

MINUTES OF THE  
CONROE CITY COUNCIL

APRIL 25 & 26, 2018

CALL TO ORDER  
CALL OF ROLL

PRESENT: Mayor Powell  
Mayor Pro Tem Coon  
Council Members Gibson, Martin, Ham, and Snider  
City Administrator Paul Virgadamo  
City Attorney Marcus Winberry  
Assistant City Secretary Sami H. Quinlan

ABSENT: City Secretary Soco M. Gorjón

After a roll call by the Assistant 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.

  
Toby Powell, Mayor

ATTEST:

  
Sami H. Quinlan, Assistant City Secretary

## OFFICIAL MINUTES OF THE CONROE CITY COUNCIL

Mayor Powell recognized Police Officer Morris for his 4½ years of service.

### PRELIMINARY DOWNTOWN CONROE PLAN PRESENTATION – HAWES HILL CALDERON

City Administrator Paul Virgadamo introduced Toni Allender of Hawes Hill Calderon, LLP to update Council of the Preliminary Downtown Conroe Plan. Mr. Allender gave Council a presentation of the Downtown Conroe Plan and recommended a Downtown Manager be hired and the City to fund the first three years of employment. He stated the position would need to go away after three years if improvements were not made. Mr. Winberry suggested a reinvestment zone to help aid objectives. Councilman Martin stated he would like the small town atmosphere kept in Conroe and the appearance enhanced. Councilman Ham stated he would like lighting improvements and inquired about qualifications for the Downtown Manager position. Mayor Pro Tem Coon inquired about cost and keeping up with improvements to the east side of Conroe. Mr. Allender will have an estimated cost in approximately three weeks. Mayor Powell inquired about Development Grants. Mr. Allender would make recommendations in the future for CDBG Grants. Councilman Martin stated that we were committed to using CDBG funds to help citizens with improvements and does not support using those funds.

### DESIGN/ENGINEERING SERVICES - WATERPARK – CONROE AQUATIC CENTER

Parks and Recreation Director Mike Riggins presented Council the Design and Engineering Services for improvements to the Waterpark at the Conroe Aquatic Center. Mr. Riggins recommended awarding Kimley-Horn the bid in the amount of \$253,750. This amount was included in the FY 17-18 CIP Budget. Mayor Pro Tem Coon stated he was not in support of this and the high cost without additional information. He inquired about the life of the pool. Mr. Riggins relayed that the consultant stated after this summer the life of the pool would not be operational, as eight of the skimmers were not working. He also pointed out that the pool sat on a fault line. Mayor Pro Tem Coon requested to visit the pool with Mr. Riggins to see the issues first hand. Mr. Riggins presented a map of the fault line the pool sat on and stated the pool was built in 2003. Staff recommended moving the pool north off the fault line. Mayor Pro Tem Coon inquired about an alternate recommendation to fix the current structure. Kristina Malek, Project Manager with Kimley-Horn addressed Council for additional questions. Councilman Gibson inquired if this could be fit into the P3 model. Paul Virgadamo stated he would contact Steve Davis, a pool professional, to gather more information for tomorrows' meeting.

### PUBLIC HEARING- 2018 DIRECT ANNEXATION PARCELS

This item was deferred.

### OPEB TRUST – FY 17-18 2<sup>ND</sup> QUARTER INVESTMENT REPORT

Assistant City Administrator/CFO Steve Williams introduced Finance Manager Collin Boothe to present Council the OPEB Trust (Retiree Insurance) FY 17-18 2<sup>nd</sup> Quarter Investment Report for their review and information.

### FY 17-18 2<sup>ND</sup> QUARTER INVESTMENT REPORT

Assistant City Administrator/CFO Steve Williams introduced Finance Manager Collin Boothe to present Council the FY 17-18 2<sup>nd</sup> Quarter Investment Report. Councilman Gibson thanked Mr. Boothe for the improvements on the bond work.

