

**City Council Regular Meeting  
MINUTES**

**April 11, 2023, at 6:00 PM**

**CALL TO ORDER**

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

Present:	Byron Sanford	Mayor
	Casey Olson	City Council Place #2
	Cheryl Fox	City Council Place #4
	Patricia Easley	City Council Place #5
Absent:	T.J. Wilkerson	City Council Place #3
	Carol Langley	City Council Place #1
Also Present:	Gary Palmer	City Administrator
	Nici Browe	City Secretary & Director of Administrative Services

**CALL TO ORDER**

Mayor, Byron Sanford called the meeting to order at 6:00 P.M.

**INVOCATION**

Mayor, Byron Sanford provided the Invocation.

**PLEDGE OF ALLEGIANCE TO FLAGS**

**ANNOUNCEMENTS**

Mayor Sanford presented Mr. Tom Hoyt, President of "Friends of the Charles B. Stewart West Branch Library" with a Proclamation to celebrate and recognize April as Library Week.

**VISITOR/CITIZENS FORUM:**

**Bill Clevenger** spoke regarding the food truck ordinance workshop that he just attended and that his discussion point here is to highlight the great lack of things for the youth in the city to do. The fact is that without activities for youth in the city we are sending tax dollars down the freeway to other cities. Parents take them to the woodlands for instance. He went on to add with all the new development we as a city should be focusing on making the city family friendly.

**CONSENT AGENDA:**

1. Approval of the meeting minutes of City Council and Zoning Board of Adjustment meeting 03-28-2023.
2. Consideration and possible action on approval of two BNSF Railway Pipeline Licenses for the Sanitary Sewer Force Main and 12" Waterline Projects on Old Plantersville Road.

3. Consideration and possible action on A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT · DISASTER RECOVERY PROGRAM (CDBG-DR) CONTRACT NUMBER 19-076-017-B366.
4. Consideration and possible action on Cost/Price Analysis and Profit Negotiation Procedures for federal grants.
5. Consideration and possible action on an update to the City's financial policy and procedures for federal grants.
6. Consideration and possible action on an update to the City's procurement policy and procedures for federal grants.

Councilmember Casey Olson moved to approve the consent agenda items as presented.  
Councilmember Cheryl Fox seconded the motion. **Motion Passed (3-0).**

#### **PUBLIC HEARING:**

7. Consideration and possible action on a rezoning request from Cornerstone Community Church located at 14740 Liberty Street.

Mr. Dave McCorquodale presented the Council with highlights of the Planning and Zoning Commission's final report and stated the Commission recommends approval. He answered questions from the City Council.

- a) Acceptance of the Final Report from the Planning and Zoning Commission.

Councilmember Patricia Easley moved to accept the Final Report from the Planning & Zoning Commission. Councilmember Casey Olson seconded the motion. **Motion Passed (3-0).**

- b) Convene into a Public Hearing to hear comments on the proposed rezoning of the property.

Mayor Sanford **opened** the public hearing at: **6:22 P.M.**

No comments were made by members of the Public.

Mayor Sanford **closed** the public hearing at: **6:23 P.M.**

- c) Consideration and approval of AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS AMENDING THE ZONING CLASSIFICATIONS AS DEFINED IN THE CITY CODE OF ORDINANCES CHAPTER 98, "ZONING," FOR A 0.295-ACRE TRACT SITUATED IN THE JOHN CORNER SURVEY, ABSTRACT NUMBER 8, MONTGOMERY COUNTY, TEXAS COMMONLY REFERRED TO AS A PORTION OF 14740 LIBERTY STREET, MONTGOMERY COUNTY, TEXAS FROM "R-1" SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, AS FOUND ON THE CITY'S OFFICIAL ZONING MAP TO "I" INSTITUTIONAL ZONING DISTRICT CLASSIFICATION; AND TO AMEND THE OFFICIAL ZONING MAP; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE UPON PASSAGE AND PUBLICATION.

Councilmember Patricia Easley moved to adopt the Ordinance as presented. Councilmember Cheryl Fox seconded the motion. **Motion Passed (3-0).**

## CONSIDERATION AND POSSIBLE ACTION:

8. a) Discussion on an Ordinance adopting the standards of Care for 2023 Youth Programs.  
Mr. Mike Muckleroy introduced and presented this item to the Council. Mike stated that this is something he and his staff have developed and in order to run the program the State must have an ordinance passed by City Council on the Standards of Care for Youth Program.

He stated that Patricia had taken the lead on developing the program and visited with the City of Conroe, and talked with the Recreation Program Director there to gain the information that she needs.

