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
City Secretary Soco M. Gorgón

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. Gorgón, City Secretary
OFFICIAL MINUTES OF THE CONROE CITY COUNCIL

Mayor Powell recognized Police Officer R. Rekart for his 9 years of service.

FIRST THURSDAY CONCERT SERIES AGREEMENT
Parks and Recreation Director Mike Riggens presented to Council the proposed First Thursday Concert Series Agreement with Brock Agency Incorporated for their review and consideration. Mr. Riggens informed that the 2018 series would be April through September. Mayor Powell pointed out that he has received numerous positive comments on the quality of performers and overall success of the program.

PUBLIC HEARING PROPOSED TAX ABATEMENT AGREEMENT – BAUER-PILECO, INC.
At 2:02 p.m., Mayor Powell recessed the Open Meeting in order to conduct a Public Hearing on proposed Tax Abatement Agreement with Bauer-Pileco, Inc.

After receiving no comments, Mayor Powell closed the Public Hearing at 2:02 p.m.

AUTHORIZE APPLICATION – US FOREIGN TRADE ZONES BOARD
Interim Economic Development Director Danielle Scheiner presented Council a proposed Resolution authorizing the application to the US Foreign Trade Zones Board for a grant of authority for expansion of FTZ #265 in Conroe Park North. Mrs. Scheiner explained the expansion of Conroe Park North needed an expansion in the FTZ #265 so that the boundaries of the zone were consistent with the boundaries of the park.

VARIANCE TO CHAPTER 14 – SECTION 14-84 - REQUIREMENTS FOR HOTELS
Community Development Director Nancy Mikeska presented Council for their review and consideration the proposed variance request to Chapter 14, Buildings and Building Regulations, Section 14-84 Additional Requirements for Hotels, for a proposed hotel to be located on 1.68 acres off IH-45. Ms. Mikeska explained the Developer was asking for a variance to allow less than 100 rooms, citing low occupancy rates (60%) for existing area hotels. The Developer addressed Council and entered into a lengthy discussion regarding the brand of hotel and the number of rooms. The Developer asked for Council’s approval to move forward with an 80-room capacity, Marriott-brand hotel. City Attorney Marc Winberry recommended Council include a detailed description, which stipulated the brand of hotel and room capacity in the variance.

VARIANCE TO CHAPTER 102, VEGETATION, AKA, THE TREE ORDINANCE
Item deferred.

CIP UPDATE
Interim Engineering Director Tommy Woolley presented Council the CIP Update for their review. (Exhibit “A”)

CONTRACT EXTENSION – FIXED ROUTE SERVICE - ADA COMPLEMENTARY PARATRANSIT SERVICE
Interim Engineering Director Tommy Woolley presented Council the proposed contract extension for City of Conroe Fixed Route Service with ADA Complementary Paratransit Service – Solicitation No. 2014-8-21. Mr. Woolley explained that the base contract between the City of Conroe and Ride Right, LLC expired on December 31, 2017. Mr. Wooley asked Council to consider approving a one-year extension in accordance with the base contract.

SERVICE PROPOSAL FOR THE SH-105/IH 45 SANITARY SEWER PHASE 3
Interim Engineering Director Tommy Wooley presented Council the proposed professional services proposal for the SH-105/IH-45 Sanitary Sewer Phase 3 for their review and consideration. Mr. Wooley stated the project scope was for professional engineering services, which included CCTV and design of approximately 4,600-feet of sanitary sewer between Wilson Road and N. Loop 336. City Administrator Paul Virgadamo clarified the current project would eliminate the need for a Lift Station, which would save the City approximately $25,000 a year in maintenance.
SERVICE PROPOSAL – REHABILITATION OF POLLOK DRIVE AND CONROE PARK AREA DESIGN
Interim Engineering Director Tommy Woolley presented Council the proposed professional services proposal for the Rehabilitation of Pollok Drive and Conroe Park Area design for their review and consideration. Mr. Woolley explained the project scope was for professional engineering services, which included rehabilitation of existing asphalt pavement and the proposed construction of concrete pavement on Pollok Drive and Conroe Park Drive. Mr. Woolley recommended the professional services contract be awarded to LJA Engineering in the amount of $88,251.50.

