ball rolling on roundabout for lone star parkway and buffalo springs as well as the potential south loop around our city is beginning to move along.
  - The city now hosts the annual Christmas parade and Antiques Festival which are growing in attendance every year.
  - Successfully survived COVID/SNOVID/2 tornados/ and a ton of power outages
  - Built a strong partnership with MISD and an emergency plan!
  - And my favorite....helped as many citizens and taxpayers daily to ensure quality of life in our sweet town.

I will be here as a resident of Montgomery. This isn't the end of my political aspirations and I full heartedly believe that Govt's TRUE TRANSPARENCY is not a "catch word" but it is REQUIRED. It would appear that gov't believes we are 'grown up enough' to pay, in the way of taxes, for what the gov't decides. I think the government owes the taxpayers more transparency on how OUR DOLLARS are spent! The people shouldn't have to demand it, they should expect it.

Speaking of citizens and what we/they deserve and should expect, here is a bit of feedback.

If this council keeps Richard Tramm, you will find yourself in turmoil and disarray. We need to be out ahead of issues and because our citizens/biz alike, require it! If the city continues to move in the current fashion, 1-2 years from now, we will be fixing even more issues b/c Richard is conducting city business at his convenience and leisure and not at the demand and will of the people and not the needs. I have several examples should you or any of the new council ask to learn more. He is making those that serve this community look quite foolish.

While I have some concerns, the people have paid attention, evident in the most recent city election by voting in new blood eager to help the city move forward, and this is truly my hope for this city.

Again, thank you for the opportunity to all the people of Montgomery to allow me to serve these past 4 years, it has been a wild and successful ride and one I am truly proud of, each and every step of the way, each and every day.



Thank you,  
Sara

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**From:** Nicola Browe <[nbrowe@ci.montgomery.tx.us](mailto:nbrowe@ci.montgomery.tx.us)>  
**Sent:** Wednesday, May 11, 2022 9:59:04 AM  
**To:** Countryman, Sara <[scountryman@ci.montgomery.tx.us](mailto:scountryman@ci.montgomery.tx.us)>  
**Subject:** RE: I will be there after 11 to sign papers.

Okey dokey

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**From:** Countryman, Sara <[scountryman@ci.montgomery.tx.us](mailto:scountryman@ci.montgomery.tx.us)>  
**Sent:** Wednesday, May 11, 2022 9:46 AM  
**To:** Nicola Browe <[nbrowe@ci.montgomery.tx.us](mailto:nbrowe@ci.montgomery.tx.us)>  
**Subject:** I will be there after 11 to sign papers.