

**NOTICE OF PUBLIC HEARING AND REGULAR MEETING**

**January 14, 2020**

**MONTGOMERY CITY COUNCIL**

**STATE OF TEXAS**

**AGENDA**

**COUNTY OF MONTGOMERY**

**CITY OF MONTGOMERY**

**NOTICE IS HEREBY GIVEN** that Public Hearings and Regular Meeting of the Montgomery City Council will be held on Tuesday, January 14, 2020 at 6:00 p.m. at the City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas for the purpose of considering the following:

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE TO FLAGS**

**PUBLIC HEARING(S):**

**Convene into Public Hearings for the purpose of giving all interested persons the right to appear and be heard regarding the following:**

1. **Convene into Public Hearing** – Regarding the replat of Gulf Coast Estates Section Two, located at the end of Baja Street, as submitted by Walker Montgomery CDC. The replat would include the request for variances to allow flag lots and 31-foot minimum lot widths instead of the required 75-feet.

**Adjourn Public Hearing.**

**VISITOR/CITIZENS FORUM:**

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must be recognized by the Mayor. Council may not discuss or take any action on an item, but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

**CONSENT AGENDA:**

2. Matters related to the approval of minutes of the Public Hearings and Regular Meeting held on December 10, 2019.
3. Consideration and possible action regarding adoption of the Election Services Agreement by and between the City of Montgomery and Montgomery County Elections for the May 2, 2020 Election.
4. Consideration and possible action regarding adoption of the Joint Election Agreement by and between the City of Montgomery and Montgomery County Elections for the purpose of sharing jointly conducting elections to be held on May 2, 2020.

**CONSIDERATION AND POSSIBLE ACTION:**

5. Consideration and possible action regarding the replat of Gulf Coast Estates Section Two, located at the end of Baja Street, as submitted by Walker Montgomery CDC, which would include variances to allow flag lots and 31-foot minimum lot widths instead of the required 75-feet. (*Tabled at the December 10, 2019 Meeting*)

6. Consideration and possible action regarding adoption of the following Ordinance:  
AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 2, 2020, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) CITY COUNCIL MEMBERS, PLACES 2 AND 4; APPROVING ELECTION SERVICE AGREEMENTS WITH MONTGOMERY COUNTY, TEXAS; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

*Consideración y posible acción respecto a la adopción de la siguiente Ordenanza:*

*UNA ORDENANZA DE LA CIUDAD DE MONTGOMERY, TEXAS, PROPORCIONANDO EL FINANCIAMIENTO PARA LLEVAR A CABO UNA ELECCIÓN GENERAL A REALIZARSE EL DÍA 2 DE MAYO DE 2020, CON EL PROPÓSITO DE ELEGIR A UN ALCALDE Y A DOS (2) MIEMBROS DEL CONCEJO MUNICIPAL, PUESTOS 2 Y 4; APROBAR ACUERDOS DEL SERVICIO DE ELECCIÓN CON EL CONDADO DE MONTGOMERY, TEXAS; Y PROPORCIONAR DETALLES EN RELACIÓN CON LA CELEBRACIÓN DE DICHA ELECCIÓN.*

7. Consideration and possible action regarding appointment of the Montgomery EDC Board of Directors for a two-year term currently held by: Cheryl Fox, Bill Hanover and Tom Cronin.
8. Consideration and possible action regarding appointment of the Planning and Zoning Commission Board Members for a two-year term currently held by: Place 1 – Arnette Easley, Place 3 – Carol Langley and Place 5 – Jeffrey Waddell.

#### **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.

9. Adjourn into Closed Executive Session as authorized by the Texas Open Meetings Act, Chapter 551 of the Government Code, in accordance with the authority contained in the following:
  - a) Section 551.071 (consultation with attorney); and
  - b) Section 551.072 (deliberation regarding real property).

Reconvene into Open Session.

#### **POSSIBLE ACTION FROM EXECUTIVE SESSION:**

10. Consideration and possible action(s), if necessary, on matter(s) deliberated in Closed 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 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.

ADJOURNMENT



  
Susan Hensley, City Secretary

I certify that the attached notice of meeting was posted on the bulletin board at City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas, on the 10<sup>th</sup> day of January, 2020 at 3:00 o'clock p.m. I further certify that the following news media was notified of this meeting as stated above: The Courier

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*This facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary's office at 936-597-6434 for further information or for special accommodations.*

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Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: January 14, 2020</b>	<b>Budgeted Amount: N/A</b>
<b>Department: Administrative</b>	
<b>Prepared By: Dave McCorquodale</b>	<b>Exhibits: Copy of Legal Notice</b>
<b>Date Prepared: January 9, 2020</b>	

**Subject**

Convene into Public Hearing regarding the replat of Gulf Coast Estates Section Two, located at the end of Baja Street, as submitted by Walker Montgomery CDC. The replat would include the request for variances to allow flag lots and 31-foot minimum lot widths instead of the required 75-feet.

**Description**



This is an opportunity for surrounding property owners and members of the community to speak to City Council regarding the proposed replat and variance requests. Certified letters were mailed to surrounding property owners within 200-feet of the development on December 20, 2019.

A subsequent agenda item will provide City Council an opportunity to discuss and take action on the item.

**Recommendation**

Listen to any feedback from the public.

**Approved By**

Asst. to City Admin.	Dave McCorquodale 	Date: 1/9/20
City Administrator	Richard Tramm 	Date: 1/9/20

## NOTICE OF PUBLIC HEARING

The **City of Montgomery City Council** will conduct a **Public Hearing** at 6:00 p.m. on the 14<sup>th</sup> day of January 2020 at the City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas in the City Council Chambers for the purpose of giving all interested persons the right to appear and be heard regarding the replat of Gulf Coast Estates Section Two, located at the end of Baja Street, as submitted by Walker Montgomery CDC. The replat would include the request for variances to allow flag lots and 31-foot minimum lot widths instead of the required 75-feet.

/s/ Susan Hensley, City Secretary, City of Montgomery, Texas  
[shensley@ci.montgomery.tx.us](mailto:shensley@ci.montgomery.tx.us)  
Phone: 936-597-6434

Dates of Legal Notice:

Friday, December 13, 2019

Friday, December 20, 2019

# MINUTES OF PUBLIC HEARINGS AND REGULAR MEETING

December 10, 2019

## MONTGOMERY CITY COUNCIL

### CALL TO ORDER

Mayor Sara Countryman declared a quorum was present, and called the meeting to order at 6:00 p.m.

Present:	Sara Countryman	Mayor
	Jon Bickford	City Council Place # 1
	John Champagne, Jr.	City Council Place # 2
	T.J. Wilkerson	City Council Place # 3
	Rebecca Huss	City Council Place # 4
	Tom Cronin	City Council Place # 5

Absent:

Also Present:	Richard Tramm	City Administrator
	Susan Hensley	City Secretary
	Chris Roznovsky	City Engineer

### INVOCATION

T.J. Wilkerson gave the Invocation.

### CONSIDERATION AND POSSIBLE ACTION:

1. Receive the Final Report from the Planning and Zoning Commission regarding a request from Larry and Beverley Jacobs for a Special Use Permit for the property located at 1062 Clepper Street, Montgomery, Texas 77356 for a short-term cottage rental project.

Rebecca Huss moved to accept the Final Report from the Planning and Zoning Commission regarding a request from Larry and Beverley Jacobs for a Special Use Permit for the property located at 1062 Clepper Street, as presented. T.J. Wilkerson seconded the motion, the motion carried unanimously. (5-0)

**PUBLIC HEARING(S):**

**Convene into Public Hearings for the purpose of giving all interested persons the right to appear and be heard regarding the following:**

2. **Public Hearing:** Regarding a request from Larry and Beverley Jacobs for a Special Use Permit for the property located at 1062 Clepper Street, Montgomery, Texas 77356 for a short-term cottage rental project.

Mayor Countryman convened the Public Hearing at 6:03 p.m.

Rebecca Huss asked Mr. Tramm to present the highlights from the Planning and Zoning Commission Final Report. Mr. Tramm advised he would ask Mr. Dave McCorquodale, Assistant to the City Administrator, to present the information since he did the work on this item.

Mr. McCorquodale advised there will be an agenda item later tonight to discuss this item, but he detailed the points from the Planning and Zoning Commission Final Report. Mr. McCorquodale said the Commission suggested the criteria that they would like to be included as part of the Special Use Permit as follows:

- The Special Use Permit would run with the property and be transferrable to all future heirs and successors and subsequent owners;
- They would provide a maximum rental time frame of two weeks;
- Require the structures to not be on permanent foundations so they can be moved in the event the business is no longer operating;
- Require the property to maintain a rear vegetative buffer of 25-feet;
- Each unit shall be equipped with a smoke detector that meets applicable fire regulations and a fire extinguisher on the property;
- Adequate parking of 1.25 spaces per unit; and
- An annual Certificate of Occupancy be required.

Mr. McCorquodale said many of the requirements were taken from the bed and breakfast ordinance, as the business is not identical, but the use is rather similar and many of the safety requirements seem to go in line with this type of business.

Jon Bickford asked if the Special Use Permit would be transferrable with City Council's approval. Mr. McCorquodale said it would be transferrable to whoever they sold the property to without any other action needed by City Council, outside of just the business having to be registered with the City in the same way a bed and breakfast would be. Mr. McCorquodale

said the owner's name would have to be on file with the City so the City would know and understand who is operating the business. John Champagne asked if the question leading to it is specific to a bed and breakfast type business or could they open a machine shop. Mr. McCorquodale said the business would have to meet the exact same conditions that the current business is operating under, and no other business could change the use. Mr. McCorquodale said City Council does not have to accept all the criteria from the Planning and Zoning Commission, they can modify the information as they see fit because you make the ultimate decision on the Permit.

John Champagne asked if the property was in the Historic District. Mr. McCorquodale said it is not located inside the Historic District.

Rebecca Huss asked if that was the way all Special Use Permits work because she thought when they last broached it for a different project, that anytime a property changes legal hands, the Special Use Permit needed to be reissued. Mr. McCorquodale said the Special Use Permit is an ill-defined item in Texas Zoning Law, they typically do run with the land, but they are assigned to the owner of the land. Mr. McCorquodale said given the nature of a Special Use Permit they can be as varied as City Council wishes.

Mayor Countryman asked if there were any other citizens that would like to speak during the Public Hearing.

Mr. Kevin Lacy, City resident who resides near the property, and said he wanted to show his support for Mr. Jacobs because he and his wife have gone over the plans and he had walked the property and discussed his plans to maintain the beauty of the property. Mr. Lacy said they were very excited about what this project could do for the City.

### **Adjourn Public Hearing**

Mayor Countryman adjourned the Public Hearing at 6:09 p.m.

3. **Public Hearing: By the City of Montgomery City Council, acting as the Board of Adjustment, regarding a side building line variance of nine (9) feet and a rear building line variance of four (4) feet for the property located at 607 Worsham Street, as submitted by owners Dan and Christine Walker**

Mayor Countryman convened the Public Hearing at 6:10 p.m.



Mr. Tramm advised there were some people that are wanting to make comments regarding this matter and noted a memo to City Council detailing comments that were received by staff at City Hall. Mr. Tramm read the following three comments into the record, as follows:

- Mrs. Harriette Cummings, City resident who resides near the location of the property, stated that while she would not be able to attend the Public Hearing, she was happy with the requirements of the Zoning Ordinance, as written, and believed that it was the owner's responsibility to research the building line requirements before placing the building on the property.
- Mr. Frank Scarmordo, City resident who resides near the location of the property, expressed his concern about the small structures (e.g. porches, sheds) being added to properties in the neighborhood without being permitted. Mr. Scarmordo said he felt it was the responsibility of the owner to know the building line requirements before constructing a building.
- Mr. Trevor Howard, City resident who resides near the location, and said the shed is right next to his lot. Mr. Howard said he emphasized he did not have any problem with the building. Mr. Howard said it affects him in no way whatsoever. Mr. Howard said he understands the need for building code, but only for situations that require high levels of safety. Mr. Howard said a tool shed (especially beautifully built) shouldn't require this degree of regulation. Mr. Howard stated the remodeling of their home and property was phenomenal. Mr. Howard said the City should consider some form of incentive to historical homeowners. Mr. Howard said the older homes require significant investment to rebuild/maintain.

Mr. Tramm advised that was the end of the comments that had been submitted to the City.

John Champagne asked if the variance of nine feet was intruding into a distance of 25-feet, which is typical, and asked what the Code requires as the number of feet required without a variance. Rebecca Huss said she thought the side setback was 10-feet. John Champagne asked if they were going to a foot setback. Jon Bickford advised they had already gone to a foot because the building is already there. Mr. Tramm said the structure was brought in without a permit. Rebecca Huss said it was already a very tight space to begin with. Jon Bickford said when he owned the property, he built the garage as close to the property line as he legally could. Rebecca Huss said for disclosure, Jon Bickford built the garage and she lives across from the property. Jon Bickford said the concrete

was on the right-of-way, but the risk is if something goes wrong and they must bust up the concrete, it was on him and he understood that.

Ms. Merriam Walker, City resident who resides directly behind the property being discussed. Ms. Walker said this house has been in very controversial things in the past, and here we go again. Ms. Walker said she bought the property for a white picket fence neighborhood, they tried to have a homeowners' association, then money was taken, and that person moved away so the homeowners' association dissolved. Ms. Walker said Mr. Bickford came in and made the property much nicer, and when he moved out it has gone down since then. Ms. Walker said her issue is they all have laws and rules and they all must go by them. Ms. Walker said if you are going to do something different on your property, you need to go through the proper channels and get it approved. Ms. Walker said her issue is that the building is right on top of the fence and her fence, and at one point when she came home she noticed they were working and then by the end of the day there was a building with a roof on it. Ms. Walker said within the next 7-10 days there was wiring, piping connected from the garage to the portable building. Ms. Walker said the slab of the garage had a hole drilled and a pipe came out and two huge barrels were dumped into the ground. Ms. Walker said she looked around for a piece of paper on a board that says they have permits, but she found nothing. Ms. Walker said she called the City and asked what was going on behind her because it looked like the man was digging a septic system. Ms. Walker said when it rains since Jon Bickford built the garage and the neighbor built his garage, it has made it easier for the ground to become saturated. Ms. Walker said they now have another building with air conditioner drainage and other drainages. Ms. Walker said she came to the City the day before yesterday and spoke to the City Administrator and the lady that gives out the permits. Ms. Walker said she was advised the resident has permits for everything. Ms. Walker said she asked how he got a permit for that building and the big pipe that is coming out of the slab of the garage, into the ground and two barrels that are sunk and then other piping and wiring coming from the garage going to the small building, and that small building has a water spigot on it, and during this time frame, a porch with a roof was built. Ms. Walker said it was bad enough that the little building is there, but now there is a porch and a roof, which right now does not have any gutters. Ms. Walker said she suspects the owner is going to build the gutters because it looks like he does things nicely when he builds things. Ms. Walker said when she came to the City the other day she noticed there was a blue tarp on the back yard, and there is florescent orange paint and she is wondering what else is going to be built and what else is he going to dig up. Ms. Walker said the issue she has is the owner is asking for a variance because he chose to do this without coming before City Council and getting the approval, and what's to say when her neighbor passes away and sells that property and they decide they want to build a garage all the way to the back of the fence and forgets to come and get the permit and it is

done. Ms. Walker asked what the City will do right now because the owner now has two tanks that are dropped, another one was dropped on the other side of the cyclone fence that he put up. Ms. Walker said she still does not see any construction permits posted. Ms. Walker said she is against variances, she thinks that you live in a city and you need to come and get your permits, and if the City says yes, then she is just the neighbor but asked how much more can their little neighborhood handle. Ms. Walker said if that is a sewer system or whatever water exchange, how much more saturation can our property take. Ms. Walker said if the property owner adds on more to the garage, which when Jon Bickford lived there, he never finished the garage apartment. Jon Bickford said it was never intended to be an apartment. Ms. Walker said it is an area where you can add a toilet and a sink. Ms. Walker said the water drainage coming off the building and going into the back yard is an issue for her, and first and foremost the owner is asking for something that should have been asked for before he ever did it. Ms. Walker said while the building is portable, what are they going to do with all the wires and plumbing and what are you going to do with the three holes in the backyard. Ms. Walker said it might all be permitted, but she did not know how they got a permit that quick. Ms. Walker said had she not been home sick that day, she would have never seen that building going up or the holes being dug in the ground. Ms. Walker said she was against the variance and she did not want her little town taken over.

John Champagne asked if the building was not inspected and no fines were levied. Mr. Tramm said the building was put in place before they knew about it and no fines have been levied at this time. Jon Bickford asked if whoever inspected the building knows what the pipes were for. Mr. Tramm said the pipes just came to their attention. Jon Bickford said they have pipes going to the building and electrical.

Mr. Dan Walker, owner of the subject property, said he wanted to clarify some of the things being stated. Mr. Walker said they bought the property because they want to retire here, they are downsizing. Mr. Walker said when they bought the property, they were under the understanding that this side of the street did not have deed restrictions. Mr. Walker said they were not sure what they needed to do. Mr. Walker said the plat of his property shows they have a front building line and a rear building line, but there are no side building lines. Mr. Walker said before he bought the garden shed, he drove around the neighborhood and he saw numerous other properties that had sheds on zero lot lines, for instance, one behind the Post Office. Mr. Walker said they had the garden shed erected and as far as the pipes coming out of the ground, it is PVC pipe running to a spigot, so the dog has water, which is not even on at this time. Jon Bickford asked to confirm that there was no bathroom or sink installed. Mr. Walker said no this is strictly a tool shed that he had painted to match the house.

Jon Bickford asked if Mr. Walker had added the deck in the back of the house. Mr. Walker said yes. Mr. Walker said they pulled permits with licensed electricians and licensed plumbers. Mr. Walker said they hooked up a piece of #10-gauge wire to have the power to run power tools. Jon Bickford said he did not understand how the City could have permitted something that has not been approved to be there in the first place. Mr. Tramm said they came by and picked up the permits for electrical and such, but in order for the building to be there, it will require a variance from City Council. Jon Bickford said the whole thing has been completed which is frustrating.

John Champagne asked who the point of contact is for these things. Mr. Tramm said they come through the front office with Autumn Redman, who does the permitting and it comes through himself and Dave McCorquodale. John Champagne asked if someone shows up for a permit for wiring and plumbing the assumption is it is an existing structure that has been approved and there is no problem, no one thought it might have been for a structure that was out of compliance. Mr. Tramm said that was until they received a report about this. Mr. Walker said the application for the permit was done for a portable garden shed, rear porch on the back of the house and framing and completing out the attic space above the garage. Jon Bickford asked to confirm the portable garden shed was on the permit request. Mr. Walker said that was correct. Mr. Tramm said they may need to investigate internally as well to fully understand the timeline. Jon Bickford said the building is portable. Mr. Tramm said the building is difficult to move but it is portable. Mr. Walker said moving the building would be a challenge, but it is on skids. Mr. Walker said they limited space they have on the property. John Champagne said they don't have any room in the back.

Mr. Tramm said the building was placed in the backyard before any permits were applied for with the City. Jon Bickford said the permits were applied for after the building was placed. Rebecca Huss said if someone puts a garden shed on their property, do they need a permit or do they only need a permit for the electrical and plumbing. Mr. Tramm said without looking, it was his understanding that you would need to have a permit to place them. John Champagne said it would have been no problem, except in this case. Mr. Walker said they had a licensed electrician and Rick Hanna came by and looked at it and checked the GFI and said everything was okay, but this is primarily a storage shed for tools and gardening as they plan on doing extensive landscaping on the property. Mr. Walker said they are going to retire on this property and everything they are going to do to the property they want to get permission from the City, and they want to make it first class and an enhancement to the street. John Champagne asked if Mr. Walker had talked to his neighbor in the back. Mr. Walker said he only introduced himself. John Champagne asked if there was any way he could come to some agreement they might be amenable to. Mr. Walker said he agreed and understood that in the past there have been some water issues with all the new hard

surface going in. Mr. Walker said his plans are to install six-inch gutters across everything. Mr. Walker said he has shot grade on everything and said they are on a kind of peak and then it rolls down toward Jack's house next door, but there is a six-inch fall from back there to the front street so he did not have an issue guttering everything and pushing it to the front yard, where it runs down to the creek. Mayor Countryman asked what the timeline for guttering was. Mr. Walker said he is spending about \$100,000 on the house and they are rolling with it. Mayor Countryman asked if that would be part of phase one. Mr. Walker said yes. Mayor Countryman said she did not know if it was a five-year or three-year plan. Mr. Walker said they want to get the work done and make the property very pretty, stating they love the house and the community, and they have awesome neighbors. Mr. Walker said they are moving from a very large piece of property in Montgomery Trace.

John Champagne said Mr. Walker had eluded to the fact that traveling around town he had seen other buildings on property lines, and said a lot of this stuff has been grandfathered in and for the most part City Council is in the variance business, there is not a meeting that goes by where they are not asked for some type of variance. John Champagne said the only thing he could say from his point of view, this is after the fact and it would have been wise for Mr. Walker to have come to the City to check on this. Mr. Walker said he agreed. John Champagne said if Mr. Walker can, to get his neighbor to buy-in. Mr. Walker said they are extremely quiet people and they want everything done just right. John Champagne said Mr. Walker was out of compliance, and personally, he would rather the government stay out of your business and if you could get your neighbors to buy in on what has happened, he would consider the variance, but it does not sound like all the neighbors have bought in on the variance. Mr. Walker said he does have a letter that is signed by some of the neighbors around him that had no issues with the project. Mr. Walker said he had no problem doing everything he possibly can, but he could not make a 10-inch rain go away, so if that happens, they will have to wade in a puddle for a day or two and then it will all go away.

T.J. Wilkerson asked if in the back of the house, was there a wooden fence in the back. Mr. Walker said yes, it was built by the previous owner. Mr. Walker said apparently there used to be a white picket fence that was replaced with a wall, which he will probably end up planting vines to dress it up. Rebecca Huss said that will help with the water collection. Mr. Walker said they are also going to plant some trees and do landscaping. Mr. Walker said he has already done an eight-inch French drain all the way down the side between his property and Trevor, which worked awesome today.

Jon Bickford asked if there was a stockade fence between Mr. Walker's property and his neighbor. Mr. Walker said there is an eight-foot pine or cedar fence. Mrs. Walker said the previous owner had torn down the white picket fence and proceeded to build a huge wooden fence and the white

picket fence was taken down. Jon Bickford said there was a six or eight-foot wooden fence on the side. Mr. Walker said there is a six or eight-foot fence that goes all the way around the property. Mrs. Walker said that was because of the dogs from the previous owner.