### FY 17-18 2<sup>ND</sup> QUARTER REVENUE UPDATE

Assistant City Administrator/CFO Steve Williams presented Council the FY 17-18 2<sup>nd</sup> Quarter Revenue Update for their review and information.

### **CREATION OF MUD 100 & 101**

City Attorney Marc Winberry presented Council the proposed Ordinance consenting to the creation of Montgomery County Municipal Utility Districts No. 100 & 101. Rich Muller addressed Council and gave a presentation; he also introduced Fred Caldwell with Caldwell Company and Peter Barnhardt. Mr. Winberry recommended Council approved the creation of the MUD 100 and 101 subject to the requirement that the Willis territory (13 acres of the 803 total) be excluded from the boundaries of 101 and included with MUD 100. Mayor Pro Tem stated a strategic partnership was needed and Mr. Muller stated they are committed.

At 3:37 p.m., Mayor Powell along with Council, City Administrator Paul Virgadamo, City Attorney Marc Winberry, and Assistant City Secretary Sami H. Quinlan, recessed into a Closed Executive Session Chapter 551.071 and 551.072 for the following purpose:

- SJRA GRP Contract litigation
- Litigation with Lone Star Groundwater Conservation on District Rules
- TCEQ Dockets 2018-0204-DIS & 2018-0205-DIS related to proposed MUDs 100 & 101

The Closed Executive Session was recessed at 4:05 p.m.

### **BRIEFING**

None

### **COUNCIL MEMBERS INQUIRY TIME**

Councilman Ham inquired about the report requested for Code Enforcement warrants and City Administrator Paul Virgadamo stated they are working on the report.

There being no further business brought before the Council, the meeting was recessed until tomorrow at 9:30 a.m.

RECONVENE

THURSDAY, APRIL 26, 2018 – 9:30 A.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 and Snider  
City Administrator Paul Virgadamo  
City Attorney Marcus Winberry  
Assistant City Secretary Sami H. Quinlan

**ABSENT:** City Secretary Soco M. Gorjón

**INVOCATION/PLEDGE:** Pastor J. R. Ensey – Living Way Church

Mayor Powell recognized Police Officer Cunningham for her 8 years of service to the Police Department.

**RECOGNITIONS:** Jodi Willard – One Year of Service - CVB

**SECOND PUBLIC HEARING 2018 DIRECT ANNEXATION PARCELS**

This item was deferred.

**2<sup>ND</sup> AMENDMENT – CAPITAL IMPROVEMENT PROGRAM BUDGET FY 17-18**

Assistant City Administrator/CFO Steve Williams introduced Finance Manager Collin Boothe to present the proposed Second Amendment to the City's Capital Improvement Program Budget for FY 17-18 for the Council's review and consideration.

Councilman Martin made a motion to approve the proposed Second Amendment to the City's Capital Improvement Program Budget for FY 17-18 as presented. Councilman Gibson seconded the motion. Motion carried unanimously.

**3<sup>RD</sup> AMENDMENT – CITY'S OPERATING BUDGET FY 17-18**

Assistant City Administrator/CFO Steve Williams introduced Finance Manager Collin Boothe to present the proposed Third Amendment to the City's Operating Budget for FY 17-18. Councilman Ham inquired of the contract with C.A.R.E. Corporation as Huntsville was listed and not Willis. City Administrator Paul Virgadamo stated the budget would be adjusted for Willis in October.

Councilman Gibson made a motion to approve the proposed Third Amendment to the City's Operating Budget for FY 17-18 as presented. Councilman Martin seconded the motion. Motion carried unanimously.

**MARCH 2018 FINANCIAL SUMMARY REPORT**

Assistant City Administrator/CFO Steve Williams presented Council the March 2018 Monthly Financial Summary Report for their review and consideration.

Mayor Pro Ham made a motion to approve the March 2018 Financial Summary Report as presented. Councilman Gibson seconded the motion. Motion carried unanimously.

