

City Council Workshop  
MINUTES  
February 26, 2024 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
	Diana Titus	Deputy City Secretary

**WORKSHOP ITEMS:**

1. Review and Discuss the Proposed Scope of Work from Kendig Keast Collaborative to Provide Professional Planning Services through a Professional Services Contract with the City of Montgomery. The following are the proposed deliverables:

Future Land Use/Thoroughfare/Open Space Plans, Ordinance Recodification into a Unified Development Ordinance (UDO), Small Area Master Plan of Key Node(s)

Mr. Palmer gave a brief history of the project and how they got here. He stated he identified this as a priority at the strategic planning session over the summer. They did a Request for Qualifications for this project which is recodification, master planning and future land use planning, focus phase, and gateways within the whole project. He said Request for Qualifications was for professional planning services.

Mr. Palmer said they received very good responses. Kendig Keast Collaborative (KKC), of which Bret Keast is the CEO of came in with the best qualifications and were considered the most qualified. He said process wise they will start negotiating the scope of work and negotiating a contract with that firm. If at any point they decide they cannot negotiate a scope of work then we would let KKC know we are going to move on.

Mr. Palmer said they are at that point now where we have negotiated a scope of work which is what you have in front of you. Everything you see is a result of meetings they have had with Mr. Keast. They have gone back and forth on some things and what is in this presentation is the bare minimum of what they need to do to be successful in this project. The blue text is labeled as optional and on the last page you will see where all the narrative you have in these sections culminates in the back and should correspond with those phases.

Mr. Palmer said he will read through everything and give them an opportunity to answer any questions they may have. If there are things that are confusing he will have Mr. Keast explain what they mean so everyone can feel comfortable with approving the scope of work.

Mr. Palmer said they will not be making a decision tonight but he is looking for feedback on what everyone feels they should fund, what they should maybe not fund, and then answer any questions.

Councilmember Sara Countryman asked if they are doing this against their Comprehensive Plan. She said they have not updated it since 2020.

Mr. Palmer asked what do you mean against it.

Councilmember Sara Countryman said she looked it up in the State of Texas and they use it for their planning guide. She asked if they will they be going in conjunction with the planning guide they have adopted or are these two different plans.

Mr. Palmer said they are two different plans. He said he does not know offhand but assumes the State of Texas requires the City to have a Comprehensive Plan.

Councilmember Sara Countryman said they do.

Mr. Palmer said if you are going to plan and develop you need to have certain things in place. He said this plan in his mind is complementary to the Comprehensive Plan but he does not think one is subordinate to the other. If he had to say one is subordinate to the other, he would say the Comprehensive Plan is the overall land use, land development plan this would be a component of how they are going to meet some of those objectives within that plan.

Councilmember Sara Countryman said she just wants to make sure they are keeping that at the top of the forefront and not have two completely different plans.

Mr. Palmer said they may find some things in this process that they may want to go back and look at in the Comprehensive Plan that maybe they did not address or they addressed it but they are now finding that the environment is different, social changes are different then they may want to go back and address.

Councilmember Sara Countryman asked if they do find that second scenario do they have to go back and redo the Comprehensive Plan and vote on it to adopt and amend it.

Mr. Palmer replied yes.

Mr. Palmer said they are at the process where they want to negotiate the scope of work and feel good about the work they are going to be doing over the next 12 to 15 months with KKC.

Mr. Palmer read through Scope of Work Exhibit A and asked for Mr. Keast to explain what the Unified Development Ordinance (UDO) is.

Mr. Keast said the chapters you see listed there will all be organized together under one cover and will become one document. He said if a builder, engineer, or developer comes in you would hand them one ordinance instead of six different ordinances. He said all procedures will be spelled out for every process and all definitions will be consolidated into one section which will be a lot easier to use and for you to administer.

Mr. Palmer said cities either have an ordinance like they have which goes section by section or a Unified Development Code ordinance where everything is a one stop shop place. If you are a

developer you are not searching the entire ordinance trying to find something that might be in this section, but also says it in this section and there are conflicts. This will take care of this issue and make things much more user friendly. Mr. Palmer said the Unified Development Ordinance (UDO) is one thing but to get to that there are some other planning things they knew they would have to do.

Mr. Palmer said they need to develop a future land use plan which involves them defining how they want to see their city develop and backing that up and coming back with future land use categories that they will then use when people want to develop. They will have these categories adopted to help guide those decision making processes to let the development come in.

Mr. Palmer said part of the future land use process includes a map. They will look at a thoroughfare plan which they do have now and which reflects the County's desires. They will also develop an open space plan so they can inventory what open space they have, do some calculations, identify what they want to preserve, what they do not want to preserve and have a map that reflects that for development.