INCENTIVE PAY STRUCTURE FOR PUBLIC WORKS
Assistant Director of Public Works Jason Miller presented Council the proposed Incentive Pay Structure Additions for Public Works for their review and consideration. Mr. Miller explained Council that the State of Texas required a Customer Service Inspector (CSI) License and Backflow Prevention Assembly Tester (BPAT) License. Mr. Miller introduced a pay structure of $50 per month per license, noting these licenses will be restricted to no more than eight staff members unless the State of Texas changes their requirements.

CITY OF HUNTSVILLE ANIMAL SHELTER SERVICES AGREEMENT
Police Chief Philip Dupuis presented Council the proposed agreement with the City of Huntsville, Texas for animal shelter services for their review and consideration. Chief Dupuis explained that the City was receiving animals from Huntsville for the past 7 months since the City of Huntsville’s contract with their animal shelter was canceled. Chief Dupuis summarized the agreement stating the City of Huntsville will be paying the City of Conroe $200,000 a year for us to receive up to 480 animals; $80,000 will be paid to Care Corp and $120,000 will remain with the City of Conroe. Mayor Pro Tem Coon asked for the occupancy rate for the previous 24 months, and shared concerns over the increase of animals the City would be accepting under this agreement. Councilman Martin stated he would like the Council to be informed if the euthanasia rate increases. Mayor Pro Tem Coon noted that the City should be reimbursed for the previous 7 months. Chief Dupuis stated he would inquire about making this agreement retroactive, starting October 1, 2017.

ORDINANCE PROVIDING REGULATION OF ASSISTED LIVING FACILITIES
City Attorney Marcus Winberry presented Council a proposed Ordinance providing for regulation of assisted living facilities for their review and consideration. Mr. Winberry stated that the proposed Ordinance would prohibit the operation of assisted living facilities that did not hold a state license and would require all assisted living facilities to register with the City. Mr. Winberry pointed out that the Ordinance would also prohibit the location of assisted living facilities in residential neighborhoods except as permitted/required by state law for qualified community homes serving disable persons, and occupied by no more than six clients and two staff persons. Mr. Winberry directed a lengthy discussion regarding issues such as grandfathering existing homes, handling of unlicensed homes, locations of assisted living facilities and other areas concern. Mr. Winberry stated the Ordinance would allow assisted living facilities to be operated as a business and held to the standards set forth for operation of said business.

DESIGNATING A COMMUNITY VENUE PROJECT
City Attorney Marcus Winberry presented Council a proposed Resolution designating a community venue project and designating the sources of revenue and means of financing the proposed project. Mr. Winberry outlined the first step in the process was to adopt a Resolution designating the project and choosing from a statutory menu of revenue sources that included a hotel occupancy tax, vehicle rental tax, parking tax and admission tax. He advised the Resolution would be sent to the State Controller to review and after approval then the City would conduct an election to approve the project and the revenue source. Former Councilwoman and now City-Arts Liaison Marsha Porter introduced members of the Arts community who were in support of this project. Ms. Porter addressed Council regarding possible funding streams, noting sales tax was not on the list of possible revenue sources. Mr. Winberry stated the City sales tax was already at the 2% threshold and noted this project should qualify for CIDC funding. He reiterated the Resolution was the first step in the process and did not obligate the City to have an election. Ms. Porter restated that this project would not be funded with taxes on the citizens of Conroe. Mayor Pro Tem Coon stated he was supportive of the concept, but struggled with the money mechanism. He further stated that a project of this magnitude must be done correctly, and cautioned Council to proceed with due diligence.
LONE STAR GROUNDWATER CONSERVATION DISTRICT REGULATORY FEE
City Attorney Marcus Winberry presented Council a proposed Resolution directing the City Administrator to withhold payment of the increase to the Lone Star Groundwater Conservation District regulatory fee implemented on January 1, 2018 for their review and information. City Administrator Paul Virgadamo clarified that the Resolution was for the increase from 7½% to 11%.

At 3:50 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 Chapter 551 for the following purpose:

- Performance Evaluation of Human Resources Director – 551.074
- Internal Auditor Annual Review – 551.074
- Purchase and/or exchange of property – 551.072
- Consultation with attorney concerning the following pending claims and litigation: SJRA GRP Contract litigation – Litigation with Lone Star Groundwater Conservation on District Rules and DFC process – 551-071

The Closed Executive Session was recessed at 5:44 pm.

