

**Notice of City Council Meeting  
MINUTES**

**July 12, 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    | ABSENT   |
|          | T.J. Wilkerson | City Council Place #3                              |
|          | Cheryl Fox     | City Council Place #4                              |
|          | <i>Vacant</i>  | City Council Place #5 (Patricia Easley – Sworn in) |

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

**INVOCATION**

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

**PLEDGE OF ALLEGIANCE TO FLAGS**

1. Mayor Byron Sanford administered the Oath of Office to Patricia Easley, as duly appointed official, to the City Council Place 5 of the City of Montgomery, Texas.

**VISITOR/CITIZENS FORUM:**

**CONSENT AGENDA (Items 2 - 4)**

**Any item tagged will be discussed and considered at the conclusion of this item or at the next regular City Council Meeting; any item approved will include payment of expenses.**

2. Approval of the minutes of the City Council Meeting - June 28, 2022.
3. Consideration and possible action regarding an Escrow Agreement by and between the City of Montgomery, Texas and Azzip Enterprises, Inc. for a proposed parking lot expansion on Reserve "A" of the Pizza Shack of Montgomery plat. (Dev. No. 2209).
4. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING SECION 206 AND 259 IF CHAPTER 86 "TRAFFIC AND VEHICLES" OF THE CITY CODE OF ORDINANCES; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SEVERANCE CLAUSE AND TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Pro Tem, TJ Wilkerson moved to approve the consent agenda as presented. Councilmember Carol Langley seconded the motion. Motion passed (4-0).

### CONSIDERATION AND POSSIBLE ACTION:

5. Presentation of a proposed 80-acre single-family residential development by Pulte Homes.

City Council heard from the developers on the proposed development. They described the tracts, the size lots, the amenities being provided as well as the details with facades to homes, detention, drainage, egress to and from the development. They also noted that the tree coverage on the west side of the development will remain untouched.

Councilmember Carol Langley inquired as to the size between each lot.

The developer responded that there would be 7.5 feet between each lot. They went on to conclude that they will expect with full build out and at the current tax rate a \$400,000 income to the city. The final notation was that there would be a fully operational lift station onsite.

Mr. Dave McCorquodale stated that the next steps would be the City approving the development agreement with the allowance for lot sizes. Then afterwards the petition for annexation would come before you. He went on to remind Council that the purpose of tonight's meeting is to button up the development agreement if you are goof with the lot sizes.

Councilmember Carol Langley confirmed that the area is not currently in our development plan.

6. Discussion and possible action authorizing city staff and consultants to coordinate with Nantucket Housing, LLC / HCR Ventures regarding Development and Annexation Agreements for a proposed 33-acre multi-family residential development (Dev. No. 2204).

Mr. Dave McCorquodale stated that this item is here as staff is looking for direction from Council.

Councilmember Carol Langley asked Mr. McCorquodale that the developer isn't asking the City for any tax breaks or other incentives? She also asked if this proposed development had considered the impact on the only exist as its already narrow.

Mr. McCorquodale confirmed that there was no incentive being sought or paid out. The City, County and TX Dot have all approved the entrance.

Mayor Sanford asked if this is still a 55+ community?

Mr. McCorquodale responded that it is a split community, with half of it being multi family and the other being 55 +.

Mayor Pro Tem TJ Wilkerson moved to authorize staff to move forward with the development as presented. Councilmember Cheryl Fox seconded the motion. Motion passed (4-0).

7. Consideration and possible action on authorizing the city engineer to begin work on the McCown & Caroline Street Waterline Replacement Project.

Mr. McCorquodale introduced this item. Mr. Chris Roznovsky, City Engineer with WGA presented details to Council on the work on the waterline replacement. He noted that the waterline in McCown is 4" and after inspecting it, it was recommended that before the street scape improvements took place that the waterline be entirely replaced. Mr. Roznovsky assured Council that the project would run concurrently with the Downtown Improvements and the timing of each stage would be meticulously calculated. The project estimate would be \$364,000.

Mayor Pro Tem TJ Wilkerson moved to authorize the City Engineer to begin on McCown and Caroline Street Waterline replacement project. Councilmember Carol Langley seconded the motion. Motion passed (4-0).

8. Consideration and possible action on authorizing the city engineer to begin work on the Downtown Sanitary Sewer Rehabilitation Project.

Mr. Roznovsky explained to Council that this item is a similar concept and is based on the televising project. He went on to provide comprehensive details and a report on the current condition of the pipes and the liners to be used to rehabilitate a portion of the pipe. He advised Council the project estimate is \$182,000.

Mayor Pro Tem TJ Wilkerson moved to authorize the City Engineer to begin on Downtown Sanitary Sewer Rehabilitation project. Councilmember Carol Langley seconded the motion. Motion passed (4-0).

