



**STATE OF TEXAS
COUNTIES OF WALLER AND HARRIS
CITY OF WALLER**

BE IT REMEMBERED THAT ON THIS THE 22nd day of May, 2018 at 7:00 p.m. the City Council of the City of Waller, Texas met in Regular Session at 1018 Saunders St. with the following present:

Mayor Danny Marburger	Cynthia Ward, City Secretary
Mayor Pro Tem Edna Eaton	Gene Schmidt, Supt. of Public Works
Councilmember Nancy Arnold	Michael Williams, Chief of Police
Councilmember Dwayne Hajek	John Isom, EDC Director (absent)
Councilmember Mike McCormick	Paula Alexander, City Attorney
Councilmember Jason Tones	

Mayor Marburger called the meeting to order at 7:00 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE

Prayer was given by Councilmember Arnold
Pledge of Allegiance was led by Councilmember Hajek

PUBLIC HEARING

Mayor Marburger opened the Public Hearing at 7:01 p.m.

The purpose of the hearing is to receive public comments regarding the adoption of an impact fee and the amount of the proposed impact fee per service unit.

Amber Hurd with Cobb Fendley informed the public of the study results, they are proposing an impact fee of \$2,611 per EDU, based on a population growth of 5,325 over the next 10 years. They identified 3 water projects and 2 waste water projects critical to support the growth, these projects are proposed in the impact fee results.

CLOSE PUBLIC HEARING

With no comments from the public the Public Hearing closed at 7:04 p.m.

PRESENTATIONS

Mayor Marburger presented each member of the Waller Citizens Advisory Committee with a plaque for their service. This group was comprised of 6 members: Chairman Larry Watson, Martha Overby, Leon Overby, Robin Werner and Steven Pfeiffer.

Ann Smith thanked Councilmember Arnold for her help in finding this exceptional group of individuals and recognized each of them for their dedication in seeing this through. The committee spent a considerable amount of time reviewing projects that needed to be completed for the City of Waller. These projects included infrastructure plans, a new City Hall, Civic Plaza, and renovations to the Civic Center.

COMMUNICATIONS FROM THE PUBLIC

There were no comments from the public.

CONSENT AGENDA ITEMS

1. Approval of Minutes for April 16, 2018 Council Regular Meeting.
2. Approval of Minutes April 23, 2018 Council Workshop.
3. Approval of Minutes April 27, 2018 Council Special Meeting.
4. Approval of 2nd Quarterly Investment reports ending March 31, 2018.
5. Approval of **Resolution #2018-08**, adopting the annual Investment Policy for the City of Waller.
6. Approval of refund to Petroquip Energy Services due to value change per 2017 WCAD.

Councilmember Arnold motioned to approve Consent Agenda Item #1-6. Councilmember Hajek seconded the motion. Vote was unanimous.

REGULAR AGENDA ITEMS

7. Swearing in of New Councilmembers.

Judge McCaig swore in Councilmember Eaton, Councilmember Arnold, and Mayor Marburger for another term.

8. Discussion and possible action on the appointment of a Mayor Pro Tem.

Mayor Marburger recommended the appointment of Councilmember Hajek for the position of Mayor Pro Tem.

Councilmember Arnold motioned to approve the Mayor's recommendation of Dwayne Hajek for the appointment of Mayor Pro Tem. Councilmember Eaton seconded the motion. Councilmembers Arnold, Eaton, McCormick, and Tones voting in favor. Councilmember Hajek abstained.

9. Discussion and possible action on the appointment / re-appointment of a Municipal Court Judge.

Mayor Marburger ask Council to consider the reappointment of Judge Hargrave for another two-year term.

Mayor Pro Tem Hajek motioned to approve Judge Hargrave as Municipal Court Judge. Councilmember Tones seconded the motion. Vote was unanimous.

Judge McCaig swore in Delores Hargrave as Municipal Judge for the City of Waller.

EXECUTIVE SESSION

Council convened into executive session at 7:20 p.m.

Convened into executive session pursuant to Section 551.071, Texas Government Code. Private consultation with the attorney.

RECONVENE INTO REGULAR SESSION

Council reconvened into open session at 7:40 p.m.

10. Discussion and possible action regarding the development of disclosure policies and procedures.

Jonathan Frels with Bracewell, LLP addressed Council with an authorization to work with City staff and financial advisors to develop disclosure policies and procedures in connection with each issuance of bonds.

Mayor Pro Tem Hajek motioned to approve Bracewell LLP to work with staff and financial advisors to develop disclosure policies and procedures. Councilmember McCormick seconded the motion. Vote was unanimous.

11. Discussion and possible action on the adoption of **Ordinance #523**, authorizing the issuance of the City of Waller, Texas General Obligation Bonds, Series 2018; levying a tax payment thereof; approving the preparation and distribution of an official statement; and enacting other provisions relating thereto.

Loren Morales with RBC Capital Markets addressed Council noting we had a successful sale of bonds this morning, receiving four bids. We received a strong rate from R.W. Baird Co., Inc. at 3.778% on a 30-year debt. These bonds will use up all of the City's voted authority of \$6, 675,000. The sale of the bonds has been awarded to R.W. Baird Co. Inc. and will be funded on June 14th, 2018.

ORDINANCE NO. 523

AUTHORIZING THE
ISSUANCE OF
CITY OF WALLER, TEXAS
GENERAL OBLIGATION BONDS
SERIES 2018

Councilmember Arnold motioned to approve the adoption of Ordinance #523 authorizing the issuance of the General Obligation Bonds, Series 2018. Councilmember Eaton seconded the motion. Mayor Pro Tem Hajek, Councilmember Eaton, Arnold, McCormick and Tones all voting in favor.

