

**MINUTES OF THE
CONROE CITY COUNCIL**

AUGUST 7 & 8, 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
Assistant City Secretary Soco M. Gorjon**

ABSENT: City Secretary Marla J. Porter

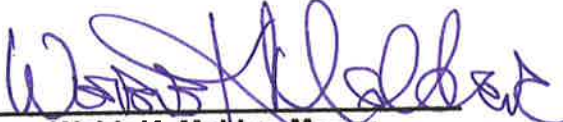
After a roll call by the Assistant City Secretary establishing a quorum was present, the meeting was called to order at 2:00 p.m. by Mayor Melder.

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:


Soco M. Gorjon, Assistant City Secretary

OFFICIAL MINUTES OF THE CONROE CITY COUNCIL

FRIENDS OF THE FLAG PRESENTATION

Dave Clements, Chairman of the Board, addressed Council and made a presentation regarding the future and key objectives of the park for 2013–2015 (attached as Exhibit "A"). Mr. Clements asked Council and staff for continued Board support.

Council commended the Board for the excellent job they are doing in managing the Flag Park.

Larry Forester, Board Member, addressed Council and asked them to consider the idea of transporting the old historical bridge located at FM 2854, to connect the Flag Park to the fountains adjacent to the park with the idea of promoting the area as previously discussed. Council's consensus was to move forward and see if request was feasible.

FRIENDS OF CONROE – CONROE CAJUN CATFISH FESTIVAL

Russell Miller, Festival Chairman, asked Council to consider approving three additional years (2013-2015) for the Catfish Festival with the same requests as previous years (attached as Exhibit "B").

FRIENDSWOOD DEVELOPMENT CORPORATION – CEDAR WOOD SUBDIVISION

Assistant Community Development/Public Works Director Nancy Mikeska addressed Council and asked them to consider the revitalization of the Cedar Wood Subdivision by Friendswood Development Corporation. Ms. Mikeska pointed out that the original plat was platted in 2007, but the project was never finalized and at this time Friendswood Development was proposing taking over and building out Lennar Homes and placing all utilities underground.

MUD 95 (SH 242) TASK ORDER NO. 2 - ACES

City Engineer Erwin Burden informed Council that this was a request for a change order in the amount of \$121,000 to change the sewer line portion of the project to a 30" gravity sewer main from Winsor Lakes along IH-45 to SH-242 in lieu of the 16" force main. Staff recommended approval.

WATER WELL NO. 24 (SKYTOP) – WEISINGER CONTRACT

City Engineer Erwin Burden asked Council to consider a proposed change order to increase the Weisinger contract in the amount of \$155,000 for additions (Catahoula Well) that were not awarded, but were bid as part of the contract. Staff recommended approval.

TRANSIT VEHICLE – FIXED ROUTE

CIDC Executive Director Larry Calhoun introduced David Bartels, Senior Associate with the Goodman Corporation, who made a presentation to Council regarding the possible transit vehicle type and lead-time for delivery. Mr. Calhoun and Mr. Bartels also discussed funding for the project, which included two options; FTA funding (80% federal and 20% local) or utilizing the 5329 program.

BRAZOS TRANSIT DISTRICT – FRIENDSHIP CENTER – DEMAND RESPONSE SERVICE

CIDC Executive Director Larry Calhoun asked Council to consider committing funds for the transition of Brazos Transit District to The Friendship Center for demand-response service provider to be effective October 1, 2013. Mr. Calhoun advised the cost would be \$42,500 for the first year and \$20,000 annually thereafter. He pointed out that this recommendation included funding for The Friendship Center in the amount of \$20,000 annually for operations and a one-time cost of \$7,500 to assist in the purchase of two (2) new demand response vehicles and \$15,000 to carryover Brazos Transit District for two months to facilitate the proposed transition. He stated that the proposed total cost of \$42,500 for FY 2014 would still be substantially less than the City's existing \$90,000 agreement with Brazos and would be eligible for up to 50% reimbursement with federal funding.

CITY LOGO

E-Service Coordinator Victoria Endsley informed Council that a committee was put together to create a new look for the City Logo and presented the new proposed logo for their review and consideration.

