

# NOTICE OF SPECIAL TELEPHONE/VIDEO CONFERENCE MEETING

March 22, 2021

## MONTGOMERY PLANNING AND ZONING COMMISSION

STATE OF TEXAS

AGENDA

COUNTY OF MONTGOMERY

CITY OF MONTGOMERY

**NOTICE TO THE PUBLIC IS HEREBY GIVEN** in accordance with the order of the Office of the Governor issued March 16, 2020, the Montgomery Planning and Zoning Commission will conduct its Special Meeting scheduled for **5:00 p.m. on Monday, March 22, 2021**, at City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas via Zoom Teleconferencing.

This meeting will be closed to in-person attendance by the public. A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. Telephonic and videoconferencing capabilities will be utilized to allow individuals to address the Commission. *Members of the public who wish to submit their written comments on a listed agenda item must submit their comments by email to [dmccorquodale@ci.montgomery.tx.us](mailto:dmccorquodale@ci.montgomery.tx.us) by 3:00 p.m. on March 22, 2021.*

Members of the public are entitled to participate remotely via Zoom Teleconferencing. Citizens may join the Zoom Meeting by logging on at: <https://us02web.zoom.us/j/89022688894> Meeting ID **890 2268 8894**. They may also join by calling (346) 248-7799 and entering the Meeting ID: **890 2268 8894**. The Meeting Agenda Pack will be posted online at [www.montgomerytexas.gov](http://www.montgomerytexas.gov). The meeting will be recorded and uploaded to the City's website.

*Notice - any person(s) using profane, abusive, or threatening language may result in them being removed from the Teleconference Meeting.*

### **CALL TO ORDER**

### **VISITOR/CITIZENS FORUM**

Any citizen with business not scheduled on the agenda may speak to the Commission. Prior to speaking, each speaker must be recognized by the Chairman. The Commission may not discuss or take any action on any item but may place the issue on a future agenda.

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

1. Consideration and possible action regarding new perimeter fencing for the Montgomery Old Cemetery at 310 Pond Street in the Historic Preservation District.

### **COMMISSION INQUIRY:**

Pursuant to Texas Government Code Sect. 551.042 the Planning & Zoning Commission 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.

**EXECUTIVE SESSION:**

The Planning and Zoning Commission 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), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Government Code of the State of Texas. *(There are no items at this time.)*

**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 19th day of March 2021 at 2:40 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 Planning and Zoning Commission  
**AGENDA REPORT**

<b>Meeting Date: March 22, 2021</b>	<b>Budgeted Amount: N/A</b>
<b>Prepared By: Dave McCorquodale</b>	<b>Exhibits: Site plan and documents from Montgomery Historical Society</b>

**Subject**

Consideration and possible action regarding new perimeter fencing for the Montgomery Old Cemetery at 310 Pond Street in the Historic Preservation District.



**Description**

The Montgomery Historical Society, who owns the cemetery, is planning to replace the existing chain link fence that surrounds the cemetery with a new 4-foot height wrought iron fence. The property is in the Historic Preservation District and all exterior modifications must be approved by the Planning & Zoning Commission.

