

STATE OF TEXAS
COUNTIES OF WALLER AND HARRIS
CITY OF WALLER

BE IT REMEMBERED THAT ON THIS THE 24th day of March, 2014 at 7:00 p.m. the City Council of the City of Waller, Texas met in Regular Session at 2214 Waller Street with the following present:

Mayor Danny Marburger	City Secretary Jo Ann London
Mayor Pro-tem Rick Dalton	Supt. of Public Works Gene Schmidt
Councilmember Nancy Arnold	WEDC Director John Isom
Councilmember Roger Frey	Attorney Paula Alexander
Councilmember Dwayne Hajek	
Councilmember Sidney Johnson (in at Item #7.)	

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 by Councilmember Frey.

3. Waller Christian Academy Presentation to City Council.

Waller Christian Academy presented the Council with a plaque of "Thanks for their Excellent Standards in Education and Community Safety." Mayor Marburger accepted on behalf of Council.

COMMUNICATIONS FROM THE PUBLIC

There were no requests for communication from the public.

CONSENT AGENDA ITEMS

Mayor Pro-tem Dalton moved to approve the Consent Agenda consisting of Item 4, 5, and 6. Councilmember Arnold seconded the motion and the motion carried unanimously. Each item, as approved by consent, is restated below along with the approved recommendation for each, for the record.

4. Consideration and approval of the Minutes of the February 25, 2014 Workshop Meeting

RECOMMENDATION: Approved the Minutes of the February 25, 2014 Workshop Meeting.

5. Consideration and approval of the Minutes of February 25, 2014 Regular Meeting.

RECOMMENDATION: Approved the minutes of the February 25, 2014 Regular Meeting

6. Consideration and approval of Supplemental Appraisal Records #1 - #7 as presented by the Waller County Appraisal District for tax years 2009-2013.

RECOMMENDATION: Approved the Supplemental Appraisal Records #1 - #7 as presented by the Waller County Appraisal District for tax years 2009-2013.

REGULAR SESSION

7. Consideration and possible action to approve a Report on Detention Facilities on Middle Fork Mound Creek and East Fork Mound Creek as presented by Halff Associates, Inc.

Sam Hinojosa, with Halff & Associates, met with Council to review the final report for the Detention Facilities on Middle Fork Mound Creek and East Fork Mound Creek as presented. Several questions were asked about the report and various aspects of the build out and the retention of water in each pit. Mr. Hinojosa stated that this report needed to continue to be presented to the Harris Flood Control group so that they might consider funding some or all of the projects. He also reported that it would be good if Council would meet with property owners to see if and how they could help, especially since one property owner had indicated an interest in participating in this project in a meeting last year. After further discussion and question and answers, Mayor Pro-tem Dalton moved to approve the Report on Detention Facilities on Middle Fork Mound Creek and East Fork Mound Creek as presented by Halff and Associates, Inc. Councilmember Arnold seconded the motion and it carried unanimously.

8. Consideration and possible action to approve an Ordinance providing for the Disannexation of a 0.2126 acre tract of land situated in the J.P. Shelburne Survey, Abstract No. 225, Waller County.

AN ORDINANCE OF THE CITY OF WALLER, TEXAS PROVIDING FOR THE DISANNEXATION OF A 0.2126 ACRE (9,260 SQUARE FOOT) TRACT OF LAND, MORE OR LESS, LOCATED ADJACENT TO CYRUS ROAD IN THE J.P. SHELBORNE SURVEY, ABSTRACT 255, FROM THE CORPORATE BOUNDARIES OF THE CITY OF WALLER, TEXAS; CONTAINING CERTAIN FINDINGS; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT

Gene Schmidt, Superintendent of Public Works, explained that this ordinance would deannex a part of a tract that should not have been annexed with the rest of the Waller Business Park. The property owners had submitted the wrong meets and bounds and David Leyendecker, engineer for the city, saw that this was wrong after the annexation was complete. This will correct the

original annexation and a replat will have to come to Council for approval in the future. After a brief discussion, Councilmember Hajek moved to approve Ordinance No. 465 providing for the disannexation of a 0.2126 acre situated in the J.P. Shelburne Survey, Abstract No 225, Waller County, Texas. The motion was seconded by Mayor Pro-tem Dalton and carried unanimously.