Mr. Walker said the tanks in the ground are called lift stations. Mr. Walker said they are building an apartment above and they are below grade where the inlet goes into the City sewer system. Mr. Walker said people do this all over the country, where they put a grinder tank that takes the water and pushes it to the street because there is not a natural fall and will shoot it eight feet in the air. Rebecca Huss said that was the mystery of the tanks in the ground. Mr. Walker said yes and said Rick Hanna did their rough-in inspection yesterday and the florescent lines on the ground are where the pipes are going in two feet deep coming out of the tanks and going under the house and tying into the system. Rebecca Huss said that sounds like a nightmare for maintenance. Mr. Walker said they are not; you just change the motor out on the pump every five to six years.

Mr. Mike Reaper, City resident who resides behind Mr. Walker said that Mr. Walker does a good job and everything he has done has been professional. Mr. Reaper said he just wanted to suggest if they are going to allow the building to be on the property line, then it should be for everyone.

Ms. Merriam Walker advised that across the street, Ms. Hailey Martin resides in the home next to Harriett Cummings, said she is also in agreement they should not change variances because people choose to do stuff before getting permits and they need to do what it states they are supposed to do. Ms. Walker said Ms. Martin said if they want to get approved that should be done prior to instead of asking after the fact.

Mayor Countryman asked Mr. Walker if he did not get the permit before, and why did he not come before City Council. Mr. Walker said when they moved in they were told there were no deed restrictions and he did not see any building lines, so he hired a couple of guys to come out and build the shed, which they painted and then a couple of days later he found out that is not what you do. Mr. Walker said he immediately went down and pulled the permit and had the inspector come out the very next day and look at the property. Mr. Walker said the inspector advised him he had done everything other than getting a variance with the City. Mayor Countryman asked if the reason why the permits were not pulled initially was just that he did not know he needed to get a permit. Rebecca Huss said the plat states there are no side setbacks.

Ms. Walker asked when the 55-gallon tanks and the shed permits were pulled because she thought they were all tied together. Ms. Walker said now they have more tanks. Mr. Tramm said he had not looked at that information, he was dealing with the building. Jon Bickford asked if there were

more tanks. Mr. Walker said there were two tanks, they covered the hole up since they knew it was going to rain and they did not want a muddy hole.

Ms. Lisa Martin, who resides across the street from the property, asked if she wanted to build a shed, variance or no variance, she would have to get a permit. Ms. Martin said she understands the law and the variance. Ms. Martin said she is delighted to have Mr. Walker and said the property is going to be a showplace. Ms. Martin said she knows things were not done exactly the way they should have been done but if you had seen what had been there prior, this is a welcome change.

Ms. Linda Sneed, a City resident, advised the City had always told her the size of the building would determine if she needed a permit. Ms. Sneed said she has a shed on her property right now, which the City told her was okay. Jon Bickford said the issue is not the size of the shed, but the placement of the shed, and if you are going to get a shed, you should check with the City to make sure that you don't need a permit. Mayor Countryman said she should call City Hall first and double-check to see if a permit is needed.

#### **Adjourn Public Hearing**

Mayor Countryman adjourned the Public Hearing at 6:42 p.m.

#### **Reconvene into Regular Session**

Mayor Countryman reconvened into Regular Session at 6:42 p.m.

#### **VISITOR/CITIZENS FORUM:**

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must be recognized by the Mayor. Council may not discuss or take any action on an item, but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

Mr. Adam Inffen, who resides on Bois D'Arc Bend, advised he wanted to address a situation they have had since they moved out here. Mr. Inffen advised they live on a county road that was recently cut through to Lone Star Bend. Mr. Inffen said they have a big issue with speeders on both roads. Mr. Inffen said Lone Star Bend is 25 miles per hour and the cars are going 40-50 miles per hour. Mr. Inffen said there is a Sheriff that sits at the end of Bois D'Arc Bend and he patrols the county road, but there are never Montgomery Police on the Lone Star Bend portion. Mr. Inffen said it is like a drag strip in front of his house, and his wife and son have had gestures made to them and nearly run off the road. Mr. Inffen said they would like to see some speed humps put on the Lone Star Bend portion and asked who he needed to talk to about this.

Mayor Countryman said Mike Meador is the County Commissioner and he represents this area. Mayor Countryman said Lone Star Bend is in the City of Montgomery. Mr. Inffen said he did not know why the road was put through and is a cut-through for people that live in Walden, and this is a residential street. Mr. Inffen said the man that owns the Shell Station put a sign up “Montgomery Short Cut” and asked what good does that do him. Mr. Inffen said he understands the City can’t do anything about Bois D’Arc Bend, but if they could get some speed humps on Lone Star Bend to help with all the kids going to school. Mr. Inffen said he has not seen any Montgomery Police Officers out there. John Champagne said the Montgomery Police Department has been back there. Mayor Countryman said she has ridden with officers and they have gone back there. John Champagne said this is not the first time this complaint has come to the City, and he knows what Mr. Inffen is talking about. Mayor Countryman said they have the Departmental Reports tonight and they can talk to the Police Chief and ask for assistance. Mayor Countryman said she appreciated the feedback and said it sounds like they need to pay some attention to that area and see what they can do. John Champagne told Mr. Inffen to not hesitate to call the City of Montgomery and ask to speak to either the Lieutenant, Sergeant or the Police Chief. Mr. Inffen said they have spoken to Lieutenant Spencer with the Sheriff’s Department. John Champagne said the Police Chief is present if Mr. Inffen would like to speak to him.

Mr. Floyd Montgomery advised that he wanted to speak about Scottish history and the name Montgomery. Mr. Montgomery said he was hoping to get some Scots wearing their kilts in the 4<sup>th</sup> of July Parade. Mr. Montgomery said he had the Montgomery Museum open for three months at the law office on FM 149, with 2,000 items of memorabilia collected. Mr. Montgomery said most towns named Montgomery were named after General Richard Montgomery who was the first American General killed in the Revolution. Mr. Montgomery said he was hoping to get more people involved in the Scottish history of Texas. Mr. Montgomery said 2/3 of the people that fought at the Alamo were of Scotch-Irish descent. Jon Bickford asked how people can get in touch with Mr. Montgomery. Mr. Montgomery said he was in the telephone book. Mayor Countryman said they can call City Hall and we can get them in touch with Mr. Montgomery.

**CONSENT AGENDA:**

4. Matters related to the approval of minutes of the Workshop Meetings held on August 20, 2019, and August 22, 2019, and Regular Meeting held on November 12, 2019.
5. Consideration and possible action regarding renewal of the COBRA Continuation of Coverage Administrative Agreement by and between the City of Montgomery and TML Health Benefits Pool.
6. Consideration and possible action regarding adoption of an Escrow Agreement by and between the City of Montgomery and Troy’s Donuts.
7. Consideration and possible action regarding adoption of an Escrow Agreement by and between the City of Montgomery and Larry and Beverley Jacobs for Moon over Montgomery.



8. Consideration and possible action regarding authorizing Jones and Carter to prepare a Utility and Economic Feasibility Study for Larry and Beverley Jacobs for Moon over Montgomery.
9. Consideration and possible action regarding completion of a one-year warranty period and release of Maintenance Bond for the Montgomery First Phase II and III Public Infrastructure.

Rebecca Huss advised a typo in the minutes, Item 4, had been corrected regarding the November 12, 2019 minutes.

Rebecca Huss moved to approve the Consent Agenda as presented, with the inclusion of the typo revision to the November 12, 2019 minutes. Tom Cronin seconded the motion.

Discussion: Jon Bickford asked about Item 7 and asked what the Escrow Agreement was for. Mr. Tramm advised it was because of the timeline between this meeting and the next upcoming meeting, Mr. Jacobs wanted to be able to move the process along presuming the City would approve the Special Use Permit. Mr. Tramm said Mr. Jacobs does not want to be in the position of having to wait until January to talk about approving the Escrow Agreement and the Feasibility Study. Rebecca Huss said Mr. Jacobs is willing to put his money where his mouth is and she assumes he would get the money back if it is not used.

The motion carried unanimously. (5-0)

#### **CONSIDERATION AND POSSIBLE ACTION:**

##### 10. Consideration and possible action on Department Reports.

- A. Administrator's Report – Mr. Tramm mentioned the Crane Cabin, stating there was an issue with the size of the logs, so the project has been delayed and should be worked on this week. Mr. Tramm said they had to get different logs because they want to get the best match possible. Mr. Tramm said they are still well ahead of the original schedule that would have been if they had gone with the original contractor. Mr. Tramm said they believe they are close to getting another home in the HOME Grant process and should have that information by the end of the month.

Mr. Tramm said the work on Baja/MLK Project has received positive comments regarding the contractor that took over the project regarding the neatness of the work and the contractor's ability to clean up and the politeness of the workers out there.

Mr. Tramm said there were several Christmas events last weekend and next weekend and the number of hours put in by various City personnel who are working hard to make those

happen. Mr. Tramm said they are not necessarily City events, but the City still plays a strong part in public safety and cleanup.

Mr. Tramm said the City is getting ready to go into the active part of the Annual Audit. Mr. Tramm said he attached his Development Report to his Report this month, which he typically provides the MEDC, which he thought might be something City Council might want to see.

Mr. Tramm said there are terms coming up on the Planning and Zoning Commission and MEDC, and they will be putting a notice in the water bill getting ready to go out and a notice on the electronic sign at FM 149 and SH 105. Mr. Tramm said he planned on having the candidate applicants at the first meeting in January.

Mr. Tramm said regarding the RFQ process from the last meeting, he is preparing to go out for the Watershed Study, stating he has talked to several engineering firms over the last couple of weeks, going out to the site or meeting with them to discuss the information. Mr. Tramm said he will be following that up with the engineer and legal services RFQ. Mr. Tramm said during the next month he will be working with Mr. Muckleroy on the Utility Services contract. John Champagne said that was outstanding.

Mayor Countryman said she too has had great feedback on the Baja/MLK Project, with a lot of kudos to the contractor MMG and the professionalism of that team. Mr. Tramm said the one good thing they did with this process is when the work was getting ready to restart, they held a meeting out there to make sure the residents knew what was coming and said communication was lacking in the past, and this just shows people can be happy with a lot of things when they understand what is going on and they understand the process. Mr. Tramm said he knew there was a lot of frustration on the City side and the residents with the way the work spread out, saying it was a bad situation. Mr. Tramm said they have done what they can to get the word out.

T.J. Wilkerson asked about the HOME Grant and asked if they had a certain date they are shooting for to have everything done. Mr. Tramm said they have one more property that is close to having the package complete, and they believe that will all be able to be sent out to the State for approval before the end of this month if that runs through and they get approval, they should at that point have enough to be able to start construction on the ones

they have. Mr. Tramm said there were still a couple of hurdles they must get through, but they feel those will be within a realistic timeline at this point. Mr. Tramm said the hardest part with the latest one was getting accurate survey information, where the information did not exist.

- B. Public Works Report – Mr. Mike Muckleroy, Director of Public Works, presented his report to City Council. Mr. Muckleroy advised they had located the source of the water leak. Mayor Countryman said that was a great job. Mr. Muckleroy said they regouted several manhole lids throughout the City and repaired the storm drain on John Butler Drive. Mr. Muckleroy said his department installed the wiring for the credit card machine for utility and court for electronic payments. Mr. Muckleroy said they completed 32 work orders for maintenance and park issues, the docents reported 580 visitors for the month, and they provided 39 tours. Mr. Muckleroy said they attended MLK Community Meeting for the waterline project, and he attended a meeting with Entergy to discuss lighting options and will meet on Friday to go over the final details. Rebecca Huss said that is because someone at the MLK Community Meeting talked about a lack of lighting for the area, which is a safety concern. Mr. Muckleroy said that was correct. Mayor Countryman thanked Mr. Muckleroy for the decorations, stating they looked great.

Tom Cronin asked about the report that states they assisted two customers with irrigation control settings and asked if they helped them with their sprinklers. Mr. Muckleroy said absolutely, they are complicated for people that don't use them. Mr. Muckleroy said it usually starts from someone calling in about a high water bill and in looking at the usage they can see they have something running at certain times. Mr. Muckleroy said they don't make recommendations on how much they should water, but if they tell us what they want, we will show them how to set it.

Rebecca Huss said back to the Entergy item, something they would not necessarily suggest, but what are the options of the City setting a metal pole and putting a solar light on it, which must be potentially cheaper. Mr. Muckleroy said it is probably not cheaper.

John Champagne said he had asked about the pond, and if they raised the water at Memory Park four inches, which he was not sure if they can, but that would be a lot of water. Mr. Muckleroy said they looked at doing that and said he does have information for him. John Champagne said they can discuss it later. John Champagne then asked about Fernland and said they need some paint, which he would rather do before they really need it done. Mr. Muckleroy said they have looked at that and he agreed it needed to be done. John

Champagne then asked about the streets, stating he knew Mr. Muckleroy prioritized them or at least evaluated them, and asked if he was in the process of prioritizing them and starting on those things. Mr. Muekleroy said he won't say they have started the process of starting on them and said that was 100 percent on him. Mr. Muckleroy said he had to get with the County and get it on the list. Mr. Muckleroy said he would be happy to discuss the pond after the meeting.

- C. Police Department Report – Police Chief Anthony Solomon presented his report to City Council. Chief Solomon stated he had provided the monthly and annual reports. Chief Solomon said the annual report included some goals, objectives, and some initiatives. Chief Solomon said regarding what the gentleman was talking about today, they have looked at those different areas and that is what they have for their different initiatives. Chief Solomon said the Sergeant is working on those and said he would move that area up to the initiative list because there are a lot of places in the City where those things are going on with the growth and people coming in. Chief Solomon said when he reported last time, they had about 21 people that were driving an average speed of 52 miles per hour in a 35 mile per hour speed zone. Jon Bickford asked if they were issuing tickets for those. Chief Solomon said they were making contacts with those drivers, stating that he can't tell the officers to issue tickets. Chief Solomon said there is a number of tickets that have been issued. Jon Bickford said the message is if people think they are going to just get a warning, they will keep speeding. Chief Solomon said that is true, and said there are some people that you have to issue a citation in order for them to learn their lesson, which is the decision that the officer makes at the time of the traffic stop. Chief Solomon said on the objectives that are included in the report, they are going to start the Citizen's Police Academy sometime in April.

Chief Solomon said after about six months it gave him a chance to look at the department and see what it needs. Chief Solomon said some of the ordinances are going to need some updates or they need to input some things like fines that will give them a better chance to go out and enforce these things. Chief Solomon said they have had a situation on Old Plantersville Road, and they will be putting in some more meat into the ordinance and fines. Chief Solomon said they talked a couple of months ago about crime mapping, and the crime mapping is now up and running and now when you can go in and select all, it will show you what crimes are happening in different areas, not only in the City, but you can scroll down and look at the County and Houston. Chief Solomon said the crime mapping also helps us because it will give you all a chance to give them some feedback. John

Champagne said all he saw was one theft for less than \$100. Chief Solomon said that was because they are taking care of business. John Champagne said he agreed.

John Champagne requested for the next meeting, a departmental organization chart and as a side, the general bullet point duties of each individual employee. Chief Solomon said he would provide that information. Mayor Countryman said she liked the Core Values, ASPIRE and said she did not think they had that before, and it was setting a new standard.

Jon Bickford said he was sorry the Chief had to wear the black ribbon over his badge because it is sickening and asked to make sure the officers are watching out for each other and keeping an eye out for things to the extent they can. Chief Solomon said it is happening all too often.

Mayor Countryman asked if they were ready for the Christmas Parade this weekend. Chief Solomon said yes, they were. John Champagne asked if everything was good for the Parade. Chief Solomon said yes it was and it will be a good parade. Jon Bickford thanked the Chief for watching out for the safety of our people.

- D. Court Department Report – Mrs. Kimberly Duckett, Court Administrator, presented her report to City Council. Mrs. Duckett advised the citations for the month of October were \$107,000, the collections were \$25,875, the overall physical year total is \$425,020.76. Mrs. Duckett stated there was an error on the financial cover sheet for the fiscal year, it should have been October 2018 through September 2019. Mrs. Duckett thanked Chief Solomon for recommending she take the Rape Aggression Defense Class, mostly for women. Mrs. Duckett said they are going to reach out to the elderly and the seniors, and Sergeant Bracht and she will start in January instructing this self-defense class. Mrs. Duckett said they do not have the dates yet, but this will bring awareness to our community. Mayor Countryman asked if that would be held here at City Hall. Mrs. Duckett said it will be at City Hall or the Community Center. Mrs. Duckett said the class will be very beneficial and will raise a lot of awareness for women and individuals. Mayor Countryman said that is a great program and asked how they are going to get the word out. Mrs. Duckett said they have not started, but they will advertise in the water bills, kiosk, and our Facebook page. Mayor Countryman said Mrs. Duckett was very professional and held herself very well when she hosted Lake Creek High School's court class here and did a great job representing the City. Mrs. Duckett thanked the Mayor.

- E. Utility/Development Report – Mr. Tramm presented the report to City Council. Mr. Tramm said the monthly and annual report have been provided. Mr. Tramm said early in the report at the start of the year there was a total of 709 revolving water accounts and at the end of the year, there were 790 revolving water accounts, which is over 11% growth of the total of accounts. Mr. Tramm said during every month in the year they added more accounts than they had disconnections, which shows continuous growth. Mr. Tramm said the Community Building showed a loss every month, and later in the Agenda, they will be addressing some of the related costs. Mr. Tramm said the month of October represents billing halfway through August and September, and during that warm dry period, the total utility billing was close to \$200,000. Mr. Tramm stated in the 60-90 day category for arrears are accounts on payment plans. Mr. Tramm said the utility office is trying to work with people on payment plans, so they are not constantly getting late fees. Mr. Tramm said Memory Park water use was under 30,000 gallons and was down from 189,000 the month before. Mr. Tramm said now that they have had a little bit of rain it should go down even more.
- F. Water Report – Mr. Michael Williams, Vice President of Operations with Gulf Utility Service, Inc., presented his report to City Council. Mr. Williams advised for the month of October they had two district alerts and were both associated with a power issue from a light pole being replaced on September 18, 2019. Mr. Williams said there was no actual damage to the plant or issues with the plant.

Mr. Williams said the effluent flow detail for the month of September and October totaling 4.569 million gallons, daily peak flow was on September 19, 2019, at 234,000 gallons, and the daily average flow was 152,300 gallons. Mr. Williams said there were no excursions for the month of October. Mr. Williams advised the new rain gauge has been ordered and should be coming in shortly and then Mr. Muckleroy and his crew will have it installed at that time.

Mr. Williams said they sourced a total of 16.338 million gallons, had a total of 415,000 flushings, sold 11.231 million gallons bringing them to 71% accountability, which is still reflecting prior to the leak being found over by the Kroger store. Mr. Williams said the final page of the report shows a 41% of total water returned to the sewer plant from water sold.

John Champagne asked if there was any reason Well 4 is at 4.602. Mr. Williams said they had some maintenance on the cooling tower. John Champagne asked if the cooling tower was still giving them problems. Mr. Williams said it was maintenance that was described by the manufacturer that would have to be done from time to time, and what they had to do was the heat transfer plates got buildup on them, so they had to get them cleaned. Mr. Williams said since they did not have a second set of heat transfer plates, they had to be taken off, shipped out to be cleaned and then shipped back to us. Mr. Williams said during that time they could not fully run Well 4 because of the temperature and the disinfection as a result, it is hard to disinfect when they do not have the temperature reduction. Mr. Williams said it was up and running now. John Champagne asked Mr. Tramm if there was anything they could do about this problem because they have a Well that is being under-utilized because of solid deposition on a heat exchanger. Mr. Williams said with the Water Plant expansion there will be multiple cooling towers, so they will have the ability to take one down for maintenance in the future. Jon Bickford said the other option is to purchase another set of plates and asked how much that would cost. Mr. Williams said it would cost about \$10,000 for another set of plates. Rebecca Huss said that was not that expensive, unlike last year when they were at the edge of their limits; we are not close to our limits on the Gulf Aquifers.

- G. Engineer's Report – Mr. Chris Roznovsky, City Engineer, presented his report to City Council. Mr. Roznovsky said they had the final inspection for the Baja Road Phase I and Phase II, and the contractor is substantially completed with the project. Mr. Roznovsky said the main thing they found was he needs to go back and do some side slopes of ditches and need to be gentler, so they are not so steep and then reseed them to get the turf established. Mr. Roznovsky said he is also going to address some concerns of residents. Mayor Countryman asked whether they were able to get the bid. Mr. Roznovsky said they met this morning to discuss getting prices for some additional extensions for the end of the culverts at the intersection. Mayor Countryman asked about the corner. Mr. Roznovsky said they are getting some additional looks at the corner, either buttons to keep people into putting in a junction box to allow it to be filled in at that area, similar to Houston Street at Caroline Street, where it turns, they put in a junction box there so they could turn. Mr. Roznovsky said they were getting pricing on that as well. Mr. Roznovsky said the two pay estimates they received this month are listed for Phase I and Phase II, \$58,000 for Phase I and \$44,000 for Phase II.

Mr. Roznovsky advised they had received and recommended payment of Pay Estimate 1 for Atkins Creek in the amount of \$132,961. Mr. Roznovsky said both utilities are in and ready to be used so they won't have to pump from the manhole, and they can pull the plug and start sending it down to Lift Station 14. Mr. Roznovsky said the contractor is doing the final cleanup and then is coming back to do some additional riprap and things to protect against erosion, but they are substantially complete with the project.

Mr. Roznovsky said that Lift Station 1 Replacement project, since the last meeting, they have completed the demolition of the existing Lift Station, which is completely gone and out of the way and the deed and everything has been swapped over to the developer and is complete for Chick-fil-A to move forward. Mr. Roznovsky said they received two Pay Estimates, No. 1 at \$99,954 and No. 2 at \$81,189 and as of November 25, 2019, they are about 43% complete by time and 18% complete by value, so they are a little bit behind but now that they are on the mechanical side of the project that percentage should catch back up.

Mr. Roznovsky said the donut shop project, they have received the revised plans and sent them for approval yesterday, with small revisions to the utilities on site. Mr. Roznovsky said they had the one-year warranty inspection for the Buffalo Springs Bridge on November 6, 2019, and the contractor is addressing the punch list items, which they should be able to close it out at the next meeting in January 2020. Mr. Roznovsky said they have the 18-inch Phase I inspection that is coming up this month and the Hills of Town Creek is coming up in January for their warranty inspection.

