

**MINUTES OF THE
CONROE CITY COUNCIL**

AUGUST 8 & 9, 2018

**CALL TO ORDER
CALL OF ROLL**

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

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.



Toby Powell, Mayor

ATTEST:



Soco M. Gorjón, City Secretary

OFFICIAL MINUTES OF THE CONROE CITY COUNCIL

Mayor Powell recognized Police Officer Willis for his 8 years of service.

Commander Floyd Stewart from VFW Post 4709 addressed Council to invite them and staff to their "No One Does More for Veterans" Fundraising Event that will take place August 18, 2018 at 11:30 am with live action at 4 pm. Commander Stewart asked Council to support their efforts in raising money to fund the current construction of the multipurpose facility in Conroe.

Retired Judge Jimmie Edwards, Chairman of the Montgomery County Veterans Memorial addressed Mayor and Council asking them for Veterans Memorial support.

CIP UPDATE

Director of Capital Projects/Transportation Tommy Woolley presented Council the CIP update (attached as Exhibit "A").

FLEET SERVICES REQUEST – ADDITIONAL FUNDS FOR SIDDONS-MARTIN

Director of Internal Services Sam Masiel informed Council that the Fleet Services utilized Siddons-Martin for parts and services for the Fire Department's pump and ladder trucks. Mr. Masiel pointed out that it has been estimated that additional funds were going to be needed to finish the remainder of the fiscal year and asked Council to consider approval of requested funds.

KNIGHT SECURITY SYSTEMS – ACCESS CONTROL AT (10) WATER WELLS

Public Works Director Norman McGuire presented Council a quote from Knight Security Systems to replace access control at ten water wells at a cost of \$92,943.29. Mr. McGuire pointed out that Knight Security was the preferred vendor for all the security with the City and asked Council to consider approval of this request.

ESTABLISHING A CONSTRUCTION BOARD OF ADJUSTMENTS AND APPEALS

City Attorney Marc Winberry presented Council a proposed Ordinance establishing a Construction Board of Adjustment and Appeals for their review and consideration. Mr. Winberry pointed out that the proposed Ordinance would establish a 7-member (4 alternate) board of appeals to hear and determine appeals from decisions for the building department and to approve or deny all building code variance requests. He informed that the proposed Ordinance established qualifications for this independent board and would also allow the board to act as a building and standards commission under Local Gov. Code Chapter 54 and could impose civil penalties of up to \$1,000 per day for violation of certain health and safety Ordinances. After a lengthy discussion, it was agreed to defer this item tomorrow in order to have additional information before a final decision could be made.

WEDGEWOOD GOLF COURSE DONATION AGREEMENT

City Attorney Marc Winberry presented Council for their review and consideration a proposed draft agreement establishing the terms upon which portions of the defunct Wedgewood Golf Course would be donated to the City of Conroe in exchange for certain development incentives that would aid in the redevelopment of the remainder of the old course property and other adjacent land. Mr. Winberry pointed out that under the proposed agreement most of holes, 4, 5, 6, 16, and 17 would be donated to the City, and buffers would be retained along other selected areas of the golf course property to separate future development from the exiting residential development.

Mayor Pro Tem Coon asked if the HOA had already reviewed the proposed agreement. Mr. Winberry pointed out that this was the first presentation of the proposed agreement and if it received Council support, it would be brought back to Council in two or four weeks for consideration.

CREATION OF CONROE MUNICIPAL MANAGEMENT DISTRICT NO. 2

City Attorney Marc Winberry presented Council a proposed Ordinance consenting to the creation of Conroe Municipal Management District No. 2, also referred to as the Maxedon property, and establishing terms and condition of consent for their review and consideration. Mr. Winberry pointed out that this property was a 174.213-acre tract of land owned by CTM Holdings, LLC and will be annexed into the City of Conroe and created as an in City District.

MUD 164 – REPEALING PLAN REVIEW, APPROVAL AND CONSTRUCTION INSPECTION REQUIREMENTS

City Attorney Marc Winberry presented Council a proposed Ordinance repealing plan review, approval and construction inspection requirements for MUD 164 located in the ETJ outside the City of Conroe subdivision planning area for their review and consideration. Mr. Winberry informed that MUD 164 was located in Conroe's ETJ off FM 3083 about 6.75 miles southeast of Loop 336, not in the City's subdivision planning area. He pointed out that the Engineering Department did not review subdivision or development plans in this area of the ETJ. Mr. Winberry furthermore stated that all other requirements of the consent Ordinance remain in force. Staff recommended moving forward.

