

**Notice of Regular Meeting
MINUTES**

June 14, 2022, at 6:00 PM

CALL TO ORDER

Mayor Byron Sanford called the meeting to order at 6:00 p.m.

Present:	Byron Sanford	Mayor
	Carol Langley	City Council Place #1
	Casey Olson	City Council Place #2
	T.J. Wilkerson	City Council Place #3
	Cheryl Fox	City Council Place #4
	<i>Vacant</i>	City Council Place #5

Also Present:	Dave McCorquodale	Assistant City Administrator& Planning Development
	Nici Browe	City Secretary & Director of Administrative Services
	Alan Petrov	City Attorney

INVOCATION

Mayor Byron Sanford provided the Invocation.

PLEDGE OF ALLEGIANCE TO FLAGS

VISITOR/CITIZENS FORUM:

Citizens are invited to speak for three (3) minutes on matters relating to City Government that relate to agenda or non-agenda items. Prior to speaking, each speaker must be recognized by the Presiding Officer. All speakers should approach the podium to address Council and give their name and address before sharing their comments. City Council may not discuss or take any action on an item but may place the issue on a future agenda.

Ms. Duncan – provided a speech that former Mayor Sara Countryman had written and posted on various social media outlets. A copy of which is added to these minutes.

CONSENT AGENDA:

1. Approval of the following:
Special Called City Council meeting minutes 05-31-2022.
2. Consideration and possible action regarding an Escrow Agreement by and between the City of Montgomery, Texas and 1000 Foster Drove, LLC for a proposed multi-family residential project (Dev. No. 2206).

3. Consideration and possible action on authorizing the Interim City Administrator to approve expenses for repairs and painting of the Arnold-Simonton House at Fernland Park.

Councilmember Casey Olson moved to approve the consent agenda as presented. Councilmember Carol Langley seconded the motion. The motion passed (4-0).

CONSIDERATION AND POSSIBLE ACTION:

4. Consideration and possible action regarding a request to demolish a portion of a structure at 504 Caroline Street located in the Historic Preservation District.

Mr. Dave McCorquodale, Interim City Administrator provided Council with a detailed explanation of the request to demolish a portion of the structure at 504 Caroline. He provided them with the condition of the current poor and unsafe structure, which is beyond any repair.

He advised that the contractor Mr. Robb is present should there be any questions you wish to ask of him.

Councilmember Carol Langley moved to approve the request to demolish a portion of the structure. Councilmember Cheryl Fox seconded the motion. The motion passed (4-0).

5. Discussion on emergency expenditure to add surge/lightning protection to Water Well 3 electrical service in the amount of \$14,200.00.

Mr. Mike Muckleroy, Public Works Director provided City Council with details of the surge protection issue that was in existence at water well #3. He further explained that he had gone to Mr. McCorquodale as it was evident from the inspections that the pump was not protected from surges. He and Mr. McCorquodale deemed this an emergency expense, as at the time it was right after a council meeting, therefore would come for a ratification of the expenditure.

Council agreed with the decisions made and did not entertain a motion.

6. Consideration and possible action regarding approval of the Certificate of Acceptance of the Downtown Waterline Replacement project.

Mr. Chris Roznovsky, City Engineer, WGA provided the Council with details of the work that had occurred for the waterline replacement, and that all punch list items were taken care of so now he is happy to present to council for their approval the Certificate of Acceptance.

Councilmember Casey Olson moved to approve the Certificate of Acceptance. Mayor Pro Tem TJ Wilkerson seconded the motion. The motion passed (4-0).

7. Discussion and possible action authorizing city staff and consultants to coordinate with Pulte Homes of Texas regarding proposed Development, Annexation, and Consent to Creation of a Special Purpose District Agreements for a proposed 80-acre single-family residential development (Dev. No. 2203).

Mr. Chris Roznovsky, City Engineer, WGA stated that from the May 24th Council meeting he had worked through items with legal and working with the developer. This project is outside of the City limits, he then directs council that on page 53 of the Report is discusses the 100 ft stretch, this cost he stated is solely on Pulte.

Councilmember Casey Olson asked about the 45 ft lot sizes.

Mr. McCorquodale provided the response that the City had received a marked-up plot plan, however it did not provide enough detail, remember he stated this was marketed originally as a senior community.

Mr. Roznovsky added that Terra Vista next door to this development is also 45-50ft lot sizes.