Mr. Roznovsky advised the turn lane information is still in TxDOT's hands and as of a couple of days ago, they are still going through the appraisal and legal conveyance on their side. Mayor Countryman asked if that was the FM 149 and SH 105 turn lane. Mr. Roznovsky said yes on the northbound side. Mr. Roznovsky said where the building was purchased and demolished, it has been in TxDOT's hands. Mayor Countryman said under the plan review she is seeing Exxon Eva Street where it states they have not received revised plans this month and asked if that was for the turn lane. Mr. Roznovsky said they can probably take that off the report because they have not seen plans in over a year. Mayor Countryman asked if he was in agreement, and where are they on that matter. Mr. Roznovsky said he believed Mr. McCorquodale was working on that matter. Mr. Roznovsky said they were at a dead end on the matter with not having enough room on the



site to be able to make any changes until Shipley's Donuts next door is willing to participate. John Champagne asked if a dumpster was holding this project up. Mr. Roznovsky said it was not only the dumpster but also when they put in the turn lane the elevation between where the parking lot is and then to slope it back into the site, he would be losing a couple more parking spaces that he already does not have enough of to begin with. Mr. McCorquodale said it would chase the slope so far back into his parking lot that he would lose spaces. Mr. McCorquodale said he did talk to TxDOT and they were amenable to reducing the amount of right of way, which would let his dumpster stay where it is, but the unfortunate piece of that is the access to the dumpster would have to be in the right of way. Mr. McCorquodale said their answer to leaving any concrete in the right of way that was not a driveway approach was no. Mr. McCorquodale said there are the space aspect, elevation aspect and the gas pumps that would have to stay at the current elevation where they are, so it is the elevation as much as the room on the site. Mr. McCorquodale said if you look across the street the size of the parcel that the gas station there is on is the size of the Shipley's lot and the Exxon Station, so you are trying to cram the same amount of stuff in a smaller area.

Jon Bickford asked if there would come a time when TxDOT says they must put in a turn lane. Mr. McCorquodale said he did not know. Rebecca Huss said it still seems like the City has gone too far to be missing this part of the puzzle. Jon Bickford said it is a pretty key part. Mayor Countryman asked if Shipley's owns the lot they are on or are they renting the building. Mr. McCorquodale said they rent the building. Mr. McCorquodale said they had talked the landowner into coming in for a meeting with him and Mr. Tramm on a Friday afternoon, but then on Monday morning he called back and said after discussing it with his family, they were not willing to participate at all and they did not like the notion of getting rid of any trees, but mainly they did not want to limit their options on what they were going to do with the site and they did not want to encumber their site. Mr. McCorquodale said there are a significant number of issues with what they are trying to do.

Mr. Roznovsky said they had a follow-up meeting on November 12, 2019, to go over the plan review process so the plans would come in through City Hall, go into an online system, each individual would review the plans and they would go back out. Mr. Roznovsky said they are working on getting the software to make that process complete.

Mr. Roznovsky said the City's wells were tested back in November 2019 to make sure they were performing as they should, and all the results came back normal, so no action is required at this time. John Champagne asked what the testing included. Mr. Roznovsky said they do a performance test to see how much water they can pump, what is the drawdown of the well when they pump it and they check the vibration to make sure that nothing is off and causing vibration in the well that could lead to future problems.

- H. Finance Report – Mr. Tramm presented the Finance Report and said the report covers through the end of the fiscal year. Mr. Tramm said the Health Insurance is showing a negative number and said that it is reflective where the money is deducted from employees for their dependent coverage, which is put in once a quarter and is why it is a negative number on the expense. Mr. Tramm said just down from there under wages it is approximately \$34,000 over the budgeted amount and that was due to the month having three payrolls. Mr. Tramm said the water and sewer revenue was much higher than projected in the budget because of the time of year and the dry weather when those revenues are up. Mr. Tramm said the water and sewer revenue are twice what was projected in the budget.

Rebecca Huss said since we did the budget for 2019-2020, we have spent a lot of time on the projected fiscal year of 2018-2019 numbers, so they had a good idea of what this would look like.

Jon Bickford moved to accept the Departmental Reports as presented. John Champagne seconded the motion, the motion carried unanimously. (5-0)

11. Consideration and possible action regarding adoption of the following Ordinance:

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS AMENDING THE CITY CODE OF ORDINANCES BY AMENDING CHAPTER 98, "ZONING," GRANTING A SPECIAL USE PERMIT TO LARRY AND BEVERLEY JACOBS FOR THE USE OF THE PROPERTY LOCATED AT 1062 CLEPPER STREET, MONTGOMERY, TEXAS 77356, FOR SHORT-TERM RENTAL COTTAGES; ESTABLISHING CERTAIN TERMS, CONDITIONS, AND LIMITATIONS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE UPON PASSAGE.

Jon Bickford said he wanted to add the issue of this being transferrable, stating he did not have an issue with this being transferrable, but he did think the transferability should be approved by City Council if it ever changes hands. Jon Bickford said he felt that City Council should have oversight

into that transfer to make sure things continue the way we expect they are going to go forward. Jon Bickford said if it is not going to come back to City Council if there is a change of hands, then what is the point of the Special Use Permit.

Rebecca Huss asked why they would hold this Special Use Permit different than the Bed and Breakfast. Jon Bickford said he did think he made comment on the Bed and Breakfast Permit, he thought that might have been done before he got on City Council. Rebecca Huss said that is true, although this one has the same as what they are going to consider later with the annual recertification, and if City Council does not give them the annual operating license because they are not keeping up to standards, then City Council can deny them their annual operating license. Jon Bickford said he did not think they had any of that in the ordinance. Rebecca Huss said it is on page 217 of the Agenda Pack, Item M, where they apply for an annual operating license. Mr. Tramm asked if they were talking about the Cedar Crest Mobile Home Park. Rebecca Huss said specifically on page 217, Line Item M of the Special Use Permit Ordinance regarding this project. Rebecca Huss said the owner of the property is required to apply for and maintain an annual operating license, including but not limited to a certificate of occupancy inspection, so they can add whatever they want onto providing the annual operating license. Mr. Tramm said if that is a requirement City Council wants to add, this would be the time to do that. Jon Bickford said all he was saying is that if the property changes hands, it should come back to City Council.

John Champagne asked if the project was held to a certain number of cottages. Mr. Tramm said no it was not. John Champagne asked what was the definition of a cottage, can it have wheels under it. Mr. Tramm said he knows what Mr. Jacobs is proposing. John Champagne said this could be a KOA if they don't have a description. John Champagne said they could move in trailers and call them cottages as far as this ordinance reads. John Champagne said Mr. Jacobs has a vision that fits quite well with the City's vision. John Champagne asked where the City Attorney was. Mr. Tramm said he was recovering from surgery and is available by cell phone if needed. John Champagne said the ordinance was a little vague for him, especially if you transfer this variance to the next owner. John Champagne said he did not really have a problem with Mr. Jacobs, but there is nothing keeping him from moving in trailers and calling them cottages. Jon Bickford said the other thing they need to add is the Special Use Permit is contingent that the cottages will be developed either equivalent or substantially similar to those as presented. John Champagne said substantial to one might not be substantial to the other. John Champagne said he was all for the project, he would just like it to remain the way we envision it being, which is why they have the City Attorney to make sure of the wording.

Jon Bickford moved to accept the Ordinance as presented with two caveats; 1) in the event there is a change in the ownership or control, City Council gets to look at the transferability of the Special Use Permit and have the option to not allow it to be transferred; 2) that we append in some form or fashion the plans and cottage look that has been proposed to City Council and that be made part and parcel to the agreement for the Special Use Permit.

Rebecca Huss asked if they need to include a limit to the number of structures. Jon Bickford said he thought it had 14 structures. Jon Bickford said he wanted to make sure and capture both of those things, which is what they are granting the Special Use Permit for. Jon Bickford said the Special Use Permit needs to be very specific. Mr. Tramm said they would make the amendments to the Ordinance.

Jon Bickford restated his motion that he moved to accept the Ordinance with the following caveats: 1) any issue of transferability must be approved by City Council; 2) the plans of the cottages that were presented to City Council be made a part of this Ordinance. Rebecca Huss seconded the motion.

Discussion: Rebecca Huss said Mr. Jacobs said he might have some additional designs, which he showed us four or five different designs, but if he goes forward the 14 cottages won't just be made of the four or five designs, he will have different designs for each one. Rebecca Huss said the idea is to have the look and style be substantially similar to the look and style of the ones that he presented to City Council and they don't have to be exactly the same. Jon Bickford said he was not agreeing to that, he was agreeing to what he presented. Rebecca Huss asked if he must have doubles of his design. Jon Bickford said he was agreeing to what he presented, stating that if he changes what he presented he wants to know. Jon Bickford said it is really simple, it is a Special Use Permit, he wants to know what is going on, he does not want there to be a big hole that says it is painted the same color as what he presented before. Jon Bickford said it is just a big shed and he does not want people's opinions about what is okay and not okay. Jon Bickford said Mr. Jacobs presented a plan, he is agreeing with his plan, which he loves, and he does not want to change it. Jon Bickford said if it changes it needs to come back to City Council with the changes. John Champagne said this harkens back to the previous conversation they had about the shed that was built out of compliance without a permit. Rebecca Huss said she did not think this was the same as that discussion. John Champagne asked Rebecca Huss if her second was still in place without the amendment. Rebecca Huss said her second was still in place.

Mayor Countryman called for a vote on the motion made to adopt the ordinance with the two caveats, 1) transferability must be approved by City Council and 2) the cottage look as presented in the photos, which will be attached and made part of the Ordinance, and Mr. Jacobs presentation, with 14-cottages and 1-utility room.

The motion carried unanimously. (5-0)

12. Consideration and possible action by City Council, acting as the Board of Adjustment, regarding a side building line variance of nine (9) feet and a rear building line variance of four (4) feet for the property located at 607 Worsham Street, as submitted by owners Dan and Christine Walker.

Jon Bickford stated he did not like variances in neighborhoods unless there is something very specific that needs to occur for a very special reason, and he does not see that here. Jon Bickford said he thinks there is the option of placing the shed where he put it, it could be placed on the other side of the garage. Jon Bickford said with his experience with that property and that garage, he built it as far to the right and as close to the property line as they were legally able to do. Jon Bickford said the issues that they were told about were the power company must get access to the power poles in the back and the transformer, which can't be blocked, and this shed is right in the way of that. Jon Bickford said he does not see a hardship for building here, and said it is not like they are developing a piece of property and having issues with the shape of the lot, this is simply where the owner chose to place the building, so from that standpoint he can't support the variance.

Rebecca Huss said she thought he made a good faith effort looking at his plat to have building lines on it and there were not any shown on the side, which to her is one of the important things that he did not find out until the building was already there. Jon Bickford said there is not a piece of property that does not have building lines on the side. Rebecca Huss said there are a lot of zero lot lines. Jon Bickford said before he built his garage and before he put the concrete down, he came to City Hall and said he needed a permit for a garage and concrete. Rebecca Huss said this owner went by the plat. Jon Bickford said the City advised what he needed on the sides and on the back. Rebecca Huss said the City does allow people to build things in and over our own easements and we say if we must tear it down to get in there it is on the owner. Jon Bickford said they would have to move the building out of the way because the energy company can't get to the power line now. Rebecca Huss said what is over the easement is the porch on the back according to the drawing. Jon Bickford said he did not think that was correct because as he had put the concrete in next to the garage, that

concrete is in the easement. Jon Bickford said he was told when he put the concrete there, which runs over one foot or six inches next to the property line between the two homes, that if there is ever any easement need or reason to dig that up he would have to replace the concrete at his cost which he agreed to. Jon Bickford said the City advised he could not hang a roof over, or anything else, because they must be able to get to the power lines and transformer behind the house. Rebecca Huss said she feels a little different about it than he does.

John Champagne said he hates having to tell this owner that he has to move this building, but if he had a buy-in with all his neighbors and they had been in favor of the building, he would have considered a variance. John Champagne said the City has laws for a reason, just like gravel in driveways, if we don't want to enforce them, get rid of them, but if they are there, they are to be enforced. John Champagne said personally he wished the City government was not involved with this and all the neighbors could have worked this out, but they can't so the City has to step in. John Champagne said no to the variance as far as he was concerned. Jon Bickford said he did not know where they draw the line, if we are going to keep granting variances for things why do they have rules which was a very good point that was brought up earlier, as he has said many times himself.

John Champagne moved that the variance be rejected as requested. Jon Bickford seconded the motion. The motion carried with the following votes:

John Champagne – Aye

Rebecca Huss – Nay

Jon Bickford – Aye

T.J. Wilkerson – Nay

Tom Cronin - Aye

(3-2)

13. Consideration and possible action regarding the annual renewal of Cedar Crest Mobile Home Park application, as submitted by Marcy Bennett.

Mr. Tramm advised the City has gone out to inspect the property and said over the last couple of years they have done work to try and improve the property and in the last year they have added new paving. Mr. Tramm said there was some minor damage noted to the skirting of three of the trailers located there. Mr. Tramm said he spoke to the Police Department and they did not note that area having calls out of the ordinary. Mr. Tramm said he would recommend approval of this item. Mr. Tramm said he also had to state they have recently started working with them under the billing contract that was negotiated some time back. Mr. Tramm said the terms of the contract do not exactly match how they normally do billing for anyone else in the City. Mr. Tramm said Autumn

Redmon, Utility Billing Clerk, and he have a meeting planned with Ms. Bennett in the coming weeks to try and see if there is a better way to try and work that out.

Mr. Tramm said he would like to try for a 90-day temporary approval for this item, which will come back to City Council if there is going to be a recommendation to try to work with Ms. Bennett to amend the master meter contract, and then get the contract changed, if necessary, and then full approval of the permit.

Jon Bickford moved to approve the Cedar Crest Mobile Home Park application for 90-days until such time it will be brought back to City Council. Tom Cronin seconded the motion

Discussion: Rebecca Huss said she drives by the location every day and it does look fantastic and said she appreciates that.

The motion carried unanimously. (5-0)

14. Consideration and possible action regarding approval of updated fee schedule for rental of Community Center and Park Pavilions.

Mr. Tramm advised the City has recently taken over the rental of Cedar Brake Park pavilion and will continue that in the future. Mr. Tramm said they also received approximately \$2,900 from the Patrons of Cedar Brake Park that they had in their account, which will be used to purchase park benches for that area.

Mr. Tramm said with regards to the Community Building, they checked with Montgomery County regarding their Community Building pricing and we believe our pricing as adjusted here is generally in line with their pricing. Mr. Tramm said it is a different building and while we have a smaller building, their larger building has a shared use of the halls and restroom facilities. Mr. Tramm said they do have an option included where they can charge less for community groups with City Administrator approval, but those groups have not been paying anything for some time and that is primarily where the City is losing money. Mr. Tramm said there was no revenue coming into the City, but they had water, electric and manpower costs to operate the Community Center. Mr. Tramm said the Annual Report showed the City lost money every month on the Community Center, so they are trying at a minimum to not lose money and if they make money, great. Mr. Tramm said the rest of the City's residents don't need to pay for people to use the facilities for free.

Mayor Countryman asked about the Community Center and if alcohol was permitted and is that covered in the application. Mr. Tramm said the alcohol question on the application is just for the Community Center. Mayor Countryman asked when there is alcohol, do they have additional insurance, is a TABC license required. Jon Bickford asked if they must have an officer on location. Mr. Tramm said the person renting the facility pays for the two officers required when alcohol is served at the Community Center. Mayor Countryman asked what the cost was for having two officers on duty. Chief Solomon said that was not a cost to the City, that is a cost to whoever is holding the event. Mayor Countryman said they must pay for those officers, where does that money go. Chief Solomon said the funds go to the officers for working an extra job. Chief Solomon said there must be two officers any time there is alcohol involved in the event. Mayor Countryman asked if they needed any additional insurance to cover that and is there any additional cost to the City. Mr. Tramm said the City is covered with insurance.

John Champagne asked if all the potential revenue for Cedar Brake Park will fall under one line item listed as parks. Rebecca Huss said she thought they should keep it separate. John Champagne said Cedar Brake Park is now under the auspice and control of the City of Montgomery. Mr. Tramm said that was correct.

Rebecca Huss said she felt they should have different line items for every building just because Memory Park is not the same as Cedar Brake Park, which is not the same as Fernland, so they need to keep track of them separately.

John Champagne moved to approve the updated fees as presented on the attached City Reservation Request Form. Rebecca Huss seconded the motion.

Discussion: T.J. Wilkerson asked if anyone or group that uses the Community Building would have to pay the \$150.00 deposit. Mr. Tramm said yes, that is the guarantee should anything get damaged, the City at least has something. Mayor Countryman said they get the deposit back if everything is good. Mr. Tramm said if there is no issue with damage or excessive cleanup would be required, they will get the deposit back. T.J. Wilkerson asked if the rental fees were for everyone across the board. Mr. Tramm said there is an option for a smaller rental fee if it is a community group and they get approved by the City Administrator. T.J. Wilkerson asked if the community group would have to be a 501(c)(3). Mr. Tramm said they purposely left that open-ended and said he would give priority to local Montgomery groups, but there are groups that will be coming from out of the area



because there had been no charge for this building. Tom Cronin asked if Mr. Tramm would be the determining factor, which he had no problem with. Mr. Tramm said that was correct.

The motion carried unanimously. (5-0)

15. Consideration and possible action regarding two (2) variance requests to Section 78-88 of the Code of Ordinances to allow flag lots and 31-foot minimum lot widths instead of the required 75-feet for Gulf Coast Estates Section 2 located at the end of Baja Street, as submitted by Walker Montgomery CDC.

Mr. Tramm said this item had come previously, stating they have redrawn the lot lines at the corner of Baja where it turns to the right. Mr. Tramm said they did attempt to contact the property owner to purchase adjoining property, but they were unsuccessful. Jon Bickford asked if they were asking for lots to be moved from a standard 75-foot to 30-feet. Mayor Countryman said that it is for the entrance. Mr. Tramm said the point would be to give them entry so they can use the two lots.

Rebecca Huss asked if this is the low-cost housing where they use unskilled workers and teach them how to do trades. Mr. Tramm said that was correct, this is Walker Montgomery CDC.

John Champagne asked Mr. Roznovsky if he had looked at the information. Mr. Roznovsky said they have not reviewed the information. Mr. Roznovsky said they had an initial discussion with them. Jon Bickford said he felt they need to ask the neighbors if this is acceptable to them in a public hearing, otherwise, he would say no. Mr. Tramm said they would be happy to approach the neighbors and come back to City Council. Jon Bickford said they are large enough parcels. Rebecca Huss said they are not if you look at lots 3 and 4, lot 3 is 75 and lot 4 is 75 feet. Jon Bickford said they are both almost half-acre lots. Mr. Tramm said what they are trying to do is turn three properties into four. John Champagne said if they extended Baja Road it would be a non-issue. Mr. Roznovsky said that was why they were trying to purchase additional land, but the owner would not sell it to them.

Rebecca Huss said they talked about it before and it seemed like what they were doing was really good and low-cost housing was something they were interested in, but there was something about the financing where they can't just flip the homes to make money on it.

Mr. Tramm said the next Agenda item, should this item be approved, they will need to schedule a public hearing regarding the replat so they will be notifying the neighbors about that.

Jon Bickford said he would not want to agree on the variance until they get some feedback from the neighbors. Rebecca Huss asked how that works if they allow the variance and then they don't allow the replat. Mr. Tramm said it would essentially not allow them to do what they want anyway. Rebecca Huss asked why this action Item 15 would go before Item 16 and asked if they could reschedule 15 to be after the Public Hearing. Mr. Tramm said his thought is that if City Council wants to do that they can.

Rebecca Huss moved to table Item 15 until after the Public Hearing. Tom Cronin seconded the motion, the motion carried unanimously. (5-0)

16. Consideration and possible action regarding scheduling a Public Hearing for replat of Gulf Coast Estates Section 2, located at the end of Baja Street, as submitted by Walker Montgomery CDC.

Tom Cronin moved to schedule a Public Hearing to be held for replat of Gulf Coast Estates Section 2, located at the end of Baja Street as submitted by Walker Montgomery CDC to be held on January 14, 2019, at 6:00 p.m. at City Hall at 101 Old Plantersville Road, Montgomery. Rebecca Huss seconded the motion, the motion carried unanimously. (5-0)

#### **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.

17. Adjourn into Closed Executive Session as authorized by the Texas Open Meetings Act, Chapter 551 of the Government Code, in accordance with the authority contained in the following:
  - a) Section 551.071 – Consultation with Attorney; and
  - b) Section 551.072 – Deliberation regarding Real Property.

Mayor Countryman moved to adjourn into Closed Executive Session at 8:06 p.m.

18. Reconvene into Open Session.

Mayor Countryman moved to reconvene into Open Session at 8:26 p.m.

**POSSIBLE ACTION FROM EXECUTIVE SESSION:**

19. Consideration and possible action regarding item(s) listed under Executive Session.

Rebecca Huss moved to direct the City Administrator to enter into discussions regarding real property. John Champagne seconded the motion, the motion carried unanimously. (5-0)

**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 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.

No comments were made.

**ADJOURNMENT**

Rebecca Huss moved to adjourn at 8:27 p.m. Jon Bickford seconded the motion, the motion carried unanimously. (5-0)

Submitted by:  Date Approved: \_\_\_\_\_  
Susan Hensley, City Secretary

\_\_\_\_\_  
Mayor Sara Countryman

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: January 14, 2020</b>	<b>Budgeted Amount: \$8,000</b>
<b>Department: Administration</b>	
<b>Prepared By: Susan Hensley, City Secretary &amp; Director of Administrative Services</b>	<b>Exhibits: Election Services Agreement</b>
<b>Date Prepared: January 8, 2020</b>	

**Subject**

Adoption of the Election Services Agreement with Montgomery County Elections to conduct the May 2, 2020, City General Election.

**Recommendation**

Adoption of the Election Services Agreement with Montgomery County Elections.


**Discussion**

This Agreement covers all the services for Early Voting and Election Day, including all the voting equipment, election officials and training of the election officers.

Due to the length of Exhibit B, only the portion that addresses the City's Election has been attached. If anyone is interested in seeing the entire exhibit, I will have it in my office.

If the Election is uncontested, the City would be able to cancel the Election and there would be no cost to the City.

