

**Notice of City Council Regular Meeting
MINUTES**

August 08, 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
 Carol Langley City Council Place #1
 Casey Olson City Council Place #2
 Sara Countryman City Council Place #3
 Cheryl Fox City Council Place #4
 Stan Donaldson City Council Place #5

Also Present: Gary Palmer City Administrator
 Nici Browe City Secretary & Director of Administrative Services

INVOCATION

Mayor Byron Sanford provided the invocation.

PLEDGE OF ALLEGIANCE TO FLAGS

VISITOR/CITIZENS FORUM:

No members of the public addressed the City Council.

CONSENT AGENDA:

1. Approval of the following:
 - (a) City Council Meeting Minutes 06-27-2023.
 - (b) City Council Meeting Minutes 07-11-2023
 - (c) City Council Meeting Minutes 07-25-2023

Councilmember Casey Olson moved to approve the consent agenda as presented. Councilmember Carol Langley seconded the motion. **Motion Passed (5-0).**

CONSIDERATION AND POSSIBLE ACTION:

2. Discussion And Consideration for Approval of the Proposed Amendments to the Redbird Meadow-City of Montgomery Development Agreement.

Mr. Gary Palmer, City Administrator introduced this item and reminded the council of the meetings and discussions that have taken place recently regarding the developers' proposed amendment.

The representative from Redbird Meadow Developer spoke to the council and walked them through the amended agreement, highlighting the important changes, specifically there would be 60, 70, 80 foot lots with a 1 acre site as well for a future Water Plant. A minimum of 24' wide lot and a representation of that is in the council packet as exhibit G. Improvements on Old Plantersville Road.

Councilmember Sara Countryman asked if there was a trail/footpath from Old Plantersville.

The representative stated that there is and all the way through the development.

Mayor Sanford said he felt the workshops have been beneficial to work through things the city needed to see, and asked the engineers if the 1 acre site would be big enough for a Water Plant in the future.

Ms. Vu responded that is a good size and adequate for a Water Plant.

Councilmember Sara Countryman move to approve the amendments to the development agreement as presented. Councilmember Cheryl Fox seconded the motion. **Motion Passed (5-0).**

3. Consideration and possible action on the following:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS AMENDING THE RATES TO BE CHARGED FOR SOLID WASTE COLLECTION SERVICE INSIDE THE CITY OF MONTGOMERY, TEXAS; PROVIDING FOR A PENALTY FOR FAILURE TO PAY ACCOUNTS; PROVIDING CONDITIONS UPON WHICH SERVICE WILL BE RESUMED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Mr. Gary Palmer introduced this item and explained that each year the city's solid waste vendor has the right to increase rates based off the CPI index. This year there is an increase that is effective August 1, 2023.

Councilmember Sara Countryman asked if this is annual and she thought the city had just done one earlier this year.

Tiana Smith, Waste Management Account Manger spoke to council and explained that there was a delay for the previous year increase as there were some personnel changes for both the city and waste management but was adopted in January of this year.

Councilmember Carol Langley moved to approve the Ordinance for the increase in solid waste fees as presented. Councilmember Stan Donaldson seconded the motion. **Motion Passed (5-0).**

4. Consideration and possible action on: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING ARTICLE VI, "OPERATION OF GOLF CARTS ON PUBLIC STREETS", OF THE CITY CODE OF ORDINANCES; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SEVERANCE CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Anthony Solomon, Police Chief introduced the item and explained that he had discussed this with the council at a previous council meeting, the ordinance has been through the legal and is ready for adoption. He assured the council that this was due to changes made by the State of Texas with regards to time-of-day golf carts can be utilized and the registration is now through the State.

Councilmember Casey Olson asked if the Chief could put together a mailer and provide the City Secretary to insert into utility bills.

Councilmember Sara Countryman moved to approve the Ordinance as presented. Councilmember Cheryl Fox seconded the motion. **Motion Passed (4-1) Councilmember Carol Langley voted against.**

5. Consideration and possible action on the annual permit renewal for Cedar Crest Mobile Home Park.

Dave McCorquodale presented this item and provided the city council with a very brief historical overview of the Cedar Crest Mobile Home Park, its requirement to obtain a permit annually approved by the city council.

