

**MINUTES OF REGULAR MEETING**

**August 10, 2021**

**MONTGOMERY CITY COUNCIL**

**CALL TO ORDER**

Mayor Sara Countryman declared a quorum was present and called the meeting to order at 6:00 p.m.

Present:	Sara Countryman	Mayor
	Carol Langley	City Council Place # 1
	Kevin Lacy	City Council Place # 2
	T.J. Wilkerson	City Council Place # 3
	Julie Davis	City Council Place # 4
	Byron Sanford	City Council Place # 5

Absent:

Also Present:	Richard Tramm	City Administrator
	Dave McCorquodale	Assistant City Administrator
	Susan Hensley	City Secretary
	Caleb Villarreal	City Attorney

**CALL TO ORDER**

**INVOCATION**

Byron Sanford gave the Invocation.

**PLEDGE OF ALLEGIANCE TO FLAGS**

**VISITOR/CITIZENS FORUM:**

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must be recognized by the Mayor. Council may not discuss or take any action

on an item, but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

Mr. John Champagne Jr., 209 Bessie Price Owen Drive, Montgomery, Texas asked why the City needs to spend \$26,000 on a generator for the Community Center when there is a generator at City Hall. Mr. Champagne said \$26,000 is more than what was spent on city streets this year. Mr. Champagne said the contracted expense budget for city streets was \$67,500 and \$17,500 was spent. Mr. Champagne said for street repairs \$18,00 was budgeted and under \$1,000 was spent. Mr. Champagne said Clepper, McCown, and Prairie Streets are in dire need of repair. Mr. Champagne said there is \$600,000 overage in general funds and the only person asking for funds is Police Chief Solomon. Mr. Champagne said \$213,000 for patrol cars he understands but normally this amount would be spread out over time.

Mr. Champagne said they could place four permanent standalone radar signs on SH 105 for \$3,000 as opposed to hauling around a trailer. Mr. Champagne said the City could purchase four signs for the price of one trailer. Mr. Champagne said they may want to consider doing both as opposed to just trailers.

Mr. Champagne said the Simonton house has needed painting for a year and the porches need to be repaired.

Mr. Champagne said the Director of Public Works is in charge of parks and the total amount in the budget allotted for parks for this year is \$16,000.

Mr. Champagne said the City spent \$750,000 on acreage and asked why. Mr. Champagne said City Council members are individual legislators that can do nothing individually, but as a body are charged to match the City's ability to provide services the citizens pay for efficiently and cost-effectively.

Mr. Bob Stewart, 205 Kings Lane, Montgomery, Texas said he is here to talk about the Texas Commission on Environmental Quality (TCEQ) Report they received on July 14, 2021. Mr. Stewart said this report came out in reference to complaints he and his wife had been making to the City for over three years. Mr. Stewart said in February Montgomery was well below freezing for days and the sewer had overflowed. Mr. Stewart said you could see the trail from the sewer manhole all the way to the creek that became almost 20-feet wide and melted all the snow. Mr. Stewart said the City

Administrator said a lot of the people are running their faucets to keep their pipes from freezing. Mr. Stewart asked is our infrastructure so pathetic that residents cannot run faucets without overflowing human waste onto his property or anyone's property. Mr. Stewart said a month later in April they went out to check on it right after it had rained and there was water coming out. Mr. Stewart said he called TCEQ and asked them to investigate. Mr. Stewart said Mr. Anthony Freeman, Operations Manager with TCEQ, said he had never heard of the overflowing wastewater. Mr. Stewart said Mr. Freeman then sent out Mr. Cameron King to check on it. Mr. Stewart said Mr. Mike Muckleroy, Director of Public Works was then sent out to the property to pour Clorox on it and to meet with them. Mr. Stewart said Mr. Muckleroy had inspected the property four years ago. Mr. Stewart said he does not understand how the City could have a problem this long and the operations manager is completely unaware of the situation. Mr. Stewart said something has to change. Mr. Stewart said things have got to be run better than they are.