**Approved By**

City Administrator Richard Tramm		Date: January 8, 2020
City Secretary Susan Hensley		Date: January 8, 2020

ELECTION SERVICES AGREEMENT

STATE OF TEXAS                    ()  
COUNTY OF MONTGOMERY        ()

**THIS CONTRACT** is made this 17th day of December, 2019, by and between the Political Subdivision of City of Montgomery, hereinafter called "Political Subdivision," and Montgomery County, Texas, by its County Election Officer, Suzie Harvey, hereinafter called "Contracting Officer," pursuant to Texas Election Code Section 31.092. The parties agree to hold a May 2, 2020 Joint Election with all participating Political Subdivisions in accordance with Chapter 271 of the Texas Election Code and this Agreement. This Agreement is entered into in consideration of the mutual covenants and promises hereinafter set out:

1. **RECITALS.** Contracting Officer is the Elections Administrator of Montgomery County, Texas, and is the County Officer in charge of election duties. Political Subdivision is a political entity situated wholly or partially within Montgomery County, Texas. Political Subdivision and Contracting Officer have determined that it is in the public interest of Montgomery County voters that the following contract be made and entered into for the purpose of having Contracting Officer furnish to Political Subdivision certain election services and equipment needed by Political Subdivision in connection with holding its May 2, 2020 Election. Montgomery County's certified Hart InterCivic eSlate Voting System Version 6.2.1 electronic voting equipment is to be used in the May 2, 2020 Joint Election, hereinafter called "Joint Election."
2. **DUTIES AND SERVICES OF CONTRACTING OFFICER.** Contracting Officer shall be responsible for performing the following duties and shall furnish the following services and equipment:
  - (a) Determine the number of election officials and voting equipment units needed for each polling location. Notify and coordinate presiding election judges, alternate judges, and all other election officials appointed by Montgomery County Commissioners' Court and the County Election Board or recommended by Contracting Officer, as applicable. Montgomery County or Contracting Officer, as applicable, will make emergency appointments of election officials if necessary.
  - (b) Conduct necessary training of election officials or arrange for training through a third party. Notify all early voting and election day officials of the date, time, and place thereof.
  - (c) Arrange for the use of early voting locations per the attached Exhibit A and election day polling locations per the attached Exhibit B. If the need arises for emergency replacement polling location(s), make necessary alternate arrangements and notify Political Subdivision as soon as possible.

- (d) Procure election kits and supplies and distribute to the election judges and early voting deputies. Assemble and edit lists of registered voters to be used in conducting the election in conformity with the boundaries of Political Subdivision and the election precincts established for the election. The election day list of registered voters shall be arranged in alphabetical order, as applicable to the election, in lieu of alphabetical order by political entity.
- (e) Prepare and test all electronic voting equipment, format ballot styles, record audio, oversee all equipment and voter registration database programming, assure compliance with equipment security requirements, and arrange for transport of equipment to and from polling locations.
- (f) Serve as Early Voting Clerk for the Joint Election. Process, print, mail, email, or deliver in person, as applicable, and tabulate ballots for any eligible voter who applies for a mail ballot including all eligible Federal Post Card Application voters. Supervise the conduct of early voting in person and appoint sufficient personnel to serve as deputy early voting clerks. Provide lists of early voters as provided by law through the Montgomery County Elections Public Information web access program.
- (g) Provide the publication in English and Spanish of one legal notice of the date, time, and place of the public logic and accuracy test and first test of automatic tabulating equipment in *The Conroe Courier*. Prepare test materials and conduct internal election testing and the required public logic and accuracy test and tests of tabulation equipment. Provide the publication in English and Spanish of a legal notice of joint election one time in Montgomery County newspaper(s).
- (h) Arrange for all personnel, equipment, and supplies needed for the early voting ballot board, signature verification committee if applicable, tabulation, and central counting station. Tabulate early voting and election day results, including paper ballots and provisional ballots. Tabulate unofficial returns and assist in preparing the tabulation for the official canvass. Provide Political Subdivision its voter history report following the election through the Montgomery County Elections Public Information web access program.
- (i) Serve as Custodian of Records for election records in Contracting Officer's custody and provide the required temporary storage and permanent storage of said election records as provided by law.
- (j) Provide information services for voters and election officers.
- (k) Maintain accurate records of all expenses incurred in connection with the responsibilities under this Agreement and provide Political Subdivision a final invoice after the conduct of the election. Provide any detailed backup to such invoice, if requested, reflecting the charges or components of the costs set forth on the invoice submitted to Political Subdivision.
- (l) Conduct a partial manual count as provided by Section 127.20I of the Texas Election Code if required for the County election or if Political Subdivision provides Contracting

Officer precincts and races ordered by the Secretary of State to be manually counted. Contracting Officer shall deliver a written report of the results of any such count to the Office of the Secretary of State in accordance with Section 127.201(e) of the Texas Election Code and to Political Subdivision in a timely manner.

(m) Place the funds paid by Political Subdivision hereunder in a "contract fund" as prescribed by Section 31.100 of the Texas Election Code.

3. **DUTIES AND SERVICES OF POLITICAL SUBDIVISION.** Political Subdivision shall be responsible for performing the following duties:

- (a) Prepare all election orders, resolutions, notices, and other pertinent documents for adoption and execution by the appropriate Political Subdivision officer or body. Take all actions necessary for calling Political Subdivision's election which are required by the Texas Election Code and/or the Political Subdivision's governing body, charter, ordinances, or other applicable laws. Execute a Joint Election Agreement with all participating Political Subdivisions for the purpose of sharing election equipment, election officials, polling places, and costs. Serve as Custodian of Records for all election records in its possession as provided by law.
- (b) Political Subdivision shall be responsible for the legal sufficiency of any order calling its election. Political Subdivision shall be responsible for all substantive and procedural legal issues governing the conduct of its election. Political Subdivision understands and agrees that Contracting Officer provides no legal advice to Political Subdivision.
- (c) Adopt the County Election Precincts, consolidated County Election Precincts ordered by the Montgomery County Commissioners' Court, or precincts recommended by Contracting Officer, as applicable, for this election. Adopt all early voting dates, times, and locations on the attached Exhibit A. Adopt the election day polling locations on the attached Exhibit B at which Political Subdivision's election will be held.
- (d) If required, prepare any necessary preclearance submission on all voting changes made by Political Subdivision and timely submit to the U. S. Department of Justice under the Federal Voting Rights Act of 1965, as amended.
- (e) Prepare, post and publish all required election notices for Political Subdivision with the exception of the joint election notice and the notice of the public test which Contracting Officer shall publish. In addition, if polling locations for Joint Election are different than those for Political Subdivision's previous election, Political Subdivision shall post notice at the entrance to any previous polling places in its jurisdiction stating that the polling location has changed and shall provide the polling location and address for those voters for this election, pursuant to Texas Election Code Section 43.062, unless Contracting Officer has posted notice of the change at that location for Joint Election. Educate the voters in Political Subdivision as much as possible about early voting dates, times, and locations and election day polling locations.
- (f) Timely confirm with Contracting Officer Political Subdivision's boundaries, County Election Precincts, and street details within those boundaries. If boundaries are not

defined properly within Montgomery County Elections voter registration database, maps and street lists with block ranges and odd/even/both indicators must be provided to Contracting Officer. Proof and approve all programming work done for the jurisdiction according to the Exhibit C Timetable.

- (g) Deliver to Contracting Officer, according to the attached Exhibit C Timetable, an Entity Fact Sheet, Ballot Template with Spanish translations, candidate names or measures, and the order in which all items are to be printed on the ballot with the exact form and spelling. Provide pronunciation for difficult names or words for use on the ballot audio recording. Review ballot proofs and approve by signature within deadlines provided.
- (h) Appoint Contracting Officer as Early Voting Clerk to receive applications for ballot by mail at

<u>Mail</u>	<u>Email*</u>	<u>Fax*</u>
Suzie Harvey Elections Administrator P. O. Box 2646 Conroe, TX 77305-2646	election.ballot@mctx.org	(936) 788-8340

\*If an Application for Ballot By Mail is submitted by email or fax or if a Federal Post Card Application is submitted by fax, to be effective, the application must also be submitted by mail and be received not later than the fourth business day after it is received by email or fax.

All requests for early voting ballots to be voted by mail that are received by Political Subdivision must be forwarded in person or by email or fax to Contracting Officer on the day of receipt. Original applications that are received by mail and forwarded by email or fax must also be mailed to Contracting Officer for all processing.

- (i) Appoint election officials as appointed by Montgomery County Commissioners' Court and the County Election Board or recommended by Contracting Officer, as applicable.
- (j) If requested, assist Contracting Officer with recruiting bilingual poll workers and provide documentation of Political Subdivision's efforts if requested by the U. S. Department of Justice.
- (k) If candidate information packet is provided to Political Subdivision by Contracting Officer, distribute to all candidates at time of candidate filing or in another appropriate manner.
- (l) Pay additional costs incurred by Contracting Officer for any recount, election contest, newly ordered election, or a runoff election, if required, unless prohibited by law.
- (m) Immediately forward to Contracting Officer any information received from the Secretary of State regarding a manual count of precincts and races or a waiver of the manual count. Contracting Officer must receive this information on the same day received by Political Subdivision because of the short deadline for Contracting Officer to begin the process.



- (n) Canvass the returns and declare the election results for Political Subdivision. Political Subdivision is responsible for filing any precinct reports with the Secretary of State if required, unless both parties agree that Contracting Officer will submit precinct reports.
- (o) Pay a deposit of 60% of its estimated cost per the Exhibit D Cost Estimate within thirty days from the date of Exhibit D Cost Estimate. Pay the balance for conducting said election within thirty days from the date of final invoice. All payments shall be made from current revenues available to Political Subdivision. If the amount owed for conducting the election is less than the deposit paid by Political Subdivision, Contracting Officer shall refund the overpayment in a prompt manner.

Checks shall be made payable to:

Montgomery County Elections Administrator  
P O Box 2646, Conroe, Texas 77305-2646.

- 4. **COST OF SERVICES.** Political Subdivision shall share some expenses for the above services, supplies, and equipment in accordance with the attached Exhibit D Cost Estimate. This cost estimate may be amended, if necessary, after filing deadlines and election cancellations. Additional elections may reduce costs for each entity, and election cancellations may increase costs for each remaining entity. It is understood that other political entities may wish to participate in the use of the County's electronic voting equipment and polling locations, and it is agreed that Contracting Officer may enter into other contracts with entities for those purposes on terms and conditions generally similar to those set forth in this Agreement. Only the actual expenses directly attributable to this Agreement and any prorated shared expenses plus a 10% administrative fee may be charged to Political Subdivision.

#### 5. **GENERAL CONDITIONS.**

- (a) The parties agree that the timing is critical for all duties in this Agreement. Failure to adhere to any deadline in the Exhibit C Timetable without prior agreement of Contracting Officer may result in cancellation of Contracting Officer's duties and obligations to conduct Political Subdivision's election under this Agreement or, at the discretion of Contracting Officer, a late penalty surcharge in an amount not to exceed 10% of the final election cost. Adherence to the Timetable is critical because of Montgomery County's obligation to complete all programming and testing, process, print, and mail or email, as applicable, any military and overseas ballots by state and federal deadlines, and conduct federal, state, county, and/or other contracted elections, as applicable.
- (b) In accordance with Section 31.098 of the Texas Election Code, Contracting Officer is authorized to contract with third persons for election services and supplies and hire necessary temporary personnel to perform contracted duties. Part-time and seasonal personnel will be compensated at the hourly rate set by Montgomery County.
- (c) Pursuant to Section 31.100(d) of the Texas Election Code, Contracting Officer may not be personally compensated for election services performed under this Agreement. In accordance with Section 31.100(e) of the Texas Election Code, only costs for contractual

duties performed by full-time county employees outside of normal business hours will be allocated to Political Subdivision under this Agreement.

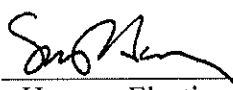
- (d) Political Subdivision acknowledges that electronic voting equipment is highly technical and it is conceivable that, despite the best effort of the parties and technical assistance, it might fail during the election. Contracting Officer will take every possible action to remedy the situation, but Political Subdivision agrees that should such equipment fail, it will not make any claim for damages of any kind.
- (e) The county early voting sites as per the attached Exhibit A will be used for the Joint Election. Any eligible Montgomery County voter in the Joint Election may vote early by personal appearance at any one of the joint early voting locations in Exhibit A.
- (f) Montgomery County Elections Department is contracting with numerous political entities for the Joint Election, and the parties agree that all ballot styles will be programmed into one electronic voting system. Each voter will receive one ballot that contains all races and measures in the Joint Election for which the voter is eligible at the address and in the precinct of the voter's current registration in Montgomery County. One joint voter sign-in process consisting of a common list of Montgomery County registered voters and common signature rosters shall be used.
- (g) In accordance with Section 31.099 of the Texas Election Code, Contracting Officer shall file copies of this Agreement with the Auditor and Treasurer of Montgomery County not later than the 10th day from receipt of the fully executed Agreement by Contracting Officer.
- (h) Montgomery County is self-insured for personal liability issues. Should Political Subdivision desire insurance for injuries during this election or other liabilities, it shall make such arrangements separate from this Agreement.
- (i) In the event that the performance by Contracting Officer of any of its obligations hereunder shall be interrupted or delayed by any occurrence not occasioned by its own conduct, whether such occurrence be an act of God or the result of war, riot, civil commotion, sovereign conduct, or the act or condition of any persons not a party thereof, then it shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof.
- (j) The parties to this Agreement agree that Political Subdivision may cancel this Agreement in the event that it has no need to participate in Joint Election. If Political Subdivision cancels its participation after the deadline in Exhibit C Timetable, a \$200 contract preparation and processing fee will be assessed to Political Subdivision in addition to any costs incurred by Contracting Officer on behalf of Political Subdivision prior to said cancellation. A 10% administrative fee will be added to all charges for services provided under this agreement, including services related to a canceled election or canceled participation for which notification is provided to Contracting Officer after the deadline in Exhibit C Timetable.
- (k) Political Subdivision has the option of extending the applicable terms of this Agreement through its runoff election, if required. Political Subdivision shall be responsible for

locating acceptable runoff polling locations, although Contracting Officer may assist. Political Subdivision may reduce the number of early voting locations and/or election day polling locations in a runoff election. If Political Subdivision elects to have Contracting Officer conduct a runoff election, the date must be acceptable to Contracting Officer and shall be coordinated with other participating entities. Costs will be allocated to the participating entities, plus a 10% administrative fee shall be charged. Political Subdivision shall be responsible for all orders, notices, and notice of election postings and publications required for its runoff, except the publication of the notice of public logic and accuracy test which Contracting Officer will publish.

The foregoing Election Services Agreement is made in Montgomery County, Texas, and is signed on the dates below.

MONTGOMERY COUNTY, TEXAS

December 17, 2019  
Date Signed

By:   
Suzie Harvey, Elections Administrator  
"Contracting Officer"  
9159 Airport Road  
Conroe, Texas 77303  
Phone: (936) 539-7843 Fax: (936) 788-8340  
Email: [suzie.harvey@mctx.org](mailto:suzie.harvey@mctx.org)

City of Montgomery  
"Political Subdivision"

\_\_\_\_\_  
Date Signed

By: \_\_\_\_\_  
Name: Sara Countryman  
Title: Mayor  
Address: 101 Old Plantersville Road  
City, State, Zip: Montgomery, Texas 77316  
Phone: (936) 597-3288 Fax: (936) 597-6437  
Email: shensley@ci.montgomery.tx.us

EXHIBIT A  
 Montgomery County  
 May 2, 2020 Joint Election  
 Early Voting Polling Locations and Times

April 20 – 25	Monday	–	Saturday	8:00 am	–	5:00 pm
April 27 – 28	Monday	–	Tuesday	7:00 am	–	7:00 pm

Polling Location <i>Sitio de Votación</i>	Address <i>Dirección</i>	Room <i>Sala</i>
Lee G. Alworth Building (Main Early Voting Polling Place <i>Sitio Principal Electoral de Votación Adelantada</i> )	207 West Phillips Street Conroe 77301	First Floor <i>Primer Piso</i>
West Montgomery County Community Development Center	31355 Friendship Drive Magnolia 77355	Green Room <i>Sala Verde</i>
Shenandoah Municipal Complex	29955 I-45 North Shenandoah 77381	Council Chambers <i>Salon de Consejo y Pasillo</i>
North Montgomery County Community Center	600 Gerald Street Willis 77378	Community Room 102/103 <i>Sala Comunitaria 102/103</i>
East Montgomery County Fair Association Building	21675A McCleskey Road New Caney 77357	Main Room <i>Sala Principal</i>
Lone Star Community Center	2500 Lone Star Parkway Montgomery 77356	Community Room 103/104 <i>Sala Camunitaria 103/104</i>
Limited Ballots, Special Forms of Early Voting and Ballot by Mail only: <i>Boletas Limitadas, Formas Especiales de Votación Adelantada, y Baleta por Correo solamente:</i> Election Central	9159 Airport Road Conroe 77303	

**Montgomery County Elections**  
**EXHIBIT B - Polling Location Information**  
**May 2, 2020 Joint Election**  
**For Election Day**

Pct	Name	Physical Address	City	Zip
1	Willis Community Building	109 West Mink Street	Willis, TX	77378
2	Conroe Seventh-Day Adventist Church	3601 South Loop 336 East	Conroe, TX	77301
3	The Woodlands High School Ninth Grade Campus	10010 Branch Crossing Drive	The Woodlands, TX	77382
4	Copperwood Apartment Building	4407 South Panther Creek Drive	The Woodlands, TX	77381
5	Long Street Community Center	20240 Bays Chapel Road	Richards, TX	77873
6	Deretchin Elementary School	11000 Merit Oaks Drive	The Woodlands, TX	77382
7	New Caney Elementary School	20501 FM 1485	New Caney, TX	77357
8	Browder Community Center	14865 County Line Road	Willis, TX	77378
9	Dobbin - Dacus Community Center	695 South FM 1486	Montgomery, TX	77316
10	Booker T. Washington Junior High School	507 Dr. Martin L. King, Jr. Place North	Conroe, TX	77301
11	Woodforest Church	15917 Highway 105 West	Montgomery, TX	77356
12	Security Community Center	18760 Highway 105 East	Cleveland, TX	77328
13	Decker Prairie Community Center	32434 Decker Prairie Road	Magnolia, TX	77355
14	Robert L. Crippen Elementary School	18690 Cumberland Boulevard	Porter, TX	77365
15	Cornerstone Church	100 Mosswood Drive	Conroe, TX	77302
16	Splendora ISD Instructional Services	26175 FM 2090	Splendora, TX	77372
17	First Baptist Church Groceville	19256 FM 1484	Conroe, TX	77303
18	Magnolia Community Center	422 Melton Street	Magnolia, TX	77354
19	City of Montgomery City Hall	101 Old Plantersville Road	Montgomery, TX	77316
20	Travis Intermediate School	1100 North Thompson Street	Conroe, TX	77301
21	Conroe High School	3200 West Davis Street	Conroe, TX	77304
22	Lake Conroe Hills Community Building	13621 Lake Breeze Lane	Willis, TX	77318
23	North Montgomery County Community Center	600 Gerald Street	Willis, TX	77378
24	Oak Ridge High School	27330 Oak Ridge School Road	Oak Ridge North, TX	77385
25	Grangerland Community Center	15636 FM 3083	Grangerland, TX	77302
26	East Montgomery County Fair Association Building	21675A McCleskey Road	New Caney, TX	77357
27	Rivershire Club House	206 Scarborough Drive	Conroe, TX	77304
28	Decker Prairie Elementary School	27427 Decker Prairie Rosehill Road	Magnolia, TX	77355
29	West Montgomery County Community Development Center	31355 Friendship Drive	Magnolia, TX	77355
30	Magnolia High School	14350 FM 1488	Magnolia, TX	77354
31	Shenandoah Municipal Complex	29955 I-45 North	Shenandoah, TX	77381
32	W.D. Wilkerson Intermediate School	12312 Sawmill Road	The Woodlands, TX	77386
33	South County Community Center	2235 Lake Robbins Drive	The Woodlands, TX	77380
34	Needham Fire Department Station 64	15341 Lake Lamond Road	Conroe, TX	77384
35	Robinson Road Community Center	27434 Robinson Road	Oak Ridge North, TX	77385
36	Allendale Baptist Church	14535 Allendale Lane	Conroe, TX	77302
37	Friendship United Methodist Church	22388 Ford Road	Porter, TX	77365

Please note that Election Day polling places are subject to change.