CHEVRON PHILLIPS CHEMICAL COMPANY – INDUSTRIAL DISTRICT AGREEMENT

City Attorney Marc Winberry asked Council to consider an Ordinance designating an Industrial District and authorizing an Industrial District Agreement with Chevron Phillips Chemical Company (located at East Loop 336) as requested. Mr. Winberry pointed out that the agreement would guarantee the ETJ status through the end of 2028 and would provide backup fire suppression services as well as would ask Chevron to make a payment in lieu of property taxes that would be equal to 40% of the amount of tax that would be due if the territory were annexed.

Council Members Porter and Gibson expressed concerns regarding the 15-year term of the agreement. After a lengthy discussion, Council asked Fire Chief Kreger to further investigate the location and bring back to Council.

CONSULTING SERVICES AGREEMENT – DEAN TOWERY

City Attorney Marc Winberry informed Council that the Mayor had requested that Dean be available on a contract basis to assist during the transition to a new Public Works Director. Mr. Winberry advised Mr. Towery agreed to answer short telephone and e-mail inquiries without charge, and would be available for longer meetings and activities at the rate of \$100.00 per hour. Mr. Winberry presented a proposed agreement for a 6-month term (but could be terminated by either party at any time) for Council's review and consideration. The agreement limited the maximum consulting hours to 40 per month, unless an additional amount was authorized in advance by the City Administrator, and expenses were limited to \$200 per month unless an additional amount was authorized in advance.

COUNCIL BRIEFING

Councilman Gentry confirmed that Item 5 on the action agenda, "Ordinance designating an Industrial District and authorizing an Industrial District Agreement with Chevron Phillips Chemical Company", would be deferred until further review. The consensus of Council was to form a review committee composed of City Attorney Marc Winberry, Assistant Community Development/Public Works Director Nancy Mikeska, Finance Director Steve Williams, City Administrator Paul Virgadamo, Fire Chief Ken Kreger, and City Engineer Erwin Burden.

COUNCIL INQUIRY

Mayor Melder inquired about a crosswalk for children walking from Peet Jr. High School.

At 3:30 p.m., Mayor Melder along with Council, City Administrator Paul Virgadamo, City Attorney Marc Winberry and CIDC Executive Director Larry Calhoun recessed into a closed meeting for the following purpose:

- **Section 551.072 – Acquisition of Right-of-Way for Anderson Road Project**

The Open Meeting reconvened at 4:13 p.m.

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, AUGUST 8, 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
Assistant City Secretary Soco M. Gorjón

ABSENT: City Secretary Marla J. Porter

INVOCATION/PLEDGE: Dr. Jay Gross – West Conroe Baptist Church

PROCLAMATION: Fire-Up The Band Day – Conroe Professional Firefighters

RECOGNITION: Heather Rice from the Aquatic Center received the First Place Female Lifeguard Award during the Texas Superguard Competition.

The Aquatic Center Lifeguard team took fourth place while in competition with 12 other lifeguard teams at the Superguard Competition – Members of the team: Gabriel Strong, Lydia Hawthorne and Scott McKenzie

CITIZEN INQUIRY

Joe Kolb with the Uptown Proud Group addressed Council and commended the City and Nancy Mikeska for cleaning up the City and making it a better place to live.

MUD 95 (SH 242) TASK ORDER NO. 2 - ACES

A motion was made by Mayor Pro Tem Martin, seconded by Councilman Gibson, approving the \$121,000 Task Order No. 2 as requested. Motion carried unanimously.

TRANSIT VEHICLE ROUTE

CIDC Executive Director Larry Calhoun informed Council that this item was for information purposes only, and no action was required at this time.

TRANSITION FROM BRAZOS TRANSIT DISTRICT TO THE FRIENDSHIP CENTER

A motion was made by Mayor Pro Tem Martin, seconded by Councilman Gibson, to extend the existing demand/response transit agreement with Brazos Transit District for a two-month period at a consideration of \$7,500 per month and authorize the staff to prepare an agreement with The Friendship Center for the future provision of demand/response transit services as discussed. The motion carried unanimously.

INDUSTRIAL DISTRICT AGREEMENT – CHEVRON PHILLIPS CHEMICAL CO.

This item was deferred.

