CALL TO ORDER
CALL OF ROLL

PRESENT: Mayor Powell
Mayor Pro Tem Coon
Council Members Gibson, Martin, Ham, and Czajkoski
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.

\[Signature\]
Toby Powell, Mayor

ATTEST:

\[Signature\]
Sami H. Quinlan, Assistant City Secretary
OFFICIAL MINUTES OF THE CONROE CITY COUNCIL

Mayor Powell recognized Police Officer Morris for his 4 ½ years of service.

TOURIST ADVISORY COUNCIL APPOINTEE
Tourism Coordinator Jodi Willard asked Council to consider replacing Ian Ramirez, President at First National Bank, with James Gaskins, with First Financial Bank and current Chairman of the Conroe Live Board of Directors. Ms. Willards explained that due to business demands, Mr. Ramirez was unable to serve.

HOT TAX FUNDS TO BE USED IN OVER AND ABOVE GRANTS MARKETING
Tourism Coordinator Jodi Willard presented Council the proposed use of reserve funds from Hotel Occupancy Tax (HOT) to be provided in “Over and Above Grants” for the use of marketing, hosting and/or sponsoring the Conroe Bull Mania, Tough Mudder Competition, and the Texas Renaissance Festival. Mrs. Willard informed that the Tourist Advisory Council unanimously voted to request a total of $40,000, from HOT reserve funds, to be distributed to Bull Mania - $20,000, Tough Mudder - $10,000 and the Renaissance Festival - $10,000. Mayor Powell inquired about providing shuttles for the Renaissance Event. Mayor Pro Tem Coon inquired about an agreement with the Renaissance Festival. Mrs. Willard stated the contract had not been agreed upon. Mayor Pro Tem Coon stated he would like to vote on the contract tomorrow and Mrs. Willard replied she would send it to Mayor and Council for review and consideration.

AUDIO-VISUAL EQUIPMENT FOR THE EOC
Fire Chief Ken Kreger asked Council to consider the proposed bid for installation of new audio-visual equipment in the EOC in the amount of $134,830.00 to be awarded to Avinext. Mayor Pro Tem Coon inquired about the timeline of installation with Hurricane season approaching. IT Manager Pam Cobb addressed Council and said it would take approximately 3 weeks for configuration and 4 days after configuration. Mrs. Cobb addressed the need of high priority of this purchase should anything in the Gulf approach.

PLANNING COMMISSION MEMBERS
Director of Capital Projects/Transportation Tommy Woolley asked Council to consider the re-appointment of Planning Commission Members Dr. Bob Rabuck, Chris Caywood, and Steve Hailey. Staff recommended re-appointment of all members.

CONROE-WOODLANDS URBANIZED AREA MOBILITY MEMBER
Director of Capital Projects/Transportation Tommy Woolley asked Council to consider the proposed Resolution reassigning a new committee member in accordance with the Mobility Committee bylaws. Mr. Woolley asked Council to consider appointing Councilman Seth Gibson to replace Councilman Guy Martin, due to his Council term concluding.

BID AWARD - VETERAN MEMORIAL PARK
Director of Capital Projects/Transportation Tommy Woolley asked Council to consider awarding the Veteran Memorial Park Drive Bid to Randy Roan Construction in the amount of $1,217,146.25 to Randy Roan Construction. Mayor Pro Tem Coon recused himself from the discussion today and the vote tomorrow. Mayor Powell discussed the request of renaming the street to Freedom Blvd. in the future.

CHAPTER 14 - PROTECTION OF GAS METERS
Community Development Director Nancy Mikeska asked Council to consider an amendment to Chapter 14, Building Codes, City Code of Ordinances, adding Section 14-315 addressing the protection of gas meters in certain locations. Mayor Pro Tem Coon thanked Ms. Mikeska for bringing this issue forward.

Minutes
May 23 & 24, 2018
Workshop & Regular
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CHAPTER 102, VEGETATION, AKA TREE ORDINANCE
Mayor Powell made a statement that under brushing is a healthy situation for most tracks of land and stated he was bothered that the Ordinance would infringe upon citizens and their property rights by requiring a permit. Community Development Director Nancy Mikeska addressed Council and presented a proposed amendment to Chapter 102, Vegetation, of the City Code of Ordinances, AKA, Tree Ordinance, prohibiting under brushing without a permit; establishing fees and requirements for under brushing and a establishing a $25.00 permit for under brushing. Councilman Ham stated he was an advocate for private property rights and in support of waiving this fee. Mayor Powell stated he was not inclined to “police the City” with too many Ordinances. Councilman Martin stated he felt this Ordinance would help citizens but was in favor of waiving the $25.00 permit fee. Mayor Pro Tem Coon stated he was in favor as long as we keep our citizens first and waive the fee. Mayor Powell would like future Ordinances to be very clear in wording and would like to protect citizens. Councilman Martin suggested polling Council members on their vote to waive the $25.00 fee and City Attorney Marcus Winberry suggested changing the wording in the Ordinance before the vote tomorrow.