The State gave the City a temporary exemption for the spring program as it was only two days.

~~He responded the City Council questions and concerns and provided details of the program and the experience of the staff person who designed the program.~~

Mayor Byron Sanford stated he thought it was well put together and thorough, as you would expect to see when working with minors. However, he would encourage us to lead the way when it comes to backgrounds checks, as there are so many levels of background checks and he would like to see this City be at the highest level, because whether it's a church .... But he stated he does not know whether it's the FBI that's the highest, he does not want a flippant job when it comes to working with minors, the language is in their program documents, but it does not specify what type of background we might use.

Councilmember Patricia Easley inquired how the program would be funded.

Mr. Muckleroy responded that partially through the fees from the participants, and partially through the Public Works budget.

Councilmember Patricia Easley inquired who is the responsible person for running this program.

Mr. Muckleroy responded that it is him on the paperwork as the director of the department, however, Patricia the recreation specialist is going to be doing the day to day running of the program, is receiving training and will be setting everything up.

Councilmember Patricia Easley inquired if they had conducted a survey with the community for their desire, need or support of such a program and if this is for the city residents or for those outside of the city as well.

Mr. Muckleroy responded that is actually going to be open to both in and out of city participants, however, city residents will have priority. He stated that they have not done a specific survey, but they gauged responses from participants from the spring camp. They had 9 children one day and they were supposed to have 7 children the next, but a couple of children did not show up.

Councilmember Patricia Easley inquired if there was a written summary of the program as far as content goes?

Mr. Muckleroy responded that he does not have a summary that is being worked on and the city has to have the license from the state to go further. He reminded the council that this State Certification/License is not specific to one type of program its in order to hold any program.

Councilmember Patricia Easley inquired if the staff person is qualified and has had past experience of working with children. Also, who does the evaluation of the program.

Mr. Muckleroy responded that Patricia Campuzano does have the experience.

Councilmember Patricia Easley inquired who would be doing the evaluation to determine if it was effective and that money is being well spent.

Mr. Muckleroy responded that it would be conducted by himself and Patricia.

Councilmember Patricia Easley asked Mr. Muckleroy to inform the council of his findings, as she is concerned that the city is creating another bureaucracy where there may or may not be enough demand for something like this.

Mr. Muckleroy responded that the comments he has been hearing along with comments already tonight in this meeting that there isn't enough for kids, and this is an attempt to make something happen. He added he has been hearing there is a need for it, not specifically a summer camp but a need for something for youth to do. He hoped that they could build upon the program.

Councilmember Casey Olson inquired if there was a minimum staffing requirement by the State licensing.

Mr. Muckleroy responded that it is really what we decide and what we are comfortable with.

Councilmember Casey Olson asked how the city intends to promote the program.

Mr. Muckleroy responded that thus far have not until the exempt status is received by the State, however, the intent is to advertise on website, Facebook and other means the city usually uses to communicate events.

Councilmember Casey Olson asked what the cost of the program for each child.

Mr. Muckleroy stated for the Spring Camp it was \$35.00 per child. For the new summer program, they will most likely start at a flat rate for the week, but all of those details haven't been completely worked out. He reminded the council that tonight's documentation does not mean that the summer camp is all planned out and ready to go, this is just one step of many that is required.

Councilmember Casey Olson stated that as a suggestion when he is ready to promote the program, they should reach out to provide sponsorship for the children as if it's a week-long at a \$100.00 - \$200.00.

Mr. Muckleroy responded that they had thought about that and discussed just a general idea but not worked on a definite plan, he agrees there is a need for that. Patricia came from Conroe, and they used to have a program over there that offered sponsorship, we will look at a sponsorship or a grant maybe from MEDC.

Councilmember Patricia Easley stated that she wants to make sure that the city understands that the business you are about to get into dealing with children and provides services that we are prepared to manage the risks that go along with that.

Mr. Muckleroy responded fair enough.

b) Public Comment / Public Hearing.

Mayor Sanford **opened** the public hearing at: **6:32 P.M.**

**Julie Davis, resident** stated that she felt this is a great idea and she had her children registered for spring camp and completely forgot to show up even though they paid, her concern is going into a week long summer camp that this is something we could outsource and not do at the city and have the liability, because boy scout and girl scout programs are always looking for spaces to do day camps and that she had personally hosted a day camp that had an attendance

of over 300 people. This would be something super easy to turn over as a community project or even a local church to bring them in with community involvement and reduce the liability of the city. She went on to suggest the city partnering with a combined effort from Public Works and Parks to another non-profit to lessen the burden of the city.