Mr. Bill Clevenger, 388 Berkley Drive, Montgomery, Texas said over the past few days he has been able to observe the traffic of the people walking through the town. Mr. Clevenger said on every corner of Montgomery things are happening. Mr. Clevenger said back in April it was published that Tomball was welcoming in a new brewing company, which is slated to open up by the end of the year. Mr. Clevenger said it is a 10,500 square foot building. Mr. Clevenger said TEDC which is equivalent to their MEDC invested \$254,502 to bring in this brewery. Mr. Clevenger said it is going to create 55 jobs in its first two years of operation, \$4 million in capital investments, and generate almost \$23 million over the next decade. Mr. Clevenger asked what is our MEDC doing. Mr. Clevenger said there are lots of young men and women graduating every year from our schools and we are educating another place's workforce. Mr. Clevenger asked why are we not going out and enticing establishments like this, and businesses, and entrepreneurs to invest in our community. Mr. Clevenger said he thinks they need to start looking at what is being done with the residents of Montgomery's money out of MEDC other than peddling goats.

Ms. Juanita Simmons, 21910 Twin Creeks Road, Montgomery, Texas said the residents are getting serious and are going to make a change. Ms. Simmons said she has talked with several State legislators, attorneys, the Republic Party, Tea Party, businesses, and individuals in this area. Ms. Simmons said they have all recommended they form a PAC a political action committee just for this community. Ms. Simmons said they do not have one or at least do not know of one. Ms. Simmons said what they are going to be doing is looking and vetting candidates for future seats Councilmembers are sitting in right

now. Ms. Simmons said they are going to be looking at what your past is, what you are going to do for us in the future, and where you stand for this City and community because it is important. Ms. Simmons said they want people on City Council who are going to stand for what we do and support our constitution, our ethics, and Christian values. Ms. Simmons said there are supposed to be infrastructure funds available and asked if we are going to use them. Ms. Simmons said some on City Council have had personal vendettas and neighbors they favor. Ms. Simmons said she is not proud of drunken goats and said it is ridiculous. Ms. Simmons said this is the birthplace of the Texas flag. Ms. Simmons said two individuals Charles Stewart and Peter Krag were responsible for the Texas flag. Ms. Simmons said that is something to be proud of and something we represent for the entire State. Ms. Simmons said let us be proud of the Texas flag, the City and see what we can do to help it grow and a place to be proud of.

#### **CONSENT AGENDA:**

1. Matters related to the approval of the July 21, 2021 Special Meeting and July 27, 2021 Regular Meeting Minutes.
2. Consideration and possible action on calling a Public Hearing regarding the City of Montgomery 2021-2022 Proposed Operating Budget.

Julie Davis moved to accept the consent agenda as presented. Kevin Lacy seconded the motion, the motion carried unanimously. (5-0)

#### **CONSIDERATION AND POSSIBLE ACTION:**

3. Consider and accept excess collections for 2020 Debt Service and Certification for Debt Service Collection Rate for 2021/2022.

Mr. Tramm said each year as part of the budget and tax setting process, the Montgomery County Tax Assessor-Collector provides the City with the collection rate for property taxes that should be used in the debt tax rate calculation. Mr. Tramm said as it states in the report, the actual collection rate was 100 percent of the anticipated collection rate.

Mr. Tramm said their recommendation is for City Council to accept the excess collections for 2020 debt service and certification of debt service collection rate for 2021/2022, as presented by the Montgomery County Tax Assessor-Collector.

Julie Davis moved to accept the item as presented. Kevin Lacy seconded the motion, the motion carried unanimously. (5-0)

4. Presentation of FM 1097 and Buffalo Springs Drive Traffic Signal Warrant Analysis and FM 1097 Speed Study by Jones|Carter, Inc.

Mayor Countryman stated item #5 and item #6 will have their own approval, but they are both being discussed in item #4.

Ms. Mary Beth Hairrell of Jones|Carter said she would begin with the Traffic Signal Warrant Analysis of FM 1097 and Buffalo Springs Drive in the City of Montgomery. Ms. Hairrell said it is currently a two-way stop-controlled intersection with Buffalo Springs Drive and Summit Park Drive being stop-controlled, and FM 1097 free flow.

Ms. Hairrell said the 13-hour Turning Movement Counts (TMC) were collected at the intersection and found the peak hours reached were between 8:00-9:00 a.m. with a total of 801 vehicles and the peak hours reached between 4:30-5:30 p.m. had a total of 1,035 vehicles.

