

**MINUTES OF THE
CONROE CITY COUNCIL**

JUNE 27 & 28, 2018

**CALL TO ORDER
CALL OF ROLL**

PRESENT: Mayor Powell
Council Members Gibson, Martin and Czajkoski
City Administrator Paul Virgadamo
City Attorney Marcus Winberry
Assistant City Secretary Sami H. Quinlan

ABSENT: City Secretary Soco M. Gorjón
Mayor Pro Tem Coon
Councilman Ham


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 Stowe for his 18 years of service.

APPOINTMENT TO THE TOURIST ADVISORY COUNCIL

CVB Manager Shannon Overby discussed with Council the appointment of a City Council Member to serve on the Tourist Advisory Council. Mayor Powell recommended that Councilman Czajkoski replace Council Member Gill Snider, as he is term limited.

STRATEGIC PARTNERSHIP AGREEMENT - ETJ MUD'S

City Attorney Marcus Winberry presented the proposed general form of Strategic Partnership Agreement for use in connection with ETJ MUDs. Mr. Winberry stated the model SPA established a date after which the territory of the district could be annexed for full municipal purposes and allowed, but did not required, limited purpose annexation at any time, and in the event of such limited purpose annexation, it allowed the City to impose its sales tax within the district. Mr. Winberry stated this would provide a mechanism for future generations. Mayor Powell commented this agreement was a good footprint for future Strategic Partnership Agreements. Councilman Martin and Councilman Gibson both stated they are in favor of the agreement.

SUSPENSION OF ENTERGY TEXAS INC. RATE CHANGES

City Attorney Marcus Winberry presented the proposed Ordinance authorizing 90-day suspension of proposed Entergy Texas, Inc., rate changes and authorizing participation with Entergy Texas, Inc. service area cities in coalition to consider and take future action on proposed rate changes.

CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS

This item was deferred.

EXPAND THE COMMUNITY DEVELOPMENT BLOCK GRANT TARGET AREA

Community Development Director Nancy Mikeska presented Council the proposal to expand the Community Development Block Grant Target Area for their review and consideration.

TRINITY LAKES MUD STRATEGIC PARTNERSHIP AGREEMENT

Community Development Director Nancy Mikeska presented Council the proposed Trinity Lakes MUD Strategic Partnership Agreement for discussion. Ms. Mikeska stated this was an Out of City MUD with a 16-year agreement.

MUD 15 REQUEST TO INCORPORATE 3.914 ACRES OF LAND INTO THE DISTRICT

Community Development Director Nancy Mikeska presented Council the proposed Resolution consenting to the request of MUD No. 15, an out-of-City ETJ MUD, for municipal consent to incorporate 3.914 acres of land, into the District. MUD 15 would be 835.70 acres after annexation and is located off 242. Ms. Mikeska stated staff recommended approval.

MUD 152 REQUEST TO INCORPORATE 322.833 ACRES OF LAND INTO THE DISTRICT

Community Development Director Nancy Mikeska presented Council the proposed Resolution consenting to the request of MUD No. 152, an out-of-City ETJ MUD, for municipal consent to incorporate 320.833 acres of land, into the District. MUD 152 would be approximately 906 acres after annexation. Mayor Powell inquired if this was in a Strategic Partnership Agreement and Ms. Mikeska stated not at this time. City Attorney Marcus Winberry stated this was located in the extreme southern portion of the City's ETJ.

AMEND CHAPTER 18 - SHIPPING CONTAINERS

Community Development Director Nancy Mikeska presented Council the proposed amendment to Chapter 18, Code of Ordinances, City of Conroe, Texas to prohibit the placement of shipping containers at designated locations on commercial property for Council's review and consideration. After a long discussion, it was agreed that this was work in progress but supported keeping Conroe beautiful.

AMEND CHAPTER 18 - SHIPPING CONTAINERS - CONTINUATION

CEDC Executive Director Danielle Scheiner addressed Council and stated there were businesses in the Industrial Park where screening would not be possible and recommended caution about a blanket provision as it would create expensive consequences. Councilman Martin recommended exempting the Industrial Park and suggested waiting to vote in the future after the new Councilmember was elected and when there were no absences in the Council meeting. City Attorney Marcus Winberry stated that Councilman Martin's suggestion was very wise and recommended a broad wording to all Industrial Park businesses in an effort not to single out our businesses.

AMEND CHAPTER 18 - VEHICLE STORAGE – AUTO REPAIR BUSINESSES

This item was deferred.

BLANKET PO – MONTGOMERY COUNTY HOSPITAL DISTRICT

Fire Chief Ken Kreger presented Council the proposed Blanket Purchase Order in the amount of \$305,000 to Montgomery County Hospital District for their review and consideration. Chief Kreger pointed out that this was a budgeted item.

