

**MINUTES OF THE
CONROE CITY COUNCIL**

JANUARY 9 & 10, 2013

**CALL TO ORDER
CALL OF ROLL**

**PRESENT: Mayor Melder
Mayor Pro Tem Martin
Council Members, Gibson, Porter, Snider, and Gentry
City Administrator Paul Virgadamo
City Attorney Marcus L. Winberry
City Secretary Marla J. Porter**


After a roll call by the City Secretary establishing a quorum was present, the meeting was called to order at 2:00 p.m. by Mayor Melder.

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.


Webb K. Melder, Mayor

ATTEST:


Marla J. Porter, TRMC, City Secretary

OFFICIAL MINUTES OF THE CONROE CITY COUNCIL

PARTNERSHIP AGREEMENT – MUD 95 – HARPER’S RESERVE

Assistant Community Development/Public Works Director Nancy Mikeska addressed Council and asked them to consider a proposed Strategic Partnership Agreement with Montgomery County Municipal Utility District No. 95, located off of highway 242, east of I-45, to provide for the future annexation of MUD 95 and the provision of water supply and waste water services prior to the annexation. Ms. Mikeska informed Council that there were 351 homes.

PUBLIC HEARING – STRATEGIC PARTNERSHIP AGREEMENT – MUD 95

The Open Meeting was recessed at 2:12 p.m. in order to conduct first Public Hearing on a Strategic Partnership Agreement between the City and Montgomery County Municipal Utility District 95, located off Highway 242, east of I-45 in the Extra-Territorial Jurisdiction of the City. The agreement will provide for the future annexation of MUD 95 and the provision of water supply and wastewater services prior to the annexation and sets out the terms and conditions of said services and other considerations.

After calling for comments and receiving none, the Open Meeting was reconvened at 2:13 p.m. by Mayor Melder.

ACES CONTRACT – MUD 95

Assistant Community Development/Public Works Director Nancy Mikeska asked Council to consider awarding a contract to American Civil Engineering Services, L.P. (ACES), for professional services related to the Strategic Partnership Agreement between the City and Montgomery County Municipal Utility District No. 95 for the Master Plan and design of the extension of water and waste water services, with a cost not to exceed \$200,000.

GROUND STORAGE AND HYDRO TANK PAINTING PROJECT – BLASTCO TEXAS, INC.

City Engineer Erwin Burden informed Council that the original contract was awarded on June 14, 2012 in the amount of \$269,500 for the Ground Storage and Hydro Tank Painting Project; however, Alternative Item No. 7, tying Ground Storage No. 6 into the SJRA line, was not awarded. Mr. Burden pointed out that there was a need to add \$15,000 to the original contract amount for the SJRA tie-in and \$12,400 to install a 24” pressure man way and install two 24” vents in place of 12” vents. He asked Council to consider approval of required change orders.

ORDINANCE AMENDMENT - PROHIBIT DISPOSAL OF WASTE IN A DRAINAGE WAY

City Engineer Erwin Burden asked Council to consider amending Code of Ordinance Chapter 54, Section 54-2 prohibiting disposal of waste in a drainage way . Mr. Burden advised this would comply with requirements of NFIP/CRS, and would allow property owners within the city limits to receive discount rates on flood insurance.

AMEND CODE – ELECTRICAL AND MECHANICAL

City Engineer Erwin Burden asked Council to consider amending Code of Ordinance Chapter 78, Section 78-84 requiring all electrical and mechanical equipment for new construction and substantially improved structures to be a minimum of one foot above Base Flood Elevation. This would comply with NFIP/CRS requirements and would allow property owners within the city limits to receive discount rates on flood insurance.

SERVICE AGREEMENT – NATIONAL SIGN PLAZAS, INC.

Assistant Community Development/Public Works Director Nancy Mikeska asked Council to consider a service agreement with National Sign Plazas, Inc. to install and maintain directional signage to subdivisions, developers, homebuilders, and other way-finding landmarks, within the City of Conroe. Installations will be consistent with a style approved by the City.

HAZARDOUS MATERIAL CLEANUP COSTS - ORDINANCE

Fire Chief Ken Kreger asked Council to consider a proposed addition to City Ordinances allowing the Fire Department to seek reimbursement of the cost of hazardous materials abatement. Chief Kreger pointed out that most hazardous material incidents are truck/trailer incidents and industrial accidents. He informed Council that City Attorney Marc Winberry had reviewed the request and assisted in creating the proposed Ordinance.

