

**MINUTES OF THE
CONROE CITY COUNCIL**

JUNE 12 & 13, 2013

**CALL TO ORDER
CALL OF ROLL**

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

ABSENT: Councilman Snider


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

1ST PUBLIC HEARING – ANNEXATION PRL 2013-01 – CAMP STRAKE AND ADJOINING PROPERTIES

The Open Meeting was recessed at 2:02 p.m. in order to conduct the first of two Public Hearings for Annexation Parcel 2013-01, which included Camp Strake parcel of land and adjoining properties, and to present the City's proposed Service Plan.

Assistant Community Development/Public Works Director Nancy Mikeska made a brief presentation of the proposed Service Plan. Ms. Mikeska pointed out that the proposed plan was posted on the City's website.

Sondra Terry, property owner at 2221 Sergeant Ed Holcomb Blvd, addressed Council questioned why, since she claimed the over 65 exemption and there no tax value, the City was interested in annexing her.

Cynthia Barron, property owner at 2231 Sergeant Ed Holcomb Blvd., informed Council that she did not want to be annexed, and asked if raising honeybees would qualify her for an exemption.

Tom Varnell, President of the Boys Scouts of America, addressed Council and pointed out that the Boys Scouts of America appreciated the City's efforts in the annexation process.

After calling for additional comments and receiving none, the Open Meeting was reconvened at 2:12 p.m. by Mayor Melder.

MONTGOMERY CO. EMERGENCY COMM. DISTRICT BUDGET 2013/2014 (9-1-1)

City Administrator Paul Virgadamo introduced Chip VanSteenberg, Executive Director of 9-1-1, who asked Council to consider approval of 2013/2014 9-1-1 budget. Staff recommended approval.

USA BMX PROPERTY

Parks Department Director Mike Riggins introduced Nick Adams with USA BMX, who had approached staff regarding keeping the BMX track in Conroe due to its affiliation with the BMX Olympian from Conroe (Kyle Bennett) and its historical significance. Mr. Adams informed Council that he made a presentation to the Parks and Recreation Advisory Board regarding the project and the Board was in favor of keeping the track in Conroe. He pointed out that they would need approximately 2 acres without parking or 4 to 5 acres with parking. Mr. Adams added that normally 75% of their attendance was from out of town. He informed they were paying \$1,500 per month, which they would be willing to pay the City. He advised it would cost approximately \$120,000 to \$130,000 to build the site without a building and \$800,000 with a building.

Council discussed the possibility of using HOT Tax funds.

US GREEN BUILDING COUNCIL – PINEY WOODS BRANCH – CONTAINER PROJECT

Parks Department Director Mike Riggins introduced Mark Sybert with The Piney Woods Branch of The United States Green Building Council who was requesting permission to build a container building on City of Conroe property through a lease agreement. Mr. Sybert informed Council that it would cost around \$50,000 to build and construct the building, which would be a multipurpose building allowing the Parks Department access. Mr. Riggins informed Council that the Parks and Recreation Board was in favor of the project and suggested constructing the building at John Burge Park at Shadow Lakes due to its educational components.

SUPPORT SEC. 504 GRIEVANCE PROCEDURES – CDBG AND TX-CDBG PROGRAMS

Assistant Community Development/Public Works Director Nancy Mikeska addressed Council and presented Robert Beck, Senior Housing HUD Representative, and Kade Mathew, a Senior at Texas Tech University with a Business Administration Degree Major, who will be Ms. Mikeska's intern for the summer.

Ms. Mikeska presented Council a proposed Resolution supporting the City's Section 504 Grievance Procedures, with regard to the Community Development Block Grant (CDBG) Program and the TX-CDBG Program, which directed and designated the Mayor as the City's Chief Executive Officer and authorized representative to act in all matters in connection with these policies.

SUPPORT SEC. 3 POLICY – CDBG AND TX-CDBG PROGRAMS

Assistant Community Development/Public Works Director Nancy Mikeska addressed Council and presented a proposed Resolution supporting the City's Section 3 Policy in accordance with the Community Development Block Grant (CDBG) Program and the TX-CDBG Program, which directed and designated the Mayor as the City's Chief Executive Officer and authorized representative to act in all matters in connection with these policies.