AMEND CHAPTER 90 – DOWNTOWN SIGN DISTRICT

City Attorney Marc Winberry presented Council a proposed Ordinance amending Code of Ordinance Chapter 90 to contract the geography boundaries of the Downtown Sign District and to clarify the application of the Sign Ordinance to pre-existing signs for Council's review and consideration. Mr. Winberry pointed out that the proposed Ordinance contracts the Downtown District to an area bounded by Phillips Street, Pacific Street, the BNSF Railroad and Frazier Street. Staff recommended adoption of the proposed Ordinance.

At 3:41 p.m., Mayor Powell along with Council, City Administrator Paul Virgadamo, City Attorney Marc Winberry, and City Secretary Soco M. Gorjón, recessed into a Closed Executive Session Chapter 551.071, 551.072, and 551.074 for the following purpose:

- **SJRA GRP Contract Litigation**
- **Litigation with Lone Star Groundwater Conservation on District Rules**
- **Purchase, lease , exchange or value of real property**
- **Performance Evaluation of the City Attorney**

The Closed Executive Session was recessed at 4:57 p.m.

BRIEFING

None

COUNCIL MEMBERS INQUIRY TIME

None

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

RECONVENE

THURSDAY, AUGUST 9, 2018 – 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, McDonald, Ham and Czajkoski
City Administrator Paul Virgadamo
City Attorney Marcus Winberry
City Secretary Soco M. Gorjón

INVOCATION/PLEDGE: Pastor Allen Anglin – Change Point Church

RECOGNITIONS: The Aquatic Center Lifeguard Team (Kyle Bartlett, Zac Clark, Alyssa Bernald, Diana Simiand, Rayce Nunley, Kayla Daniels, and Kevin Araujo) won 1st Place in the 2018 Gulf Coast Guard Games and they also qualified for the State Games.

Danielle Scheiner Executive Director of the Conroe Economic Development Council was recognized by Mayor and Council for receiving the inaugural ATHENA Leadership Award. The event honored 18 women for their professional excellence, community involvement, leadership, and involvement in the Conroe/Lake Conroe Chamber of Commerce.

CITIZEN INQUIRY

Scott Poole addressed Mayor and Council regarding the conditions of the C.K. Ray Recreation Center pickle ball court floor conditions. Mr. Poole pointed out that there are at least 50 dead spots on the floor, the nets were in poor condition as well, and there were always schedule issues even when no one was using the courts. Mayor asked Mr. Poole to meet with Park Department Director Mike Riggins to discuss his concerns. City Administrator Paul Virgadamo pointed out that funds were allotted on the new budget to address the floor problems.

John Nicks asked Council to make the Council meetings available on the City radio stations as well. Mayor and Council will look into that possibility.

Annie Burnett asked Council to consider cleaning the Dugan area ditches and the overall neighborhood. Mrs. Burnett pointed out that powerlines were hanging down very low and it was very concerning. She also asked Council for better access to the 6th floor room. Mayor Powell asked Community Development Director Nancy Mikeska to give Mrs. Burnett information regarding Conroe Pride.

Jimmy R. Johnson also addressed Council regarding accessibility to the pickle ball courts and asked Council to consider adding additional areas to play inside and outside as well as making other parks pickle ball friendly.

OPERATING BUDGET AND CAPITAL IMPROVEMENT BUDGET FY 2018-2019

Assistant Finance Director Collin Boothe presented Council the proposed FY 2018-2019 Operating and Capital Improvement Budgets with modifications as discussed during the Council Retreat for their review and information. Mr. Boothe reminded Council of the upcoming August 20, 2018 Special Meeting to conduct a Public Hearing.

Mayor Pro Tem Coon thanked staff for all of the hard work everyone did in order to compile a workable budget. He also asked if some projects could be brought to the CIDC for funds. Staff answered in the affirmative.

PUBLIC HEARING – FISCAL YEAR 2018-2019 OPERATING BUDGET

At 6:21 p.m., Mayor Powell recessed the Open Meeting in order to conduct a Public Hearing on the Fiscal Year 2018-2019 Operating Budget.