CITY LOGO

City Administrator Paul Virgadamo provided a brief history of the current logo and asked direction from Council to see if there was an interest in going back to the former logo.

After a brief discussion, it was Council's consensus to establish a committee to discuss the proposed logo and bring back to Council for review and consideration. Suggested members were Mayor Pro Tem Martin, Councilwoman Porter, CVB Manager Harold Hutcheson, E-Service Coordinator Victoria Endsley, City Administrator Paul Virgadamo and Street Maintenance Technician Victor Vega.

INCODE VERSION VIII TO VERSION X

Finance Director Steve Williams informed Council that Tyler Technologies (Incode) was the software provider through which the City operated its General Ledger, Accounting, Accounts Payable, Payroll, Purchasing, Utility Billing, and the Municipal Court systems. Mr. Williams pointed out that the FY 12-13 budget included funding to migrate the City from Incode Version VIII to Version X at a cost of \$127,925. He added that Version X pricing was based on a competitive bid RFP done by the NJPA.

NATIONAL JOINT POWERS ALLIANCE (NJPA) COOPERATIVE PURCHASING MEMBERSHIP

Finance Director Steve Williams asked Council to consider approval of the National Joint Powers Alliance (NJPA) Cooperative Purchasing Membership. He advised that this entity serves as a municipal contracting agency for over 47,000 members, including many cities in Texas.

At 2:35 p.m. Mayor Melder, along with Council, City Administrator Paul Virgadamo, City Attorney Marc Winberry, City Secretary Marla J. Porter, CIDC Executive Director Larry Calhoun, Engineering Department Representative Troy Toland, and City Engineer Erwin Burden recessed into a closed meeting for the following purpose:

(Councilwoman Porter recused herself from the meeting.)

- Discussion of Anderson Road property

The Open Meeting was reconvened at 4:07 p.m.

COUNCIL BRIEFING

Mayor Pro Tem Martin asked for an item to be placed on a future Council agenda regarding a developer's policy on road building.

COUNCIL INQUIRY

None

There being no further business to be brought before the Council the Open Meeting was recessed until tomorrow at 6:00 p.m.

RECONVENE

THURSDAY, JANUARY 10, 2013 – 6:00 P.M.

OFFICIAL ACTION OF THE CONROE CITY COUNCIL

CALL TO ORDER
CALL OF ROLL

PRESENT: Mayor Melder
Mayor Pro Tem Martin
Council Members Gibson, Porter, Snider and Gentry
City Administrator Paul Virgadamo
City Attorney Marcus L. Winberry
City Secretary Marla J. Porter
Assistant City Secretary Soco M. Gorjon

INVOCATION/PLEDGE: Luke Cunningham Associate Community Pastor
The Ark Church

RECOGNITIONS: Letters of appreciation to several Parks and Police Department employees.

CITIZEN INQUIRY
None

PUBLIC HEARING – STRATEGIC PARTNERSHIP AGREEMENT – MUD 95

The Open Meeting was recessed at 6:05 p.m. in order to conduct the second Public Hearing on a Strategic Partnership Agreement between the City and Montgomery County Municipal Utility District 95.

After calling for comments and receiving none, the Open Meeting was reconvened at 6:06 p.m. by Mayor Melder.

STRATEGIC PARTNERSHIP AGREEMENT – MUD 95

A motion was made by Councilman Gibson, seconded by Mayor Pro Tem Martin, to approve a Strategic Partnership Agreement between the City and Montgomery County Municipal District No. 95 as discussed. Motion carried unanimously.

CONTRACT AWARD – AMERICAN CIVIL ENGINEERING SERVICES, L.P. (ACES) – MUD 95

A motion was made by Councilwoman Porter, seconded by Councilman Snider, to approve a contract award to American Civil Engineering Services, L.P. for master plan and design of the extension of the water and wastewater services to MUD 95 with a cost not to exceed \$200,000 as discussed. The motion carried unanimously.

GROUND STORAGE AND HYDRO TANK PAINTING PROJECT CHANGE ORDER

Mayor Pro Tem Martin made a motion to approve the proposed Ground Storage and Hydro tank Painting Project change order as discussed. The motion was seconded by Councilman Gibson. Motion carried unanimously

AMEND CODE OF ORDINANCE – PROHIBIT DISPOSAL OF WASTE IN DRAINAGE WAYS

A motion was made by Councilman Snider, seconded by Councilman Gentry, to approve the proposed amendment to the Code of Ordinance to prohibit disposal of waste in drainage ways as discussed. Motion carried unanimously.