~~reduce the concerns of council and the liability to the city that the program should be outsourced to local churches and organizations.~~

~~**Sara Countryman, resident** stated the risk was so high when dealing with other people's children, the city has a huge liability and the resources it took just to run the spring camp. Two public work guys, plus the recreation specialist to make just under \$500.00. stated that she would like to echo that as there is a lot of risk as if something were to happen to someone or touched or whatever, there are a lot of its and buts the city will have liability.~~

~~**Ms. Countryman** asked Mr. Muckleroy how many resources he used for the Spring Break Camp, there were two guys from public works and the new girl, and we made \$490.00, used those resources every day was it two days.~~

Mr. Muckleroy responded that it was the two days.

~~**Bill Clevenger, a resident,** stated that this echoes the comments about the city getting involved as there are groups that are of a giving nature that will come to this and could supply the need of civic groups ~~\*\*Inaudible \*\* he agreed and that there are other groups out there better able to deal with this type of program.~~~~

~~**Julie Davis** stated that as a registered and long-time foster parent, no matter how many FBI background checks occur, there are those who do things to kids, or sex trafficking it's on the news every day and happening in Harris County right now, she added that a better protection and safety for these kids is to create a two-person policy for leadership, for instance two adults at the bathroom. This will provide an added layer of accountability, it's horrible and hate that we live in this world today, but it's the reality that you cannot be sure of what is coming in your front door, especially if we are talking about those outside of our city not just in our city limits. ~~a policy should be included whereby to leaders at all times.~~~~

Councilmember Patricia Easley stated that we could manage those types of risks by insuring we have qualified people in place, you get in a court of law and they ask who ran your program then well a person that had a years' experience but no real qualifications/certifications, we can manage that type of risk but we have to be careful who we put in charge of peoples children.

~~**Ms. Davis** say yes, we don't need news headlines "City of Montgomery Summer Camp, Kids sex trafficked".~~

Mayor Byron Sanford agreed that was not needed at all.

Mayor Sanford stated that we have heard quite a bit of caution on this and from him, he felt it was rushed for this to be straightened out before summer, which is just around the corner.

Mayor Sanford **closes** the public hearing at: **6:36 P.M.**

c) Consideration and possible action on: AN ORDINANCE ADOPTING THE STANDARDS OF CARE FOR 2023 FOR YOUTH PROGRAMS OFFERED BY THE CITY OF MONTGOMERY, TEXAS; PROVIDING THAT THIS ORDINANCE IS CUMULATIVE; PROVIDING A SERVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Patricia Easley moved to adopt the Standards of Care ordinance as presented. Councilmember Casey Olson seconded the motion. **Motion Passed (3-0).**

9. Calling a Public Hearing for a rezoning request from "R1"-Single Family Residential to "B"-Commercial for a 0.552-acre parcel of land located at 14640 Liberty Street as submitted by Evan Ballew.

Mr. Dave McCorquodale introduced this item and provided council with details on the process for rezoning. He informed the council that all they are approving tonight is calling for the public hearing.

Councilmember Casey Olson moved to call the public hearing for May 9, 2023, at 6 P.M. Councilmember Patricia Easley seconded the motion. **Motion Passed (3-0).**

10. Consideration and possible action regarding the bid results for the "Flagship Boulevard Storm Sewer and Pavement Replacement" project.

Mr. Chris Roznovsky, WGA Engineers presented this item and provided the council with a comprehensive overview of the project requirements and the results of the bid for the sewer and pavement replacement. He informed the council that bids came in way over budget and at the same time the County on another project had declared that they will not be seeking City of Montgomery's participation therefore there would be some funds that could be moved around. Mr. Roznovsky recommended the council table this item and he will work up alternatives and bring back at the next meeting.

Councilmember Cheryl Fox moved to table this item until the April 25, 2023, City Council meeting. Councilmember Patricia Easley seconded the motion. **Motion Passed (3-0).**

**EXECUTIVE SESSION:**

City Council did not enter into Executive Session.

**POSSIBLE ACTION FROM EXECUTIVE SESSION:**

No executive Session items.

**COUNCIL INQUIRY:**

Councilmember Casey Olson stated he has received emails regarding basketball court/ tennis courts that could be created in the city. The City owns property that is not used and felt it would be an opportunity to explore.

**ADJOURNMENT**

Councilmember Cheryl Fox moved to adjourn the meeting. Councilmember Casey Olson seconded the motion. **Motion passed (3-0).**

**ADJOURNED: 6:45 P.M.**

Submitted by: Nici Browe  
Nici Browe, City Secretary

Date Approved: 5-9-2023

Byron Sanford  
Byron Sanford, Mayor