After receiving no comments, Mayor Powell closed the Public Hearing at 6:22 p.m.

PUBLIC HEARING – SETTING THE TAX RATE AT \$0.4175 PER \$100 ASSESSED VALUATION

At 6:22 p.m., Mayor Powell recessed the Open Meeting in order to conduct a Public Hearing for the purpose of a proposal to set the tax rate at \$0.4175 per \$100 assessed valuation for Fiscal Year 2018-2019.

Assistant Finance Director Collin Boothe noted that the City Council would vote on the tax rate on August 23, 2018, at City Hall, 300 West Davis, Conroe, Texas at 9:30 a.m.

After receiving no additional comments, Mayor Powell closed the Public Hearing at 6:23 p.m.

ADOPTION OF FY 2018-2019 OPERATING BUDGET

Assistant Finance Director Collin Boothe asked Council to consider setting the adoption of the proposed FY 2018-2019 Operating Budget for August 23, 2018, in the Council Chambers at Conroe City Hall, 300 West Davis, at 9:30 am.

Councilman Ham made a motion to set the adoption of the FY 2018-2019 Operating Budget for August 23, 2018, as discussed and presented. Councilman Czajkoski seconded the motion. Motion carried unanimously.

ESTABLISHING A CONSTRUCTION BOARD OF ADJUSTMENT

This item was deferred.

CREATION OF CONROE MUNICIPAL MANAGEMENT DISTRICT NO. 2

Mayor Pro Tem Coon made a motion to approve the proposed Ordinance consenting to the creation of Conroe Municipal Management District No. 2 and establishing terms and conditions of consent as presented. Councilman Ham seconded the motion. Motion carried unanimously.

REPEAL PLAN REVIEW, APPROVAL AND CONSTRUCTION INSPECTION REQUIREMENTS – MUD 164

Councilman McDonald made a motion to approve the proposed Ordinance repealing plan review, approval and construction inspection requirements for MUD 164 located in the ETJ outside the City of Conroe subdivision planning area as presented. Councilman Gibson seconded the motion. Motion carried unanimously.

AMEND CHAPTER 90 – SIGN ORDINANCE – DOWNTOWN SIGN DISTRICT

Councilman Ham made a motion to approve the proposed Ordinance amending Code of Ordinances Chapter 90 to contract the geographic boundaries of the Downtown Sign District and to clarify the application of the Sign Ordinance to pre-existing signs as discussed and presented. Councilman McDonald seconded the motion. Motion carried unanimously.

FLEET SERVICES REQUEST OF ADDITIONAL FUNDS FOR SIDDONS-MARTIN

Mayor Pro Tem Coon made a motion to approve the Fleet Services request of \$59,000.00 additional funds for Siddons-Martin to finish the remainder of the fiscal year for parts and services to the Fire Department's pump and ladder trucks as discussed. Councilman Gibson seconded the motion. Motion carried unanimously.

Mayor Pro Tem Coon informed the public that the San Jacinto River Authority charged the City of Conroe a little over 1.1 million dollars for surface water for the month of July 2018.

CONSENT AGENDA

A motion was made by Councilman Gibson, seconded by Councilman Czajkoski to approve the Consent Agenda, Items 9, 11, 12, and 13 as presented. The motion carried unanimously.

- Approve proposed Resolution supporting "Sacred Soils" dedication ceremony on October 2, 2018 at the Lone Star Monument and Historical Flag Park.
- Approve quote from Knight Security System to replace access controls at ten Water Wells as discussed.
- Approve Commission and Board Meeting absences.
 - July 5, 2018 – Bob Rabuck and Chris Caywood
 - July 19, 2018 – Curt Maddux

- **Payment of Statements :**

• San Jacinto River Authority/GRP Division	Surface Water Fees	\$970,815.73
• Texas Wall and Landscape LLC	Inv. No. 3 – Safe School Access Improvements	\$ 63,662.78
• Precise Services, Inc.	Inv. No. 4 – Construction/League Line & Plantation Sidewalks	\$102,907.83
• Wharton Smith, Inc.	Inv. No. 7 – Southwest WWTP Plant Flood Restoration and Repairs	\$651,124.85
• Wharton Smith, Inc.	Inv. No. 1A – Southwest WWTP Plant Flood Restoration and Repairs – Blowers	\$551,441.88
• Randy Roan Construction	Inv. No. 1 – Construction – Freedom Blvd. AKA Veterans Memorial Park Drive	\$139,302.06

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

Windsor Lake Lift Station

- Final bypass complete. Rehabbing manhole. Scheduled completion August 2018.