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, JANUARY 11, 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, Martin and Snider
         City Administrator Paul Virgadamo
         City Attorney Marcus Winberry
         City Secretary Soco M. Gortón

ABSENT: Councilman Ham

INVOCATION/PLEDGE: City Administrator Paul Virgadamo

RECOGNITIONS: Employee of the Month – Liz Patterson, Administration, December 2017

SERVICE AWARDS
   5-Years - Jaime Steed – Code Enforcement
   5-Years - Danielle Scheiner – CIDC
   15-Years - Greg Hall, Jr. - Treatment Plant

Mayor Powell recognized Police Officer J. Moore for his service to the Department since January 2017.

Mayor Powell recognized Mayor of Huntsville Andy Brauninger and Chief of Police Kevin Lunsford.

CITIZEN INQUIRY
None

TAX ABATEMENT AGREEMENT WITH BAUER-PILECO, INC.
Mayor Pro Tem Coon made a motion to approve the proposed Tax Abatement Agreement with Bauer-Pileco, Inc. as presented. Councilman Gibson seconded the motion. Motion carried unanimously.

VARIANCE TO CHAPTER 14 – SECTION 14-84 - REQUIREMENTS FOR HOTELS
Councilman Martin made a motion to approve the proposed variance to Chapter 14, Buildings and Building Regulations, Section 14-84 Additional Requirements for Hotels, of the City Code of Ordinances, for a proposed Marriot brand hotel to be located on 1.68 acres off IH-45, with a capacity of not less than 80-rooms as discussed and presented. Councilman Gibson seconded the motion. Motion carried unanimously.

VARIANCE TO CHAPTER 102 VEGETATION, AKA, TREE ORDINANCE
Item removed by Community Development Director Nancy Mikeska

PROPOSAL SERVICES FOR THE SH-105/IH-45 SANITARY SEWER PHASE 3
Councilman Gibson made a motion to approve the professional services proposal for the SH-105/IH-45 Sanitary Sewer Phase 3 as discussed and presented. Councilman Snider seconded the motion. Motion carried unanimously.
PROPOSAL SERVICES FOR REHABILITATION OF POL洛克 DRIVE AND CONROE PARK AREA DESIGN
Councilman Snider made a motion to approve the proposed professional services proposal for the Rehabilitation of Pol洛克 Drive and Conroe Park Area design as discussed and presented. Councilman Martin seconded the motion. Motion carried unanimously.

NOVEMBER 2017 FINANCIAL SUMMARY REPORT
Asst. City Administrator/CFO Steve Williams presented Council the November 2017 Monthly Financial Summary Report for their review and consideration.
Councilman Gibson made a motion to approve the November 2017 Financial Summary Report as presented. Councilman Martin seconded the motion. Motion carried unanimously.

REGULATIONS OF ASSISTED LIVING FACILITIES
Mayor Pro Tem Coon made a motion to approve the proposed Ordinance providing for regulation of assisted living facilities as discussed and presented. Councilman Gibson seconded the motion. Motion carried unanimously.

DESIGNATING A COMMUNITY VENUE PROJECT
Mayor Pro Tem Coon addressed Council stating he would be supportive of taking this first step; however, he reiterated the need for due diligence before presenting to citizens for a vote. Mayor Powell agreed with the need for due diligence. City Attorney Marc Winberry clarified that if this item was place on the ballot, it could not be removed from the election ballot. Former Councilwoman and City-Arts Liaison Marsha Porter noted this was the first step and acknowledged that the 2% increase in the HOTax from 13% to 15% was still a conservative amount, compared to the limit of 17%.
Councilman Martin made a motion to approve the proposed Resolution designating a community venue project and designating the sources of revenue and means of financing the proposed project as discussed and presented. Councilman Gibson seconded the motion. Motion carried unanimously.

LONE STAR GROUNDWATER CONSERVATION DISTRICT REGULATORY FEE
Councilman Martin made a motion to approve the proposed Resolution directing the City Administrator to withhold payment of the increase to the Lone Star Groundwater Conservation District regulatory fee implemented on January 1, 2018 as discussed and presented. Councilman Gibson seconded the motion. Motion carried unanimously.