Mr. Palmer added two components that he feels are very important for this process are doing small area master plans. He said they talked about doing some master planning on a large tract property that are still left over in the Buffalo Springs PD area where Home Depot is being developed but also on the southside of SH 105 in the Stewart Lake area that he also feels is very ripe for development and is going to be a big footprint for them in the City. He thinks they should also do some planning on that parcel. Mr. Palmer said with the Unified Development Code (UDC) and how they are going to build that based on these two master planned areas he thinks are very critical to this process for the success of this project.

Mr. Palmer continued reading through the project administration. He said KKC will be coordinating with City staff in developing a project schedule for completion of services which would include dates of deliverables, periods of review, and meetings for the duration of the project. The project schedule will be coordinated so that the City's Project Director can provide status reports to the Planning and Zoning Commission, City Council and other boards and commissions at regular milestones in the ordinance development process.

Mr. Palmer stated KKC will complete project management activities to ensure schedule adherence, cost control, and quality assurance. These activities will include preparation and maintenance of the project schedule, frequent communication and coordination with the City's Project Director, and submittal of written progress reports in conjunction with each monthly invoice.

Mr. Palmer explained how Mr. Keast broke the core project services down into three stages that consist of near-term plans and ordinance amendments, UDO drafting and mapping, and UDO implementation.

Mr. Palmer asked if near-term plans and ordinance amendments would be the interim ordinances.

Mr. Keast said yes and the process is going to run from 12 to 15 months but there are a lot of things that need to be addressed sooner than that. He said they do not want the development to happen without having some good standards.

Mr. Keast said they also talked about downtown. He said the current district is basically for up and down SH 105 as well as downtown. They need standards in place for downtown to make sure that anything that comes in reflects the historic character and put that in as an interim deliverable.

Mr. Keast said multi-family site building design standards need to be functional and well designed.

Mr. Keast stated the last piece is commercial districts. He said with Home Depot coming in he wished they could have had this done before so they could have addressed how they stack items in their parking lot and how they screen their outdoor items.

Mr. Keast said they will be coming to them making sure what they are writing is what Council wants to happen. They do not want to make things overly difficult or so simply so they need to find out where to set that bar.

Mr. Keast said his vision is Montgomery has a special character, a fantastic downtown and a draw. He does not want to see this community get overrun by development with a bunch of 5,000 square foot lots with no sidewalks and poor standards that in a few years wish you would have addressed this before it was developed. He wants to make sure they are reserving open space corridors and if they want to do trails they have room to do trails and that they are not just filling every inch of development, but thinking about the character of these neighborhoods and how they function. They want to create neighborhoods not subdivisions.

Mr. Palmer said this first stage is really about setting up the bones of the project doing logistics and data gathering. Also in this phase they will set up the advisory committee which is going to steer this project. They will be doing a lot of the work with them in going through the codes. Process and meeting wise they are going to be doing a lot of work. This is also where they start doing the community engagement meetings with the HOA's. They will also be developing focus groups and engaging with them as well to do more of the data gathering, asking questions, getting answers. After that they will move into the future land use, thoroughfare, and open space plans.

Mayor Sanford said if you go to 100 people in this town and ask their opinion it will be 50/50. He said they want to grow but they want to grow smart. He stated he has been here three years and this is the first time they have a strategic way. He noted that Councilmember Carol Langley, Councilmember Sara Countryman, and himself since 2020 have seen three years of frustration because they had no mechanism. Whatever is there in the 2020, this is actually what gets them down the road. His point is there is a certain amount of space, they do expect to get some on the south end but are blocked on the west for all practical purposes because of water rights. There has to be the right mix of strong tax economics. Jobs come with that but you need to be able to guide so the people do not just say we do not want that because some things you say you do not want this but what you really mean is in his opinion, you want Home Depot but under the right sets of all these other issues they may have. Case in point is they are already in the top five of their tax and they have not sold a hammer. That is a game changer. If you have people that are big economic develop people, you have to have certain land space. Some wanted to build a wall around Montgomery 10 years ago and it just stopped growing. There are others that are saying by golly and the school district is one of them because the school district always has growth. He said their deal is different as it is about tax base. He asked if that is going to be interwoven and suggested it be upfront.

Mr. Keast said Mayor Sanford raised an excellent point and that is a good filter for this whole process which is to make sure everything is being set up and to really optimize the area you have, putting you in a position where you can say no. He stated not all development is good development. They need to be able to say no when they think that is the best for the City or they will wait until they get what they want to get. They do a land use plan, a transportation plan in making sure they can distribute and move traffic so they do not create a congested mess. They need to think holistically how this community is going to grow but even beyond the current city limits what is the ultimate planning area and what area can you grow into. They need to start thinking in terms of do people want to opt into the extraterritorial area instead of being in Conroe

or elsewhere. He said they will be talking about all those issues but Mayor Sanford is exactly right in economic development is our friend.

