

MINUTES OF THE  
CONROE CITY COUNCIL

JANUARY 11 & 12, 2017

CALL TO ORDER  
CALL OF ROLL

PRESENT: Mayor Powell  
Mayor Pro Tem Coon  
Council Members Gibson, Martin, Ham, and Snider  
City Attorney Marcus Winberry  
City Administrator Paul Virgadamo  
City Secretary Soco M. Gorjón

Mayor Powell recognized Officer Ryan Rekart for his 8 years of service.

After a roll call by the City Secretary establishing a quorum was present, the workshop meeting was called to order at 2:00 p.m. by Mayor Powell.

The meeting agenda, which was posted in accordance with the Texas Government Code, Chapter 551, was presented.

Agenda folders containing data relating to agenda items had been furnished to Council Members prior to the meeting of the Council.

Agenda items were considered by the Council. The action taken concerning such item is shown on the official Council Action Sheet attached hereto and made a part of these Minutes.

After all business properly brought before the Council had been considered, City Council adjourned.

  
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Toby Powell, Mayor

ATTEST:

  
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Soco M. Gorjón, City Secretary

## OFFICIAL MINUTES OF THE CONROE CITY COUNCIL

### CHAPTER 102 – TREE ORDINANCE – MY STORAGE LOCKER #2

Community Development Director Nancy Mikeska asked Council to consider a variance or exception or mitigation to Chapter 102, Vegetation, of the City Code of Ordinances, AKA, Tree Ordinance, for a commercial project, known as My Storage Locker #2. Ms. Mikeska presented a letter to Council from the owners engineer explaining the reasons why the variance was requested, and informed Council that the owners would be paying \$21,869.00 into the mitigation fund, if request was approved. Staff recommended approval.

### MOVING SERVICES BID AWARD

Public Works Director Scott Taylor addressed Council and recommended that the Moving Services Contract for the Dean Towery Service Center and the Wastewater Treatment Plant be awarded to Alpha Lawncare & Sprinklers in the amount of \$58,275.00.

### ITERIS BLANKET PURCHASE ORDER

Public Works Director Scot Taylor addressed Council and informed that Iteris was a sole source supplier for the traffic signal cabinets and controllers. Mr. Taylor pointed out that Iteris offered these parts at Smart Buy Contract pricing and in order to stay within the Purchasing Policy, the department was requesting approval of a \$75,000.00 Blanket Purchase Order for the fiscal year to Iteris to purchase cabinets and controllers when required.

### NEW CINGULAR WIRELESS PCS, LLC RADIO TOWER LEASE – 401 SGT. ED HOLCOMB BLVD

This item was deferred.

### 2017 TECHNICAL ADVISORY COMMITTEE OF THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC)

City Administrator Paul Virgadamo asked Council to consider the appointment of Thomas Woolley as the Representative and Adam France as the Alternate to the 2017 Technical Advisory Committee of the H-GAC.

### 2017 TRANSPORTATION POLICY COUNCIL OF THE HOUSTON-GALVESTON AREA COUNCIL (H-GAC)

City Administrator Paul Virgadamo asked Council to consider the appointment of himself as the Representative and Thomas Woolley as the Alternate to the 2017 Transportation Policy Council of the H-GAC.

### TOWER PERMITS – CAMOUFLAGE REQUIREMENTS

City Attorney Marcus Winberry presented Council a proposed Ordinance requiring camouflage as a condition of tower permits for towers in designated areas of the City for their review and consideration... Mr. Winberry pointed out that the proposed Ordinance would require all towers placed inside Loop 336 or within the Carter Moore Scenic Corridor or other similarly designated scenic corridors to be camouflage towers. After a lengthy discussion, Council requested the proposed Ordinance to be revised to require a higher branch density such as a 3-branch per foot density. Mr. Winberry would bring back a revised Ordinance for Council's review and consideration.

At 2:18 p.m., Mayor Powell along with Council, City Administrator Paul Virgadamo, City Attorney Marcus Winberry and City Secretary Soco M. Gorjón recessed into a Closed Executive Session for the following purpose:

- 551.074: Performance Evaluation of Human Resources Director.
- 551.072: Purchase, exchange, lease or value of real property.
- 551.071: Consultation with attorney concerning the following pending claims and litigation: Sentmat EEOC Claim- Halpering vs. City of Conroe (annexation lawsuit) – SJRA GRP Contract Litigation – Litigation with Lone Star Groundwater Conservation on District Rules and DFC process.

The Open Meeting reconvened at 4:26 p.m.

### **GRAND CENTRAL PARK, SECTION 7**

Public Works Director Scott Taylor introduced Virgil Yoakum with Johnson Development, who presented their development concept to Council for consideration in order to move forward toward final plat recordation. Mr. Yoakum pointed out that this project would have unique setback lines and asked Council to consider approval.

### **GRAND CENTRAL PARK, SECTION 8**

Virgil Yoakum with Johnson Development asked Council to consider approval of this section, a unit development, in order to move forward toward final plat recordation. Mr. Yoakum pointed out that this development was a proposed 7.622-acre unit development consisting of 38 lots and 4 open space reserves, in 1 block, having a 28-foot wide by 125-foot deep, average lot size.

### **BRIEFING**

None

### **COUNCIL MEMBERS INQUIRY TIME**

Mayor Pro Tem Coon made notation that last month the City was billed \$635,460.46 from the San Jacinto River Authority for surface water fees.

There being no further business brought before the Council, the Open Meeting was recessed until tomorrow at 6:00 p.m.

RECONVENE

THURSDAY, JANUARY 12, 2017 – 6:00 P.M.