12. Discussion and possible action to enter into a bank depository agreement with First National Bank to serve as the bank depository effective May 16, 2018 and ending May 16, 2021.

Cynthia Ward addressed Council stating that request for proposals were sent to three banks in Waller and only one responded, First National Bank of Bellville.

Mayor Pro Tem Hajek motioned to approve the bank depository agreement with First National Bank to serve as the bank depository effective May 16, 2018 and ending May 16, 2021. Councilmember McCormick seconded the motion. Vote was unanimous.

13. Discussion and possible action adopting **Ordinance #524**, amending Ordinance #229 designating the minimum requirements for lot sizes, streets right of way, and cul de sacs for subdivisions that are subject to development agreements; repealing all Ordinances or parts of Ordinances in conflict herewith; providing a penalty of not more than \$2,000 per violation here of with each day being a new violation; and providing for severability.

Attorney Paula Alexander addressed Council stating this Ordinance provides a new Section 5a, Development Plan. Providing managed development by developers with a Developer's Agreement.

ORDINANCE NO. 524

AN ORDINANCE OF THE CITY OF WALLER, TEXAS AMENDING ORDINANCE NO. 229, PASSED AND APPROVED ON OR ABOUT THE 11TH DAY OF APRIL 1994, BY DESIGNATING THE MINIMUM REQUIREMENTS FOR LOT SIZES, STREETS RIGHT-OF-WAY, AND CUL-DE-SACS FOR SUBDIVISIONS THAT ARE SUBJECT TO DEVELOPMENT AGREEMENTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A PENALTY OF NOT MORE THAN \$2,000.00 PER VIOLATION HEREOF WITH EACH DAY BEING A NEW VIOLATION; AND PROVIDING FOR SEVERABILITY.

Councilmember McCormick motioned to approve the adoption of Ordinance #524 amending Ordinance #229. Councilmember Tones seconded the motion. Vote was unanimous.

14. Discussion and possible action on adopting an Internal Ethics & Compliance Program policy for the City of Waller as required by TxDOT for the Transportation Alternatives Set-aside Grant Program.

David Rogers with the Goodman Corporation addressed Council stating this Ethics and Compliance Policy aligns the City of Waller with state and federal regulations allowing the City to participate in state and federal program funding for the Transportation Alternatives Set-aside Grant Program. The Set-aside Grant is for 6 ft. wide sidewalks along Farr Street from Cherry to Brazil with the exception of the Waller Middle School Campus and also 6 ft. sidewalks along Waller Street from approximately FM 362 to Farr Street. This will tie into the previous council approved downtown bicycle and pedestrian network.

RESOLUTION NO. 2018-09

APPROVAL AND ADOPTION OF AN ETHICS AND COMPLIANCE POLICY
FOR THE CITY OF WALLER.

Councilmember Arnold motioned to approve the adoption of Resolution #2018-09 an internal ethics and compliance program policy for the City of Waller as required by TxDOT. Councilmember McCormick seconded the motion. Vote was unanimous.

15. Discussion and possible action to approve a preliminary plat for the future site of the Comfort Inn Hotel at 39502 Highway 290, Waller, TX.

Gene Schmidt addressed Council stating this 1.75 acre property was recently annexed into the City of Waller between Stokes Road and Fieldstore Road. City Engineer David Leyendecker recommends approval of the preliminary plat with the following additions/corrections.

- a) A note is required on the face of the plat showing that this tract is entirely in the City Limits of the City of Waller.
- b) A Flood Plain Certification note is required on the face of the plat.
- c) Note #6 needs to be removed; the City of Waller will approve all plans except the Detention Plans as the detention pond will drain into the Texas Department of Transportation ditch.
- d) The Certification from John R. Blount needs to be removed as this tract has been annexed by the City of Waller.
- e) The Certification from Stan Stanart that the plat was approved by Harris County needs to be removed.

Councilmember McCormick motioned to approve the preliminary plat with recommendations from the City Engineer. Mayor Pro Tem Hajek seconded the motion. Vote was unanimous.

MAYOR-COUNCIL REPORTS

Mayor Marburger noted the Daikin Park Dedication will be on June 9th from 11am-1 pm. Daikin representatives will be attending along with 4 exchange students Daikin is sponsoring. This will be a special thank you to Daikin for the \$125,000 contribution in park equipment.

Mayor Pro Tem Hajek suggested interest in changing the time of the Council meetings from 7 pm to 6 pm.

STAFF REPORTS

Cynthia Ward

- Daikin Park Dedication information is on website and notices have been placed in the newspaper.

Gene Schmidt

- Property across from the park has been purchased for a residence.
- Water well #3 is up and running.
- Sludge box will be in within the next week.

Chief Williams

- 2nd Annual Crawfish Boil went well.
- Click it or Ticket will be enforced May 23rd – June 5th.

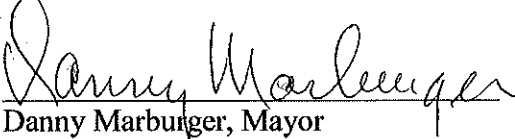
John Isom

- Absent

ADJOURNMENT

With no further business, Mayor Marburger adjourned the meeting at 8:22 p.m.

APPROVED BY:



Danny Marburger, Mayor

ATTEST:



Cynthia Ward, City Secretary