CONSULTING SERVICES AGREEMENT WITH DEAN TOWERY

Councilman Gentry made a motion to approve the proposed Consulting Service Agreement with Dean Towery as discussed. The motion was seconded by Councilman Snider. Motion carried unanimously.

PUBLIC HEARING – SETTING TAX RATE FOR FISCAL YEAR 2013-2014

At 6:13 p.m., Mayor Melder recessed the Open Meeting in order to conduct a Public Hearing for the purpose of a proposal to set the tax rate at \$0.4200 per \$100 assessed valuation for Fiscal Year 2013-2014.

Mayor Melder asked for questions from the public. Hearing none, he closed the public hearing and reconvened the open meeting at 6:15 p.m.

PUBLIC HEARING – FY 2013-2014 OPERATING BUDGET

At 6:15 p.m., Mayor Melder recessed the Open Meeting in order to conduct a Public Hearing for the purpose of the FY 2013-2014 Operating Budget.

Mayor Melder asked for questions from the public. Hearing none, he closed the public hearing and reconvened the open meeting at 6:16 p.m.

CONSENT AGENDA

A motion was made by Councilwoman Porter, seconded by Councilman Snider, to approve Consent Agenda Items 9 and 14 as presented. The motion carried unanimously.

- Water Well No. 24 (Skytop) – Weisinger Contract – Approve Change Order in the amount of \$155,000.
- Approve requests by the Friends of Conroe regarding the Cajun Catfish Festival.
- Approve new City logo as presented.
- Board and Commission Member absences.
 - April 4, 2013 Meeting – Foster Madeley and Leo Hewett
 - April 18, 2013 Meeting – Jim Arnold and Leo Hewett
- Minutes of Council Meetings held July 18 & 19 and July 25, 2013.

Payment of Statements:

• BORCO Boring	Inv. No. 10611 – Live Oak Crk Sewer	\$ 59,375.00
• Lockwood Andrews & Newman, Inc.	Inv. No. 10- WW Treatment Plant	\$111,189.37
• Triple B Services	Pay No. 10 – Drennan Rd to Plantation	\$289,246.89
• Triple B Services	Pay No. 10 – Plantation North – 1 & 2	\$818,967.13
• Triple B Services	Pay No. 11 – Drennan Rd to Plantation	\$180,617.41
• Montgomery Building Services	Pay No. 2 – Candy Cain Park	\$ 87,799.50
• Huff & Mitchell, Inc.	Pay App. No. 5 – LaSalle to League Line	\$429,770.81

At 6:16 p.m., Mayor Melder along with Council, City Administrator Paul Virgadamo, City Attorney Marc Winberry, CIDC Executive Director Larry Calhoun and Finance Director Steve Williams recessed into a closed meeting for the following purpose:

- Section 551.072 – Acquisition of Right-of-Way for Anderson Road Project

The Open Meeting reconvened at 7:10 p.m.

There being no further business to consider, Councilwoman Porter made a motion to adjourn; the motion was seconded by Councilman Snider and carried unanimously.

Key Objectives 2013-2015

Lone Star Monument and Historical Flag Park / Friends of the Flag Foundation, Inc. Conroe City Council Meeting 7/10/2013

- Implement recently approved 501 © 3 Non-Profit Status
- Gain approval for Park to be included in Houston Visitors Guide
- Create the preeminent destination in east Texas for viewing April Bluebonnets
- Obtain approval/fund construct signage on Interstate 45 North and South Bound
- Assist in the creation of a field trip destination for Montgomery County 4th graders - HISTORY + LIBRARY
- Produce a world class seven minute video describing The Park (multipurpose)
- Shift paradigm of The Park from 'a city park' to 'an outdoor historical museum'
- Approval/Installation of Picnic Tables
- Creation/Installation of New Park Sign
- Finalize McDonald's SH 105/I45 Store Interior Décor effort

In addition continue to:

- Keep fresh flags flying
- Educate the general public
- Promote the facility
- Hold annual celebrations in April
- Produce a major funding effort with use of incentives for participation

FINAL ITEM...

Do we still have Conroe's City Management Team Support of Our Organization and Effort?