Ms. Hairrell said a Traffic Signal Warrant Analysis (TSWA) was performed at the intersection of FM 1097 at Buffalo Springs Drive for 2021's Existing Conditions. Ms. Hairrell said based on their conclusions and recommendations, in accordance with the TMUTCD, Warrant 1 – Eight-Hour Vehicular Volume, Warrant 2 – Four-Hour Vehicular Volume, and Warrant 3 – Peak Hour was met using the data collected for the study intersection; therefore, a traffic signal is recommended.

Ms. Hairrell said crash records were downloaded through TxDOT's Crash Records Information System (CRIS) for 2015 through 2020. Ms. Hairrell said in that time there were only six reported crashes at the intersection during the years analyzed and did not meet the need for a traffic signal.

Ms. Hairrell said, in conclusion, it is recommended that a traffic signal be installed at the intersection of FM 1097 and Buffalo Springs Drive.

Ms. Hairrell said it is also recommended the eastbound approach on FM 1097 be restriped to provide a dedicated left-turn lane with traffic signal installation. Ms. Hairrell said currently at the intersection, the northbound, southbound, and westbound do have a dedicated left-turn lane

so they recommend when the traffic signal is constructed the eastbound approach be restriped for a dedicated left-turn lane as well.

Ms. Hairrell said they conducted a speed study analysis along FM 1097 from the intersection of FM 1097 and FM 149 to 1.5 miles east of such intersection. Ms. Hairrell said they analyzed three speed locations along the route and four curves. Ms. Hairrell said for each of these locations they used the 85th percentile data and collected speeds from 125 vehicles in each direction along the routes. Ms. Hairrell said currently the existing speed limit is 55 mph along the roadway. Ms. Hairrell said after completing the study they recommend changing the speed limit within the City of Montgomery City limits to 50 mph.

Mayor Countryman said they just had a study done by Precinct 1 at Buffalo Springs and Lone Star Parkway and nearly 15,000 cars a day go through there. Mayor Countryman said they talked also about north between FM 1097 and Lone Star Parkway 1,500 cars go through that area and she thinks the probability is high.

T.J. Wilkerson asked if the study was done while school was in session. Ms. Hairrell said the study was done during school. T.J. Wilkerson asked if it included the hill right before Plez Morgan. T.J. Wilkerson said he asked them to include the study of 1.5 miles through the curves from FM 149. T.J. Wilkerson said there is a lot of speeding through the FM 1097 area and they need to lower the speed limit all the way down, not just to Buffalo Springs. T.J. Wilkerson said there are a lot of senior citizens and it is hard for them to get out of their driveways with people speeding through there.

Kevin Lacy said it is just a suggestion regarding the speed limit and City Council can decide what to do but the data collected on average shows this would be a safer speed.

Julie Davis asked what the cost was for a light and would the State and/or County help cover any of the costs or expenses. Mr. Colby Wright, Engineer, Jones|Carter said typically a traffic signal costs between \$250,000-\$300,000. Mr. Wright said the next step will be to submit the report to the State. Mr. Wright said the State gets lots of requests for traffic signals and they have a budget as well. Mr. Wright said the process is the State approves it along with traffic signals needed there and it goes through the system and sees what prior funding is there.

Julie Davis asked if the first step would be to reduce the speed to slow traffic down and then work toward getting a traffic signal installed. Mr. Wright said first they need to separate the

two studies. Mr. Wright said lowering the speed will help so people can get out of their driveways and putting a light there will slow people down. T.J. Wilkerson asked when traffic slows down there all the way to FM 149 will it be 50 mph. Mr. Wright said the study is based on the assumption that 85 percent of the people will travel at that speed or a safe speed.

Mayor Countryman said between spots one and two, 10 cars were documented and out of those 10, only three were going under 50 mph. Mayor Countryman said they are going to be issuing a lot of tickets because everyone is going fast, but hopefully with a light traffic will slow down. Mayor Countryman asked if 50 mph is low enough. Mr. Wright said you can assign it for 20 mph but generally people will drive what they feel is legal and safe on the road.