38	Montgomery County West Annex	19380 Highway 105 W., Suite 507	Montgomery, TX	77356
39	Lake Creek High School	20639 FM 2854	Montgomery, TX	77316
40	Cryar Intermediate School	2375 Montgomery Park Boulevard	Conroe, TX	77304
41	Splendora ISD Administration Building	23419 FM 2090	Splendora, TX	77372
42	Moorhead Junior High School	13475 FM 1485	Conroe, TX	77306
43	Panorama Village City Hall	99 Hiwon Drive	Panorama Village, TX	77304
44	The Lone Star Convention Center	9055 Airport Road	Conroe, TX	77303
45	Timber Lakes/Timber Ridge Fire Station	3434 Royal Oaks Drive	Spring, TX	77380
46	Sue Park Broadway Elementary School	2855 Spring Trails Bend	Spring, TX	77386
47	South Montgomery County Fire Station #4	28830 Birnham Woods Drive	Spring, TX	77386
48	Sally K. Ride Elementary School	4920 West Panther Creek Drive	The Woodlands, TX	77381
49	David Elementary School	5301 Shadowbend Place	The Woodlands, TX	77381
50	Far Hills Utility District Building	10320 Cude Cemetery Road	Willis, TX	77318
51	Central Library	104 I-45 North	Conroe, TX	77301
52	New Caney ISD Annex	22500 Eagle Drive	New Caney, TX	77357
53	Woodbranch City Hall	58 A Woodbranch Drive	New Caney, TX	77357
54	Precinct 54 Polling Place To Be Determined	To Be Determined	New Caney, TX	77357
55	Austin Elementary School	14796 Highway 105 East	Conroe, TX	77306
56	The Woodlands Emergency Training Center	16135 IH-45 South	The Woodlands, TX	77385
57	Calvary Road Baptist Church	12621 Calvary Road	Willis, TX	77318
58	Lone Star College System	5000 Research Forest Drive	The Woodlands, TX	77381
59	Powell Elementary School	7332 Cochrans Crossing Drive	The Woodlands, TX	77381
60	Montgomery County Juvenile Facility	200 Academy Drive	Conroe, TX	77301
61	George and Cynthia Woods Mitchell Library	8125 Ashlane Way	The Woodlands, TX	77382
62	Collins Intermediate School	6020 Shadowbend Place	The Woodlands, TX	77381
63	Precinct 63 Polling Place To Be Determined	To Be Determined	Montgomery, TX	77356
64	Whispering Pines Baptist Church	15200 FM 1485	Conroe, TX	77306
65	J. L. Lyon Elementary School	27035 Nichols Sawmill Road	Magnolia, TX	77355
66	Outback Western Wear Event Hall	30405 Dobbin Huffsmith Road	Magnolia, TX	77354
67	Lamar Elementary School	1300 Many Pines Road	The Woodlands, TX	77380
68	Knights of Columbus Hall	29327 South Plum Creek Drive	Spring, TX	77386
69	Barbara Pierce Bush Elementary School	7420 Crownridge Drive	The Woodlands, TX	77382
70	The Woodlands Recreation Center	5310 Research Forest Drive	The Woodlands, TX	77381
71	Buckalew Elementary School	4909 West Alden Bridge Drive	The Woodlands, TX	77382
72	Bentwater Yacht Club	200 Bentwater Harbor Drive	Montgomery, TX	77356
73	City of Conroe, Dean Towery Service Center	401 Sgt. Ed Holcomb Boulevard South	Conroe, TX	77304
74	Cedric C. Smith Elementary School	28747 Hardin Store Road	Magnolia, TX	77354
75	Windsor Hills Homeowners' Association Club House	1 East Windsor Hills Circle	The Woodlands, TX	77384
76	Westwood Landowners' Association Building	406 Mackintosh Drive	Magnolia, TX	77354
77	April Sound Church	67 1/2 April Wind Drive South	Montgomery, TX	77356
78	Roger L. Galatas Elementary School	9001 Cochrans Crossing Drive	The Woodlands, TX	77381
79	Glen Loch Elementary School	27505 Glen Loch Drive	The Woodlands, TX	77381
80	Imperial Oaks Neighborhood Center	31120 Imperial Oaks Boulevard	Spring, TX	77386
81	Mitchell Intermediate School	6800 Alden Bridge Drive	The Woodlands, TX	77382
82	Bens Branch Elementary School	24160 Briar Berry Lane	Porter, TX	77365
83	Precinct 83 Polling Place To Be Determined	To Be Determined	Cleveland, TX	77328

84	Precinct 84 Polling Place To Be Determined	To Be Determined	Spring, TX	77380
85	Northridge Baptist Church	10681 FM 1484	Conroe, TX	77303
86	Living Branch Church	13229 Highway 105 West	Conroe, TX	77304
87	Birnhem Woods Elementary School	31150 Birnhem Woods Drive	Spring, TX	77386
88	C.D. York Junior High School	3515 Waterbend Cove	Spring, TX	77386
89	Bear Branch Elementary School	8909 FM 1488	Magnolia, TX	77354
90	The Palm Information Center	251 Central Pine Street	Montgomery, TX	77316
91	Magnolia West High School	42202 FM 1774	Magnolia, TX	77355
92	Kaufman Elementary School	2760 Northridge Forest Dr.	Spring, TX	77386
93	Valley Ranch Elementary School	21700 Valley Ranch Crossing Drive	Porter, TX	77365
94	Lone Star College - Kingwood, Performing Arts Center	500 Royston Drive	Kingwood, TX	77339
95	Kings Manor Elementary School	21111 Royal Crossing Drive	Kingwood, TX	77339
96	Gerald D. Irons, Sr. Junior High School	16780 Needham Road	Conroe, TX	77385
97	Magnolia Event Center	11659 FM 1488	Magnolia, TX	77354
98	Precinct 98 Polling Place To Be Determined	To Be Determined	Conroe, TX	77384
99	Jean Stewart Elementary School	680 Fish Creek Thoroughfare	Montgomery, TX	77316
100	Precinct 100 Polling Place To Be Determined	To Be Determined	Spring, TX	77386
<b>100</b>				

# Montgomery County Elections

## Exhibit B

Report Time:12/17/2019 4:16:27 PM

### City

City of Cleveland					
PCT	Polling Location	Suspense	Active	Total	PCT
	*41 Splendora ISD Administration Building		4	4	*41
			4	4	1

City of Conroe					
PCT	Polling Location	Suspense	Active	Total	PCT
	*01 Willis Community Building	82	669	751	*01
	*02 Conroe Seventh-Day Adventist Church	208	2,090	2,298	*02
	10 Booker T. Washington Junior High School	245	2,408	2,653	10
	*11 Woodforest Church	124	1,078	1,202	*11
	*15 Cornerstone Church	75	1,357	1,432	*15
	20 Travis Intermediate School	225	1,965	2,190	20
	*21 Conroe High School	683	3,066	3,749	*21
	*25 Grangerland Community Center		2	2	*25
	27 Rivershire Club House	507	3,493	4,000	27
	*34 Needham Fire Department Station 64			0	*34
	*38 Montgomery County West Annex	14	108	122	*38
	*39 Lake Creek High School		4	4	*39
	*40 Cryar Intermediate School	536	4,524	5,060	*40
	*43 Panorama Village City Hall	195	2,516	2,711	*43
	*44 The Lone Star Convention Center	466	2,252	2,718	*44
	*50 Far Hills Utility District Building	25	303	328	*50
	51 Central Library	590	2,131	2,721	51
	*56 The Woodlands Emergency Training Center	6	22	28	*56
	*60 Montgomery County Juvenile Facility	194	1,502	1,696	*60
	73 City of Conroe, Dean Towery Service Center	128	1,576	1,704	73
	*75 Windsor Hills Homeowners' Association Club House	417	2,037	2,454	*75
	77 April Sound Church	384	3,788	4,172	77
	*85 Northridge Baptist Church		3	3	*85
	*86 Living Branch Church	115	983	1,098	*86
	*90 The Palm Information Center	1	4	5	*90
	*96 Gerald D. Irons, Sr. Junior High School			0	*96
	*98 Precinct 98 Polling Place To Be Determined	185	675	860	*98
		5,405	38,556	43,961	27

City of Cut and Shoot					
PCT	Polling Location	Suspense	Active	Total	PCT
	*17 First Baptist Church Groceville	35	635	670	*17
	*55 Austin Elementary School	12	83	95	*55
	*60 Montgomery County Juvenile Facility		7	7	*60
		47	725	772	3

\* Jurisdiction Occupies only a part of the Precinct



# Montgomery County Elections

## Exhibit B

Report Time:12/17/2019 4:16:27 PM

<b>City of Houston</b>					
PCT	Polling Location	Suspense	Active	Total	PCT
*32	W.D. Wilkerson Intermediate School			0	*32
*35	Robinson Road Community Center	14	111	125	*35
*37	Friendship United Methodist Church			0	*37
*46	Sue Park Broadway Elementary School			0	*46
*47	South Montgomery County Fire Station #4		7	7	*47
*67	Lamar Elementary School	1	3	4	*67
*68	Knights of Columbus Hall	1	4	5	*68
*82	Bens Branch Elementary School			0	*82
*84	Precinct 84 Polling Place To Be Determined	59	231	290	*84
*88	C.D. York Junior High School			0	*88
*94	Lone Star College - Kingwood, Performing Arts Center	244	847	1,091	*94
*95	Kings Manor Elementary School	342	919	1,261	*95
		<b>661</b>	<b>2,122</b>	<b>2,783</b>	<b>12</b>

<b>City of Magnolia</b>					
PCT	Polling Location	Suspense	Active	Total	PCT
*18	Magnolia Community Center	150	1,189	1,339	*18
*29	West Montgomery County Community Development Center	5	79	84	*29
*30	Magnolia High School			0	*30
*91	Magnolia West High School	2	9	11	*91
		<b>157</b>	<b>1,277</b>	<b>1,434</b>	<b>4</b>

<b>City of Montgomery</b>					
PCT	Polling Location	Suspense	Active	Total	PCT
*09	Dobbin - Dacus Community Center			0	*09
*19	City of Montgomery City Hall	67	529	596	*19
*38	Montgomery County West Annex	24	421	445	*38
*39	Lake Creek High School	12	64	76	*39
		<b>103</b>	<b>1,014</b>	<b>1,117</b>	<b>4</b>

<b>City of Oak Ridge North</b>					
PCT	Polling Location	Suspense	Active	Total	PCT
*24	Oak Ridge High School			0	*24
*35	Robinson Road Community Center	161	2,241	2,402	*35
*80	Imperial Oaks Neighborhood Center			0	*80
		<b>161</b>	<b>2,241</b>	<b>2,402</b>	<b>3</b>

\* Jurisdiction Occupies only a part of the Precinct

# Montgomery County Elections

## Exhibit B

Report Time:12/17/2019 4:16:27 PM

<b>City of Panorama Village</b>					
<b>PCT</b>	<b>Polling Location</b>	<b>Suspense</b>	<b>Active</b>	<b>Total</b>	<b>PCT</b>
	*43 Panorama Village City Hall	148	1,755	1,903	*43
		<b>148</b>	<b>1,755</b>	<b>1,903</b>	<b>1</b>

<b>City of Patton Village</b>					
<b>PCT</b>	<b>Polling Location</b>	<b>Suspense</b>	<b>Active</b>	<b>Total</b>	<b>PCT</b>
	*16 Splendora ISD Instructional Services	116	643	759	*16
	*53 Woodbranch City Hall	7	54	61	*53
		<b>123</b>	<b>697</b>	<b>820</b>	<b>2</b>

<b>City of Roman Forest</b>					
<b>PCT</b>	<b>Polling Location</b>	<b>Suspense</b>	<b>Active</b>	<b>Total</b>	<b>PCT</b>
	*53 Woodbranch City Hall	92	1,224	1,316	*53
		<b>92</b>	<b>1,224</b>	<b>1,316</b>	<b>1</b>

<b>City of Shenandoah</b>					
<b>PCT</b>	<b>Polling Location</b>	<b>Suspense</b>	<b>Active</b>	<b>Total</b>	<b>PCT</b>
	*24 Oak Ridge High School	79	279	358	*24
	*31 Shenandoah Municipal Complex	174	1,982	2,156	*31
	*33 South County Community Center			0	*33
	*62 Collins Intermediate School			0	*62
		<b>253</b>	<b>2,261</b>	<b>2,514</b>	<b>4</b>

<b>City of Splendora</b>					
<b>PCT</b>	<b>Polling Location</b>	<b>Suspense</b>	<b>Active</b>	<b>Total</b>	<b>PCT</b>
	*16 Splendora ISD Instructional Services	77	745	822	*16
	*41 Splendora ISD Administration Building	15	190	205	*41
		<b>92</b>	<b>935</b>	<b>1,027</b>	<b>2</b>

<b>City of Stagecoach</b>					
<b>PCT</b>	<b>Polling Location</b>	<b>Suspense</b>	<b>Active</b>	<b>Total</b>	<b>PCT</b>
	*13 Decker Prairie Community Center	23	320	343	*13
	*28 Decker Prairie Elementary School	3	74	77	*28
		<b>26</b>	<b>394</b>	<b>420</b>	<b>2</b>

\* Jurisdiction Occupies only a part of the Precinct

# Montgomery County Elections

## Exhibit B

Report Time:12/17/2019 4:16:27 PM

<b>City of Willis</b>					
<b>PCT</b>	<b>Polling Location</b>	<b>Suspense</b>	<b>Active</b>	<b>Total</b>	<b>PCT</b>
*01	Willis Community Building	119	829	948	*01
*22	Lake Conroe Hills Community Building	122	456	578	*22
*23	North Montgomery County Community Center	111	877	988	*23
*43	Panorama Village City Hall		1	1	*43
*50	Far Hills Utility District Building	7	33	40	*50
*57	Calvary Road Baptist Church			0	*57
*85	Northridge Baptist Church		81	81	*85
		<b>359</b>	<b>2,277</b>	<b>2,636</b>	<b>7</b>

<b>City of Woodbranch Village</b>					
<b>PCT</b>	<b>Polling Location</b>	<b>Suspense</b>	<b>Active</b>	<b>Total</b>	<b>PCT</b>
*53	Woodbranch City Hall	70	851	921	*53
		<b>70</b>	<b>851</b>	<b>921</b>	<b>1</b>

<b>Town of Woodloch</b>					
<b>PCT</b>	<b>Polling Location</b>	<b>Suspense</b>	<b>Active</b>	<b>Total</b>	<b>PCT</b>
*96	Gerald D. Irons, Sr. Junior High School	23	84	107	*96
		<b>23</b>	<b>84</b>	<b>107</b>	<b>1</b>

**May 2, 2020**  
**Montgomery County Joint Election**  
**Exhibit C – Timetable**

Participating Entity agrees that timing is critical, and failure to adhere to this Timetable without prior agreement of Contracting Officer may result in additional charges or cancellation of Contracting Officer's duties and obligations to conduct Political Subdivision's election under this Agreement. Participating Entity is responsible for meeting all deadlines under this Agreement, including such deadlines that occur on a day on which Participating Entity is closed for business.

The dates in this Exhibit C - Timetable that pertain to deadlines provided by statute are not to be considered legal advice and are for convenience only. The office of the Texas Secretary of State provides a calendar of events with citations to the Texas Election Code and information specific to entity type at <https://www.sos.texas.gov/elections>. It is the responsibility of Participating Entity to confer with its attorney for guidance on any statutes that govern the entity and election and to comply with all requirements for orders, postings, and notices for the Political Subdivision and election.

**Immediately**

If your entity is not listed on Exhibit B, has "Need to Confirm Streets" indicated on Exhibit B, has annexed territory, or has made any boundary changes, you must contact Contracting Officer at [Suzie.Harvey@mctx.org](mailto:Suzie.Harvey@mctx.org) and [Matt.Murray@mctx.org](mailto:Matt.Murray@mctx.org) immediately. Streets and block ranges in your jurisdictional boundaries must be defined, and this process can be lengthy. An Approval Form for streets must be signed by **January 28, 2020**, in order for you to participate in the Joint Election.

**January 28, 2020**

**Entity Fact Sheet due.**

**Electronic Ballot Template** for candidate elections only (without candidate names) due.

Email Ballot Template for a special election on a measure as soon as it is available, and not later than the date the election is ordered.\*

The Ballot Template must be emailed in a **Word** Document on our Ballot Template Form to

[Suzie.Harvey@mctx.org](mailto:Suzie.Harvey@mctx.org), [Cynthia.Jamieson@mctx.org](mailto:Cynthia.Jamieson@mctx.org), and [Jason.Lay@mctx.org](mailto:Jason.Lay@mctx.org).

Email candidate names separately, immediately following the Candidate Filing deadline.

Email the order of candidates on the ballot immediately following your ballot position drawing.

\*For a **special election on a measure**, if the ballot language for the proposition(s) has not been finalized, or if the Spanish translations have not been completed, please provide the expected number of propositions and the details of any candidate race(s) so that the information can be inserted as place holders in the election database. This will allow ballot preparation to remain on schedule.

Deadline to email [Suzie.Harvey@mctx.org](mailto:Suzie.Harvey@mctx.org) and [Cynthia.Jamieson@mctx.org](mailto:Cynthia.Jamieson@mctx.org) **notification of participation** in Joint Election, even if your election has not been ordered or if the election might be canceled if it is uncontested. Contracting Officer is unable to accommodate anyone who responds late. If notice is not received by this date, Political Subdivision will not be included in future correspondence regarding the Joint Election or in the Exhibit D - Cost Estimate.

**February 14, 2020**

Deadline to **order an election**, unless otherwise provided by statute. Please forward a copy of your Order of Election to Contracting Officer.

**5:00 PM - Candidate Filing** deadline, unless otherwise provided by statute.\*

\*Schedule your ballot position drawing as soon as possible, but no later than the first business day after the Candidate Withdrawal deadline, and email the order of candidates on the ballot (see entry under **February 24**).

Notice of ballot position drawing must be posted for 72 hours immediately preceding drawing.

Political subdivision other than a city: The authority conducting the ballot position drawing must mail written notice of the date, hour, and place of the drawing to candidates not later than the fourth day before the drawing.

City: On receipt of a candidate's written request accompanied by a stamped, self-addressed envelope, the authority conducting the ballot position drawing must mail written notice of the date, hour, and place of the drawing to the candidate.

**5:15 PM** – Deadline to notify [Suzie.Harvey@mctx.org](mailto:Suzie.Harvey@mctx.org) and [Cynthia.Jamieson@mctx.org](mailto:Cynthia.Jamieson@mctx.org) whether Political Subdivision has a **contested general election**. Political subdivision will not be included in the Joint Election if we do not receive notice.

**5:15 PM** – Deadline to email **candidate names in the exact form in which they are to be printed on the ballot**, as provided by the candidate on the Application for a Place on the Ballot. Corrections and changes cause delays in ballot programming.

**February 18, 2020**

**12:00 PM** – Deadline to email **phonetic pronunciation** of all candidate names that are not obvious, which will be used for the ballot audio recording.

**5:00 PM** – **Write-In Declaration Filing** deadline, unless otherwise provided by statute.\*

**5:15 PM** – If a Write-In causes election to be **contested**, deadline to notify [Suzie.Harvey@mctx.org](mailto:Suzie.Harvey@mctx.org) and [Cynthia.Jamieson@mctx.org](mailto:Cynthia.Jamieson@mctx.org).

**5:15 PM** – Deadline to email the names of **Write-In candidates**.

**5:15 PM** – If election is uncontested as of 5:00 PM on this date, Deadline to **cancel election** with Contracting Officer and incur **no fees** under this Agreement. If election is contested as of this date, but a candidate withdrawal after this date causes election to be uncontested, no charges will be assessed if Contracting Officer is notified of cancellation on the date of the withdrawal.

**February 21, 2020**

**5:00 PM** – **Candidate Withdrawal** deadline, including Write-In Candidates, unless otherwise provided by statute.

**5:15 PM** – Deadline to email [Suzie.Harvey@mctx.org](mailto:Suzie.Harvey@mctx.org) and [Cynthia.Jamieson@mctx.org](mailto:Cynthia.Jamieson@mctx.org) **withdrawals or election cancellation**.

**5:15 PM** – If a candidate withdrawal on this date causes election to be uncontested, Deadline to **cancel election** with Contracting Officer and incur **no fees** under this Agreement.



**February 24, 2020**

7:00 PM – Deadline to email **order of candidates on ballot** (please email it as soon as it is available, if sooner than the deadline) to [Suzie.Harvey@mctx.org](mailto:Suzie.Harvey@mctx.org) and [Cynthia.Jamieson@mctx.org](mailto:Cynthia.Jamieson@mctx.org).

**Deadlines for ballot proofing and ballot approval will be emailed with ballot proofs. The Participating Entities must adhere to deadlines in order for Contracting Officer to meet the Federal and/or State deadlines to mail or email, as applicable, any military and overseas ballots.**

**February 28, 2020**

Deadline to receive executed **Election Services Agreement** and **Joint Election Agreement** by email, mail, delivery (addresses on last page).

**March 3, 2020**

Deadline for political subdivision to deliver **Notice of Election**, including the building name, street address, and room number of each polling place, required by Section 4.008(a), Election Code, to Elections Administrator. Notice shall be posted on the County's website no later than the 21st day before Election Day, as provided by Section 4.003(b), Election Code. Political subdivision may email a pdf or a scanned copy of the Notice (addresses on last page).

**March 20, 2020**

9:00 AM – Public Logic and Accuracy Test and First Test of Automatic Tabulating Equipment held at Election Central, 9159 Airport Road, Conroe, Texas 77303.

**April 2, 2020**

Last day to register to vote for the **May 2, 2020** Election.

10:00 AM – Deadline to receive copy of any Notice or Order which Participating Entity wishes to have Contracting Officer post at polling places being used in the election, including

- copy of any debt obligation election order required to be posted by Section 4.003(f)(1), Election Code
- copy of any order or ordinance of unopposed candidate(s) declared elected required to be posted by Section 2.053(a), Election Code

The copy, including the translation in Spanish and any other required language(s), may be provided electronically to Contracting Officer (addresses on last page).

The copy will be posted by Contracting Officer as follows:

- Early Voting Polling Places – before polls open on the first day of Early Voting
- Election Day Polling Places – before polls open on Election Day

**Posting that is to be made earlier than the above schedule or at any location other than the polling places being used in the election or posting of any copy that is received later than this date is the responsibility of Participating Entity.**

**April 20 – 28, 2020**

Early Voting period.

**April 20, 2020**

Last day to accept **applications for early voting ballot by mail** and Federal Post Card Applications. The Early Voting Clerk may now receive applications beginning at any time during the calendar year, but no later than this date.

Applications for ballot by mail should be sent to:

Suzie Harvey  
Elections Administrator  
P. O. Box 2646  
Conroe, TX 77305-2646

Any applications received by Participating Entity must be delivered in person or by email or fax to Contracting Officer on the day of receipt. Original applications that are received by mail and forwarded by email or fax must also be mailed or delivered in person to Contracting Officer for all processing.

**May 1, 2020**

If applicable, last day to post notice at the entrance to any polling place from Political Subdivision's preceding election that is different from the polling place used for this election and provide the location of the new polling place pursuant to Texas Election Code Section 43.062.

**Saturday, May 2, 2020**

7:00 AM to 7:00 PM - Election Day

Regular deadline to receive early voting ballots by mail.

**May 5, 2020**

Last day to begin the Partial Manual Count, if not waived.

**May 8, 2020**

Deadline to receive military ballots.

**May 12 – 13, 2020**

Recommended dates to schedule your canvass.

Dates set by law to conduct official local canvass of returns are May 5 – 13. However, the Early Voting Ballot Board may be processing provisional ballots and overseas mail ballots as late as May 11. Canvass reports will be emailed as soon as possible, but they might not be available until May 12.

Unless otherwise provided, pursuant to Section 67.004 (a) of the Texas Election Code, two members of the canvassing authority constitute a quorum for the purposes of canvassing an election.

**May 26, 2020**

Last day to complete the Partial Manual Count, if not waived.

**30 days from date of Final Invoice**

Pay balance due for election services. Checks should be made payable to:  
Montgomery County Elections Administrator.

**March 3, 2022**

First day that non-permanent election records\* may be destroyed IF no contest or criminal investigation has arisen and IF no open records request has been filed.