WASTEWATER TREATMENT PLANT PROJECT - CONTRACT MODIFICATION

Public Works Director Dean Towery asked Council to consider authorizing Lockwood, Andrews & Newnam, Inc. (LAN) to modify the design scope for the Wastewater Treatment Plant Improvement Project, to include a submersible pump lift station in lieu of rehabilitating the existing screw pump lift station. Mr. Towery pointed out that the cost for this design scope change would be approximately \$49,500.00, and design schedule completion extension of one month. He advised no budget amendment would be required.

BID AWARD – HOT MIX OVERLAY PROJECT

City Engineer Erwin Burden asked Council to consider awarding the project to Smith & Company in the amount of \$565,096.36. Mr. Burden pointed out that this project will include Main Street from Gladstell to the railroad tracks and from Airport Rd. to Highway 105 to 10th Street. Staff recommended approval.

TRANSFER OF RIGHTS – DEV. & MUNICIPAL SERV AGMT FOR WINDSTONE DEVELOPMENT

City Attorney Marc Winberry informed Council that MUD 124 was created to serve the property in the ETJ of Conroe off Little Egypt Road. He pointed out that the District was subsequently annexed and abolished with the consent of property owners Danny Signorelli and Mike Stoecker. A Development Agreement providing for the creation of a Public Improvement District to replace the MUD. Mr. Winberry advised that at this time Mike Stoecker was assigning his interest in the subdivision to D.R. Horton. Mr. Winberry introduced David Oliver with Allen, Boone Humphries who discussed proposed assignment from Stoecker Properties to D.R. Horton, a \$2.5 mil infrastructure cost.

PID FOR ESTATES OF WEDGEWOOD FALLS

City Attorney Marc Winberry addressed Council and informed that Danny Signorelli had a contract for purchase of the property (30 acres, 112 lots) and was requesting the opportunity to discuss the creation of a public improvement district to provide a developer reimbursement district just like the Windstone Development.

DENY ENTERGY RATE REQUEST – (SCHEDULE IS)

Mayor Melder informed those present that the proposed Ordinance would deny Entergy's request for modification of rate schedule for interruptible service (Schedule IS). Staff recommended denying the request so it can be appealed to the PUC.

AWARD BID - NEW FREEDOM PROJECT

Executive CIDC Director Larry Calhoun asked Council to consider awarding the bid to the only bidder (Montgomery Building Services) for their bid of \$163,969.53. Mr. Calhoun pointed out that the project would consist of constructing a five-foot wide sidewalk, pedestrian ramps and one bus shelter in the Dugan area.

Mayor Melder was concerned only one bid was received and asked Mr. Calhoun to present additional information to Council tomorrow.

MEET & CONFER AGREEMENT - CONROE PROFESSIONAL FIREFIGHTER'S ASSOCIATION

Fire Chief Ken Kreger provided a draft of proposed Meet and Confer Agreement with the Conroe Professional Firefighter's Association for Council's review. City Attorney Marc Winberry discussed the proposed agreement in depth.

INTERLOCAL AGREEMENT – EMERGENCY SERVICES DISTRICT NO. 3

Fire Chief Ken Kreger presented Council a draft of the proposed agreement for their review and consideration. City Attorney Marc Winberry discussed the draft in depth.

At 3:27 p.m. Mayor Melder, along with Council, City Administrator Paul Virgadamo, City Attorney Marc Winberry, Assistant City Secretary Soco M. Gorjón, City Engineer Erwin Burden, CIDC Executive Director Larry Calhoun, Matt Whitney with Whitney and Associates and Brandy Taylor recessed into a closed meeting for the following purpose:

- Section 551.072 –
 Wilson Road East Right-of-Way Purchase
 Camp Strake Boy Scout Property Purchase
 Anderson Road Project Right-of-Way Purchase

City Engineer Erwin Burden, CIDC Executive Director Larry Calhoun, Matt Whitney with Whitney and Associates and Brandy Taylor exited the Executive Session.

- Section 551-074 – Performance Appraisal for City Secretary

The Open Meeting reconvened at 4:03 p.m.

COUNCIL BRIEFING

None

COUNCIL INQUIRY

Mayor Melder asked to place on next agenda an item to review Conservation Update from John Bleyl.