CHAPTER 102, VEGETATION, AKA TREE ORDINANCE – YIPPY FOOD MART
Community Development Director Nancy Mikeska presented Council the proposed variance or exception or mitigation to Chapter 102, Vegetation, of the City Code of Ordinances, AKA, Tree Ordinance, for a commercial project known as Yippy Food Mart and Gas Station located on FM 3083 at Teas Rd. Mrs. Mikeska gave an overview of a previous agreement with Yippy Food Mart. Mrs. Mikeska pointed out that she nether her staff recommended this additional Ordinance. Councilman Ham and Gibson cannot support this due to the preservation zone on FM 3083.

UTILITY CONVEYANCE/SECURITY AGREEMENT - MUD 107 GREYSTONE HILLS SEC. ONE & TWO
Community Development Director Nancy Mikeska presented Council the proposed Utility Conveyance and Security Agreement between the City and Montgomery County MUD 107, Greystone Hills, Section One and Section Two, conveying certain facilities to serve Laurel Ridge. Mayor Pro Tem Coon inquired about the fiscal impact and date of agreement, and requested clarification before tomorrow's meeting. Public Works Director Norman McGuire addressed Council concerning the fiscal impact and stated it was hard to determine and that detention ponds typically cost $3,000 to $5,000 a year. Mr. Winberry stated that the fiscal impact was not uncommon to the normal subdivision process to acquire infrastructure. Mayor Pro Tem Coon stated his concern was detentions and levees and requested a report for tomorrow from Mr. McGuire.

CONSENT TO CREATION OF MUD 166 – WESTERN PORTION OF THE ETJ OFF FM 2854
Community Development Director Nancy Mikeska presented Council a proposed Ordinance consenting to the creation of MUD 166, as an Out-of-City, ETJ MUD, located in the western portion of the ETJ off FM 2854. Mrs. Mikeska stated the vote tomorrow would create the District. Mayor Powell inquired if a Strategic Partnership Agreement was in place. City Attorney Marc Winberry stated the Strategic Partnership Agreement would not be approved at this time. Attorney Rich Mullins addressed Council and stated he had no problems with a Strategic Partnership Agreement. Councilman Martin inquired if Council should approve this item without the Strategic Partnership Agreement. Mr. Winberry replied that we would have 3 years to approve the agreement. Councilman Martin thanked Mrs. Mikeska for her work on the Dream House fire.

TOWER LEASE AGREEMENT – MONTGOMERY COUNTY SHERIFF’S OFFICE
Assistant City Administrator/CFO Steve Williams presented Council the proposed Tower Lease Agreement with the City, MCHD and Montgomery County Sheriff’s Office for antenna and dish space on the Magnolia Communications Tower, located at 14583 FM 1488, Magnolia TX. Mr. Williams pointed out that the lease would be for a period of 5 years with a rental rate of $5,970 per month, which would escalate by 3% per year. He stated that the total revenue for the 5-year lease would be $380,346.50. MCHD and the City would split all revenues 51%/49%, so the City’s portion would be $186,369.79 or $35,103.60 per year.
MONTGOMERY COUNTY SHERIFF’S OFFICE - TOWER LEASE AGREEMENT AMENDMENT
Assistant City Administrator/CFO Steve Williams presented Council the proposed amendment to the Tower Lease Agreement with MCHD and Montgomery County Sheriff's Office that would change the payments to annually instead of a monthly basis.

AQUA TEXAS REQUEST TO AMEND IN-CITY TARIFF
City Attorney Marc Winberry presented Council the proposed Ordinance to approve Aqua Texas request to amend in-City tariff for implementation of Federal Tax Change Credit Rider. Aqua Texas serves several small neighborhoods annexed into the City of Conroe and the proposed Ordinance would implement minor changes to their existing tariffs to pass along savings resulting from the recent federal income tax cuts.

At 2:53 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
- Claim of North Frazier Development, LLC and TA Business Ventures, LLC related to 701-705 N. Frazier
- Discuss value, purchase or exchange of real property

The Closed Executive Session was reconvened 3:55 p.m.

There being no further business brought before the Council, the meeting was recessed until tomorrow at 9:30 a.m.
OFFICIAL ACTION OF THE CONROE CITY COUNCIL

THURSDAY, MAY 24, 2018 – 9:30 A.M.