Mayor Sanford said there are three phases on the costs and stage one is within the budget for this fiscal year. He asked Mr. Keast that in order to accomplish what you just said 1.4 future land use and 1.6 interim ordinance amendments that get these people up and running in the manner in which the City desires, are those things in place for the fiscal year and do you anticipate that.

Mr. Keast replied said yes those will be that first year. Trying to stabilize and get all the things in place they need to feel comfortable about where they are then they can proceed with drafting everything else. He said if something comes up along the way and you need to move something forward, they will move something forward. If they are drafting a big piece and all of the sudden someone comes in and is pushing for some type of development they can rush that forward and draft it to help you out.

Mr. Palmer said he asked Mr. Keast to break it down into the phases understanding that if they get to a point where they cannot afford to do another phase, it is a natural stopping point for them in the project.

Councilmember Casey Olson said unfortunately they are at the point where they cannot afford not to do this so they are going to have to make this happen.

Councilmember Casey Olson said his question on the stages is the timeline. He said he knows 12 to 15 months was probably a realistic number so are they looking at every six months as a phase.

Mr. Keast said they can break out a schedule. He said he would think the first phase will probably be eight months.

Councilmember Casey Olson asked if that is the kickoff.

Mr. Keast said basically all the one points.

Mayor Sanford said that will complete this fiscal year. He said in theory fiscal year 2024-2025 would then be phase two and basically the whole picture is somewhere around a three to three and a half year venture.

Councilmember Casey Olson said no it is 18 months.

Mayor Sanford asked all three phases.

Councilmember Casey Olson said exactly.

Mr. Keast said between now and October they can finish all of phase I and the timing actually works out quite nice.

Mr. Keast said stage three right now is optional and that is why it is in blue text.

Councilmember Casey Olson asked if stage three is part of the 18 months.

Mr. Keast said no, but like the development manual they could be working on that in the last stage and that is the handbook you give the engineers that tells them everything they need to submit, here is a checklist, a timeline, the process. There will also be applications and that will need to be redone so when this is adopted someone comes in they have an application that asks

them for everything they will need to submit to comply. Assistance is also included with the first few applications to make sure all the parts of the new ordinance are being applied to those applications which would be on the applicants and would not have to come out of the general fund.

Councilmember Sara Countryman asked if that was code enforcement.

Mr. Keast replied no but it is the same mechanism. He said the applicant would submit an escrow with the application and they would draw from that. If there would be funds left over they would give back or if it is a large project, add to it. The applicant would be paying for it rather than the City.

Councilmember Cheryl Fox said she was looking through the zoning ordinances they have now and some of it covers commercial waste. She said she has a big issue with open dumpsters and asked how are they going to handle that.

Mr. Keast said that is always included in zoning. He said they will either cross reference it or repeal it and have it replaced. He said part of their analysis is to find all the nooks and crannies in the ordinance and if they are good as is they will cross reference and if they need to be rewritten they will rewrite them.

Councilmember Sara Countryman asked if they adopt new provisions for the dumpsters in the ordinance how long do they have to get the dumpster moved.

Mr. Keast said they would set up a time period.

Councilmember Casey Olson said he knows dumpsters are an eyesore but they need to deal with garbage.

Mr. Keast responded there are usually enclosures with gates.

Councilmember Cheryl Fox said she feels bad for some of the small businesses because she knows it is an expense. She spoke with one of the business owners and they pay \$9,000.

Mr. Keast said when a business like Wendy's comes in it is all masonry and it will match the building, but when you have mom and pop shops and downtown they can write different standards.

Councilmember Cheryl Fox said in other words the solid waste portion for their ordinance would actually go away and be in with the zoning also.

Mr. Keast replied yes and they will have a section on all the design standards such as parking lot design, access, circulation, landscaping, signage, and lighting.

Mr. Palmer said the phase I items are the critical pieces. He said getting the future land use plan in place and getting some of these ordinance set up is critical.

Mr. Palmer said they will discuss HOA meetings, focus groups, future land use, thoroughfare, and open space plans. He said they need a future land use plan.

Councilmember Casey Olson said they have one that was never adopted.

Mr. Palmer said they do not have a plan. They have a map they adopted based on the capital improvement advisory committee recommendations.

Councilmember Casey Olson said he does not think that was ever adopted.

Mr. Palmer said they did because they have to do land use assumptions in order to impact fees and part of that process is adopting those assumptions which they then use that as their future land use map.

Mr. Keast said those are critical for a lot of purposes because they want to make sure the land use districts on the map match the zoning districts

Councilmember Casey Olson asked if it will also give them multiple commercial zoning options.

Mr. Keast replied yes.

Mr. Palmer said the nice thing about the Unified Development Code is it is very graphic. He said not only will you have text that talks about what can or cannot be done in the development you also have graphics that illustrate exactly what they are talking about.