Mr. Wright said the way the speed study is done is you look for 125 vehicles and collect 125 data points for each vehicle and your counting those vehicles as free-flow vehicles where they are not influenced by other vehicles around them. T.J. Wilkerson asked if they do the study on Saturdays. Mr. Wright said he thinks it was on a weekday but does not remember what day it was on; it was however long it took them to get through 125 vehicles. Mayor Countryman said June 14, 2021, from 4:07 p.m. to 4:46 p.m.

Kevin Lacy said one thing about the topography of that road is it has lots of curves and hills and is fun to drive on. Kevin Lacy said if the speed limit is 50 mph people are going to drive 55 mph or 60 mph. Kevin Lacy said he wished everyone obeyed the law, but they do not.

T.J. Wilkerson said he believes they did not get a true reading and representation of the traffic going through that area because June 14<sup>th</sup> or June 15<sup>th</sup> was on a Monday or Tuesday and school was out then.

Mr. Wright said for the signal analysis it will definitely affect that count based on the volume but for speed, they are looking for 125 vehicles and they do not care what day or time it is because they are looking for the speed being driven.

Byron Sanford asked if they have tried flashing signs at the bottom of the hill to get people's attention. Byron Sanford said he would like to see them do something like that before purchasing an expensive light. Mr. Wright said there are two things. Mr. Wright said one is the speed limit of the road and the other is traffic flow at the intersection. Byron Sanford said certainly they know with 199 homes going in that area in the future they will need it at some point. Mr. Wright said the data was collected in the summer. Byron Sanford said there is a

tremendous right-hand turn green lane on one of the charts that indicates a lot of the people are going out toward Willis with heavy volume at certain peak times.

Mayor Countryman said FM 1097 is being widened currently from IH 45 to Willis and she knows it is going to be coming this way, and at some point, there is going to be a flyover at FM 149. Mayor Countryman asked when that will happen and was it worth it to put a traffic light there and this road will be widened in 18 months. Mr. Wright said that will be up to City Council to decide. Mayor Countryman asked if they have the schedule when they are going to widen the road. Mr. Wright said he does not. Mr. Wright said the timeline for a traffic signal is it may be two years before it is completed. Mr. Wright said it takes a lot of time between the City and the State to get it funded, plus construction time, and if it is years away he would recommend trying to get the project started.

Mayor Countryman asked Mr. Chris Roznovsky, City Engineer if he knew the timeline. Mr. Roznovsky said he will find out. Mr. Roznovsky said he will have to follow up to see what the timeline is on FM 1097. Mayor Countryman asked if they could get a better understanding of when that is going to be before they spend \$300,000. Mr. Roznovsky said the FM 1097 and Atkins Creek Project is not until 2026 and that does not include the widening.

Kevin Lacy and Julie Davis both asked how many years span the time of the six accidents listed. Ms. Hairrell said 2015, 2016, and 2019.

5. Consideration and possible action regarding acceptance of the FM 1097 and Buffalo Springs Drive Traffic Signal Warrant Analysis as performed by Jones|Carter, Inc.

Julie Davis moved to accept the presentation as presented for the Traffic Signal Warrant Analysis at FM 1097 and Buffalo Springs. Kevin Lacy seconded the motion, the motion carried unanimously. (5-0)

6. Consideration and possible action regarding acceptance of the FM 1097 Speed Study as performed by Jones|Carter, Inc.

Julie Davis asked to clarify they are only accepting the presentations and they are not making a motion to do any kind of action on this presentation. Mayor Countryman said that was correct.



Mr. Roznovsky said they need to go ahead and get the final report and start coordinating with the local office on just the reduced speed.

Kevin Lacy said he thinks they agree to go with the lower speed limit than what is recommended. Julie Davis asked if they need to specifically address they would like to go lower than 50 mph once you hit Buffalo Springs. Julie Davis said the issues are the houses up front.

Mr. Wright said based on the recommendation you want to control the speed and make it lower from FM 149 to Buffalo Springs. Mr. Wright said you could modify the report to say data shows it should be 40-45 mph due to the small second lane elevation changes and business driveways and they would recommend 40-45 mph. Julie Davis said do not forget to add there are residential houses right there and not just businesses and driveways.