July 29, 2013

*FOR THE COUNCIL MEETING ON THURSDAY AUGUST 8th
RE: THE CONROE CAJUN CATFISH FESTIVAL*

Dear Mayor Webb Melder & City Council Members,

The Friends of Conroe, Inc. are requesting permission to be placed on the City Council agenda for the August 8th, 2013 meeting. Items for discussion:

- A. City Services
- B. Curb lane access
- C. Street closures
- D. Permission to use City parking lot behind Owen Theatre
- E. Permission to sell & serve alcoholic beverages
- F. Permission to produce festival for the years (2013-2014-2015)
- G. Permission to use CIDC property @ Davis & Frazier
- H. Permit & Deposit Waived

Kids zone free

Respectfully submitted,

Russell Miller, Festival Chairman
Stephen Naleway, Logistic Chairman
The Conroe Cajun Catfish Festival



A.

REQUEST FOR
CONROE CITY SERVICES
FOR THE 2013 CONROE CAJUN CATFISH FESTIVAL

I. Conroe Police Department

Security - presence during event hours at Festival site
Traffic - assistance with traffic control in surrounding area
Curb lane access & street closures (see enclosures B. & C.)

II. Fire Department

Structures in street must meet access requirements for emergencies

III. Public Works Department

Clean up plan: Assistance with liter control during event. Assistance with afterhours total clean-up and provide street cleaners.

Cones & barricades: Provide and place barricades & cones at requested times & locations (see Fact sheet).

Bleachers: Installation and removal of bleachers (see Fact sheet).

Pre-Event Street sweeping prior to Wednesday, October 9th (see Fact sheet).

B.

REQUEST FOR CURB LANE ACCESS
FOR FESTIVAL SUPPORT VEHICLES AND SECURITY
FOR THE 2013 CONROE CAJUN CATFISH FESTIVAL

5pm Thursday, October 10, 2013 thru Sunday, October 13, 2013 until midnight

1. Davis Street between San Jacinto and Pacific

2. Main Street between Collins & Davis
3. Pacific (west side) from Davis to Collins
4. Collins (north side) from Thompson to Pacific
5. Collins from San Jacinto to Pacific

C.

**REQUEST FOR STREET CLOSURES FOR THE
2013 CONROE CAJUN CATFISH FESTIVAL**

Tuesday, October 8, 2013

- A. 8:00am**
Close Simonton from Newton to Frazier for Carnival setup

Thursday, October 10, thru October 13, 2013

- A. 7:00am**
Close Thompson between Simonton from alleyway to Pacific construction of tent
Close Simonton from Pacific to Newton for Carnival
Close Metcalf from Main to alleyway just east of Thompson.
- B. 12:00-noon:**
Close Main St. between Davis and Simonton St. for construction of stage
- C. 5:00pm**
Close Simonton St. between Main St. and Pacific for construction of stage/tent
Curb lane access and controlled vehicle assess starting at 5pm (streets around the courthouse)
Close Main at Davis to Pacific
Close Thompson from Davis just south of Metcalf
Close San Jacinto from just north of Simonton to Metcalf
Close Simonton from Frazier to Pacific
Close Metcalf from San Jacinto to Pacific

Friday, October 11, 2013

- A.** All vehicle access limited starting at 7 am
B. All street closures begin at 4 pm
C. Vehicles will be allowed to exit until 5 pm
D. All vehicles must exit by 5 pm

Friday, October 11, 2013 thru Sunday, October 13th, 2013

- A. Total Street** closures from 4 pm thru midnight October 13th
1. San Jacinto Street from Davis to Metcalf
2. Thompson Street from Davis to Metcalf
3. Main Street from Davis to Metcalf

4. Simonton Street from Frazier to Pacific
5. Controlled access on Simonton at San Jacinto for festival and emergency vehicles.
6. Metcalf Street from San Jacinto to Pacific

D.

**REQUEST TO USE JURY PARKING LOT
BEHIND OWEN THEATRE**

- A. Activity: Festival parking**
- Use:** Juror parking lot to be used for paid parking of festival patron
- Location:** Between Main St. & Thompson
South of Owen Theatre (jury parking)
- Date/Time:** Friday, October 11, 2013, Noon thru
Sunday, October 13th until 12 midnight

E.