Mr. Palmer said after they went through the first iteration of the scope of work they were only going to propose to do the lake area, Buffalo Springs PD area as far as master planning. After they discussed it he said he thinks it is very important they do the same thing on the south side of SH 105 with the Stewart Lake property. He said obviously the only issue is these plans are expensive. They are \$45,000 a piece.

Mr. Keast said if they did them both it would be \$75,000. He said they talked about doing a design strategy where they actually come in, you explain what you want to see, what you like or do not like. They then present their sketch and ask if they are on the right path and then that is the point of them writing in the regulations. He said they will basically illustrate a lot of the things they hear from them about how can they reserve space for greenways, open space and have houses that back up to open space rather than other houses or commercial, how they connect all these things together, street systems, and parks. After they draw up those plans they will write out of the design principles that they will then use to write the regulations from. They want to make sure they are visualizing what your vision of Montgomery is and then writing the regulations to put that on the ground.

Mr. Palmer said one of the things you will see in here and with the Stewart Lake properties in the packet is the blue text where Mr. Keast is talking about the charrette process. He said they would facilitate a three day workshop with whoever they decide are the stakeholders for that master plan area. He said you have an area of the City you want to master plan. You would need to assemble focus groups together; show them the elements you are looking at with maybe some parameters in place for them to design. Maybe they would do a visual preference survey or show on the screen different types of designs people voted on if they liked it or not. He said there are many ways to do that.

Councilmember Casey Olson said they did something like that.

Councilmember Sara Countryman said they did that for the Comprehensive Plan for downtown. She said there were five different groups of A&M students that presented each of their ideas.

Councilmember Casey Olson said there were presentations of the different views of the street.

Councilmember Sara Countryman said the presentations included walkability versus just parking versus green, versus modern.

Mayor Sanford said that plan was simply historic downtown. He said this is the right timing because the plan development has gone out but this time it is the right time to move forward.

Mayor Sanford asked if what they are doing at the March 12<sup>th</sup> Council meeting is simply to adopt the plan to officially begin.

Mr. Palmer said yes, the contract.

Mayor Sanford said going forward from that each step has to be ratified by Council. He said he can see where this is taking the place of a tours district by putting this umbrella of consideration of what they want these streets to look like in a particular area.

Mayor Sanford said he thinks whatever the steering committee is, it is going to be the steering committee for several years to come. He said each step of the way you have a workshop and then bring it to Council for approval.

Mr. Keast said the interim regulations will have to be adopted and they will draft them so they can just plug into the new code.

Mr. Keast said for design principles, future land use plan and thoroughfare and open space plans they will bring all of those together and have a workshop and then adopt them all.

Mayor Sanford said he can see where this would make City staff happy because when you are going with agenda to agenda you are rolling with a master plan and there are not so many things coming at them from different directions. He thinks this is going to help City staff.

Mr. Keast discussed the master plan they did for Brenham. He said it was 500 acres and your Buffalo Springs is 800 acres. He said this is a raw piece of ground right now. They worked with the community and drew it up as different housing types. There are larger and smaller lots, townhomes, multi-family all blended together with a walkable mixed use center and then commercial area. They thought about tying in the road system with what is adjacent to it, land uses that are along the abutting property line and work with what is adjacent to it. They do not want to put big boxes in someone's backyard. They preserve all the flood plain area that has open space and have trails all throughout it. When they do this they calibrate all the lot sizes of the density. If they ask the developer to give them a lot of open space they compensate them by letting them do different housing types so they get their density up and that is why they have a mix of different housing types in different areas which is fairly common. There is different character within the same development. He said to think about it holistically so they can save open space areas, plan for parks and trails and recreation areas, make it walkable and bikeable.

Councilmember Sara Countryman asked if this is out toward Brenham.

Mr. Keast said yes. He said this is just an example of what they would do for the City.

Councilmember Sara Countryman asked if they were thinking this would be on the other side of Brookshire Brothers on the big lot.

Mr. Keast said yes.

Mr. Palmer said it would be a plan they can give developers that the developers can find and understand.

Councilmember Sara Countryman said City Council sets the standards and they do not.



Mr. Keast said it is not open ended. The PUD is going to spell out if you build this housing type these are your setbacks, this is how you park it.

Councilmember Sara Countryman asked so there would be no negotiation or variance.

Mr. Keast responded yes. He said it will be like puzzle pieces. It will have all the housing types and designs and setbacks, but they have all the standards so it is not just open ended because you would get run over.

Mr. Palmer said you take something like this, market it and go out after the developer you want to see come here to the City and get one person that may be a general for this whole thing. If they meet these standards then you can bypass these steps in the process.

Councilmember Sara Countryman asked meaning free infrastructure.