**ORDINANCE – MUD NO. 100 & 101**

Marc Winberry addressed Council and recommended approval. Councilman Ham inquired from Community Development Director Nancy Mikeska on her recommendations and she stated she had discussed this with staff and was in support.

Councilman Gibson made a motion to approve the proposed Ordinance consenting to the creation of Montgomery County Municipal Utility Districts No. 100 & 101 as presented. Mayor Pro Tem Coon seconded the motion. Motion carried unanimously.

## DESIGN AND ENGINEERING SERVICES - WATERPARK CONROE AQUATIC CENTER

City Administrator Paul Virgadamo introduced Steve Davis with Progressive Commercial Aquatic to address Council's questions and concerns. Mayor Pro Tem Coon requested a technical breakdown of the pool's condition. Mr. Davis stated the pool had shifted and had broken loose on the Northside. He stated that Terracon had noticed the fault line in a meeting with City staff, and the City ordered an extensive study on the pool to verify the fault line. He stated the condition of the pool was extremely questionable and did not comply with codes. The issue had been known for 8 years and patched to keep operational. However, the water chemistry would be safe throughout the summer. City Administrator Paul Virgadamo stated the water quality was monitored every day. Mayor Pro Tem Coon inquired if a geophysical study was necessary for the proposed new site. Parks and Recreation Director Mike Riggins stated the current study recommended a relocation north or south of the area. Mayor Pro Tem Coon inquired if contingencies were built into the proposed contract. Kristina Malek, Project Manager with Kimley Horn addressed Council and stated that her company came down significantly from the original price of \$340,000, and pointed out that \$253,750 was as lean as they could go. She stated the design portion would be fast tracked for an estimated opening date of 2019 and the construction would begin in October. Mayor Pro Tem Coon inquired what would happen to existing pool spot and Mr. Riggins stated that his Staff would have recommendations and the Consultant would have recommendations concerning the proper fill. Councilman Ham inquired from Mr. Davis if portable skimmers would be available for the summer use of the pool and Mr. Davis stated he would look into that.

**Councilman Snider made a motion to approve the proposed Design and Engineering Services Contract for improvements to the Waterpark at the Conroe Aquatic Center as presented. Councilman Martin seconded the motion. Motion carried unanimously.**

## CONSENT AGENDA

**A motion was made by Councilman Gibson, seconded by Councilman Martin to approve the Consent Agenda, Items 7 and 8 as presented. The motion carried unanimously.**

- Approve FY 17-18 2nd Quarter Investment Report.

- **Payment of Statements :**

• Sunbelt Rentals	Inv. No. 72357064-0010 Generator Rentals for Treatment Plant	\$ 68,185.43
• Angel Brothers Enterprises, LTD	Inv. No. 2 – Pavement Repairs and Asphalt Overlay	\$851,698.78
• Buckalew Chevrolet	Inv. No. T181348/1315/1278 – Chevy Tahoe Patrol Vehicles	\$101,994.00
• Fused Industries LLC	Inv. No. 7 – Sanitary Sewer SH105 & I45 Phase 2	\$678,939.82
• Winlectric	Inv. No. 8748105 – Contract Service	\$ 86,670.15
• Alcott, Inc.dba THC	Inv. No. 5 – Windsor Lakes Force Main	\$258,543.80
• Stealth Partner Group	Inv. No. 18-00054 – April - Stop Loss Coverage	\$ 85,654.40

**Fire Chief Kreger made a Public Safety Announcement concerning flood insurance, as he just attended a State Wide Hurricane Harvey Review. Chief Kreger urged the public to purchase flood insurance; and relayed that there were 30 days to purchase prior to an event and Hurricane Season was 30 days out. Mayor Powell requested this information be relayed to news media contacts to inform citizens better.**

**Parks and Recreation Director Mike Riggins made a reminder announcement of Kids Fest this upcoming Saturday.**

**There being no further business to consider, a motion was made by Councilman Ham, seconded by Councilman Martin to adjourn the meeting.**