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

INVOCATION/PLEDGE: Pastor Derek White – Conroe Church of God

RECOGNITIONS:
Employee of the Month – April – Ben Mitchell - Police Department
Employee of the Month – May – Steve Cottar – Fire Department

SERVICE AWARDS:
5 -Years - Elizabeth West – Parks and Recreation Department
20 - Years - Juan Saucedo – Police Department

Employee of the Year – Daniel Roberts – Public Works Department
Employee of the Year, 2nd Runner Up – Wendy Harrison – Finance Department
Employee of the Year, 3rd Runner Up – Chris Bogurt – Engineering Department

Fire Chief Ken Kreger announced that Fire Ops 101 would take place on June 22, 2018 at the new Fire Training Facility and extended an invitation to Mayor and Council to participate.

Mayor Powell recognized Police Officer Burge for his 2 years of service to the Conroe Police Department.

CITIZEN INQUIRY
Chuck Byrd with LGI, a Developer for Chase Run, addressed Council and stated he had just finished Section 4 but the final approval had not been released. He requested final acceptance. Mayor Powell asked City Attorney Marc Winberry and a representative of the Engineering Department to address any pending issues with Mr. Byrd. Mr. Byrd pointed out that a water pressure issue had held up approval but that all plans had been approved by the City but no CO's were given.

Claude Baxter addressed Council, stated he lives on 302 Woodlands Drive, and addressed a development on Shady Lane. He stated if project approved there would be a drainage problem and requested this item to be placed on the next Council agenda for Council review and consideration.

TOURIST ADVISORY COUNCIL APPOINTEE
Mayor Pro Tem Coon made a motion to approve the proposed appointment of James Gaskins to the Tourist Advisory Council, as presented. Councilman Ham seconded the motion. Motion carried unanimously.

HOTEL OCCUPANCY TAX (HOT) FUNDS TO BE USED FOR MARKETING
Councilman Gibson made a motion to approve the proposed use of reserve funds from Hotel Occupancy Tax (HOT) to be provided in “Over and Above Grants” for the use of marketing, hosting and/or sponsoring the Conroe Bull Mania, Tough Mudder Competition, and the Texas Renaissance Festival, as presented. Councilman Martin seconded the motion. Motion carried unanimously.
BID AWARD - AUDIO-VISUAL EQUIPMENT FOR THE EOC
Councilman Martin made a motion to award the audio-visual equipment for the EOC bid to Avinext in the amount of $134,830.00, as presented. Councilman Gibson seconded the motion. Motion carried unanimously.

RE-APPOINTMENT OF PLANNING COMMISSION MEMBERS
Mayor Pro Tem Coon made a motion to approve the re-appointment of Planning Commission Members, Dr. Bob Rabuck, Chris Caywood, and Steve Hailey, as presented. Councilman Czajkoski seconded the motion. Motion carried unanimously.

CONROE-WOODLANDS URBANIZED AREA MOBILITY COMMITTEE APPOINTMENT
Councilman Ham made a motion to appoint Councilman Gibson as the primary committee member, replacing Councilman Guy Martin, to the Conroe-Woodlands Urbanized Area Mobility Committee, as recommended. Councilman Martin seconded the motion. Motion carried unanimously.

BID AWARD - VETERAN MEMORIAL PARK DRIVE
Mayor Pro Tem Coon recused himself from the vote. Councilman Ham made a motion to Award the Veteran Memorial Park Drive bid to Randy Roan Construction in the amount of $1,217,146.25, as presented. Councilman Gibson seconded the motion. Motion carried unanimously. Retired Judge Jimmy Edwards addressed Council about re-naming the road to Freedom Blvd. Mayor Powell requested City Administrator Paul Virgadamo to place this item on the next Council Agenda.

AMEND CHAPTER 14: BUILDING CODES SEC. 14-315 - PROTECTION OF GAS METERS
Councilman Ham made a motion to approve the amendment to Chapter 14, Building Codes, City Code of Ordinances, adding Section 14-315 addressing the protection of gas meters in certain locations, as presented. Councilman Gibson seconded the motion. Motion carried unanimously.

AMEND CHAPTER 102, VEGETATION, AKA TREE ORDINANCE
City Attorney Marcus Winberry presented Council a revised Ordinance for their review and consideration. He pointed out that no application or permit fee would be required for an under brushing permit as discussed. Councilman Ham stated this Ordinance already existed and nothing new was added. Councilman Ham made a motion to approve the amendment to Chapter 102, Vegetation, of the City Code of Ordinances, AKA, the Tree Ordinance, as presented. Councilman Gibson seconded the motion. Motion carried unanimously.

