

STATE OF TEXAS
COUNTIES OF WALLER AND HARRIS
CITY OF WALLER

BE IT REMEMBERED THAT ON THIS THE 18th day of November, 2014 at 7:00 p.m. the City Council of the City of Waller, Texas met in Regular Session at 2214 Waller St. with the following present:

Mayor Danny Marburger
Mayor Pro-tem Dwayne Hajek
Councilmember Nancy Arnold
Councilmember Edna Eaton
Councilmember Roger Frey
Councilmember Sidney Johnson

City Secretary Jo Ann London
Supt. of Public Works Gene Schmidt
Attorney Paula Alexander
Police Chief Phil Rehak
John Isom EDC Director

GENERAL

1. Mayor Marburger called Regular meeting to order at 7:00 p.m.
2. Prayer and Pledge of Allegiance.

Prayer was given by Councilmember Arnold. Pledge of Allegiance was led Mayor Pro-tem Hajek.

COMMUNICATIONS FROM THE PUBLIC

Resident Rick Dalton addressed council about limbs hanging too low on the Christmas Parade route. Mr. Dalton also addressed Council regarding abandoned cars and boats located at Field Store Rd. and Mills St.

Jimmy Dio from Tomball was present to ask Council about the possibility of constructing a RV park on land he purchased. Mayor instructed Mr. Dio he would have to get with Supt. Gene Schmidt and he would explain the process. Mr. Dio thanked Mayor and Council and just wanted them to know his intentions.

CONSENT AGENDA ITEMS

Councilmember Frey moved to approve the Consent Agenda consisting of Items 3, 4, 5, 7, 8 and 9. Mayor Pro-tem Hajek seconded the motion, moving Item #6 to Regular Session. Each item, as approved by consent, is restated below along with the approved recommendation for each.

3. Consideration and approval of the Minutes of the October 20, 2014 Regular Minutes.

RECOMMENDATION: Approve the Minutes of the October 20, 2014 Regular meeting.

4. Consideration and approval of a Resolution authorizing Designated Signatures for Contractual Documents for Requesting Funds Pertaining to the Texas Community Development Block Grant Program Contract # 7214460,

RECOMMENDATION: Approve Resolution No. 14-08 authorizing Designated Signatures for Contractual Documents for Requesting Funds Pertaining to the Texas Community Development Block Grant Program Contract # 7214460.

5. Consideration and approval of a Resolution of the City of Waller Adopting Section 3 Local Opportunity Plan for Grant Programs.

RECOMMENDATION: Approve Resolution No. 14-09 or the City of Waller Adopting Section 3 Local Opportunity Plan for Grant Programs.

7. Consideration and approval of a Resolution Promoting Fair Housing.

RECOMMENDATION: Approve Resolution No. 14-10 Promoting Fair Housing.

8. Consideration and approval of a Resolution of the City of Waller adopting a Complaint and Grievance Procedure in Compliance with Texas Community Development Block Grant Standards.

RECOMMENDATION: Approve Resolution No. 14-11 adopting a Complaint and Grievance Procedure in compliance with Texas Community Development Block Grant Standards.

9. Consideration and approval of the approval of an Ordinance amending the City of Waller's Annual Budget for the fiscal year beginning on October 1, 2013 and ending on September 30, 2014, as adopted by Ordinance No. 459 and amended by Ordinances No. 466 and 468, for adjustments to the General Fund, EDC Fund, Debt Service Fund, Water Fund, Sewer Fund, Gas Fund Capital Project Fund and Special Funds.

RECOMMENDATION: Approve Ordinance No. 471 amending the City of Waller's Annual Budget for the Fiscal year beginning on October 1, 2013 and ending on September 30, 2014, as adopted by Ordinance No. 459 and amended By Ordinances No. 466 and 468, for adjustments to the General Fund, EDC Fund, Debt Service Fund, Water Fund, Sewer Fund, Gas Fund Capital Project Fund and Special Funds.

REGULAR ITEMS

6. Consideration and approval of a Resolution establishing rules and Regulations regarding the Use of Excessive Force during Nonviolent Civil Rights Demonstrations, including Physically Barring entrance to a Facility or Location which is the Subject of such Demonstration, and Providing Penalties for Violations thereof in the City of Waller, Counties of Waller and Harris, State of Texas.