ANIMAL SHELTER SERVICES – AGREEMENT WITH CITY OF HUNTSVILLE
Chief of Police Philip Dupuis reported to Council the average number of animals received monthly for 2016 was 212 dogs/149 cats and the monthly average for 2017 was 198 dogs/116 cats. Chief Dupuis pointed out that the average went down in 2017, noting September's numbers were down due to Hurricane Harvey. He further explained that City of Huntsville began sending animals to Conroe during the month of March 2017. He advised that during this time, Huntsville made payments directly to Care Corp; therefore, they do not want the contract with City of Conroe to be retroactive. Chief Dupuis also reported the euthanasia was 20% for 2016 and 11% for 2017; citing Care Corp's adoption programs and Rescue group collaborations as the reason for the decrease. Mayor Pro Tem Coon expressed appreciation for the Chief's information and asked the Chief to keep a watchful eye on the Animal Shelter and keep Council abreast of issues involving the Animal Shelter.
Councilman Martin made a motion to approve agreement with the City of Huntsville, Texas for animal shelter services. Councilman Gibson seconded the motion. Motion carried unanimously.
CONSENT AGENDA

A motion was made by Councilman Gibson, seconded by Councilman Snider to approve the Consent Agenda, Items 10-13, 15 and 16 as discussed and presented. The motion carried unanimously.

- Approve First Thursday Concert Series Agreement.
- Approve a Resolution authorizing the application to the US Foreign Trade Zones Board for a grant of authority for expansion of FTZ #265 in Conroe Park North.
- Approve Incentive Pay Structure Additions for Public Works.
- Approve Council Meeting Minutes held November 8 & 9, 2017.

- Payment of Statements:
  - SJRA/GRP Division
  - Sunbelt Rentals, Inc
  - Fused Industries, LLC
  - Locke Lord
  - Triple B Services, LLP
  - Winlectric
  - Cummins Southern Plains, Inc

  Surface water fee payment per SJRA
  Inv. No. 72357064-0005 Generator Rentals for Treatment Plant $ 611,336.34
  Inv. No. 3 – Sanitary Sewer SH-105 & I-45 Phase 2 $ 68,131.75
  Inv. No. 1397681 – Legal Services $ 108,316.90
  Inv. No. 8 – MP Clark Roadway Construction $ 55,723.70
  Inv. No. 8747695, 8672901, 8748101 – Contract Services $ 451,448.21
  Inv. No. 012-20719 – WWTP Generators $ 501,288.47
  Inv. No. 012-20719 – WWTP Generators $ 450,484.00

There being no further business to consider, a motion was made by Mayor Pro Tem Coon, seconded by Councilman Martin to adjourn the meeting.
CIP Updates

Windsor Lake Lift Station
- Completed pouring seal slab and generator pads
- Working on wet well top slab and Baffle walls
- Scheduled completion August 2018

Windsor Force Main
- Installed 7500’ of line
- Boring pilot holes
- Scheduled completion August 2018

IH 45 Sanitary Sewer 105 to Hillcrest.
- Bore under SH 105 complete
- Installed 500’ up IH 45
- Scheduled completion June 2018

MP Clark
- Both lanes poured from LL to Shadow Lakes
- NB lanes poured from Shadow Lake to 200’ of state ROW at FM 830
- Stabilized and ready in State ROW at FM 830
- Scheduled completion March 2018

N Thompson Pavers
- North side pavers removed, stabilizing area

SH 105 Access Management Project (TxDOT)
- Duct Bank complete no later than the end of January
- We will start driveways & sidewalks, in mid-January
- Turn on the new traffic signals January 17th & 18th

Held pre-con
- Asphalt Overlay project (Milltown, Holly Hills, Robinwood)
- Downtown signals working on contract Traffic System Inc.

Contracts and scheduling pre-con
- Safe Route to School sidewalks (Tx Wall & Landscape)
- League Line & Plantation sidewalks (Precise Services)
- Wilson Road Widening (Triple B)

Design
- Grace Crossing Ext and Signal – received bids
- Longmire Road widening schedule to bid in Feb 18
- Veterans Memorial Park Drive – 60% plans
- New WWTP scheduled for a July 2018 bid