\*Permanent Records: (Sec. 66.001, 67.004, 67.006, Texas Election Code)

Election results in tabulated form must be preserved as a permanent record in the election register for each local canvassing authority by:

City: the city secretary

Political subdivision other than a county or city: the secretary of the governing body or, if there is no secretary, the presiding officer of the governing body

**May 2, 2022**

Candidate Applications must be retained by the governing body for two years after the date of the election (Sec. 141.036, Texas Election Code).

Suzie Harvey  
Montgomery County Elections Administrator

Email  
Suzie.Harvey@mctx.org  
and  
Cynthia.Jamieson@mctx.org

Mail  
P. O. Box 2646  
Conroe, TX 77305-2646

Delivery  
9159 Airport Road  
Conroe, TX 77303



Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: January 14, 2020</b>	<b>Budgeted Amount: \$8,000</b>
<b>Department: Administration</b>	
<b>Prepared By: Susan Hensley, City Secretary &amp; Director of Administrative Services</b>	<b>Exhibits: Joint Election Agreement</b>
<b>Date Prepared: January 8, 2020</b>	

**Subject**

Adoption of the Joint Election Agreement with Montgomery County Elections regarding the May 2, 2020, City General Election.

**Recommendation**

Adoption of the Joint Election Services Agreement with Montgomery County Elections.


**Discussion**

This Agreement provides that all the entities that participate in the Joint Election desire to enter into a Joint Election Agreement for the purpose of sharing election equipment, election officials, precinct polling locations and electronic voting equipment.

The cost will be provided as soon as all the participating entities have provided their notice of participation. The cost is divided amount all the participating entities.

If there is an uncontested Election the City would be able to cancel their Election and there would be no cost to the City.

**Approved By**

City Administrator Richard Tramm		Date: January 8, 2020
City Secretary Susan Hensley		Date: January 8, 2020

# Joint Election Agreement

Political Subdivision of City of Montgomery

WHEREAS, the undersigned Political Subdivisions (collectively referred to hereinafter as "Participating Entities") will each hold an election on May 2, 2020; and

WHEREAS, Montgomery County Elections Administrator, Suzie Harvey, as Montgomery County's Election Officer, has entered into separate Election Services Agreements with each of the undersigned Participating Entities wherein the County's Election Officer will administer elections occurring on May 2, 2020, to be held in precincts in Montgomery County, as authorized under Subchapter D of Chapter 31 of the Texas Election Code ("Election Services Agreements"); and

WHEREAS, the Participating Entities desire to enter into a Joint Election Agreement, as authorized under Chapter 271 of the Texas Election Code, for the purpose of sharing election equipment, election officials, polling places, and costs where appropriate.

NOW, THEREFORE, Participating Entities enter this Joint Election Agreement under the terms that follow:

## **I. Scope of Joint Election Agreement**

The Participating Entities enter this Joint Election Agreement ("Agreement") for the purpose of jointly conducting elections to be held on May 2, 2020 ("Joint Election").

## **II. Appoint Election Officer**

The Participating Entities appoint Suzie Harvey, Montgomery County Elections Administrator ("Contracting Officer"), to serve as the Election Officer to perform the duties and responsibilities of Election Officer itemized in the Election Services Agreements for the Joint Election.

## **III. Early Voting and Election Day**

Early voting and election day voting shall be held in common precincts where appropriate, at the dates, times, and locations adopted by Montgomery County Commissioners' Court and/or authorized and ordered by the governing body of each Participating Entity.

## **IV. Joint Election Costs; Adjustment of Costs in the Event of Cancellation of Election; Payment**

The estimated election expenses for each Participating Entity, including administrative costs and expenses for facilities, personnel, supplies, equipment, and training, are reflected in the Exhibit D - Cost Estimate incorporated into each Election Services Agreement. The Participating Entities agree that they will be responsible for and will pay from budgeted funds their share of the actual election expenses attributable to each entity according to the table incorporated into the Election Services Agreements as the Final Invoice.

## **V. Reasonable Cooperation**

The Participating Entities agree to reasonably cooperate with each other as is necessary to carry out the terms of this Agreement.


## **VI. Miscellaneous Provisions**

1. This Agreement becomes effective with respect to each Participating Entity upon execution by that Participating Entity. The obligations of this Agreement will continue as to each Participating Entity until each Participating Entity has made full payment of its share of election costs under this Agreement and its respective Election Services Agreement, which costs are related to the Joint Election.
2. If for any reason a Participating Entity does not participate in the Joint Election, this Joint Election Agreement shall remain in effect between all remaining Participating Entities.
3. Notices given under this Agreement must be in writing and may be effected by hand delivery, fax, email, or by certified mail to the Contracting Officer and/or the Participating Entities at the addresses listed on their respective signature blocks below.
4. This Agreement may not be amended or modified except in writing executed by the Contracting Officer and each respective Participating Entity with whom the amendment or modification has been mutually agreed.
5. The obligations under this Agreement are performable in Montgomery County, Texas.
6. Venue for any dispute arising under this Agreement shall be in Montgomery County, Texas. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and the United States of America.
7. If any provision of this Agreement is found to be invalid, illegal, or unenforceable by a court of competent jurisdiction, such invalidity, illegality, or unenforceability shall not affect the remaining provisions of this Agreement; and the Participating Entities shall perform their obligations under this Agreement as expressed in the terms and provisions of this Agreement.
8. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original for all purposes. Faxed signatures and/or electronic signatures shall have the same force and effect as an original signature.

IN TESTIMONY WHEREOF, this Agreement is executed by Montgomery County, Texas or the Contracting Officer, as applicable, and each Participating Entity on the dates indicated below.

*See attached signature page(s):*

December 17, 2019  
Date

Signature:   
Printed name: Suzie Harvey  
Title: Contracting Officer  
Political Subdivision: Montgomery County, Texas  
All correspondence to be directed to:  
Montgomery County Elections Office  
Address: P. O. Box 2646  
City, State, Zip: Conroe, Texas 77305-2646  
Telephone: (936) 539-7843  
Fax: (936) 788-8340  
Email: suzie.harvey@mctx.org

Date

Signature: \_\_\_\_\_  
Printed name: Sara Countryman  
Title: Mayor  
Political Subdivision: City of Montgomery  
Address: 101 Old Plantersville Road  
City, State, Zip: Montgomery, Texas 77316  
Telephone: ( 936 ) 597-3288  
Fax: ( 936 ) 597-6437  
Email: shensley@ci.montgomery.tx.us

Date

Signature: \_\_\_\_\_  
Printed name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Political Subdivision: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_  
Fax: ( ) \_\_\_\_\_  
Email: \_\_\_\_\_

Date

Signature: \_\_\_\_\_  
Printed name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Political Subdivision: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone: ( ) \_\_\_\_\_  
Fax: ( ) \_\_\_\_\_  
Email: \_\_\_\_\_

# **EXHIBIT “D”**

**This Exhibit will be inserted at a later date when they confirm all the entities that are going to participate in the Election.**

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: January 14, 2020</b>	<b>Budgeted Amount: N/A</b>
<b>Department: Administrative</b>	
<b>Prepared By: Dave McCorquodale</b>	<b>Exhibits: Variance applications, City Engineer's memo, existing plat, &amp; proposed lot layout drawing</b>
<b>Date Prepared: January 9, 2020</b>	

**Subject**

Consideration and possible action regarding the replat of Gulf Coast Estates Section Two, located at the end of Baja Street, as submitted by Walker Montgomery CDC, which would include variances to allow flag lots and 31-foot minimum lot widths instead of the required 75-feet. *(Tabled at the December 10, 2019 Meeting)*

**Description**



The exhibits describe the variance requests. If the variance requests are approved, the developer will proceed with the replat drawings. If the variances are not approved, no further action is needed.

Should City Council decide to grant the variances, the Council can authorize staff to approve the replat drawings subject to any comments from the engineer being addressed. The engineer has provided a letter with his opinion of the variance requests. The development contains 4 lots and is considered a minor plat, which is generally approved at a staff level (in the absence of variance requests).

**Recommendation**

Consider the request in the context of any public comment, the attached information, the goals of the developer, and act as you deem appropriate.

**Approved By**

Asst. to City Admin.	Dave McCorquodale 	Date: 1/9/20
City Administrator	Richard Tramm 	Date: 1/9/20





1575 Sawdust Road, Suite 400  
The Woodlands, Texas 77380  
Tel: 281.363.4039  
Fax: 281.363.3459  
[www.jonescarter.com](http://www.jonescarter.com)

January 8, 2020

The Honorable Mayor and City Council  
City of Montgomery  
101 Old Plantersville Road  
Montgomery, Texas 77316

Re: Variance Request  
Walker-Montgomery Community Development Corporation (Dev. No. 1028)  
City of Montgomery

Dear Mayor and Council:

The Walker-Montgomery Community Development Corporation (“Developer”) plans to subdivide Lot 1, approximately 0.9 acres in size, of the Minor Plat for Gulf Coast Estates, Section Two, into two lots of approximately 0.45 acres each, to allow construction of an additional single-family home. The subdivision of this lot will reduce the width of the lot fronting Baja Road to below the minimum required. Section 78-88 of the City of Montgomery Code of Ordinances specifies that lots must have a width of at least 75’, and that flag lots may not be used. The Developer is requesting the following variances from the City’s Code of Ordinances:

- Section 78-88 (c) of the City’s Code of Ordinances states all lots must be a minimum 75’ width. The Developer is requesting a variance to allow the proposed lots to have a width of 31’ along Baja Road.
- Section 78-88 (g) of the City’s Code of Ordinances states flag lots may not be used under any circumstances. The Developer is requesting a variance to allow the use of flag lots to subdivide the property.

Enclosed you will find a request for variance as submitted by the engineer for the development and a preliminary site plan.

We offer no objection to the Developer’s request on the grounds that the proposed variance poses no apparent detriment to the development or the surrounding area. Additionally, the developer has investigated other alternatives including the purchase of additional property to dedicate public right-of-way to extend Baja Road to the west to eliminate the need for the variance, and the neighboring property owner was not interested in selling.

Approval of the requested variance does not constitute plat approval and only allows the Developer to further refine the proposed site plan and plat, which will require the full review and approval of the City.



If you have any questions or comments, please contact me.

Sincerely,

A handwritten signature in blue ink that reads 'Chris Roznovsky'.

Chris Roznovsky, PE  
Engineer for the City

CVR/ab

K:\W5841\W5841-0900-00 General Consultation\Correspondence\Letters\2020\MEMO to P&Z RE Walker-Montgomery Community Development Corp  
Variance Request.doc

Enclosures:

Walker-Montgomery Community Development Corporation – Variance Request  
The Honorable Mayor and City Council, City of Montgomery  
Mr. Richard Tramm – City of Montgomery, City Administrator  
Ms. Susan Hensley– City of Montgomery, City Secretary  
Mr. Larry Foerster – Darden, Fowler & Creighton, City Attorney

cc:



# PLANNING & ZONING COMMISSION REPORT OF FINDINGS AND RECOMMENDATION

TO: MONTGOMERY MAYOR AND CITY COUNCIL

FROM: PLANNING & ZONING COMMISSION

CC: RICHARD TRAMM, CITY ADMINISTRATOR

SUBJECT: REPORT CONCERNING A RECOMMENDATION FOR TWO VARIANCE REQUESTS TO SECTION 78-88 OF THE CODE OF ORDINANCES TO ALLOW FLAG LOTS AND 31-FOOT MINIMUM LOT WIDTHS INSTEAD OF THE REQUIRED 75 FEET FOR A REPLAT OF GULF COAST ESTATES SECTION 2.

Mayor and Members of City Council,

Pursuant to Section 78-27 of the City of Montgomery Code of Ordinances (“the Code”), the Montgomery Planning and Zoning Commission met on September 23, 2019 to consider a request from Walker Montgomery CDC for two variances related to a replat of Gulf Coast Estates, Section 2, a single-family residential subdivision located at the end of Baja Street in Montgomery, Texas.

After study, the Commission at its September 23<sup>rd</sup> meeting thereby found:

- The property is currently designated with the zoning classification of R1-Single Family Residential.
- The existing plat is comprised of three residential lots—two lots roughly 0.5-acres in size and one lot roughly 1-acre in size.
- Granting the requested variances will allow for a replat of the subdivision to contain four total lots roughly 0.5-acres in size each.
- The unique relationship of the property to the end of Baja Street is the reason for the request and granting the variances will allow for development consistent with good engineering and planning practices.

By unanimous vote of 5-0, the Planning and Zoning Commission hereby presents this Report pursuant to Section 78-27 of the Code, recommending approval of the variances.

I, Nelson Cox, Chairman of the Montgomery Planning and Zoning Commission, on this 6<sup>th</sup> day of December 2019, certify the above Final Report to be true and correct to the best of my knowledge.

Signed: Nelson Cox  
NELSON COX, Chair

Attested: Susan Hensley  
SUSAN HENSLEY, City Secretary





Variance Request Application

City of Montgomery
101 Old Plantersville Road
Montgomery, Texas 77316
(936) 597-6434

Upon completion return application to shensley@ci.montgomery.tx.us

Contact Information

Property Owner(s): WALKER - MONTGOMERY CDC

Address: 143 FOREST SERVICE ROAD #23 NEW WALKER TX Zip Code: 77358-3945

Email Address: DONNA.GLASS@GCTCW.ORG Phone: 936-344-7264

Applicants: WALKER - MONTGOMERY CDC DONNA GLASS

Address: 143 FOREST SERVICE ROAD #23 NEW WALKER TX 77358-3945

Email Address: DONNA.GLASS@GCTCW.ORG Phone: 936-344-7264

Parcel Information

Property Identification Number (MCAD R#): 5556-02-00100

Legal Description: S555602- GULF COAST ESTATES 02, BLOCKS 1, LOT 1

Street Address or Location: 1129, 1127, 1115 BAY RD. MONTGOMERY TX 77356

Acreage: 1.57 Present Zoning: RESIDENTIAL (R1) Present Land Use: N/A

Variance Request

Applicant is requesting a variance from the following:

City of Montgomery Ordinance No.: 2011-09 Section(s): 7B-8B-LOTS

Ordinance wording as stated in Section ( ):
C) MINIMUM WIDTH. MINIMUM WIDTH IS 75 FEET

Detail the variance request by comparing what the ordinance states to what the applicant is requesting:

IN AN ATTEMPT TO GAIN ANOTHER LOT, WE REQUEST THE ALLOWANCE OF TWO 31' ACCESS WIDTHS

**Signatures**

Owner(s) of record for the above described parcel:

Signature:  Date: 8/21/19

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Note: Signatures are required for all owners of record for the property proposed for variances. Attach additional signatures on a separate sheet of paper.*

**\* Additional Information \***

The following information must also be submitted:

Cover letter on company letterhead stating what is being asked.

A site plan.

All applicable fees and payments.

The application form must be signed by the owner/applicant. If the applicant is not the owner, written authorization from the owner authorizing the applicant to submit the variance request shall be submitted.

<p><b>Date Received</b> <i>Office Use</i></p>	<p><u>August 21, 2019</u></p>
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# Variance Request Application

City of Montgomery  
101 Old Plantersville Road  
Montgomery, Texas 77316  
(936) 597-6434

**Upon completion return application to shensley@ci.montgomery.tx.us**

### Contact Information

Property Owner(s): WALKER-MONTGOMERY CDC

Address: 143 FOREST SERVICE ROAD 223 NEW WAVERLY TX Zip Code: 77358-3945

Email Address: DONNA.GLASS@GCTCW.ORG Phone: \_\_\_\_\_

Applicants: WALKER-MONTGOMERY C/DL DONNA GLASS

Address: 143 FOREST SERVICE ROAD 223 NEW WAVERLY TX 77358-3945

Email Address: DONNA.GLASS@GCTCW.ORG Phone: \_\_\_\_\_

### Parcel Information

Property Identification Number (MCAD R#): 5556-02-00100

Legal Description: S 555602 GULF COAST ESTATES Q2, BLOCKS 1, LOT 1

Street Address or Location: 1139, 1127, 1115 BAJA RD. MONTGOMERY TX 77356

Acreage: 1.57 Present Zoning: RESIDENTIAL (R1) Present Land Use: N/A

### Variance Request

Applicant is requesting a variance from the following:

City of Montgomery Ordinance No.: 2011-09 Section(s): 7B-88-LOTS

Ordinance wording as stated in Section ( ): \_\_\_\_\_

C.) FLAG LOTS. FLAG LOTS MAY NOT BE USED UNDER ANY  
CIRCUMSTANCES.

Detail the variance request by comparing what the ordinance states to what the applicant is requesting:

IN AN ATTEMPT TO GAIN ANOTHER LOT AN EXISTING LOT  
HAS BEEN SPLIT IN TWO. HOWEVER DUE TO ACCESS SPACE  
THE ONLY WAY TO DO THIS IS VIA A FLAG LOT.

**Signatures**

Owner(s) of record for the above described parcel:

Signature: [Handwritten Signature] Date: 8/21/19

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Note: Signatures are required for all owners of record for the property proposed for variance. Attach additional signatures on a separate sheet of paper.*

**\* Additional Information\***

The following information must also be submitted:

Cover letter on company letterhead stating what is being asked.

A site plan.

All applicable fees and payments.

The application form must be signed by the owner/applicant. If the applicant is not the owner, written authorization from the owner authorizing the applicant to submit the variance request shall be submitted.

<p><b>Date Received</b> <i>Office Use</i></p>	<p><u>August 21, 2019</u></p>
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## Spear Point Engineering, LLC

TBPE Firm No. 18904  
14088 County Line Road  
Willis, TX 77378  
www.SPETexas.com

August 20, 2019

City of Montgomery Planning and Zoning Commission  
101 Old Plantersville Rd  
P.O. Box 708  
Montgomery, TX 77356

RE: Variance Requests – Flag Lot and Minimum Lot Width  
Walker-Montgomery Community Development Corporation

Dear Directors,

On behalf of our client, Walker-Montgomery Community Development Corporation (the "Walker-Montgomery CDC"), we submit the attached information to support the above referenced variance requests.

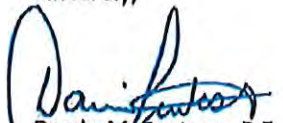
Walker-Montgomery CDC is a private, nonprofit, community-based organization responsible for creating affordable housing for low income families. They work with the Gulf Coast Trades Center to help teach underprivileged youth skills and trades associated with home building.

Walker-Montgomery CDC requests two (2) variances for their future development off Baja Road. Currently, the land is platted into three (3) lots (see attached Plat). Walker-Montgomery CDC would like to replat the land with four (4) lots. The replat would require two (2) variances; (1) a variance from the City's restriction of flag lots, (2) a variance from the minimum per lot street frontage. The attached Exhibit A depicts both variances requested.

Granting these variances will allow Walker-Montgomery CDC to develop an additional lot, adding needed improved residential development off of Baja Road, and will also provide additional learning opportunities for "at risk" youth attending the Gulf Coast Trades Center.

Please let me know if you have any questions or need additional information. Feel free to contact me at (832) 797-9910 or by email at [darrin@spetexas.com](mailto:darrin@spetexas.com).

Sincerely,



Darrin M. Fentress, P.E.  
Senior Project Manager

Attachments

Cc: Ms. Donna Glass

Walker-Montgomery CDC

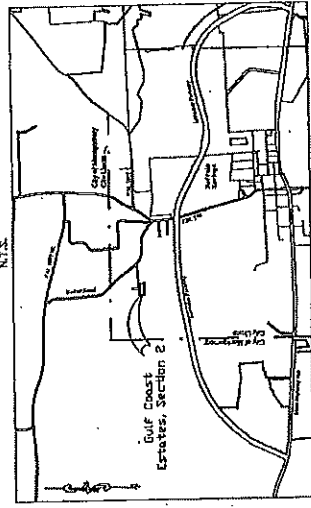
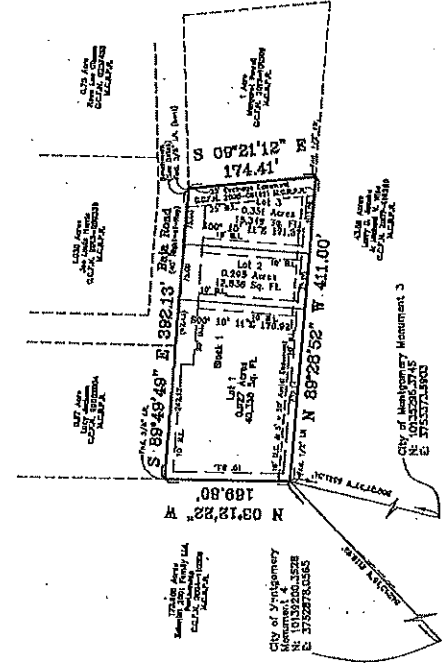
STATE OF TEXAS  
 COUNTY OF MONTGOMERY

I, Mark J. Moore, Clerk of the County Court of Montgomery County, Texas, do hereby certify that the within plat is a true and correct copy of the original as recorded in my office on 11/04/22 at 3:40 o'clock P.M. and duly received on 11/04/22 at 3:40 o'clock P.M. in Book 7 sheet 3109 of record at 11/04/22 for said County.

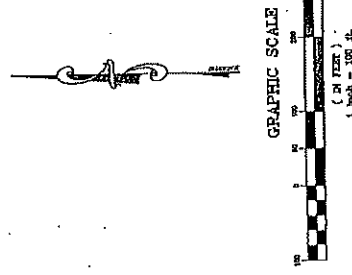
WITNESSES MY HAND AND SEAL OF OFFICE, at Dallas, Montgomery County, Texas, this day and date last shown above within.

**MINOR PLAT**  
**Gulf Coast Estates**  
 SECTION TWO  
 A SUBDIVISION OF 1574 ACRES  
 OF LAND IN THE  
 BENJAMIN RIGSBY SURVEY, A - 31  
 MONTGOMERY COUNTY, TEXAS  
 CONTAINING 3 RESIDENTIAL LOTS IN 1 BLOCK

April, 2018  
 OWNER/DEVELOPER  
 Walker Montgomery CDC  
 143 Evans Service Road 233  
 New Waverly, Texas 77358  
 (936) 344-7264  
 cdmr@walkercenter.com



- NOTE:
1. U.L. indicates Utility Easement.
  2. D.L. indicates Building Line.
  3. D.C. indicates Drainage Easement.
  4. E.O.P. line indicates End of Plat.
  5. This plat is subject to all other plats, maps, and orders of record in the County Clerk's Office, Montgomery County, Texas, which may affect the same.
  6. All distances shown are in feet.
  7. All distances shown are in feet.