OFFICIAL ACTION OF THE CONROE CITY COUNCIL

CALL TO ORDER

CALL OF ROLL

PRESENT:

Mayor Powell  
Mayor Pro Tem Coon  
Council Members Gibson, Martin, Ham, Snider  
City Administrator Paul Virgadamo  
City Attorney Marcus Winberry  
City Secretary Soco M. Gorjón

INVOCATION/PLEDGE:

Pastor Mark Grimes – Caney Creek Cowboy Church

Mayor Powell recognized Police Office Andrew Lupnitz for his six years of service with the department.

EMPLOYEE OF THE MONTH - OCTOBER:

Melissa Manderano – PD Department

CITIZEN INQUIRY

Alice Smith addressed Council regarding her honorary street name change. She was under the impression that it was going to be a normal name change not only an honorary change.

CHAPTER 102 – TREE ORDINANCE – MY STORAGE LOCKER #2

A motion was made by Mayor Pro Tem Coon to approve the variance or exception or mitigation to Chapter 102, Vegetation, of the City Code of Ordinances, AKA, Tree Ordinance, for a commercial project, known as My Storage Locker #2 as presented. Councilman Ham seconded the motion. Motion carried unanimously.

APPOINT MEMBER TO THE CONROE CIVIL SERVICE COMMISSION

Human Resources Director Andre Houser presented Council a proposed Resolution appointing Ricky R. Morton to the Conroe Civil Service Commission for their consideration.

A motion was made by Councilman Ham to approve the proposed Resolution appointing Ricky R. Morton to the Conroe Civil Service Commission as discussed. Councilman Snider seconded the motion. Motion carried unanimously.

CITY HEALTH INSURANCE

Human Resources Director Andre Houser addressed Council and recommended rejection of all proposals received, since they were more expensive than current partially self-funded plan. Mr. Houser asked Council to continue with partially self-funded plan for 2017 plan year.

A motion was made by Councilman Ham to reject of all the proposals received and continue with partially self-funded plan for 2017 plan year as discussed. Councilman Gibson seconded the motion. Motion carried unanimously.

TOWER PERMITS – CAMOUFLAGE REQUIREMENTS

City Attorney Marc Winberry addressed Council and presented the revised Ordinance requiring a minimum branch density of at least three branches per foot as discussed.

A motion was made by Councilman Gibson to approve the proposed Ordinance requiring camouflage as a condition of tower permits for towers in designated areas of the City as discussed and revised. Councilman Martin seconded the motion. Motion carried unanimously.

## LOCKE LORD LAW FIRM – PURCHASE ORDER

A motion was made by Mayor Pro Tem Coon to approve an increase of \$500,000.00 to the purchase order for the Locke Lord Law Firm for legal services related to the Lone Star Regulations and DFC litigation and the SJRA GRP contract litigation and other for purchase of easement and right-of-way for Wilson Road Improvement Project as discussed. Councilman Ham seconded the motion. Motion carried unanimously.

## CONSENT AGENDA

A motion was made by Councilman Gibson, seconded by Councilman Martin, to approve Consent Agenda Items 8 through 11, defer Item 12, and approve 13 through 15 as presented. The motion carried unanimously.

- Award Mowing Services Bid to Alpha Lawncare & Sprinklers in the amount of \$58,275.00.
- Approve Blanket Purchase Order for \$75,000.00 to Iteris.
- Appoint Thomas Woolley as Representative and Adam France as Alternate to the 2017 Technical Advisory Committee of the Houston-Galveston Area Council.
- Appoint Scott Taylor as Representative and Thomas Woolley as Alternate to the 2017 Transportation Policy Council of the Houston-Galveston Area Council.
- Defer action on radio tower lease with New Cingular Wireless PCS, LLC on the radio tower located at 401 Sgt. Ed Holcomb Blvd.
- Board and Commission Member absences.
  - December 1, 2016 Meeting – Chris Baughman
  - December 15, 2016 Meeting – Steve Hailey
- Approve Council Minutes of Council Meeting Minutes held November 9 & 10, 2016, November 28, 2016, and December 8 & 9, 2016.
- Payment of Statements:

• Montgomery Building Services	Inv. No. 16-024-2 – WW #23 Control Building	\$ 75,109.84
• Smith & Company	Inv. No. 2 – Hotmix Overlay / Construction	\$1,183,006.75
• Triple B Services, LLP	Inv. No. 8 – S. Loop 336 & IH45 S Access Rd Paving Const.	\$ 326,319.38
• Triple B Services, LLP	Inv. No. 5/Final – Thousand Trails Water & Sewer Impr.	\$ 106,299.88
• Landmark Structures,	Inv. No. 12/Final – Elevated Storage Tank WW 23/Construction	\$ 84,397.24
• W.W. Payton	Inv. No. 1 – Ground Water Storage Tank Well #14	\$ 51,252.50
• Texas Aquastore, Inc.	Inv. No. T255C-2R1 – Water Well No. 18 Repair	\$ 52,342.00
• San Jacinto River Authority/ GRP	Inv. No.848 Surface Water fee	\$ 591,908.54

## GRAND CENTRAL PARK, SECTION 7

A motion was made by Councilman Ham to approve an exemption for the replating of Grand Central Park, Section 7, to permit altering 1-ft. and 9-ft. sideline setback lines as discussed. Councilman Martin seconded the motion. Motion carried unanimously.

## GRAND CENTRAL PARK, SECTION 8, A UNIT DEVELOPMENT

A motion was made by Councilman Martin to approve moving forward with final plat recordation of Grand Central Park, Section 8, a Unit Development as discussed. Councilman Ham seconded the motion. Motion carried unanimously.

There being no further business to consider a motion was made by Councilman Gibson, seconded by Councilman Snider to adjourn the meeting.