City Sectary Jo Ann London reported this is in conjunction with City of Waller Police Department Policy. Councilmember Eaton moved to approve Resolution No.14-12 establishing rules and Regulations regarding the Use of Excessive Force during Nonviolent Civil Rights Demonstrations, including Physically Barring entrance to a Facility or Location which is the Subject of such Demonstration, and Providing Penalties for Violations thereof in the City of Waller, Counties of Waller and Harris, State of Texas. Councilmember Johnson seconded the motion. Motion carried unanimously.

10. Consideration and possible action to approve a Resolution authorizing the Award of Professional Service Provider Contracts for the 2014 Texas Community Development Block Grant Award Contract #7214460 to GrantWorks and Cobb Fendley.

Ms. London reminded Mayor and Council this grant was for a generator in July 2012. The grant was awarded on August 15, 2014 in the amount of \$350,000. Only one Request for Qualifications (RFQ) for the administrative services was received; this was from GrantWorks and only one RFQ was received; this was from Cobb Fendly & Associates. The City has worked with both of these companies. Councilmember Frey moved to approve Resolution No. 14-13 authorizing the Award of Professional Service Provider Contracts for the 2014 Texas Community Development Block Grant Award Contract #7214460 to GrantWorks and Cobb Fendley and Associates. Mayor Pro-tem Hajek seconded the motion. Motion passed unanimously.

11. Consideration and possible action to approve a Proclamation declaring April as Fair Housing Month.

Ms. London explained this proclamation is part of the Texas Community Development Block Grant requirements. Mayor Pro-tem Hajek moved to approve the Proclamation declaring April as Fair Housing Month. Councilmember Frey seconded the motion. Motion carried unanimously.

12. Consideration and approval of the Refined Benefit/Cost Analysis for Culvert Improvements as presented by Halff & Associates, Inc.

Andrew Moore with Halff & Associates gave a brief presentation of the Refined Benefit/Cost Analysis for Culvert Improvements. After discussion Mayor Marburger suggested a workshop with Supt. Gene Schmidt and then approval at next council meeting. Mayor Pro-tem Hajek moved to table Agenda Item No. 12 for next meeting. Councilmember Arnold seconded the motion. Motion passed unanimously.

13. Consideration and possible action on a Proposal for Transmission Lines as presented by Brazos Valley Connection.

Councilmember Frey asked for discussion on this Proposed Transmission Line. Charles Whited from CenterPoint Energy was available to answer questions. Councilmember Frey asked why so many routes proposed. Mr. Whited explained that PUC wants a thorough investigation off all the possible routes; some will be removed by them and after public hearings others may be removed.

PUC does make the final decision on the route. Mayor Marburger and Councilmember Frey think it would be a good idea to ask for coordination with the Waller County Sub-Regional Planning Committee on this item to ask that the route not use any of the property in the City of Waller ETJ area. Councilmember Frey suggested a Resolution from the City of Waller opposing the route through Waller's ETJ. After discussion John Isom, EDC Director also thought going through Waller County Sub-Regional Planning Committee would be a good idea and might possibility be able to skirt around the City of Waller's ETJ. Mayor Marburger suggested a letter be drafted with the EDC and sent to Waller County Sub-Regional Planning Committee. Councilmember Frey moved to approve a letter voicing the City's opinion be sent to Brazos Valley Connection. Mayor Pro-tem Hajek seconded the motion. Motion carried unanimously.

14. Public Hearing to receive input from the public on the Continuance of the Curfew Ordinance.

Public Hearing opened: 7:47 pm

No input from the public

Public Hearing closed: 7:48 pm

15. Consideration and possible action to approve the Continuance of Ordinance No. 423 Establishing Curfew Hours in the City of Waller.

Police Chief Rehak reported staff approves of the continuance of the Curfew Ordinance. Councilmember Arnold moved to approve the Continuance of Ordinance No. 423 Establishing Curfew Hours in the City of Waller. Councilmember Johnson seconded the motion. Motion carried unanimously.

16. Consideration and possible action to approve a Public Works Field Supervisor.

Supt. Schmidt reported he has advertised for help in the Public Works Department, he would like to make this position a Field Supervisor. This position would be a working supervisor so no office space would be needed, he would work with him. This position will require a little more salary but should not affect his budget much. This job description will be drafted and brought back to Council for approval. Supt. Schmidt has a qualified applicant who has applied for this position. Mayor Marburger thinks this is a position that is needed in the Public Works Department. Councilmember Frey moved to approve a Public Works Field Supervisor. Mayor Pro-tem Hajek seconded the motion. Motion carried unanimously.