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, JUNE 13, 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, and Gentry
City Administrator Paul Virgadamo
City Attorney Marcus L. Winberry
Assistant City Secretary Soco M. Gorjón

ABSENT: Councilman Snider
City Secretary Marla J. Porter

INVOCATION/PLEDGE: Pastor Lloyd Maddoux – Conroe First Assembly of God

PROCLAMATIONS: Conroe First Assembly of God Day – June 16, 2013
90 years of ministry

Juneteenth Celebration Day – June 19, 2013

RECOGNITIONS: Mayor Melder recognized James Day with Boy Scout Troop 1517 who was present to obtain his communication and citizenship badges.

Internal Auditor Sherri Mattson was recognized and commended for her efforts in obtaining over \$1.1 million in recovery funds from the IKE Recovery.

Fire Chief Kreger read a letter from the City of Houston's Fire Department commending the City of Conroe Fire Department for all of their volunteer time provided to them during their time of need (over 900 hours – covering over 37 shifts)

CITIZEN INQUIRY
None

2nd PUBLIC HEARING – ANNEXATION PRL 2013-01 – CAMP STRAKE AND ADJOINING PROPERTIES

The Open Meeting was recessed at 6:18 p.m. in order to conduct the second Public Hearing for Annexation Parcel 2013-01, which included Camp Strake parcel of land and adjoining properties and present the City's proposed Service Plan.

Assistant Community Development/Public Works Director Nancy Mikeska made a brief presentation of the proposed Service Plan. Ms. Mikeska pointed out that the proposed plan was also posted on the City's website.

After calling for additional comments and receiving none, the Open Meeting was reconvened at 6:22 p.m. by Mayor Melder.

BID AWARD – NEW FREEDOM PROJECT

CIDC Executive Director Larry Calhoun presented Council a detailed report of the proposed project.

A motion was made by Councilwoman Porter, seconded by Councilman Gentry, awarding the bid to Montgomery Building Services in the amount of \$163,969.56 as discussed. Motion carried unanimously.

SUPPORT SEC. 504 GRIEVANCE PROCEDURES – CDBG AND TX-CDBG PROGRAMS

A motion was made by Councilman Gibson, seconded by Mayor Pro Tem Martin, to approve the proposed Resolution supporting the City's Section 504 Grievance Procedures relating to CDBG and TX-CDBG Programs as discussed. The motion carried unanimously.

SUPPORT SEC. 3 POLICY – CDBG AND TX-CDBG PROGRAMS

Councilman Gibson made a motion to approve the proposed Resolution supporting the City's Section 3 Policy relating to CDBG and TX-CDBG Programs as discussed. The motion was seconded by Councilwoman Porter. Motion carried unanimously.

MODIFICATION TO WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT

Councilman Gentry made a motion to approve the proposed contract modifications to the wastewater treatment plant improvements project as discussed. The motion was seconded by Mayor Pro Tem Martin. Motion carried unanimously.

DENY ENTERGY RATE REQUEST – SCHEDULE IS

Councilman Gibson made a motion to approve the proposed Ordinance denying Entergy's request for modification of their rate schedule for interruptible service (Schedule IS) as discussed. The motion was seconded by Councilman Gentry. Motion carried unanimously.

MONTGOMERY CO. EMERGENCY COMMUNICATION DISTRICT 2013/2014 BUDGET (9-1-1)

Mayor Pro Tem Martin made a motion to approve the proposed Montgomery County Emergency Communication District 2013/2014 annual budget as discussed. The motion was seconded by Councilman Gibson. Motion carried unanimously.

CONSENT AGENDA

A motion was made by Councilwoman Porter, seconded by Councilman Gibson, to approve Consent Agenda Items 8 thru 12 as presented. The motion carried unanimously.

- Economic Development Incentive Agreement with Hempel USA, Inc.
- Resolution appointing board members to Conroe Industrial Development Corporation as presented.
- Bid Award – Hot Mix Overlay Project.
 - Award bid to Smith and Company for their bid price of \$565,096.36.
- Minutes of Council Meetings held May 22 & 23, 2013.

Payment of Statements:

• San Jacinto River Authority/ GRP	Surface Water Fee	\$380,173.48
• Lockwood Andrews & Newman, Inc.	Inv No. 9 – Waste Water Treatment Plant	\$ 75,065.30
• The Armored Group, LLC	Inv. No. 13-0978	\$177,597.68

There being no further business to consider, Councilwoman Porter made a motion, seconded by Mayor Pro Tem Martin, to adjourn. The motion carried unanimously.