AMEND CODE OF ORDINANCES – ELECTRICAL AND MECHANICAL EQUIPMENT

Councilman Gibson made a motion to approve the proposed amendment to the Code of Ordinances to require all electrical and mechanical equipment for new construction be elevated above the base flood elevation as discussed. The motion was seconded by Councilwoman Porter. Motion carried unanimously.

SERVICE AGREEMENT – NATIONAL SIGN PLAZAS, INC.

Councilwoman Porter made a motion to approve a service agreement between the City and National Sign Plazas, Inc. to install and maintain directional signage as discussed. The motion was seconded by Councilman Gentry. Motion carried unanimously.

HAZARDOUS MATERIAL CLEANUP ORDINANCE

Councilman Snider made a motion to approve the proposed Ordinance relating to hazardous material cleanup costs as recommended by the City Attorney. The motion was seconded by Councilman Gentry. Motion carried unanimously.

APPOINTMENTS TO H-GAC TRANSPORTATION POLICY COUNCIL

Councilman Gibson made a motion to appoint Larry Calhoun as the Representative and Guy Martin as the Alternate to the H-GAC Transportation Policy Council as presented. The motion was seconded by Councilwoman Porter. Motion carried unanimously.

APPOINTMENTS TO TECHNICAL ADVISORY COMMITTEE

A motion was made by Mayor Pro Tem Martin, seconded by Councilman Gentry, to appoint Tommy Woolley as the Representative and Luis Nunez as the Alternate to the Technical Advisory Committee as discussed. Motion carried unanimously.

CITY LOGO

This item was deferred. The City Administrator will bring the item back for review and discussion. Councilman Snider asked to include Nancy Mikeska to the Committee.

NATIONAL JOINT POWERS ALLIANCE (NJPA) COOPERATIVE PURCHASING MEMBERSHIP

A motion was made by Councilman Gentry, seconded by Councilman Gibson, to approve National Joint Powers Alliance (NJPA) cooperative purchasing membership as discussed. Motion carried unanimously.

INCODE VERSION VIII TO VERSION X

A motion was made by Mayor Pro Tem Martin, seconded by Councilman Gibson, to approve funding to migrate the City from Incode Version VIII to Version X as discussed. Motion carried unanimously.

NOVEMBER 2012 MONTHLY FINANCIAL SUMMARY REPORT

Finance Director Steve Williams presented a detailed monthly financial summary report for the month of November 2012 to Mayor and Council for review and consideration.

After Mr. Williams' presentation, Councilman Gibson made a motion to approve the November 2012 Monthly Financial Summary Report as presented. Mayor Pro Tem Martin seconded, and the motion carried unanimously.

At 6:24 p.m. Mayor Melder, along with Council, City Administrator Paul Virgadamo, City Attorney Marc Winberry, and City Secretary Marla J. Porter recessed into a closed meeting for the following purpose:

- Finance Director Performance Evaluation
- Human Resource Director Performance Evaluation

The Open Meeting reconvened at 6:30 p.m.

CONSENT AGENDA

A motion was made by Councilwoman Porter, seconded by Councilman Gibson, to approve the Consent Agenda Items 17 thru 19 as presented. The motion carried unanimously.

- Reappointment to the Oscar Johnson, Jr. Community Center Board of Directors and setting terms: John Burge, Position 2; Mildred Barnaby, Position 4; Bill Pattillo, Position 6; and Lucresha Vinson, Position 8 – Terms to expire December 31, 2014
- Approval of Minutes of City Council Meeting held December 12 & 13, 2012.

Payment of Statements:

• Horseshoe Construction, Inc.	Pay No. 4 – SSOI Sewer Main	\$100,647.75
• Triple B Services	Pay No. 4 – Plantation Dr Phase 1 & 2	\$271,971.61
• Triple B Services	Pay No. 4 – Drennan Rd West to Plantation	\$ 59,910.80
• Alsay Incorporated	Pay No. 8 – WW No. 23 (Beasley)	\$312,635.50
• Lewis Contractors	Pay No. 10 – I-45 to SWTP	\$427,772.18
• Weisinger Water Well, Inc.	Pay No. 6 – WW No.24 (Catahoula)	\$229,178.00
• San Jacinto River Authority/GRP Division	Surface Water Fee	\$303,749.64

There being no further business to consider, Councilwoman Porter made a motion, seconded by Councilman Gibson, to adjourn. The motion carried unanimously.