Windsor Force Main

- Project is substantially completion.

IH 45 Sanitary Sewer 105 to Hillcrest.

- Project is substantially completion.

Wilson Road Widening

- With Phase 1 detour; installed underground water & sewer utilities and cross culvert; Entergy relocates
- Poured 4 lanes of the closure area; working on the radius, curb and tie-in at Plantation Drive;
- Phase 1 detour will be removed August 20th; Scheduled completion January 2018

Grace Crossing Ext

- Storm sewer system, wooden fence and dirt work complete. Stabilizing with subgrade.
- Scheduled completion October 2018

Freedom Boulevard (Veterans Memorial)

- Started dirt work, underground and utility relocates. Large box culverts installation scheduled next.
- Scheduled completion December 2018

SH 105 Access Management Project (TxDOT) – Completed south side driveways & sidewalks; working on irrigation system and interior beds. Planting will begin when water and power (solar) is complete.

Smaller Projects under construction

- Asphalt Overlay project - Project substantially complete; started extra work on First Street.
- Safe Route to School sidewalks – Contractor 90% complete pouring sidewalks on 1st Street, North LP 336, Longmire Road and 7th Street. Contractor working on Montgomery Trace, and MLK South.
- Grace Crossing Signal – Installed 2 of the 4 signal pole foundations.
- Downtown signals (N Thompson & San Jacinto) – Started utility locates.
- SSOI Section-6 Sanitary Sewer Rehab – Continuing pre-TV; continue pipe bursting.
- FM 2854 Water & Sewer Relocation – Relocations complete; pipe bursting material to be delivered August 20th. TxDOT to held Pre-con for roadway widening July 12th. No start date set.
- Effluent Outfall Structure – Outfall headwall structure has been installed and tied into the pipe. 1,800 LF of pipe has been installed.
- Sanitary Sewer Evaluation Survey (SSES) – Collecting data; set 33 flow meters for 6 basins. First data/report due: 07/17/18 and Second data/report due: 12/14/18

Projects under Design

- Longmire Road Widening - 100% plans scheduled for an Aug/Sept 2018 bid. Utility relocates.
- New WWTP – reviewed 75% plans - VE study workshop complete. Working on new schedule.
- Signal - S. Loop 336 at S. Conroe Medical Drive – Submit for TxDOT Permit. Advertised, held prebid
- Sidewalks - Wilson Road (Federal Funding) – ready to bid once street project at 50%
- Robinwood Water Well (Jasper) - 90 % Design; the permits for TCEQ & LSGW are complete.
- Traffic Signal - SH 75 @ Foster Drive – 100% design; need RR permit for preemption (\$680K)
- Sgt. Ed Holcomb waterline – 60% design review; working on 90% plans due August 21st.
- SSOI Section-7 Sewer Rehab - Plans and specifications finalized. Advertised for bids.
- FM 1488 Water System Improvements – Working on property acquisition off of FM 1488.
- Sewer Rehab - SH 105/IH 45 (Phase 3) - 90% design reviewed; received finals plans August 3rd.
- Camelot Extension – Reviewing 60% design. Working on land donation for project with Randall's.
- Sewer Rehab - River Point Area – 100% plans; ready to advertise. Bid Oct 2018.
- Industrial Park Rehab (Pollok Dr. & Conroe Park Dr.) – Will advertise for bids August 19.
- Old Conroe Road – LJA scoping and fee review. Commitment from Comm. Riley to fund ½ the preliminary engineering. H-GAC to present 80/20 split for design to the TAC August 15.
- Lift Station Removal Pebble Glen & Longmire Pointe – reviewed 60% design, geo-tech report.
- SH105 concept West Waterline Extend., McCaleb Well with EST. Working on plans & survey.
- WWTP - Fiber Connectivity - Met with Public Works and IT; concept approved; plans complete.