**Recommendation**

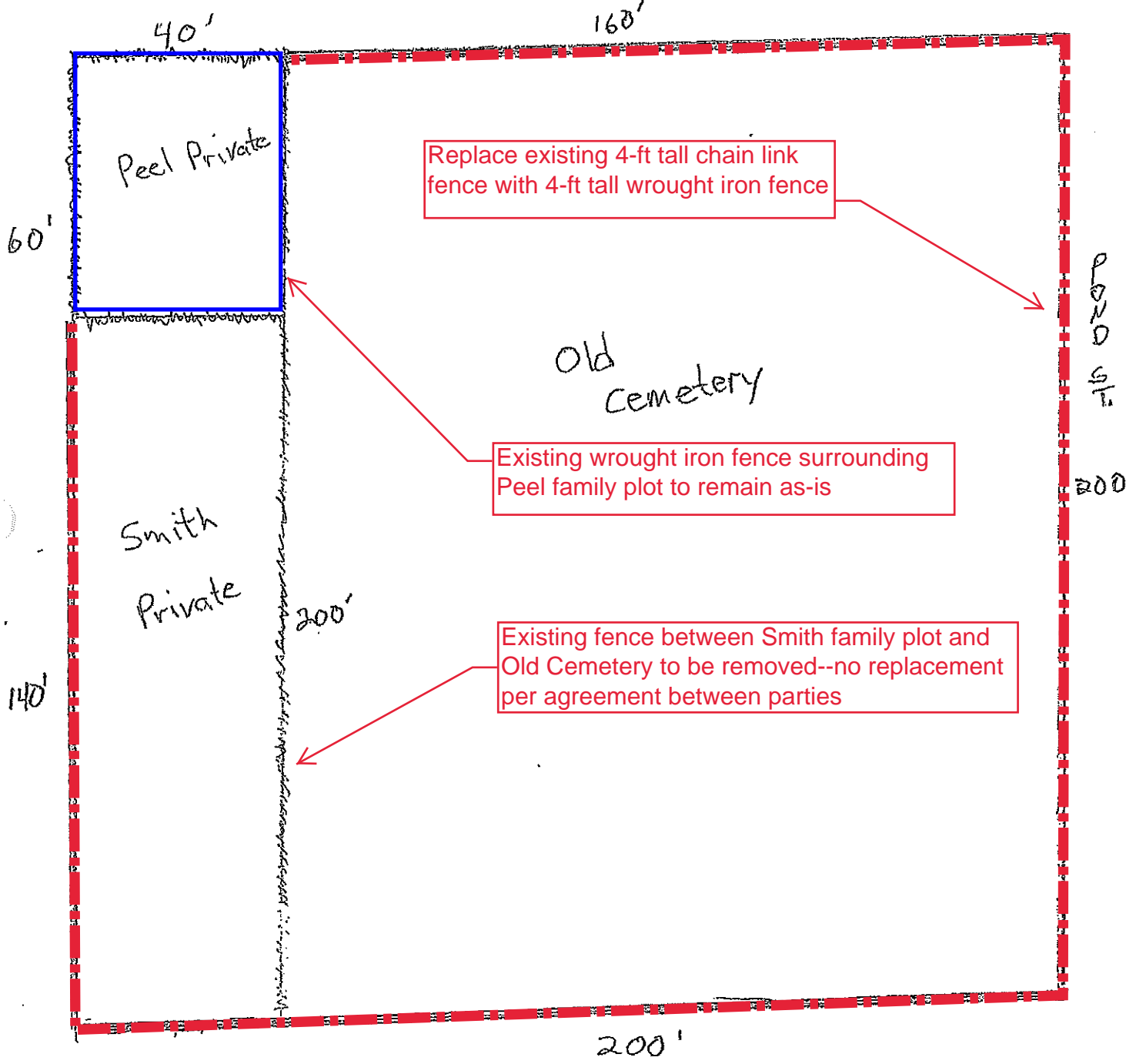
Consider the information and approve or deny the request to replace the fencing.

**Approved By**

Asst. City Administrator	Dave McCorquodale 	Date: 03/19/2021
City Administrator	Richard Tramm 	Date: 03/19/2021

Lutheran Church

N



W - 140'

E - 200'  
N - 160'  
S - 200'

200'

S

HWY 105



## The Old Montgomery Cemetery Community Improvement Project

### Justification and Scope

The historic district in downtown Montgomery is a pleasant, interesting destination for many visitors and school children learning about the town's history. In addition, hundreds of people drive through our city each day. Several years ago, Montgomery city leaders passed an ordinance that was intended to identify and preserve the historic ambiance of the center of the city through a zoning overlay. Part of the intentions were to assure that existing and new architectural elements met somewhat nonspecific recommendations intending to preserve or give the area a certain look. The chain link fence surrounding one of our most historic treasures is not appealing and does not coincide with the intended ambiance of the area. No doubt, the fence is not intended to keep anyone in or out, but does serve as boundary markers for one of the most historic sites in the city. Also, a visual upgrade in this area would coincide with the intentions of the recently adopted City of Montgomery Comprehensive Plan and the rejuvenation of the downtown.