Mr. Palmer said no, meaning if you design to these standards maybe they have a process set up where you do not have to go through all of these steps like planning and zoning if they do what we have already planned.

Mayor Sanford said it streamlines things.

Mr. Palmer said it is predictable so people who want to invest here know this is an adopted plan and know if they design to these standards they are going to be successful.

Councilmember Casey Olson asked if they still have to put in their streets.

Councilmember Sara Countryman said yes.

Mr. Palmer said this does not give them any money at all.

Mr. Keast said they have a certified economic developer on their team who can write proposals, work with the developer, and help bring people to the table.

Casey Olson said if you are borrowing that money or even a fraction of it the longer you are not selling houses you are losing money.

Mr. Palmer said they proposed the same thing for both sides. He said they have this one for regulating and the same type situation for Stewart Lake.

Councilmember Sara Countryman asked if they could do anything for Lake Stewart. She said her understanding is that is not to be touched until 2090.

Mr. Palmer asked the lake itself.

Councilmember Sara Countryman said yes the whole property.

Councilmember Casey Olson asked what do you mean not to be touched.

Councilmember Sara Countryman said what he told me is he is not wanting anything to do with that and it is in his will and it is for his grandkids with all of their trusts.

Mr. Palmer said that is good actually.

Councilmember Sara Countryman said he has it to where it is locked down until he is way gone.

Mr. Palmer said so they plan it whenever that is.

Councilmember Casey Olson said they have to apply. They cannot say well it is our property and we can do what we want. They must go by the plan.

Councilmember Sara Countryman said now that Buffalo Springs PD is expired they can do that.

Mr. Palmer said yes.

Mr. Palmer said in his opinion in order to be very successful with a project like this you have to have heavy community engagement. The problem with that is it cost money, it is very time consuming and you may not get the right people in the right room. He said the three days of design charrette is expensive but it also is a process that will produce a very community based plan. If you do not want to have a situation where maybe you go through an evolution and adopt something as a City, if you do not have a strong community engagement component you will have people in the back who are always going to want to fight that. Coming out front with this three day intensive community based engagement component will take that away. So when you are thinking about the cost of this maybe think about some of the stuff on the backend of the cost that will help them.

Mr. Keast said they can piggyback them. He said if they do two properties so they do not have to do it twice.

Mr. Palmer said some of these optional items may be worth them looking at and doing.

Councilmember Sara Countryman asked if this is for people who are living within the City limits, outside the City limits or anybody.

Mr. Palmer said it is up to them who they want to have.

Mayor Sanford said there are people who have approached him from church on the south end about having water run. He told them they need to have a compelling reason to do that for the City. When you have these developments they are compelling and they already go to spot one and naturally they could go a bit further in that development or just include them in that development as a church for example. He said there are people with farms who say they are ready to sell and this entices that. This is the various thing that he would get approached with over and over is here they are ready to sell in certain spots and what can they do. He said it is about water and sewer to begin with and City services being able to connect there.

Mr. Keast said they want to make sure that when developers come in they extend the utilities to and through.

Mr. Palmer said the optional 3D model visualization is very cool and is a great element to have for these master plans, but it is an added cost. He said if they had a developer that was interested or just as part of the community engagement process they could use this and see exactly what it would look like from the street level.

Mr. Keast said it is very effective to put on your website to use for marketing purposes and show people your vision.

Mayor Sanford said he can see where the optional stage three fits almost 100 percent in the EDC budget, the amount of which is not out of EDC's ability to get that funded within a fiscal year.

Councilmember Casey Olson said he sees Stewart Lake which is optional but asked what is the other one.

Mr. Palmer said that is [*inaudible*]. They are proposing to do that. The add option will be Stewart Lake.

Councilmember Sara Countryman said what is already here is established for the master plan and then what could be and Stewart Lake is a whole other thing.

Mr. Keast said yes and then writing the ordinance and putting what they envision on the ground.

Councilmember Sara Countryman asked what if there is an opportunity in flight where someone is looking to buy property today and tomorrow they adopt a new ordinance. She asked how does that affect them.

Councilmember Casey Olson said there are some laws that protect them and there are certain things that they cannot retro.

Mr. Keast said they have worked with communities that have done an emergency ordinance or passed a moratorium for a certain period of time until the ordinance is in place. He said they have done that multiple times just to make sure something does not happen.

Councilmember Sara Countryman said and they are not in any kind of possibility to be sued for that.

Mr. Keast said if they sent in an application it is too late as they have vested themselves.

Mr. Palmer said as soon as they start a project that is when the vesting occurs.

Mr. Palmer said the ordinance they are going to be passing only gives them a certain amount of time.

Mr. Palmer said if they do the three day intensive workshops through KKC that is the community engagement component. If they do not want to do that then they will have to do something internal. City staff will have to do some level of engagement for people to be involved in this decision making process. Mr. Palmer said if they cannot afford for KKC to host the three day intensive workshop, City staff will still need to do some type of community engagement component.