9. Consideration and possible action to approve a Request by the Waller Economic Development Corporation to provide \$10,000 in Promotional Funds for General Promotional Expenses to the Waller Freedom Festival.

John Isom, WEDC Director, explained that the Waller Economic Development Corporation (WEDC) wanted to give the Waller Freedom Fest \$10,000 this year and that all requests over \$5,000 had to be brought to Council for approval. After a brief discussion, Councilmember Arnold moved to approve a request by the Waller Economic Development Corporation to provide \$10,000 in promotional funds for General Promotional Expenses to the Waller Freedom Festival. Councilmember Frey seconded the motion and it carried unanimously.

10. Consideration and possible action to approve a Request by the Waller Economic Development Corporation to lease a Billboard for Promoting the WEDC, City of Waller, Waller County Fair, Waller Christmas Festival and the Waller Freedom Fest.

John Isom, WEDC Director, explained that the WEDC wanted to use some of their promotional funds to pay for a billboard that would promote the WEDC, the City of Waller, Waller Christmas Festival, Waller Freedom Fest and the Waller County Fair. The Waller County Fair, he explained, was being included because those who come to the fair often stay in Waller and eat in Waller. After a brief discussion, Councilmember Arnold moved to approve the request by the Waller Economic Development Corporation to lease a Billboard for Promoting the WEDC, City of Waller, Waller County Fair, Waller Christmas Festival and the Waller Freedom Fest for an amount of \$16,300 for one year. Mayor Pro-tem Dalton seconded the motion and it carried with Councilmember Johnson voting no.

11. Consideration and possible action to approve a Request by the Waller Economic Development Corporation to request the City of Waller to pay \$5,000 from the Hotel/Motel tax to cover cost of Billboard for the Waller Freedom Fest.

John Isom, WEDC Director, explained that the WEDC would like to request hotel/motel tax from the City to cover the Waller Freedom Fest portion of the billboard just approved by Council. This request comes because this event is for two days and there are promotional funds in the hotel/motel tax that can be spend on events that are multiple days, as long as the local motels are used in the advertising. After a brief discussion, Councilmember Frey stated that he thought this was an excellent opportunity to use these funds for what they are created for and the city has limited opportunity to use these funds, so it should take advantage of this opportunity. After a brief discussion, Councilmember Frey moved to approve the request by the Waller Economic Development Corporation to request the City of Waller to pay \$5,000 from the Hotel/Motel tax to cover cost of billboard for the Waller Freedom Fest. Mayor Pro-tem Dalton seconded the motion and it carried unanimously with Councilmember Johnson voting no.

12. Consideration and possible action to approve an Office Improvement Project for City Hall.

City Secretary Jo Ann London explained that this project was Phase 2 of the Office Improvement Project approved by Council in October of 2012. The cost to paint the remaining parts of City Hall, carpet the offices, and provide furniture for the front office is estimated to be \$10,200. Ms. London stated that most of the work would be completed over a weekend and City Hall would not have to close, hopefully. After a brief discussion, Mayor Pro-tem Dalton moved to approve an Office Improvement Project for the City Hall for a cost of \$10,200. Councilmember Johnson seconded the motion and it carried unanimously.

13. Consideration and possible action to approve an agreement for Multi-Functional Business Machines.

City Secretary Jo Ann London explained that the lease on the current copiers, or multi-functional machines, would be up in April and May and because of this, proposals for new machines were sent out. Responses from four companies were received. Staff is recommending staying with the current company, Ricoh, for the lease of machines and that the lease be for 3 (three) years, not 5 (five) years as in the past. Ms. London stated that technology was changing so fast, plus the wear and tear on the machines make two good reasons to shorten the length of the lease agreement. After a brief discussion, Councilmember Arnold moved to approve a 3 (three) year lease agreement for a multi-functional business machines with Ricoh. Mayor Pro-tem Dalton seconded the motion and it carried unanimously.

14. Consideration and possible action to approve a Disciplinary Action and Appeals Policy.

Jo Ann London, City Secretary, stated that this item had been before Council before and that Paula Alexander, attorney for the City, could answer further questions. After a brief discussion with Mrs. Alexander, Mayor Pro-tem Dalton moved to approve a Disciplinary Action and Appeals Police and include regular part-time employees. Councilmember Frey seconded the motion and it carried unanimously.