The BSA Troop 491 Eagle Scout project involving a fence replacement project at the New Montgomery Cemetery next to City Hall provides inspiration to undergo a similar project at the Old Cemetery. There have been discussions about this in the past, but there was always a question of who is in charge of the cemetery. Although the Old Cemetery belongs to the entire community, the land ownership has been deeded to the Montgomery Historical Society from the First United Methodist Church, the original owners. The proposal would be to remove the existing chain length fence and replace it with an ornamental wrought iron fence. Wrought iron fencing exists in various locations within the cemetery and the adjacent private section, and there are other wrought iron elements at the Living Savior Church and nearby to the north at the Clover property and others.

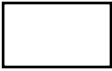
There are several community organizations that should have a vested interest as well as an interest in participating financially in such a project. These organizations may include Montgomery County Historical Commission, Montgomery Historical Society, First Methodist Church of Montgomery, Living Savior Lutheran Church, and Montgomery Economic Development Corporation.

This undertaking is too large for an Eagle Scout project, and funding sources would likely be the same. Bids from reputable companies have been submitted, and are summarized on an attachment. Some discussions in the past have included a much more decorative vision (attached rendering) for the appearance of the cemetery, but that is not likely to happen in the near future and is not even considered within the scope of this proposal. Fencing installed now can be used as part of a future, more comprehensive project.

The present project proposal would involve the removal and replacement of about 700 linear feet of fence. This includes all existing chain link fencing throughout the cemetery. The new fence would be







about four feet tall with decorative picket caps similar to the fence at the New Cemetery. Installation should occur on the exact line as the existing fence; therefore, no surveys will be needed. Also, there should be no further disruption of known and unknown gravesites. The existing fence between the public and private sections will be removed but not replaced per an agreement between the Historical Society and the owners of private section. Drive-through gates (mowers) and walk-through gates will be installed in the approximate locations of existing gates.

**Pricing and Funding**

This project has been considered for several months, and was put on hold because of COVID-19 issues. Three bids were received, but only one contractor followed up and came to visit the project site. This contractor also provided the lowest initial bid. More recently, the lowest initial bidder has submitted updated pricing (December 2020, **March 2021**). Using the pricing from this contractor along with a small change in scope of the project, the following costs are reflected:

**Note: Numbers in red represent current pricing due to increase cost of steel.**

Remove and dispose old fence	@	450	450
Install 700 linear feet new fence	@	15,400	16,200
Install 3 walk-through gates	@	378	473
Install 2 drive-through gates	@	538	673
<b>TOTAL</b>		<b>\$16,766</b>	<b>\$17,796</b>

The Living Saviour Lutheran Church has agreed to share in the cost of the project to the extent of the section of the fence that borders their property. This part of the project is 160 linear feet plus one walk through gate for a total of \$3,838 **\$3,961**.

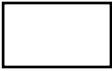
The Montgomery Historical Society is seeking partial funding from the Montgomery Economic Development Corporation in the amount of:

Total Project	16,766	17,796
Lutheran Church participation	3,838	3,961
Historic Society participation	3,428	5,539
<b>Requested MEDC participation</b>	<b>9,500.</b>	<b>9,500</b>

**Other Notes**

The contractor indicates that the availability of steel is becoming scarce in the very near future causing 6-8 month delays in acquisitions along with subsequent price increases. In fact, the bid for the project will increase by about \$4,000 in February-March.





There will be no direct economic impact to the City with regards to tax revenue increases or local jobs created. However, the benefits to the overall ambiance of the downtown area will be dramatic as described above at a relatively low cost.

### OLD CEMETERY FENCE BID SUMMARY

#### Specifications

Remove and discard old fencing

760 linear feet (original bid scope)

Galvanized, powder-coated 16 gauge steel 2X2" posts and panels

Galvanized, powder-coated steel brackets and fasteners

4X4" corner posts

Four feet tall panels, 5/8" extended pickets with decorative caps

Three 36" walk-through gates

Two 72" drive-through gates (mower)

Posts set 36" deep in concrete

#### Contractor

All materials and labor described above will be provided by Titan Fence Company (Mr. Daran Free).

#### Original Bids 2019

	Titan Fence Co.	W5 Fabrication	360 Fence Co.
Total	17,407*	24,000**	23,950

\*Includes 8.15% discount for historical heritage project. This is the only contractor that visited the site.

\*\*Does not include removal of old fence

The scope of work has changed some since this original bid. The purpose of the above is to show relative differences between competitive bids.