**PERMISSION TO SELL & SERVE ALCOHOLIC BEVERAGES
AT THE 2012 CONROE CAJUN CATFISH FESTIVAL**

- I. The Friends of Conroe, Inc. have obtained Liability Insurance for the Conroe Cajun Catfish Festival (certificate of Insurance attached).

F.

**REQUEST PERMISSION TO PRODUCE
THE CONROE CAJUN CATFISH FESTIVAL
FOR THE YEARS (2013-2014-2015)**

- I. Request permission to produce the Conroe Cajun Catfish Festival for a three year period (2013-2014-2015) provided that A. through E. remains the same.

G.

REQUEST PERMISSION TO USE CIDC PROPERTY FOR CARNIVAL

- I. Requesting permission to use CIDC property on the corner of Davis (Hwy 105) and Frazier for carnival.
 - a. Tuesday, October 8th carnival set-up
 - b. Sunday, October 13th – Wednesday, October 16th carnival tear down

H.

REQUEST PERMISSION TO HAVE ALL PERMITS, DEPOSITS AND RENTAL FEES WAIVED

- I. The Friends of Conroe, Inc. are asking that the permits, deposits and rental be waved for the following dates: October 11th, 12th, 13th, 2013 for The Conroe Cajun Catfish Festival.

REQUEST FOR MONTGOMERY COUNTY FACILITIES & SERVICES FOR THE 2013 CONROE CAJUN CATFISH FESTIVAL

- I. **Use of parking garage under the courthouse, North & South. Thursday, October 10th 2013, 6pm thru Sunday, October 13th, 2013, with unlimited access to authorized**

II. County Property

- A. Activity** County courthouse steps & plaza - for Festival activities
- Location:** East and West sides of Courthouse.
- Date/Time:** Thursday, October 10th - 5pm
Thru Sunday, October 13th at 12-midnight

- B. Activity:** Street vendors and booth constructed on Main St. Simonton St., Thompson St. and San Jacinto, plus perimeter fencing installed.
- Location:** On Simonton in front of parking garages.
- Date /Time:** All vehicles must exit parking garage by 3:00pm Friday, October 11th via alley by Masonic Lodge.

THE CONROE CAJUN CATFISH FESTIVAL 2013 FACT SHEET

- PLACE:** Montgomery County Square
Downtown, Conroe, Texas
- EVENT:**
- | | |
|------------------------|------------------------------|
| Friday, October 11th | 6pm to midnight |
| Saturday, October 12th | 11am to midnight |
| Sunday, October 13th | 12-noon to 6pm |
| | (Except Heritage Place 11pm) |
- SET-UP:**
- Saturday – Wednesday, October 4th – 9th**
City Services -Sweep streets PM
- Monday - Friday, October 7th - 11th**
Electrical installations, decorations, fence, etc.
- Monday, October 7th**
8am Carnival set up on CIDC Lot Corner Davis and Frazier
- Tuesday, October 8th**
8am Close Simonton from Newton to Frazier
(For carnival set up)
- Thursday, October 10th**
7am Close Simonton from Pacific to alley
(For tent construction)
Close Metcalf from alleyway behind Knox building to Main
(For Texas stage construction)
- 8am** Heritage Park set-up for festival
Close Simonton from San Jacinto to Newton
(For Carnival set up)
- 5pm** Controlled vehicle access
Construct stages
Cajun Stage: Main @ Davis
Main Gate: Thompson @ Davis
Kid & Carnival Gate: Simonton @ San Jacinto
Gate 2: Main @ Metcalf
Tent installation
Port-a-cans & dumpsters

Fence installation
Bleachers installed
Barricades & cones installed
6pm Carnival Begins

Friday, Oct 11th

7am all vehicle access limited
8am-3pm Food Vendors begin to set up
10am-3pm Exhibitors set up
Finish installation of Gates
4pm Street closures
(Vehicles will be allowed to exit until 5 pm)
5pm All vehicles to exit

TAKE DOWN: Sunday, October 13th - 6pm until midnight
Food vendors
Exhibitors
Stages
Tents

CLEAN UP:
Sunday, Oct. 13th – after midnight
Monday, Oct 14th - Final clean up to be completed by 12-noon