17. Consideration and possible action to approve an Annual Agreement for Tax Assessment and Collection with the Waller I.S.D.

Section XV under Termination, Attorney Paula Alexander noted a change to this section. It should read "Either the District or the Taxing Entity may terminate this agreement as of July 31, of any year, without cause, by giving written notice to the other party on or before the first of April immediately preceding such termination date." This will be taken to the School for their

approval also. Mayor Pro-tem Hajek moved to approve the Annual Agreement for Tax Assessment and Collection with the Waller I.S.D. with the noted change. Councilmember Frey seconded the motion. Motion carried unanimously.

18. Consideration and possible action to accept the Retirement of Jo Ann London as City Secretary.

Councilmember Arnold moved to accept with regret the Retirement of Jo Ann London as City Secretary. Councilmember Johnson seconded the motion. Motion carried unanimously.

19. Consideration and possible action to approve a contract with First Group Replacement Service for an Interim City Secretary.

Ms. London informed Council that she and the Mayor have spoken with First Group and they will be sending Ann Smith to fill in as Interim City Secretary if this contract is approved; start date will be 12-8-2014 and continue until no longer needed. Mayor Marburger introduced Ann Smith; Ms. Smith answered questions by Council. Councilmember Arnold moved to approve the contract with First Group Replacement Service for an Interim City Secretary. Councilmember Johnson seconded the motion. Councilmember Arnold suggested checking with Holiday Inn Express to make sure the City got the government rate. After discussion, motion carried unanimously.

20. MAYOR – COUNCIL REPORTS

No Reports given.

21. STAFF REPORTS

Supt. Gene Schmidt introduced Frank Rodriguez, new Assistant Building Official. Supt. Schmidt reported Mr. Rodriguez has been with the Cities of Bellville and Sealy and has been with Austin County. First of the month, the sewer will be re-routed in order to install a Chlorinator Connector. Moving equipment in next week to start the water and sewer lines for Alegacy Equipment's new development; should take about 10 days. Supt. Schmidt visited with City Engineer David Leyendecker and he has spoken with TCEQ and they now have all the information that was lost and should be releasing a letter of approval soon. Supt. Schmidt reported he did check on the blue striping for fire hydrants and the cost should be between \$1,200 and \$1,500.

Police Chief Rehak reported the department received an A Plus rating on their TCLEOSE Audit. September calls were 172, the October calls were 220. Chief Rehak reported the Federal Standards for patrol cars for grants will be dark units, the opposite of the State Trooper car. Chief reported he will be ordering a couple of Tahoe's following this guideline. Councilmember Hajek reported to the Chief the intersection on Key and Business 290 is starting to be blocked again. Chief said he would inform the patrol officers to keep an eye on this intersection and write citations if necessary.

EDC Director John Isom reported Alegacy Equipment has broken ground for their new development. Mr. Isom has had communications with a developer for 70 acres which fronts Binford Rd., between Love's Travel Center and Binford Rd. The Ortega property will not plat their property. City of Houston will release more property for ETJ at the end of the year. A compression company is looking at 4 sites; one which will be in the Livable Centers area. This development will be approximately \$1.7 Million and may be looking for tax abatement. Last EDC meeting had about 70 people attend. Please invite people to come to EDC Breakfast.

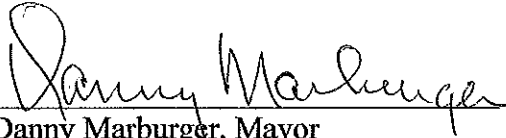
City Secretary Jo Ann London reminded all the Christmas Festival is 12-6 and Mayor Marburger will have a float for whoever wants to ride in the Christmas Parade. Tree Lighting Ceremony will be around 5:30. Ms. London said it has been a pleasure to work with all of the Council.

22. ADJOURNMENT

There being no further business to discuss Mayor Marburger adjourned the meeting at 8:22 p.m.



APPROVED BY:



Danny Marburger, Mayor

ATTEST:



Ann Smith, City Secretary