BENCHMARK DETAIL  
 The city benchmark, consisting of a three inch dia. set in a concrete base, is located at the intersection of S. 17th Street and S. 18th Street, Block 700, Sheet 3109, Book 7, of Montgomery County, Texas.

JEFFREY MOON & ASSOCIATES, INC.  
 LAND SURVEYORS  
 143 Evans Service Road  
 New Waverly, Texas 77358  
 (936) 344-7264

STATE OF TEXAS  
 COUNTY OF MONTGOMERY

I, Mark J. Moore, Clerk of the County Court of Montgomery County, Texas, do hereby certify that the within plat is a true and correct copy of the original as recorded in my office on 11/04/22 at 3:40 o'clock P.M. and duly received on 11/04/22 at 3:40 o'clock P.M. in Book 7 sheet 3109 of record at 11/04/22 for said County.

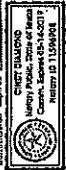
WITNESSES MY HAND AND SEAL OF OFFICE, at Dallas, Montgomery County, Texas, this day and date last shown above within.

OWNER/DEVELOPER  
 Walker Montgomery CDC  
 143 Evans Service Road 233  
 New Waverly, Texas 77358  
 (936) 344-7264  
 cdmr@walkercenter.com

By: [Signature]  
 County Clerk  
 Walker-Montgomery C.D.C.

THE STATE OF TEXAS )  
 COUNTY OF MONTGOMERY )  
 I, Mark J. Moore, Clerk of the County Court of Montgomery County, Texas, do hereby certify that the within plat is a true and correct copy of the original as recorded in my office on 11/04/22 at 3:40 o'clock P.M. and duly received on 11/04/22 at 3:40 o'clock P.M. in Book 7 sheet 3109 of record at 11/04/22 for said County.

CIVIL ENGINEER BY HAND AND SEAL OF OFFICE  
 DWS 057 511  
 Dated: 11/04/22  
 Mark J. Moore  
 County Clerk  
 Walker-Montgomery C.D.C.



That I, Jeffrey Moon, a duly Licensed Professional Engineer in the State of Texas, do hereby certify that the within plat is a true and correct copy of the original as recorded in my office on 11/04/22 at 3:40 o'clock P.M. and duly received on 11/04/22 at 3:40 o'clock P.M. in Book 7 sheet 3109 of record at 11/04/22 for said County.

By: [Signature]  
 Jeffrey Moon  
 Professional Engineer  
 License No. 115898

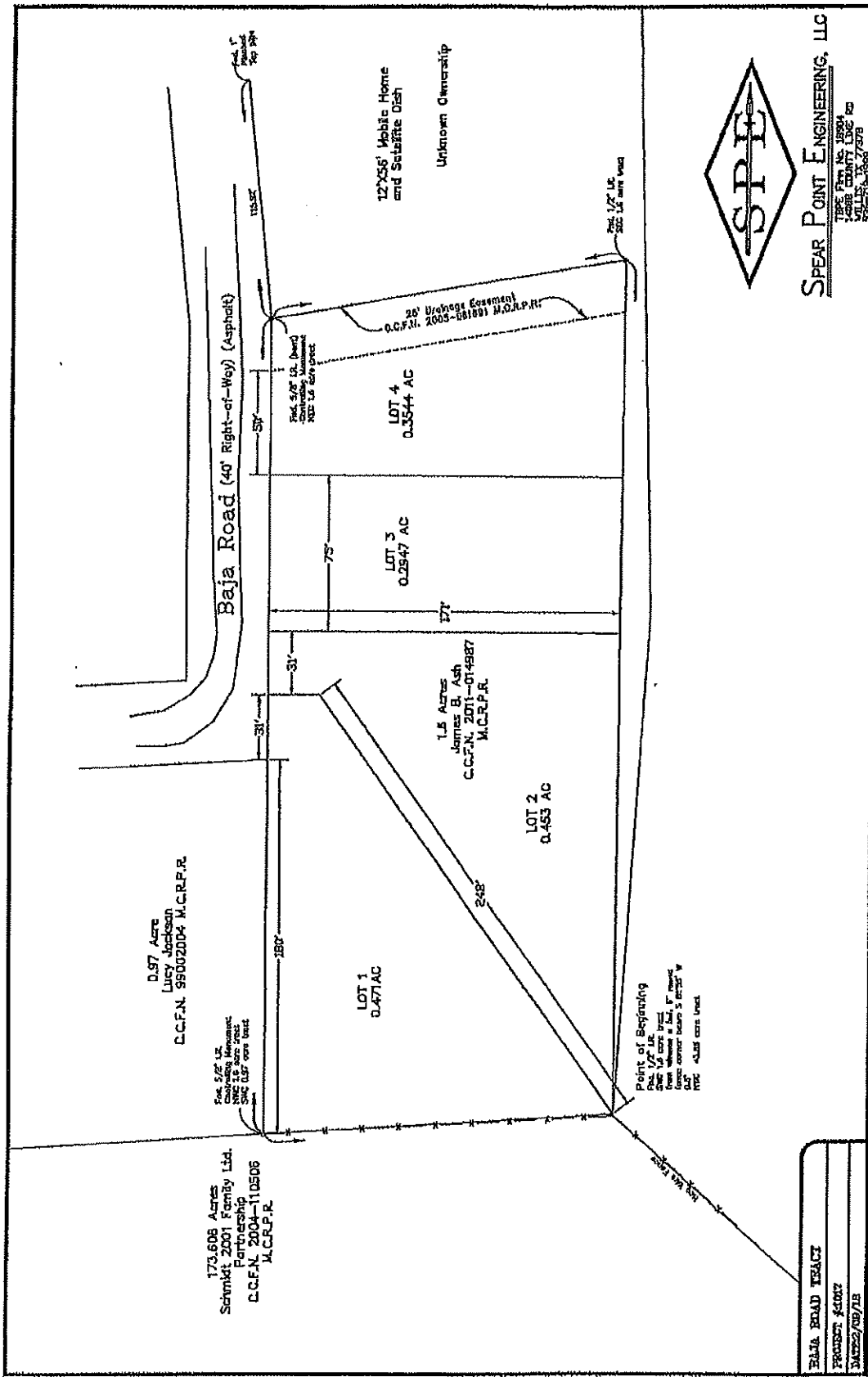
I, THE UNDERSIGNED, City Administrator for the City of Montgomery, Texas, do hereby certify that the within plat is a true and correct copy of the original as recorded in my office on 11/04/22 at 3:40 o'clock P.M. and duly received on 11/04/22 at 3:40 o'clock P.M. in Book 7 sheet 3109 of record at 11/04/22 for said County.

By: [Signature]  
 Jack Yates  
 City Administrator, City of Montgomery

I, THE UNDERSIGNED, Engineer for the City of Montgomery, Texas, do hereby certify that the within plat is a true and correct copy of the original as recorded in my office on 11/04/22 at 3:40 o'clock P.M. and duly received on 11/04/22 at 3:40 o'clock P.M. in Book 7 sheet 3109 of record at 11/04/22 for said County.

By: [Signature]  
 Chris Rogers  
 Engineer, City of Montgomery





**SPEAR POINT ENGINEERING, LLC**  
 TYPE PLAN No. 18904  
 1488 COUNTY LINE RD  
 528-138-1886

Baja Road Tract
PROJECT #4007
DATE: 09/18

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: January 14, 2020</b>	<b>Budgeted Amount: \$8,000</b>
<b>Department: Administration</b>	
<b>Prepared By: Susan Hensley, City Secretary &amp; Director of Administrative Services</b>	<b>Exhibits: Election Ordinance</b>
<b>Date Prepared: January 8, 2020</b>	

**Subject**

Adoption of an Ordinance calling the May 2, 2020, City General Election for the position of Mayor and City Council Places 2 and 4.

**Recommendation**

Adoption of the Ordinance calling the May 2, 2020, City General Election.

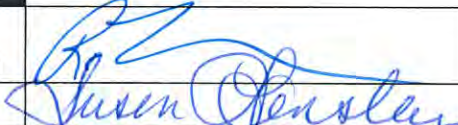
**Discussion**

The City Council Places that are up for Election are currently held by:

**Mayor – Sara Countryman**  
**City Council Place 2 – John Champagne, Jr.**  
**City Council Place 4 – Rebecca Huss**

The ordinance has been reviewed by the City Attorney.

**Approved By**

City Administrator Richard Tramm		Date: January 8, 2020
City Secretary Susan Hensley		Date: January 8, 2020

**ORDINANCE NO. 2020-01**

**AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 2, 2020, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) CITY COUNCIL MEMBERS, PLACES 2 AND 4; APPROVING ELECTION SERVICE AGREEMENTS WITH MONTGOMERY COUNTY, TEXAS; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.**

**WHEREAS**, the City Council for the City of Montgomery desires to call an election for May 2, 2020 in accordance with the election laws of the State of Texas; and

**WHEREAS**, the City Council desires to engage the services of the County Election Officer of Montgomery County to conduct the election pursuant to a *Joint Elections Agreement* and an *Election Services Agreement* with Montgomery County, Texas;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF MONTGOMERY, TEXAS THAT:**

**Section 1.** In accordance with the Texas Constitution and general laws of the State of Texas, a General City Election is hereby called and ordered for the first Saturday in May, 2020, that being May 2, 2020, at which Election all qualified voters of the City may vote for the purpose of electing a Mayor and two (2) City Council Members, Places 2 and 4, for full terms.

**Section 2.** The City Council hereby approves the *Joint Elections Agreement* and *Election Services Agreement* with Montgomery County, Texas, which authorizes the County Election Officer to conduct the General City Election on May 2, 2020 and early voting.

**Section 3.** No person's name shall be placed upon the official ballot as a candidate for any of the above mentioned positions unless such person has filed his or her sworn application, as provided by Section 141.031, Section 143.004, and Section 143.007 of the Texas Election Code, with the City Secretary at the City Hall, located at 101 Old Plantersville Road, Montgomery, Texas, 77316, adjusted for weekends and holidays no earlier than January 15, 2020 or later than five o'clock (5:00) p.m. on February 14, 2020. The City Secretary shall note on the face of each such application, the date and time of its filing. A declaration of write-in candidacy must be filed with the City Secretary, as provided by Section 146.054 of the Texas Election Code. The last day for a write-in candidate to declare candidacy with the City Secretary is Tuesday, February 18, 2020 by five o'clock (5:00) p.m. In addition, the last day for a candidate to withdraw must be received by the City Secretary by February 21, 2020 by five o'clock (5:00) p.m., *unless the candidate*

*submits the withdrawal before the ballots are prepared and if the public notice of the logic and accuracy test has not been published. (HB4129)*

**Section 4.** The polls shall be open for voting from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. at the following polling places, to be conducted by the officers appointed by the Contracting Officer as provided in the *Election Services Agreement* between the City of Montgomery, Texas and the County Election Officer of Montgomery, Texas, as follows:

**For persons located in Voting Precinct 9:**

Polling Place: Dobbin-Dacus Community Center

Address: 695 South FM 1486, Montgomery, TX 77316

**For persons located in Voting Precinct 19:**

Polling Place: Montgomery City Hall

Address: 101 Old Plantersville Road, Montgomery, TX 77316

**For persons located in Voting Precinct 38:**

Polling Place: West Montgomery County Annex

Address: 19380 Highway 105 W., Suite 507, Montgomery, TX 77356

**For persons located in Voting Precinct 39:**

Polling Place: Lake Creek High School

Address: 20639 FM 2854, Montgomery, TX 77316

Said election officers shall also serve as the early voting ballot board for such election; the Presiding Judge of such election shall also serve as the presiding officer of the early voting ballot board.

The County Election Officer for Montgomery County is authorized to change the above polling locations should there be a need to consolidate them for both early voting and for Election Day.

**Section 5.** In accordance with the Texas Election Code and the *Election Services Agreement*, the Contracting Officer shall serve as the regular early voting clerk to receive ballot

applications by mail. All ballots by mail applications received by the City Secretary must be hand delivered or faxed to the Contracting Officer as provided in the *Election Services Agreement* on the day of receipt and the original application mailed or delivered to the Contracting Officer. Further those persons voting early can vote in any of the designated early voting locations and at the times set out in Exhibit "A" as made a part hereof for all purposes. The early voting locations will be open from Monday, April 20, 2020 through Saturday, April 25, 2020, Monday through Saturday, 8:00 a.m. to 5:00 p.m., and Monday, April 27, 2020 and Tuesday, April 28, 2020, 7:00 a.m. to 7:00 p.m. Ballots voted by mail shall be sent to:

**Suzie Harvey**  
**Elections Administrator**  
**P.O. Box 2646**  
**Conroe, Texas 77305-2646**

**\*Email: [election.ballot@mctx.org](mailto:election.ballot@mctx.org)**

**\*Fax: (936) 788-8340**

**\*If an application for Ballot By Mail is submitted by email or fax or if a Federal Post Card Application is submitted by fax, to be effective, the application must also be submitted by mail and received not later than the fourth business day after it is received by email or fax.**

**Section 6.** Voting shall be conducted by the Contracting Officer utilizing the voting machines and equipment supplied by the Contracting Officer. All expenditures necessary for conducting the election, the purchase of materials, and the employment of all election officials is hereby authorized in accordance with the Texas Election Code and in accordance with the provisions of the *Election Services Agreement* and the *Joint Services Agreement*.

**Section 7.** The City Secretary is hereby authorized and directed (i) to furnish all necessary election supplies to conduct such election, (ii) to post notice of the election, and (iii) to publish notice of the election, as provided by Chapter 4 and Chapter 51 of the Texas Election Code except as may be provided in the *Election Services Agreement* referred to above.

**Section 8:** The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary, as provided by Section 52.094 of the Texas

Election Code. The City Secretary shall post a notice at City Hall at least seventy-two (72) hours prior to the date on which the drawing is to be held with the time and place of the drawing, and shall also give personal notice to any candidate who makes written request for such notice and furnishes the City Secretary a self-addressed, stamped envelope. Each candidate involved in the drawing or representative designated by him/her, shall have a right to be present and observe the drawing.

**Section 9.** The candidates for a Mayor and two (2) City Council Members, Places 2 and 4, receiving the highest number of votes in each of the positions to be filled shall be declared elected to such positions.

**Section 10.** Notice of this election shall be given in accordance with the provisions of the Texas Election Code and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such election, and returns of such election shall be made to the City Secretary immediately after the closing of the polls.

**Section 11.** Said election shall be held in accordance with the Texas Election Code, as amended, except as modified by the Federal Voting Rights Act of 1965, as amended.

**Section 12.** The Council finds that notice of the date, place, and subject of this meeting was posted in accordance with the terms and provisions of the Texas Open Meetings Act at least 72 hours proceeding the scheduled time of this meeting.

**Section 13.** This Ordinance is effective immediately upon its passage.

PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF JANUARY, 2020.

\_\_\_\_\_  
Mayor Sara Countryman

ATTEST:

\_\_\_\_\_  
Susan Hensley, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
/s/Larry Foerster, City Attorney

**EXHIBIT A**  
**Montgomery County**  
**May 2, 2020 Joint Election**  
**Early Voting Polling Locations and Times**

April 20 – 25	Monday	–	Saturday	8:00 am	–	5:00 pm
April 27 – 28	Monday	–	Tuesday	7:00 am	–	7:00 pm

Polling Location <i>Sitio de Votación</i>	Address <i>Dirección</i>	Room <i>Sala</i>
Lee G. Alworth Building (Main Early Voting Polling Place <i>Sitio Principal Electoral de Votación Adelantada</i> )	207 West Phillips Street Conroe 77301	First Floor <i>Primer Piso</i>
West Montgomery County Community Development Center	31355 Friendship Drive Magnolia 77355	Green Room <i>Sala Verde</i>
Shenandoah Municipal Complex	29955 I-45 North Shenandoah 77381	Council Chambers <i>Salon de Consejo y Pasillo</i>
North Montgomery County Community Center	600 Gerald Street Willis 77378	Community Room 102/103 <i>Sala Comunitaria 102/103</i>
East Montgomery County Fair Association Building	21675A McCleskey Road New Caney 77357	Main Room <i>Sala Principal</i>
Lone Star Community Center	2500 Lone Star Parkway Montgomery 77356	Community Room 103/104 <i>Sala Comunitaria 103/104</i>
Limited Ballots, Special Forms of Early Voting and Ballot by Mail only: <i>Boletas Limitadas, Formas Especiales de Votación Adelantada, y Boleta por Correo solamente:</i> Election Central	9159 Airport Road Conroe 77303	

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: January 14, 2020</b>	<b>Budgeted Amount: N/A</b>
<b>Department: Administrative</b>	
<b>Prepared By: Richard Tramm</b>	<b>Exhibits: MEDC ByLaws excerpt stating Number, Qualifications and Tenure of Directors of the MEDC; MEDC Director Applications</b>
<b>Date Prepared: January 8, 2020</b>	

**Subject**

Consideration and possible action regarding appointment of the Montgomery EDC Board of Directors for a two-year term currently held by: Cheryl Fox, Bill Hanover and Tom Cronin.

**Description**

The City has received applications for the MEDC Director positions from multiple candidates who are seeking appointment to the Montgomery Economic Development Corporation Board of Directors. A copy of the requirements to serve in these positions, as outlined in Article III of the of the MEDC ByLaws, is included for your review along with the applications received.


Bill Hanover has advised me that he is not seeking to be reappointed to this position. Tom Cronin and Cheryl Fox have both completed and turned in applications for reappointment.

**Recommendation**

Please consider the applicants for the three expiring terms that meet the qualifications for the position.

Please note that at least one of the positions up for renewal must be filled with a current member of the City's governing body (Mayor or member of City Council) and Councilman Tom Cronin is among the applicants.

**Approved By**

City Administrator	Richard Tramm 	Date: 01/09/2020



## Management of the Corporation

3.1 The affairs of the Corporation shall be managed by the Board of Directors.

### Number, Qualifications and Tenure of Directors

3.2 The Board of Directors shall consist of seven members appointed by the City Council of the City of Montgomery, Texas, for staggered two year terms of office. At least three (3) directors shall be persons who are not employees, officers or members of the governing body of the City of Montgomery, Texas. Two (2) directors shall be members of the governing body of the City. The terms of four (4) directors shall begin on January 1 of each odd numbered year and expire on December 31 of the next following odd numbered year. The terms of three (3) directors shall begin on January 1 of each even numbered year and expire on December 31 of the next following even numbered year. All directors of the Corporation shall be residents of the County of Montgomery with the majority being residents of the City of Montgomery.

### Vacancies

3.3 A vacancy occurring upon the Board of Directors shall be filled for the unexpired term, as appointed by the City Council.

### Annual Meeting

3.4 The annual meeting of the Board of Directors shall be held during January of each fiscal year. The Board of Directors shall designate the time and location of the annual meeting which shall be held in the principal offices of the corporation.

### Regular Meetings

3.5 The Board of Directors may provide for regular meetings by resolution stating the time and place of such meetings. The meeting shall be held within the City of Montgomery, Texas, at the principal offices of the corporation or at such other location as the Board of Director may designate.

### Special Meetings

3.6 Special meetings of the Board of Director may be called at the request of the president or any two directors. A person or persons calling the meeting shall fix the time and location of the meeting, which meeting shall be conducted within the City of Montgomery, Texas. The person or persons calling a special meeting shall notify the secretary of the Corporation of the information required to be included in the notice of the meeting. In addition to the posting of a meeting notice in accordance with these Bylaws, a copy of each such meeting notice shall be delivered to each director not less than seventy two hours before the time of the meeting. A meeting notice shall be deemed delivered to any director when deposited in the United States mail addressed to the director at his or her address as it appears on the records of

**City of Montgomery  
Application for Consideration of Appointment**

Name of Board/Commission/Committee: Montgomery Economic Development Corp.

Name: Billingsley Kristen N.  
(Last) (First) (Middle)

Home Address: 1166 Harley Dr. Montgomery 77356 936-203-2383  
(Street) (Home Phone No.)

Email Address: kristen@directbus.com

Mailing Address: 1166 Harley Dr. Montgomery 77356 ph. 800-505-2300  
fax-936-344-9963  
(Business Phone /Fax)

Employer: Heavy Duty Bus Parts, Inc. 77850 I-45N. Willis, TX 77318  
(Name/Address)

Occupation: President of HDBP/Business Owner KB's & Studio 308

Do you live inside the city limits of Montgomery? \* Yes  No  If So, How Long? 4/2015

Are you a business owner/operator/employee in the City of Montgomery? \* Yes  No

If So, How Long? 9/2017 Name of Business KB's & Studio 308

So the council may know more about you, please complete the following:

Education: BA Family & Consumer Sciences, Minor in Art from SHSU.

Related Experience/Community Service: I have been a resident of Montgomery County for 41 years and been involved in community activities, employee of local banks & businesses, owned businesses and volunteered for the Montgomery County Fair Assoc for 11 years.

Areas of Interests Related to this Committee: Building community by being involved in the city's growth and betterment of The City of Montgomery.

Please specify membership on any other governmental board/commission/committee:

Have not participated in any governmental boards, only local boards and committees.

Please provide a brief narrative outlining your reasons for seeking appointment to this board/commission.

To assist in uniting partners) the city, local business owners and residents to grow our community to be a success. Appreciate your consideration

  
Signature

1/08/2020  
Date

\*Some (not all) boards/commissions/committees require members to reside within the city limits.  
Please return completed form to the City Secretary's office for processing, P.O. Box 708 (mailing); 101 Old Plantersville Rd. (physical), Montgomery, TX 77356. Your application will be kept on file for 12 months.  
NOTE: When filed at city hall, this will become a public document that may be disclosed per the Texas Public Information Act.  
NOTE: The city council will receive only this page of information; no attachments will be retained or forwarded.

1/2/2020  
JK

City of Montgomery  
Application for Consideration of Appointment

Name of Board/Commission/Committee: MEDC

Name: Cronin Thomas F  
(Last) (First) (Middle)

Home Address: 501 Louisa Montgomery 77316  
(Street) (Home Phone No.)

Email Address: Tom@cozygrape.com 281-948-9205

Mailing Address: Same

Employer: Self (Business Phone /Fax)  
(Name/Address)

Occupation: Biz Owner

Do you live inside the city limits of Montgomery?\* Yes  No  If So, How Long? 7.5 yrs

Are you a business owner/operator/employee in the City of Montgomery?\* Yes  No

If So, How Long? 7.5 years Name of Business Cozy Grape

So the council may know more about you, please complete the following:

Education: BA 04 Crim Justice/Pol Sci

Related Experience/Community Service: Current Council Member,  
Current MEDC Member,

Areas of Interests Related to this Committee: Downtown Revitalization

Please specify membership on any other governmental board/commission/committee:

Council  
MEDC

Please provide a brief narrative outlining your reasons for seeking appointment to this board/ commission.