Mayor Byron Sanford asked Mr. McCorquodale if he had received any complaints about the park, as he had not heard of anything himself.

Mr. McCorquodale responded that he had not.

Councilmember Cheryl Fox inquired about the non-conforming zoning aspect and the pool that is on the premises.

Mr. McCorquodale addressed her concerns and advised her of the ordinance requirements and advised her that Code Enforcement would be the person to consult regarding the pool as that is more of a building code violation.

Councilmember Carol Langley moved to approve the Mobile Home Park Permit as presented. Councilmember Casey Olson seconded the motion. **Motion Passed (5-0).**

6. Consideration and possible action on approval of construction plans for Montgomery Bend Section Two (Dev. No. 2203).

Ms. Katherine Vu introduced the item and explained that this is for the Phase II, last month the city council approved the plans for Phase I. The next phase is 88 homes, there are no issues with the water and sewer and paving. There will be a detention pond, which is indicated on page 153 of the city council packet.

Councilmember Stand Donaldson inquired about the detention pond (inaudible).

Ms. Vu responded that the detention pond will be sized adequately enough to serve the whole neighborhood.

Councilmember Sara Countryman asked Ms. Vu if she is absolutely confident that the new phase will not have an impact on drainage elsewhere.

Ms. Vu responded that the developer has to provide proof of no impact in their plans, before proceeding.

Councilmember Sara Countryman stated it makes her cautious and that is why she wanted to have the field trip in order for the council to place eyes on the area.

Councilmember Casey Olson moved to approve the construction plans as presented. Councilmember Carol Langley seconded the motion. **Motion Passed (5-0).**

7. Consideration and possible action authorizing the solicitation of "Water and Sewer Operations and Maintenance Services".

Mr. Mike Muckleroy presented this item and informed the city council currently they are two years into a three-year contract with the current provider, and its time to look to begin seeking bids for the end of that contract, along with the recent issues it makes sense to get that RFP out there now.

Councilmember Carol Langley asked if the version in their packets is a copy of what has been published?

Mr. Muckleroy stated that it is a draft and there will be edits such as adding in preventative maintenance language.

Mayor, Byron Sanford asked if we would be adding a requirement for the vendor to be testing.

Councilmembers Carol Langley and Sara Countryman both asked that Mr. Muckleroy added in as much specifics as possible in order to give the city some skin in the game.

Mr. Muckleroy assured the city council he absolutely would as the risk of all of this is fines from the TCEQ and that is not anything he or the city wants.

Councilmember Carol Langley asked when the current contract expires?

Mr. Muckleroy stated it expires August 1, 2024.

Councilmember Carol Langley asked how he intended to advertise the RFP.

Mr. Muckleroy responded that he would be posting in the paper and the website the standard 30-day notice. The City also reserves the right to reject all bids and readvertise.

Councilmember Casey Olson thanked Mr. Muckleroy for being proactive and with plenty of lead time to make sure we get the best contract for the city.

Councilmember Cheryl Fox moved to approve the RFP for a city Water and Sewer provider as presented. Councilmember Stan Donaldson seconded the motion. **Motion Passed (5-0).**

Adjourn into Closed Session in compliance with Section §551.001 etseq. Texas Government Code, to wit:

The City Council Adjourned into Executive Session at 6:31 P.M.

City Council Reconvened into Regular Session at 7:14 P.M.

POSSIBLE ACTION FROM EXECUTIVE SESSION

No actions were taken on items discussed in the executive session.

COUNCIL INQUIRY:

Mayor Byron Sanford stated that he wishes staff to continue to seek alternative funding sources for operations items such as drainage, and the downtown revitalization projects. He added that recently he and other councilmembers in the state attended the TML conference and it stressed the importance of risk management and asset management. He concluded by stating that there will be a special session for the legislature coming up and one of the things being discussed is HOT taxes. Stay tuned.

Councilmember Carol Langley moved to adjourn the meeting. Councilmember Cheryl Fox seconded the motion. **Motion Passed (5-0).**

ADJOURNED at 7:18 P.M.

Submitted by: Nici Browe
Nici Browe TRMC, City Secretary

Date Approved: 9-12-2023

Byron Sanford
Byron Sanford, Mayor