Mr. Keast said they would set up in the community center or some public space and bring people in. He said they will be talking with property owners and people can tell them about utilities and drainage. At the end they can pin up sketches on a board to help illustrate what they heard then a final drawing will be done.

Councilmember Casey Olson said he does not see an issue with any of the options as they just need to do it. He asked what does the timeline look like. He knows they are saying 18 months but he needs the timeline broken down so he can see exactly what is happening when.

Councilmember Sara Countryman said eight months is the first one for the kickoff.

Mr. Keast said if they are given the green light tonight he will do a schedule from start to finish from week to week.

Mayor Sanford asked if he could bring it to their next City Council meeting on March 12<sup>th</sup>.

Mr. Keast said yes.

Councilmember Casey Olson said the biggest thing is making sure the timeline fits their budget.

Mr. Keast said if need be, they can span into the third budget year.

Mr. Palmer said they spoke of having a natural stopping space between these phases in case they should run out of money. He said the first phase will take them through the end of October.

Mr. Palmer said the first phase is getting set up and doing the master planning, a thoroughfare plan and getting everyone engaged in working on the Unified Development Ordinance (UDO) adoption and drafting. He said that is a heavy lift for the advisory committee they will be putting together. It basically involves KKC and City staff working through all the ordinance amendments and everything they want to change and bringing it back to the advisory committee. They will then work with the advisory committee getting their guidance and input to then be able to present it to the Planning Commission for recommendation and then present to City Council for adoption.

Mr. Keast said they will have a midpoint briefing and check-ins with Council to make sure they are headed on the right path.

Councilmember Sara Countryman asked how big is the advisory committee.

Mr. Keast said it will consist of 12-15 people.

Mayor Sanford asked Mr. Keast if he has noticed when a city enters into something like this it facilitates a staff shift of duties. He said for example if your given staff is not able to keep up with the IT of the web base and all these different things the staff is probably going to need to shift and how do you do that going into this process.

Mr. Keast said they would not need to have any additional staff as they would do what they do now. Whenever you adopt an ordinance they would send the ordinance to them and they would codify it within two weeks.

Mayor Sanford asked if KKC would take care of the web base, the marketing strategies and everything.

Councilmember Casey Olson said it is \$1,500 a year for the first part and \$2,500 after that.

Mayor Sanford said that is a good deal.

Mayor Sanford said he wanted to make sure it did not over burden the staff.

Councilmember Casey Olson said it should actually lighten the load.

Mr. Keast said their clients have told them their number of phone calls and drop in visits has dropped dramatically because now they can find everything on their phone.

Mr. Palmer said they have Municode which they can still use this with this project. He said the issues they will run into are graphics and the UDC is traditionally graphic heavy so they will want to have a company that can host the graphics. He stated Municode can do that but they are having some issues with it.

Mr. Keast said they charge you per graphic.

Councilmember Sara Countryman asked if there is a link they can go to on KKC's site.

Mr. Keast said there are a couple options. He said one is to link the UDO into the Municode site so when you get to that title it launches Incode. The other option is to put the whole code of

ordinances in the same system so you can hyperlink with everything together. He said they have 25 different features, include GIS mapping and lookup features so people can find what regulations apply to their lot or address.

Councilmember Casey Olson asked if it allows them to get out of Municode and go straight to Incode.

Mr. Keast said yes and when there is an ordinance they do it in no more than two weeks.

Councilmember Casey Olson asked what they have to pay Incode.

Mr. Palmer said it is \$1,500 a year.

Mr. Palmer showed a screen view of Roswell and said this is what the City of Montgomery's would look like if they stayed with Municode. Mr. Palmer said it is not a bad product but Roswell paid a lot for it. He said Municode is an option, but it is not the best option.

Councilmember Casey Olson said he would rather have them in one system instead of having a hyperlink.

Mayor Sanford said that was his point where you bring in lots of deals and it is tough to retrain staff to even use that or to get to the public in a more streamlined way because they are still searching for ways to communicate in a unified way for basic things in the City.

Mr. Keast presented different examples of what can be done in Incode such as choosing a land use category, then clicking on districts of where to build a hotel which then provides a map that highlights all the properties across the community where a hotel can be built. He said they also have it in 3D.

Councilmember Carol Langley asked how old is the company.

Mr. Keast replied they have been doing this since the mid 90's but have been going full force for the past 15 years.

Mr. Keast said the good thing is they will actually write the City's ordinance directly in the software. He suggested they wait until later to incorporate add-ons because they would not be able to be used until later.

He continued with Incode features showing how you are able to click on a house or building and even use the Google street view. He said they tie into the Appraisal District so you have the parcel number, whether or not they are in the City limits, if they have council boards, electric providers, mailing address, assessment value and all that type of information. He said included are links that apply to all the regulations that apply to that lot and from there you can go right into the zoning ordinance. He continued saying the maps change when the regulations change automatically.