CONROE ISD INTERLOCAL AGREEMENT – INSTALL FLASHING SCHOOL SPEED LIMIT SIGNS

Director of Capital Projects/Transportation Tommy Woolley presented Council the proposed Interlocal Agreement with Conroe ISD to install flashing school speed limit signs. Mr. Woolley stated Conroe ISD would pay the City the costs of materials for the school zone flashers up to a maximum of \$15,000 and the City would be responsible for any additional cost. City Attorney Marcus Winberry recommended using the School District agreement as a substitute for ours since it was already approved by them.

2018 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) CALL FOR PROJECTS

Director of Capital Projects/Transportation Tommy Woolley presented Council the proposed 2018 Transportation Improvement Program (TIP) Call for projects. Mayor Powell stated he liked the pedestrian sidewalks. Councilman Czajkoski was in support and recognized Mr. Woolley for his good work.

HGAC (TIP) PROGRAM CALL – CONROE CONNECTION MAINTENANCE FACILITY

Director of Capital Projects/Transportation Tommy Woolley presented Council the proposed application in the amount of \$100,000 to the HGAC (TIP) Program Call for the Conroe Connection Maintenance Facility. Public Works Director Norman McGuire stated the facility was needed for the growing needs of Fleet and Public Works' staff. Councilman Martin commented the 80%-20% federal reimbursement was very economically efficient.

GRAND CENTRAL PARK SECTION 12 – BUILDING SETBACK WIDTHS EXCEPTION

This item was deferred.

At 2:56 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 for the following purpose:

- SJRA GRP Contract Litigation
- Litigation with Lone Star Groundwater Conservation on District Rules
- Nuisance abatement at 301 S. 1st Street

The Closed Executive Session was recessed at 4:03 p.m.

BRIEFING

COUNCIL MEMBERS INQUIRY TIME

None

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

RECONVENE

THURSDAY, JUNE 28, 2018 – 9:30 A.M.

OFFICIAL ACTION OF THE CONROE CITY COUNCIL
CALL TO ORDER
CALL OF ROLL

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

ABSENT: Mayor Pro Tem Coon
Councilman Gibson

INVOCATION/PLEDGE: Pastor Reggie Smith – Walker County Cowboy Church

RECOGNITIONS: June Employee of the Month – Sami Quinlan, Mayor & Council Dept.

SERVICE AWARDS: 10 Years – Bobby Sells – Purchasing Department
25 Years – Gary Morrison – Fire Department

PROCLAMATION: July – Parks and Recreation Month

Mayor Powell recognized Police Officer Christenson for his service to the Conroe Police Department.

COMMUNITY DEVELOPMENT BLOCK GRANT TARGET AREA

Councilman Martin made a motion to approve the proposed expansion to the Community Development Block Grant Target Area as presented. Councilman Ham seconded the motion. Motion carried unanimously.

MUD 15 REQUEST TO INCORPORATE 3.914 ACRES OF LAND INTO THE DISTRICT

Councilman Czajkoski made a motion to approve the proposed Resolution consenting to the request of MUD No. 15, an out-of-City ETJ MUD, for municipal consent to incorporate 3.914 acres of land as presented. Councilman Martin seconded the motion. Motion carried unanimously.

MUD 152 REQUEST TO INCORPORATE 322.833 ACRES OF LAND INTO THE DISTRICT

Councilman Martin made a motion to approve the proposed Resolution consenting to the request of MUD No. 152, an out-of-City ETJ MUD, for municipal consent to incorporate 322.833 acres of land as presented. Councilman Czajkoski seconded the motion. Motion carried unanimously.

AMEND CHAPTER 18 - SHIPPING CONTAINERS

This item was deferred.

AMEND CHAPTER 18 - VEHICLE STORAGE – AUTO REPAIR BUSINESSES

This item was deferred.

INTERLOCAL AGREEMENT CONROE ISD – FLASHING SCHOOL SPEED LIMIT SIGNS

City Attorney Marcus Winberry presented Council a corrected agreement for consideration.

Councilman Martin made a motion to approve the proposed Interlocal Agreement with Conroe ISD to install flashing school speed limit signs as presented. Councilman Czajkoski seconded the motion. Motion carried unanimously.

2018 TRANSPORTATION IMPROVEMENT PROGRAM (TIP) CALL FOR PROJECTS

Councilman Czajkoski made a motion to approve the proposed 2018 Transportation Improvement Program (TIP) Call for projects as presented. Councilman Martin seconded the motion. Motion carried unanimously.