As a biz owner, I care how our tax \$ & are  
spent both effectively & efficiently

Thomas Cronin  
Signature

1/2/2020  
Date

\*Some (not all) boards/commissions/committees require members to reside within the city limits.  
Please return completed form to the City Secretary's office for processing, P.O. Box 708 (mailing); 101 Old Plantersville Rd. (physical), Montgomery, TX 77356. Your application will be kept on file for 12 months.  
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Rec'd R7  
01-08-2020

City of Montgomery  
Application for Consideration of Appointment

Name of Board/Commission/Committee: MEDC

Name: Drummond Kambra Reid  
(Last) (First) (Middle)

Home Address: 275 Wedgewood Dr (Street) (Home Phone No.)

Email Address: kamdrummond46@gmail.com

Mailing Address: 14363 Liberty St. 2815413426  
(Business Phone /Fax)

Employer: Self  
(Name/Address)

Occupation: Retail Sales & Management

Do you live inside the city limits of Montgomery?\* Yes \_\_\_ No  If So, How Long? \_\_\_

Are you a business owner/operator/employee in the City of Montgomery?\* Yes  No \_\_\_

If So, How Long? 4 yrs Name of Business Bustic Cashmere

So the council may know more about you, please complete the following:

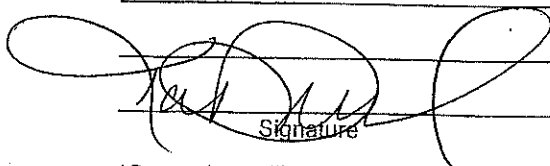
Education: Graduated High School and Completed some College

Related Experience/Community Service: please see attached information

Areas of Interests Related to this Committee: \_\_\_\_\_

Please specify membership on any other governmental board/commission/committee: \_\_\_\_\_

Please provide a brief narrative outlining your reasons for seeking appointment to this board/commission. \_\_\_\_\_

  
Signature

1-8-2020  
Date

\*Some (not all) boards/commissions/committees require members to reside within the city limits.  
Please return completed form to the City Secretary's office for processing, P.O. Box 708 (mailing); 101 Old Plantersville Rd. (physical), Montgomery, TX 77356. Your application will be kept on file for 12 months.  
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Kambra Drummond

City of Montgomery

Application for Consideration of Appointment (Continued)

**Related Experience/Community Service:**

I am the owner and operator of Rustic Cashmere Café & Gifts and am partnered with Liberty Bell Antiques the oldest established business in the Historic District of Montgomery. I am the Vice President of the Historic Montgomery Business Association. I have been a member of this organization since I opened my business here. I am the Chairperson of the Montgomery Antiques Festival which is the longest running annual event in the City. I have held this position for the last 3 years. Each year the Festival has grown and been more successful under my coordination. In addition to the annual festival I coordinate the monthly Sip n Stroll Farmers Market and the bi-monthly Sunday Market. With all of these events I work with the City and the vendors making sure that we are following all the rules that apply. I must keep track of all licensing, certifications and permits in addition to staying in contact with over 400 vendors with the mentioned events. I am dedicated to these events because they continue to bring new visitors and revenue to our incredible city.

**Areas of Interest Related to this Committee:**

I am passionate and dedicated to seeing Montgomery thrive, businesses and citizens alike. All of our businesses depend on the citizens and the successful growth of our community. I am welcome to any new and positive expansion in our city which will help and benefit our community as a whole.

**Please specify membership on any governmental board/commission/committee:**

As mentioned above, I am the Vice President of the HMBA and have numerous responsibilities associated with that position. In the past I have held numerous volunteer positions on PTO, PTA and Booster Clubs as well as working with conservation organizations. My positions ranged from Hospitality Coordinator, to Secretary, to Treasurer. With all of these different positions I worked with a budget, usually a very small one and was held accountable for all monies raised and appropriated. In any fundraising compacity, any goal presented was achieved and then some!

**Please provide a brief narrative outlining your reasons for seeking appointment to this board:**

Experience in running a successful business and coordinating profitable events are my strong suite. I am well versed in social media platforms and have an eye for detail and a great memory. I like challenges and I have the ability to work well with others. Finding solutions to the challenges that our growing city presents will benefit us all. I look forward to the opportunity to work with the rest of the MEDC board to further the growth and profitability of our Historic City.

12/18/2019  
[Signature]

City of Montgomery  
Application for Consideration of Appointment

Name of Board/Commission/Committee: MEDC

Name: Easley Arnette None  
(Last) (First) (Middle)

Home Address: 15273 Liberty St Montgomery TX 77356  
(Street) (Home Phone No.)

Email Address: arnetteasley@aol.com

Mailing Address: 2257 N Loop 336 W #140334 Conroe TX 77304  
(Business Phone /Fax)

Employer: Easley Enterprises Of TX, Inc 936 718 7860  
(Name/Address)

Occupation: Commercial Janitorial Service

Do you live inside the city limits of Montgomery?\* Yes X No     If So, How Long? 59 yr

Are you a business owner/operator/employee in the City of Montgomery?\* Yes X No    

If So, How Long? 25 Name of Business Easley Enterprises Of TX Inc

So the council may know more about you, please complete the following:

Education: Montgomery High School

Related Experience/Community Service: ① Planning + Zoning  
② Montgomery County United 501(c)3 serving the needs of the elderly, shut in, and lower income families  
③ member of King David Lodge # 2500

Areas of Interests Related to this Committee: Infrastructure, Affordable housing, Bringing in more business to the city and more development to the city.

Please specify membership on any other governmental board/commission/committee:  
Planning + Zoning Committee

Please provide a brief narrative outlining your reasons for seeking appointment to this board/commission.

I am very passionate about <sup>our</sup> my city and very concerned about its future. We have to make great decisions about growth and the overall well being of our city. <sup>By serving on this board, I can help make good decisions that can help achieve this goal</sup>

Arnette Easley 12/18/2019  
Signature Date

\*Some (not all) boards/commissions/committees require members to reside within the city limits.  
Please return completed form to the City Secretary's office for processing, P.O. Box 708 (mailing); 101 Old Plantersville Rd. (physical), Montgomery, TX 77356. Your application will be kept on file for 12 months.  
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RECEIVED BY: *JR*  
JAN 06 2020  
AUTUMN REDMAN  
City of Montgomery

City of Montgomery  
Application for Consideration of Appointment

*Copy*

Name of Board/Commission/Committee: MEDC  
Name: FOX Cheryl BAUDAT  
(Last) (First) (Middle)  
Home Address: 821 STEWART ST 936525-8856  
(Street) (Home Phone No.)  
Email Address: FOXINSURANCE&CONSOI@AIG.COM  
Mailing Address: PO Box 600 Montgomery 77356  
(Business Phone /Fax)  
Employer: Retired Insurance Agent / owner 26 yrs  
(Name/Address)  
Occupation: Retired

Do you live inside the city limits of Montgomery?\* Yes X No     If So, How Long? 40 yrs  
Are you a business owner/operator/employee in the City of Montgomery?\* Yes     No X  
If So, How Long?     Name of Business    

So the council may know more about you, please complete the following:

Education: Attended SAM HOUSTON DMO - LUTCF (INSURANCE)  
Related Experience/Community Service: TREASURE - Montgomery  
Circle Club - TREASURE - GARDEN CLUB

Areas of Interests Related to this Committee: Betterment for the  
City of Montgomery

Please specify membership on any other governmental board/commission/committee:  
NONE AT THIS TIME

Please provide a brief narrative outlining your reasons for seeking appointment to this board/ commission.

To help make the City of Montgomery  
a better place to live and visit

Cheryl Fox 1/6/2020 1/6/2020  
Signature Date

\*Some (not all) boards/commissions/committees require members to reside within the city limits.  
Please return completed form to the City Secretary's office for processing, P.O. Box 708 (mailing); 101 Old Plantersville Rd. (physical), Montgomery, TX 77356. Your application will be kept on file for 12 months.  
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12/30/19  
AC

City of Montgomery  
Application for Consideration of Appointment

Name of Board/Commission/Committee: MEDC

Name: Nash Karla Petersen

Home Address: 26981 Mock Lane 8324657867

Email Address: Karla.p.nash@gmail.com

Mailing Address: same as above

Employer: On The Ceargle, LLC

Occupation: Business owner

Do you live inside the city limits of Montgomery?\* Yes \_\_\_ No  If So, How Long? \_\_\_

Are you a business owner/operator/employee in the City of Montgomery?\* Yes \_\_\_ No

If So, How Long? \_\_\_ Name of Business \_\_\_

So the council may know more about you, please complete the following:

Education: BS - university of Wisconsin - Platteville, MA VT Pan Am

Related Experience/Community Service: past Chamber board member in Montgomery, Humble + Escanaba, MI. Past board member American Heart Association, American Cancer society, YMCA of Delta Co. MI, past Kiwanian + Rotarian

Areas of Interests Related to this Committee: Downtown Revitalization, fiscal responsibility, tourism

Please specify membership on any other governmental board/commission/committee:

Please provide a brief narrative outlining your reasons for seeking appointment to this board/ commission.

I have lived in Montgomery since 2008 + owned a business in downtown for 10 years. I currently have time to commit and want to be an involved member of The Community

Karla Petersen  
Signature

12/26/19  
Date

\*Some (not all) boards/commissions/committees require members to reside within the city limits. Please return completed form to the City Secretary's office for processing, P.O. Box 708 (mailing); 101 Old Plantersville Rd. (physical), Montgomery, TX 77356. Your application will be kept on file for 12 months. NOTE: When filed at city hall, this will become a public document that may be disclosed per the Texas Public Information Act. NOTE: The city council will receive only this page of information; no attachments will be retained or forwarded.



JAN 07 2020

City of Montgomery  
Application for Consideration of Appointment

AUTUMN REDMAN  
City of Montgomery

Name of Board/Commission/Committee: MEDC

Name: WALKER DANIEL "Dan" E  
(Last) (First) (Middle)

Home Address: 607 WORSHAM ST. 281-932-4117  
(Street) (Home Phone No.)

Email Address: DRDEWSOLD@GMAIL.COM

Mailing Address: 607 WORSHAM ST. MONTGOMERY TX 77216  
(Business Phone /Fax)

Employer: AUTONATION SPRING 21027 I-45 N SPRING TX 77388  
(Name/Address)

Occupation: COMMERCIAL/FLEET MANAGER "CHRYSLER PRODUCTS"

Do you live inside the city limits of Montgomery?\* Yes  No  If So, How Long? 8 mo.

Are you a business owner/operator/employee in the City of Montgomery?\* Yes  No

If So, How Long? N/A Name of Business N/A

So the council may know more about you, please complete the following:

Education: 2 YEAR ASSOCIATES DEGREE

Related Experience/Community Service: REALTOR/BROKER SINCE 1985-CURRENT, LAND DEVELOPER/MANAGING PARTNER 22 YRS, CITY OF WOODBRANCH VILLAGE ALDERMAN/MAYOR PRO TEM 83-93, PEACE OFFICER 23 YRS "RETIRED 05"

Areas of Interests Related to this Committee: BUILDING STANDARDS, STREETS, DRAINAGE, EVENTS

Please specify membership on any other governmental board/commission/committee:

NONE

Please provide a brief narrative outlining your reasons for seeking appointment to this board/commission.

TO BE MORE INVOLVED IN THE COMMUNITY, THAT I LIVE.  
TO BE PART OF PRESERVING THE HISTORY AND CHARM, THIS CITY OFFERS,  
WITHOUT HINDERING COMMON SENSE GROWTH.

D. Walker  
Signature

1-6-2020  
Date

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Rand. 1/2/20

City of Montgomery  
Application for Consideration of Appointment

Name of Board/Commission/Committee: MEDC

Name: Zamarripa Marisa Ann  
(Last) (First) (Middle)

Home Address: 27 Balboa Rd 9365208813  
(Street) (Home Phone No.)

Email Address: MarisaZamarripa@yahoo.com

Mailing Address: PO Box 741 Montgomery TX 77354 936597-6733  
(Business Phone /Fax)

Employer: Phil's Roadhouse 14075 Liberty Street  
(Name/Address)

Occupation: owner

Do you live inside the city limits of Montgomery?\* Yes \_\_\_ No X If So, How Long? \_\_\_

Are you a business owner/operator/employee in the City of Montgomery?\* Yes X No \_\_\_

If So, How Long? 15 years Name of Business Phil's Roadhouse

So the council may know more about you, please complete the following:

Education: College

Related Experience/Community Service: 4-H, Willis ISD

yes to youth, Dobe loves of tx, chance to bloom Dog Rescue

Areas of Interests Related to this Committee: All

Please specify membership on any other governmental board/commission/committee:

none at this time

Please provide a brief narrative outlining your reasons for seeking appointment to this board/ commission.

want to be more involved with city.

Marisa Zamarripa  
Signature

12.27.19  
Date

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Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: January 14, 2020</b>	<b>Budgeted Amount: N/A</b>
<b>Department: Administrative</b>	
<b>Prepared By: Richard Tramm</b>	<b>Exhibits: Membership and appointment of the Planning and Zoning Commission; P&amp;Z Commissioner Applications</b>
<b>Date Prepared: January 8, 2020</b>	

**Subject**

Consideration and possible action regarding appointment of the Planning and Zoning Commission Board Members for a two-year term currently held by: Place 1 – Arnette Easley, Place 3 – Carol Langley and Place 5 – Jeffrey Waddell.

**Description**

The City has received applications for the P&Z Commission positions from multiple candidates who are seeking appointment to the Montgomery P&Z Board. A copy of the requirements to serve in these positions, as outlined in City of Montgomery Code of Ordinances, Sec 98-50, is included for your review along with the applications received.

Arnette Easley has advised me that he is not seeking to be reappointed to this position. Carol Langley and Jeffrey Waddell have each completed and turned in applications for appointment.

**Recommendation**

Please consider the applicants for the three expiring terms that meet the qualifications for the position.

**Approved By**

City Administrator	Richard Tramm <i>RT</i>	Date: 01/09/2020

## Sec. 98-50. - Membership and appointment.

The planning and zoning commission shall be composed of five qualified individuals. These individuals shall be residents of the city, and be registered to vote in city elections. The city council will consider for appointment to the commission only those persons who have demonstrated their civic interest, general knowledge of the community, independent judgment, interest in planning and zoning, and availability to prepare for and attend meetings. It is the intent of the city council that members shall, by reason of their diversity, constitute a commission, which is broadly representative of the community. For purposes of planning, the membership is encouraged to regularly include non-voting individuals, as may be appropriate, at their meetings to provide specific areas of expertise. Any member of the commission who has two consecutive absences without justification may be removed from the commission by the city council and the vacancy treated as an unexpired term. Any member of the commission may be removed for just cause upon recommendation from the chairperson of the commission and approval of the city council and the vacancy treated as an unexpired term. At least one member of the commission shall be a member of the board of adjustment.

( Ord. No. 2014-03, § 1, 5-20-2014)

Rec'd.  
1/7/20  
JR

City of Montgomery  
Application for Consideration of Appointment

Name of Board/Commission/Committee: Planning and Zoning Commission

Name: Shutzman Britnee Jo  
(Last) (First) (Middle)

Home Address: 219 Bessie Price Owen Dr. (209) 329-6005  
(Street) (Home Phone No.)

Email Address: britneejo88@gmail.com

Mailing Address: 219 Bessie Price Owen Dr., Montgomery, TX 77356  
(Business Phone /Fax)

Employer: n/a  
(Name/Address)

Occupation: n/a

Do you live inside the city limits of Montgomery?\* Yes X No \_\_\_ If So, How Long? 2 years

Are you a business owner/operator/employee in the City of Montgomery?\* Yes \_\_\_ No X

If So, How Long? \_\_\_\_\_ Name of Business \_\_\_\_\_

So the council may know more about you, please complete the following:

Education: UC DAVIS - 2010 (B.S. - Environmental Policy Analysis & Planning); TEXAS A&M - 2012 (Master's - Public Service & Administration)

- Related Experience/Community Service: Interned w/ San Joaquin Co. Planning Dept. (exposed to development code enforcement and community development)
- led research project for Houston-Galveston Area Council (examined impediments to affordable housing development and how to encourage future development)
- Commercial real estate appraiser (2012-2018) (experienced highest and best use analysis, real estate cycles and trends, valuation analysis, and right-of-way projects)
- current candidate for designation with the Appraisal Institute ('highest designation among real estate appraisers')

Areas of Interests Related to this Committee: I am interested in helping to cultivate a long-term growth plan for the City of Montgomery. I am also interested in ensuring congruent development aimed at maintaining the rich historical heritage of this small town.

Additionally, I am also interested in overseeing the marriage of local zoning and development restrictions with the rights of local property owners.

Please specify membership on any other governmental board/commission/committee:  
none to date

Please provide a brief narrative outlining your reasons for seeking appointment to this board/commission.

I am seeking appointment to this board to take an active role in this community's development and future. City planning and community development have long been of interest to me, but I have always wanted to be involved in local government - the bedrock of America's public sector. I believe this board is one of the most fundamental to the success of any community and its

Britnee Shutzman (Signature) 01/07/2020 (Date) (Cont.)

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residents. Approving new development and ensuring code compliance of existing development is vital not only to the aesthetic appeal of the community, also its economic viability in maintaining and attracting new and future development.

It would be an honor to serve on this board understanding its importance in guiding current and future development of this community.

Rec'd 8/26/19

City of Montgomery  
Application for Consideration of Appointment

Name of Board/Commission/Committee: Planning & Zoning

Name: Langley Carol L  
(Last) (First) (Middle)

Home Address: 1022 College St. 936-597-6085  
(Street) (Home Phone No.)

Email Address: carol.langley.l@hotmail.com

Mailing Address: PO Box 56

Employer: Jim's Hardware 14460 Liberty St., Mont. TX  
(Name/Address) (Business Phone /Fax)

Occupation: Office Clerk

Do you live inside the city limits of Montgomery?\* Yes  No  If So, How Long? 39 years

Are you a business owner/operator/employee in the City of Montgomery?\* Yes  No

If So, How Long? \_\_\_\_\_ Name of Business \_\_\_\_\_

So the council may know more about you, please complete the following:

Education: Nansota ISD K-12

Related Experience/Community Service: worked for The City of Montgomery for 24 years.  
Montgomery Historical Society

Areas of Interests Related to this Committee: concerns for the future of Montgomery; traffic, streets, business, development of areas;

Please specify membership on any other governmental board/commission/committee:  
Alternate to Board of Adjustment

Please provide a brief narrative outlining your reasons for seeking appointment to this board/commission.

I feel I have knowledge to help with zoning and the planning of my town.

Carol Langley  
Signature

8/20/19  
Date

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*Randy*

City of Montgomery  
Application for Consideration of Appointment

Name of Board/Commission/Committee: Adjustments (~~me~~ / PNZ)

Name: ~~Edward~~ Miller Edward Kelcy  
(Last) (First) (Middle)

Home Address: 113 Anna Springs Lane (936) 449-1125  
(Street) (Home Phone No.)

Email Address: gs8mill@gmail.com

Mailing Address: 113 Anna Springs Lane, Montgomery, TX 77356  
(Business Phone /Fax)

Employer: N/A  
(Name/Address)

Occupation: Retired

Do you live inside the city limits of Montgomery?\* Yes  No  If So, How Long? 4 yrs

Are you a business owner/operator/employee in the City of Montgomery?\* Yes  No

If So, How Long? \_\_\_\_\_ Name of Business \_\_\_\_\_

So the council may know more about you, please complete the following:

Education: Master of Arts / BS Industrial Technology

Related Experience/Community Service: HOA Architectural Committee  
Conducted management improvement studies at United States Air Force bases. Principal Contract Administrator for a leading aerospace defense contractor.

Areas of Interests Related to this Committee: Interpretation of unclear provisions in ~~ordinances~~ Ordinances and regulations.

Please specify membership on any other governmental board/commission/committee:  
USAF Officer

Please provide a brief narrative outlining your reasons for seeking appointment to this board/commission.

I can provide the Board with logical, unbiased views; thus helping the body to arrive at a fair and equitable decision on applications set before it.

Edward K. Miller  
Signature

19 June 2019  
Date

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Rec'd 12/9/19  
JK

City of Montgomery  
Application for Consideration of Appointment

Name of Board/Commission/Committee: PLANNING & ZONING

Name: WADDELL JEFFREY W.  
(Last) (First) (Middle)

Home Address: 139 ANNA SPRINGS LN. MONTGOMERY 936-520-1239  
(Street) (Home Phone No.)

Email Address: JEFFWADDELL54@GMAIL.COM

Mailing Address: SAME  
(Business Phone /Fax)

Employer: RETIRED  
(Name/Address)

Occupation: ''

Do you live inside the city limits of Montgomery?\* Yes  No  If So, How Long? 6 YEARS

Are you a business owner/operator/employee in the City of Montgomery?\* Yes  No

If So, How Long? --- Name of Business ---

So the council may know more about you, please complete the following:

Education: BACH. GENERAL STUDIES / BUSINESS COMMUNICATIONS

Related Experience/Community Service: UNIVERSITY OF MIAMI, FLORIDA  
PROPERTY MANAGEMENT / MAINTENANCE  
HOME CONSTRUCTION EXPERIENCE  
HOA BOARD MEMBER

Areas of Interests Related to this Committee: DOWN TOWN IMPROVEMENTS,  
CODE ENFORCEMENT, QUALITY OF LIFE GOALS  
FOR THE AREA AND OUTDOOR RECREATION/WALKABILITY.

Please specify membership on any other governmental board/commission/committee:  
PARK IMPROVEMENT COMMITTEE, BUFFALO SPRINGS  
NEIGHBORHOOD, MONTGOMERY, TX.

Please provide a brief narrative outlining your reasons for seeking appointment to this board/ commission.  
USE OF COMMUNICATION SKILLS AND TEAM BUILDING  
TO HELP THE CITY GROW, FOCUSED ON QUALITY  
PROGRESS AND IMPROVEMENTS. HISTORIC DOWNTOWN  
PRESERVATION AND MAINTAINING THE CHARACTER.

Jeff Waddell  
Signature

12/9/19  
Date

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