CHAPTER 102, VEGETATION, AKA TREE ORDINANCE – YIPPY FOOD MART AND GAS STATION
Councilman Czajkoski recused himself from the vote. Motion died for lack of a motion.

UTILITY CONVEYANCE AND SECURITY AGREEMENT MUD 107 – GREYSTONE HILLS, SEC. ONE
Mayor Pro Tem Coon made a motion to approve the Utility Conveyance and Security Agreement between the City and Montgomery County MUD 107, Greystone Hills, Section One, as presented. Councilman Martin seconded the motion. Motion carried unanimously.

UTILITY CONVEYANCE AND SECURITY AGREEMENT MUD 107 - GREYSTONE HILLS, SEC. TWO
Councilman Czajkoski made a motion to approve the Utility Conveyance and Security Agreement between the City and Montgomery County MUD 107, Greystone Hills, Section Two, as presented. Councilman Gibson seconded the motion. Motion carried unanimously.

CREATION OF MUD 166 – WESTERN PORTION OF THE ETJ OFF FM 2854
Councilman Ham made a motion to approve the proposed Ordinance consenting to the creation of MUD 166 located in the western portion of the ETJ off FM 2854, as presented. Councilman Martin seconded the motion. Motion carried unanimously.
APRIL 2018 FINANCIAL SUMMARY REPORT
Asst. City Administrator/CFO Steve Williams presented Council the April 2018 Monthly Financial Summary Report for their review and consideration. He stated the revenues were exceeding 58%. Mayor Pro Tem Coon inquired how the Omni Base was doing and Mr. Williams stated they were doing well.

Councilman Martin made a motion to approve the April 2018 Monthly Financial Summary Report, as presented. Councilman Gibson seconded the motion. Motion carried unanimously.

CIDC PROJECT – ISSUANCE OF THE CIDC SALES TAX REVENUE BONDS, SERIES 2018
Assistant Finance Director Collin Boothe introduced John Rabuck who presented a Resolution approving the Conroe Industrial Development Corporation Project and authorizing the Issuance of the CIDC Sales Tax Revenue Bonds, Series 2018, awarding sale of the Bonds, and containing other provisions related thereto for Council’s review and consideration. Councilman Martin thanked Mrs. Judy Campbell for her cooperation.

Councilman Ham made a motion to approve the CIDC Sales Tax Revenue Bonds Series 2018, as discussed and presented. Councilman Gibson seconded the motion. Motion carried unanimously.

AQUA TEXAS REQUEST TO AMEND IN-CITY TARIFF
Mayor Pro Tem Coon made a motion to approve Aqua Texas request to amend in-city tariff for implementation of Federal Tax Change Credit Rider, as discussed and presented. Councilman Czajkoski seconded the motion. Motion carried unanimously.

TOWER LEASE AGREEMENT – MONTGOMERY COUNTY SHERIFF’S OFFICE
Assistant City Administrator/CFO Steve Williams presented Council a slight change in the language of the Lease Agreement with Montgomery County Sheriff’s Office for their consideration and action.

Councilman Martin made a motion to approve the Tower Lease Agreement with Montgomery County Sheriff’s Office, as presented. Councilman Gibson 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 17 through 18 as presented. The motion carried unanimously.

- Approve amendment to the Tower Lease Agreement with the Montgomery County Sheriff’s Office changing payments to annually instead of monthly basis.

- Payment of Statements:
  - Fleet Safety
  - Triple B Services
  - Doughie Construction Company
  - Precise Services Inc.
  - Triple B Services LLC
  - LEM Construction Co.
  - Fused Industries, LLC
  - IPR South Central, LLC
  - Texas Wall and Landscape LLC
  
  Inv. No. 18565, 165325 2018 Tahoe Equipment $ 101,888.14
  Inv. No. 1 - Wilson Rd. Widening Project $ 76,646.00
  Inv. No. 1 - WWTP Effluent Outfall Structure $ 75,288.45
  Inv. No. 1 - Construction/ League Line & Plantation Sidewalks $ 231,519.35
  Inv. No. 12 - MP Clarkway Roadway Construction $ 382,700.60
  Inv. No. 10 - Windsor Lakes Liftstation Project $ 205,774.68
  Inv. No. 8 - Sanitary Sewer SH/105 & I45 Phase 2 $ 657,996.03
  Inv. No. 1 - FM 2954 Waterline, Sanitary Sewer Relocation & Pipe Bursting $ 141,023.18
  Inv. No. 1 - Safe School Access Improvements $ 151,286.63

City Administrator Paul Virgadamo stated that the re-naming of the Street to Freedom Blvd. could be conducted on normal business and would not have to be brought back to Council.

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