15. Consideration and possible action to approve a Grievance Procedure.

Jo Ann London, City Secretary, stated that this item had been before Council before and that Paula Alexander, attorney for the City, could answer further questions. After a brief discussion with Mrs. Alexander, Councilmember Frey moved to approve the Grievance Procedure and to include regular part-time employees. Mayor Pro-tem Dalton seconded the motion and it carried unanimously.

16. Discussion and Update on Trustee Property to be used for potential Drainage and Parks.

Jo Ann London, City Secretary, reported on this item with the updates that Council had asked for concerning the drainage and park amenities that could be appropriated for three properties with the city, school and county as Trustee. Ms. London reported that David Leyendecker, engineer

for the city, had prepared a site plan for each property and added some park amenities and the drainage work that would need to be done.

Justin Foster, met with Council to discuss the potential of a skate park, which is really popular with kids today. He stated that he could help with funding and grant applications and was willing to help in any way that he could, as a resident of Waller. Council agrees that this might be a possibility and would be glad to receive any information that he could give on this project in the future.

After further discussion, Council directed Staff to get the costs to do the recommended projects and to get the cost of purchasing the property outright and bring back to the next meeting.

17. Discussion on Agenda Policy and Procedures for City Council meetings.

City Secretary Jo Ann London stated that she and Mayor Marburger had been discussing a timeline for getting things on an agenda so that Staff was not wrapping up the agenda at the last minute. Ms. London gathered some information from other cities and is making a recommendation for a timeline for Waller, with the expectation that packets could be downloaded to the iPads and the agenda posted on Thursdays, rather than Fridays before the meetings. She also mentioned that other items could be addressed in the policy and some of those items were included in the packet of materials. After a brief discussion, Council instructed Staff to continue with the agenda policy and to add appropriate procedures and bring back for further review. No action was taken.

Convened into Executive Session 8:45 p.m.

EXECUTIVE SESSION

18. City Council will convene into Executive Session:

Pursuant to Section 551.071 of the Texas Government Code for purpose of "The City Council will now convene into executive session pursuant to Section 551.071 of the Texas Government Code, to consult with its attorney about (1) pending or contemplated litigation, (2) a settlement offer, or (3) a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct clearly conflict with the provisions of Chapter 551.

Reconvened into Regular Session 9:05 p.m.

REGULAR SESSION

19. Consideration and possible action on Executive Session: Pursuant to Section 551.071 of the Texas Government Code for purpose of "The City Council will now convene into executive session pursuant to Section 551.071 of the Texas Government Code, to consult

with its attorney about (1) pending or contemplated litigation, (2) a settlement offer, or (3) a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct clearly conflict with the provisions of Chapter 551.

No action was taken.

20. MAYOR – COUNCIL REPORTS

No reports given.

21. STAFF REPORTS

Superintendent Gene Schmidt gave an update on the F.M. 362 Sewer Line Extension and the Water Well project. Both are progressing and should be completed soon. He also presented some new street signs that had been designed with new reflective materials and the city's logo on them. Council was very impressed with the signs and wanted to see what the cost for them to be outsourced versus the city buying the machine to make them. Mr. Schmidt stated that he would bring this information to the Council at budget time.

Police Chief Rehak reported that several of the officers were in training and that things were moving forward and doing well in the Police Dept.

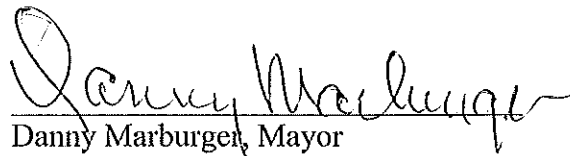
EDC Director John Isom updated Council on several projects including the request for ETJ from the City of Houston, which is moving forward.

Ms. London reported that City Hall would be closed on Friday, April 18th for Good Friday and that the next Council meeting is scheduled for Monday, April 21, 2014.


22. ADJOURNMENT

There being no further business to discuss Mayor Marburger adjourned the meeting at 9:18 p.m.

APPROVED BY:


Danny Marburger, Mayor

ATTEST:


JoAnn London, City Secretary