Mr. Keast said the smart search tool does not require you go to a map but if someone clicks on search and parcel with the appropriate parcel number or address it will bring up a report that shows the lot, the house, all the setbacks, and all the land uses permitted on that lot which can then be created as a pdf. He said as you build they can put in water and sewer lines and fire hydrants and you can start building this data base and have it all available.

Councilmember Casey Olson asked what the cost is.

Mr. Keast said they bundle all of the GIS items together to get the cheapest price. He said there is a one time billing fee and an annual fee that includes periodic updates, making sure connection with the Appraisal District is working correctly, and troubleshooting,

Councilmember Casey Olson asked what is the annual fee.

Mr. Keast said the annual fee is around \$8,000.

Councilmember Sara Countryman said the bill fee is \$9,000 and the annual fee is \$8,000.

Mr. Keast said replied yes. He said the City's engineering firm is setting up the GIS and they can continue to do what they are doing. This will basically communicate with that and then they can tie in all these extra features.

Councilmember Sara Countryman said they use to have a GIS system.

Mr. Palmer said WGA is rebuilding their system. He said this is a great functionality, a great tool to have and very user friendly but again it is expensive.

Councilmember Sara Countryman asked if this would be tied into their website.

Mr. Keast said they will give the City a URL so when you go to the page for the ordinance you click on it. He said it will go to the map, the smart search, to the ordinance and you can put it wherever you want to.

Councilmember Sara Countryman said this is going to mitigate a lot of headache.

Mr. Keast said it all formats on the phone too.

Mayor Sanford asked how do you specifically market that.

Mr. Keast said you need to put it front and center on your website. He said often times they will put a flyer on the application and will have a business card attached that will give them the link or they can scan it in with their phone through a QR code.

Mr. Keast said once the engineers and people who come here a lot get onto this they will love it because all of their questions will be answered.

He said they also have an application for management where they can actually go in and submit everything and pay online which routes to City staff who review it. All the emails are pre-written so when they are done with the review they just click a button and it emails the client. The client then can see the status of their application whether it is approved or pending so all the information is out there for everyone to see.

Councilmember Sara Countryman asked Mr. Keast if they write the software.

Mr. Keast said he hired a software developer and he story worded everything to tell him how it functions.

Mr. Palmer said the UDO draft stage 2 is the next fiscal year. He said if they decide to do the web-based platform it is exactly what Mr. Keast is talking about and they would start building that. If they do not implement the web-based platform then Mr. Keast will deliver to them copies of Word and they would need to get that published and they would still be on the same platform with Municode.

Councilmember Casey Olson said there are going to be ordinances they do not touch that are in Municode and asked how do they get those over.

Mr. Keast said they will pull them over.

Mr. Palmer said the UDO drafting is where they get into the meat of the work working heavily with the advisory committee bringing modules or sections of the ordinance to them and then putting it through the process. The advisory committee will meet with City staff and then meet with Council.

Mayor Sanford asked if when Mr. Keast comes to their Council meeting on March 12<sup>th</sup> will they be able to say for example City Council midpoint briefing or 2.2 at least they expect to be able to (such and such) August of 2024 to be at that point and be able to be that precise on the time.

Mr. Keast said yes.

Councilmember Sara Countryman asked what is the downside.

Mr. Keast said he has been doing this for 35 years. If they involve people and answer questions and build an agreement with them even though they may not all agree on the same things but if they can get to the final endpoint they can get this adopted. If they do not pay attention and disregard certain people who show up at Council last minute not happy that is why they are building this process as they are testing the community all along the way.

Mr. Keast said the hazard is when you get into these processes people see it as an opportunity to resolve every problem they ever had in Montgomery, Texas. They need to keep focused on what they need to do.

Councilmember Stan Donaldson asked how they will protect the integrity of the Historical District.

Mr. Keast responded they have a professional who has written historic preservation ordinances and plans for cities all over the country. He said she is an expert in historic preservation and she will look at what you have and work with you making recommendations about things you may want to consider adding or strengthening. She will be able to say here are the things that you really need to have as elements within that and here is how they administer and help you build that process. He said you will tell them how far you want to go or not go.

Councilmember Stan Donaldson said it is getting out of hand that there are four different types of fences going in there. Some are hurricane fences and some are eight-foot regular cedar plank fences. He said it is just a mismatch of different views. He also commented there is a modern house going in there and really does not fit with the architecture of the Historical District.

Mr. Keast said those are the types of things you can discuss with Marsha about and she can advise how to handle that. He said it is a matter of how detailed you want to get as you can layer on too much regulation so you need to figure out what your priorities are. What are items you really want to address and where can you give some leeway.