Mayor Pro Tem TJ Wilkerson moved to authorize staff to proceed with the request to create a Special Purpose District for the proposed 80-acre SFR development No 2203. Councilmember Cheryl Fox seconded the motion. The motion passed (4-0).

8. Consideration and possible action on the following Ordinance: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS GRANTING TO ENTERGY TEXAS, INC. THE RIGHT, PRIVILEGE AND FRANCHISE TO CONDUCT WITHIN THE CITY AN ELECTRICAL LIGHTING AND POWER BUSINESS; PROVIDING AN EFFECTIVE DATE UPON ACCEPTANCE IN WRITING BY ENTERGY TEXAS, INC.

Mr. Dave McCorquodale introduced the Franchise Agreement and stated that they are not sent out very often. It is his understanding that it is way to recoup monies to allow a utility agency to operate in our ROW. The last one was in 1972 with a 50-year life span, this one is for a term of 25 years.

Council provided questions to Mr. McCorquodale and to legal counsel on the workings and benefits of a Franchise Agreement, and how the rate is worked out.

Councilmember Casey Olson requested that this item be tabled until June 28, 2022, so staff and legal can respond to the questions that council has posed and to provide council with time to digest the booklet/agreement. Mayor Pro Tem TJ Wilkerson seconded the motion. The motion passed (4-0).

9. Consideration and possible action regarding calling a Public Hearing on a request to place a HUD-code manufactured home at 15329 Liberty Street, Montgomery, Texas.

Mr. Dave McCorquodale explained that the only way in the city anyone can place a mobile home is within a mobile home park. However, the lot concerned is owned by the applicant and there is a home on there now which is not livable. The plan is to build a home at the back of the property. They have submitted an application, then next step is to issue a public hearing notice to surrounding property owners.

Councilmember Casey Olson moved to call a public hearing on July 12, 2022. Mayor Pro Tem TJ Wilkerson seconded the motion. The motion passed (4-0).

10. Consideration and possible action on a MEDC budget amendment.

Mr. McCorquodale introduced this item and stated that there is no monetary change to this amendment it is to request to change the name for a GL item to adequately cover the work in the corridors and allow for the funding to be accurately accounted for.

Councilmember Casey Olson moved to approve the language change on the MEDC budget as presented. Councilmember Cheryl Fox seconded the motion. The motion passed (4-0).

11. Cost of Living Adjustment (COLA) as approved by City Council 04-18-2022

Mr. McCorquodale introduced this item and Ms. Browe, City Secretary, gave a brief presentation to council on how the COLA should not be tied to a performance goal, and that the City Policy states all employees for COLA adjustments.

Councilmember Casey Olson moved to approve the COLA to the Exempt employees and backdate it to April 17, 2022. Mayor Pro Tem TJ Wilkerson seconded the motion. The motion passed (4-0).

12. Discussion and possible action on the proposals submitted for the City Administrator recruitment.

Mr. McCorquodale introduced this item stating that both the City Secretary and Legal counsel had reached out to professional executive recruiting firms. The council has both packets before them, and staff would answer questions.

Councilmember Carol Langley moved to approve the proposal from SGR. Councilmember Casey Olson seconded the motion. The motion passed (4-0).

EXECUTIVE SESSION:

The City Council reserves the right to discuss any of the items listed specifically under this heading or for any items listed above in executive closed session as permitted by law including if they meet the qualifications in Sections 551.071(consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel matters), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Government Code of the State of Texas.

Council went into Executive Session at 6:55 PM

CITY COUNCIL RECONVENED AT 8:22 PM

POSSIBLE ACTION FROM EXECUTIVE SESSION:

1. 551.072 Real Property
2. 551.074 Personnel Matters

The City Council did not have any motions to make on these items.

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.

Mayor Byron Sanford stated that he is working with staff for the creation of a full flow chart, so that the new City Administrator can see where the demands are. For him, he is turning his focus to traffic, he has a meeting with Commissioner Riley and is building on TXDoT relations.

ADJOURNMENT

Councilmember Cheryl Fox moved to adjourn. Councilmember Carol Langley seconded the motion. The motion passed (4-0).

ADJOURNMENT 8:39 PM

Submitted by: N. Browe

Date Approved: 6-28-22

Nici Browe, City Secretary

Byron Sanford

Byron Sanford, Mayor