HGAC (TIP) PROGRAM CALL – CONROE CONNECTION MAINTENANCE FACILITY

Councilman Ham made a motion to approve the proposed application to the HGAC (TIP) Program Call for the Conroe Connection Maintenance Facility as presented. Councilman Martin seconded the motion. Motion carried unanimously.

EXCEPTION TO BUILDING SETBACK WIDTHS – GRAND CENTRAL PARK SECT. 12

This item was deferred.

4th AMENDMENT TO THE CITY'S OPERATING BUDGET FY 17-18

Finance Manager Collin Boothe presented Council a brief update of the fourth amendment to the City's Operating Budget for FY 17-18 for their review and consideration.

Councilman Martin made a motion to approve the fourth amendment to the City's Operating Budget FY 17-18 as presented. Councilman Ham seconded the motion. Motion carried unanimously.

MAY 2018 MONTHLY FINANCIAL REPORT

Assistant City Administrator/CFO Steve Williams presented Council the May 2018 Monthly Financial Summary Report for their review and consideration. Mr. Williams stated that five of the five funds exceed 66.7% of the budget and that overall has been a very good month.

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

301 S. 7th STREET – DREAM CENTER

Mr. Eric Yollick addressed Council and clarified he was the attorney hired to help the Dream Center comply with regulations and not hired for litigation purposes. He stated he held a meeting with City officials that ended on a positive note. Mr. Yollick informed that Mr. Nelson's daughter, also a volunteers with the Lakewood Church, enter the premises to retrieve some supplies and posted a video of the facilities to social media. Mr. Nelson and Mrs. Nelson were aware that they were the only other individuals that could enter the building. Fire Marshal Steve Cottar addressed Council with a presentation documenting multiple fire violations found from the fire that occurred in May 2018 in the basement at the electrical room. Community Development Director Nancy Mikeska addressed Council and spoke about the asbestos issues. Building Official Chuck Purvis addressed Council to discuss the 176 Building Department code violations including water from backflow of sanitary sewer in the building. After a very lengthy discussion, Council was made aware of over 700 Fire Code Violations noted. City Attorney Marcus Winberry addressed Council and stated that staff recommended that before the building could be safely reoccupied and repairs could be permitted, that Council required a comprehensive plan for thorough evaluation for consultants selected by City. The experts and consultants selected will address asbestos, electrical, structural and environmental concerns and until repairs were made; the building should remain unoccupied. Mr. Winberry stated that no legal action would be taken at this time. It was noted that this needed to be done not only for the City's protection but also for any building occupants and Mr. Nelson.

Councilman Martin made a motion to approve the recommendation from Mr. Winberry as presented. Councilman Ham seconded the motion. Motion carried unanimously.

APPOINTMENT TO THE TOURIST ADVISORY COUNCIL

Councilman Martin made a motion to approve the appointment of a City Council Member Jody Czajkoski to serve on the Tourist Advisory Council as presented. Councilman Ham seconded the motion. Motion carried unanimously.

CONSENT AGENDA

A motion was made by Councilman Martin, seconded by Councilman Ham to approve the Consent Agenda, Items 13, 14, 16, 17, 18, 19 and 20 as presented. The motion carried unanimously.

- Approve service contract and invoice for GPS of non-public safety vehicles.
- Approve increase contract with HOV Services for postage cost.
- Approve general form of Strategic Partnership Agreement for use in connection with ETJ MUDs.
- Approve an Ordinance authorizing 90-day suspension of proposed Entergy Texas, Inc., rate changes and authorizing participation with Entergy Texas, Inc. Service Area Cities in coalition to consider and take future action on proposed rate changes.
- Approve Blanket Purchase Order to Montgomery County Hospital District.
- Approve Council Minutes held May 23 and 24, 2018.

• **Payment of Statements :**

• Stealth Partner Group	Inv. No. 1-Jun – Stop Loss Coverage	\$ 86,408.40
• Doughtie Construction Company	Inv. No.2 – WWTP Effluent Outfall Structure	\$ 63,022.76
• Montgomery County Hospital District	Inv. No. CFD-2018 – Fire/EMS Comm. Agreement 10/1 – 9/30/18	\$ 85,000.00
• Traffic Systems Construction, Inc.	Inv. No. 3 – Downtown Signals at 3 locations	\$ 65,475.71
• Angel Brothers Enterprises, LTD	Inv. No. 3 – Pavement Repairs and Asphalt Overlay	\$ 61,590.45
• Alcott, Inc dba THC	Inv. No. 7 – Windsor Lakes Force Main	\$741,654.93
• Triple B Services, LLP	Inv. No. 14 – MP Clark Roadway Construction	\$236,429.59
• IPR South Central, LLC	Inv. No. 2 – FM 2854 Waterline, Sanitary Sewer Relocation & Pipe Bursting	\$256,668.91

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