Councilmember Stan Donaldson asked how are the new ordinances going to fit in with what they already have. He said he can understand when they are looking at new development but his main thing is wanting to get the City up to 5,000 people.

Councilmember Sara Countryman asked who is driving the bus.

Mr. Keast said his staff will be up front as far as facilitating but Council will call the shots and staff is going to direct them and answer questions.

Councilmember Sara Countryman said they have done things before and it seems to die off and does not happen. She wants to make sure they stay moving forward and not get stale.

Mr. Keast said they are very methodical and very diligent in all of their documentation and even in the process moving forward.

Councilmember Sara Countryman asked if Mr. Palmer should keep in touch with him or should Mr. Keast keep in touch with Mr. Palmer. She wants to make sure they keep the momentum going.

Mayor Sanford said that is where the steering committee comes in because you need the head of Planning and Development and the head of EDC in that steering committee and now you get the input of people who are developers and real estate people. He said that is really just a small handful of people right now.

Mr. Palmer said they talked about two Council members and two Planning Commission members on the advisory board.

Mr. Keast added some from the HOA and some from the school district as well.

Mr. Palmer said once this project goes it is going.

Mr. Keast said ultimately it comes down to Council saying drive the bus let us go. As long as Council is on board they are ready to go.

Mr. Palmer said the rest of this scope is the optional stuff.

Mr. Keast said it is the development manuals, the applications, updating those and spelling it out like a handbook so the developer has everything they need with checklists.

Councilmember Casey Olson said once they have the rest of it you almost have to have it so it all matches up.

Mr. Palmer said they will have to do this at some point at some level after the project is over. He said he asked Mr. Keast to separate the things out that were not critical to the success of the project. He said these are things they can do on the backend or they can add them to the contract now. He said he just wanted to give Council some alternatives.

Councilmember Casey Olson said Mayor Sanford brought up a very good point. He asked what parts of it can they pawn off on EDC.

Mr. Palmer said it is a conversation they need to have with EDC and try and work that out. He said there should be some skin in the game.

Councilmember Sara Countryman agreed.

Mr. Keast said they work a lot with EDC's that are funded.

Councilmember Sara Countryman asked if there is an amount you cannot do for the State.



Councilmember Casey Olson said it has to apply to the rules of an EDC so whatever they are paying for it cannot be for City admin or anything like that so that is where you pull out pieces of the project and say this is economical development.

Mr. Palmer said EDC is essentially paying for a lot of this for this year now because they pulled a lot of money from them for other things which relieves the general fund.

Councilmember Sara Countryman said she knows they borrowed from EDC in the past.

Councilmember Carol Langley asked what is the next step.

Mr. Palmer said the next step would be to bring this back to Council on March 12<sup>th</sup> with the actual agreement. He said if there is anything Council thinks they should work out between now and March 12<sup>th</sup> to let him know.

Councilmember Casey Olson asked how soon they need the 12-15 person committee.

Mr. Palmer said he wants to start working on that soon. They can start thinking about who they would want on this committee. He said all he asks is that they choose people who can work with other people. He would like to see two City Council members and two Planning Commission members so they have cross pollination and if they want to appoint other people from the City to let him know.

Councilmember Casey Olson said he would like to see someone from EDC on the committee.

Mr. Palmer said he does not think it needs to be a formal appointment. He said to let him know and he will contact the people and engage their interest. He also said he wants to keep as much of this as informal as possible so they are not getting caught up in the process because it just gets delayed.

Councilmember Stan Donaldson said he would prefer it if they could wait a bit longer than March 12<sup>th</sup>.

Councilmember Casey Olson asked what are they waiting on.

Councilmember Stan Donaldson said he would rather have the committee set in place. He said they have another councilmember position to fill and the list of eligible people is short.

Councilmember Sara Countryman said that position will not even be possibly up for eligibility until May and even then it is up to Council's discretion if they even want to fill that position.

Councilmember Stan Donaldson asked they do not have to fill it.

Councilmember Sara Countryman said no.

Mayor Sanford said they went the first year of his mayoral administration with sometimes only three or four councilmembers.

Mr. Palmer said there is not a set number for this committee. He said if he or someone else wants someone on the committee down the road they can do that.

Councilmember Sara Countryman asked if they are getting closer to making a decision on the EDC Director position that could be part of this.

Mr. Palmer said possibly as he needs to bring it to Council to add that position into the organizational chart.

Councilmember Sara Countryman asked if he found a candidate.

Mr. Palmer said yes.

**ADJOURNED at 7:25 P.M.**

Submitted by: Diana Titus  
Diana Titus, Deputy City Secretary  
Reviewed by:

Nici Browe  
Nici Browe TRMC, City Secretary

Byron Sanford  
Mayor, Byron Sanford

Date Approved: 3-26-2024