9. Consideration and possible action on authorizing the city engineer to begin work on the Water Plant Nos. 2 & 3 Bleach Conversion Project.

Mr. Roznovsky presented this item. He confirmed that in this current year's budget there is a provision for the disinfectant, which is Chlorine Gas, however, there has been discussions about converting to liquid bleach. The discussions that have taken place over the proposal to switch to liquid bleach, stemming around the benefit that there are no cylinders on site creating a hazard, and prevent all hazmat situations should there be a leak. This can be applied to the following locations: Water Treatment Plant 2 & 3.

Council held a brief discussion over the benefits of switching from gas to liquid bleach.

Mayor Pro Tem TJ Wilkerson moved to authorize the City Engineer to begin work on the Water Plants Nos 2 & 3 Bleach Conversion project. Councilmember Cheryl Fox seconded the motion. Motion passed (4-0).

10. Consideration and possible action on Change Order #1 for GLO Project #19-076-017-B366 related to sanitary sewer and drainage repairs along Martin Luther King, Jr. Drive.

Mr. Roznovsky provided City Council with details of the change order and noted that the change would not affect the projected completion date.

Mayor Pro Tem TJ Wilkerson moved to authorize the change order #1. Councilmember Cheryl Fox seconded the motion. Motion passed (4-0).

11. 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 informed Council that this item had come forward to them at a prior meeting, however the notice failed to post in time, therefore this is a new item approving and instructing staff to send notice to the paper for publication of the Public Hearing for August 9, 2022.

Councilmember Carol Langley approved the Public Hearing to be posted for August 9, 2022. Councilmember Cheryl Fox seconded the motion. Motion passed (4-0).

12. Consideration and possible action regarding the following Ordinance: ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS AUTHORIZING THE SUSPENSION OF THE EFFECTIVE DATE FOR AN ADDITIONAL NINETY (90) DAYS BEYOND THE AUGUST 5, 2022, EFFECTIVE DATE PROPOSED BY ENTERGY TEXAS, INC., IN CONNECTION

WITH ITS RATE INCREASE APPLICATION ENTITLED "APPLICATION OF ENTERGY TEXAS, INC. FOR AUTHORITY TO CHANGE RATES", FILED ON JULY 1, 2022; AUTHORIZING PARTICIPATION WITH THE ENTERGY TEXAS, INC. SERVICE AREA CITIES STEERING COMMITTEE HIRING OF EXPERTS; AUTHORIZING THE CITY'S PARTICIPATION TO THE FULL EXTENT PERMITTED BY LAW AT THE PUBLIC UTILITY COMMISSION OF TEXAS; REQUIRING REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT, AND DECLARING AN EFFECTIVE DATE.

Mr. McCorquodale introduced this Ordinance and informed City Council that his is something typical that energy companies do, that sends the proposed rates to the PUC for their consideration. This ordinance is suspending the implementation of the new rate for 90 days.

Mr. Alan Petrov, City Attorney informed Council that there will be an outright denial coming to them for approval shortly. These are traditional steps by utility companies.

Councilmember Carol Langley moved to approve the ordinance as presented. Mayor Pro Tem TJ Wilkerson seconded the motion. Motion passed (4-0).

13. Consideration and possible action on the following Resolution: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS AUTHORIZING THE SIGNORS FOR ALL CITY OF MONTGOMERY BANKING ACCOUNTS WITH FIRST FINANCIAL BANK; AND PROVIDING AN EFFECTIVE DATE.

Mr. McCorquodale introduced this item and informed City Council that this is a typical update form, and it was bought to them before, however, council wanted to wait until place #5 of Council is filled. Now that Councilmember Easley is onboard the signatory pages need approving.

Mayor Pro Tem TJ Wilkerson moved to approve the Signors for all City of Montgomery Banking Accounts. Councilmember Carol Langley seconded the motion. 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.

NO 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.

Councilmember Carol Langley and addressed Mr. McCorquodale asking if he had received any news or status of the rolling blackouts.

Mr. McCorquodale responded that he had not, however, he would reach out to Brittany the City's contact at Entergy and will let Council know.

Councilmember Carol Langley inquired if there was any Cooling Stations for citizens in this heat. Mr. McCorquodale responded that City Hall and the Library were both operating as cooling stations.

**ADJOURNMENT**

Mayor Pro Tem moved to adjourn the meeting. Councilmember Cheryl Fox seconded the motion. Motion passed (4-0).

ADJOURNMENT 7:02 PM

Submitted by: 

Date Approved: 7-26-2022

Nici Browe, City Secretary



Byron Sanford, Mayor