Kevin Lacy asked Chief Solomon what his recommendation would be. Chief Solomon said he is not sure why they do these studies and asked if it is just to put the traffic signal there because when they conduct studies on the speed limit machine FM 1097 is one of the streets they do the study on. Chief Solomon said about 85 percent of the people going down FM 1097 are actually doing the speed limit of 55 mph. Chief Solomon said you will get those people each day that will speed. Chief Solomon said for the weekends they can do speed studies with their speed limit machine. Mayor Countryman said that is not what this data shows and that is interesting because the data presented shows the opposite. Chief Solomon said they definitely enforce it.

Julie Davis asked T.J. Wilkerson what he would recommend the speed limit should be. T.J. Wilkerson said 45 mph.

Julie Davis moved to accept Item 6 as presented with the amendment that they move forward to reduce the speed to 45 mph. Byron Sanford seconded the motion.

Discussion: T.J. Wilkerson said the reason he said 45 mph was because that is the speed limit they recommend and the residents asked him to.

The motion carried unanimously. (5-0)

7. Consideration and possible action regarding the purchase of an emergency power generator for the City of Montgomery Community Building located at 14420 Liberty Street.

Mr. Tramm said earlier this year City staff met multiple times to review emergency procedures and processes and implement recommendations and changes, as needed. Mr. Tramm said one of the items recommended was the possible addition of a generator to the City's Community Building so it could be utilized as an additional emergency shelter or command center in the event of an emergency with an extended power outage. Mr. Tramm said the idea is the potential command center would be more than just a City Police Department or where MISD could run their outside personnel. Mr. Tramm said they primarily thought the regular use would be as a cooling center in the summertime for those with power outages and also in the wintertime it would be an opportunity for a warming center. Mr. Tramm said with MISD the closest school they tried working with them to open a warming center back in February and that did not happen. Mr. Tramm said the building was not properly equipped and Montgomery Precinct #1 was not able to open up their facility off of Lone Star Parkway.

Mr. Tramm said they received three quotes. Mr. Tramm said the recommendation is for Generators of Houston. Mayor Countryman said the recommendation was for \$26,703, but on the discussion, it is listed as \$25,703. Mayor Countryman asked what the correct amount is. Mr. Tramm said if the amount was approved up to \$26,000 that amount would cover it.

Julie Davis asked if Mr. Tramm was able to speak with the school district regarding partnering with the school. Mayor Countryman said they had multiple meetings and they did not have generators. Mayor Countryman said the only one they had was at Madeley Ranch Elementary. Mayor Countryman said the high school has one too but they were down. Mayor Countryman said no churches had generators either.

Julie Davis said the Community Building is smaller than this room and during the past freeze they refused to open this room because of COVID-19 and they could only allow five or six people. Julie Davis said if the Community Building room is smaller, we already have a generator here and if we are going to invest \$26,000 why not partner with the school district and have the generator at the school where they have a gymnasium or cafeteria. Julie Davis

said we could see if they will meet us halfway where we would be spending \$13,000 instead of \$26,000. Mayor Countryman said the warming center that was supposed to be at the Community Center that Montgomery Precinct #1 had set up did not bring gasoline for the generator so therefore they had no warming center. Mayor Countryman said they had to figure out where to have a warming center on their own. Mayor Countryman said remember that everyone west of the lake depends on us. Mayor Countryman said it is not just for Montgomery as a whole and beyond our City limits to the west they also come here too. Mayor Countryman said they are going to need to have multiple sites. Mayor Countryman said there is also a kitchen and a bathroom in the Community Center. Mayor Countryman said it is not that they are going to put the whole City in there as it is just another site, plus when there are events held there, and something happens there is a generator on site. Mayor Countryman said the school is getting generators. Mayor Countryman said that is the idea of having both City buildings able to house people that may be in need when we have a hurricane or a snow issue. Julie Davis said the bathrooms at the Community Center are dilapidated so if they are going to put \$26,000 into the Community Center, she would rather rehab the kitchen and the bathrooms. Julie Davis said the only bathrooms that are functional are the outside bathrooms and sinks were falling off the walls last month.

T.J. Wilkerson asked if there is a way to partner with Mr. Robert Walker at Precinct #1. Mayor Countryman said he would not do it. Mayor Countryman said we asked to have the keys to the generator and said we would fund keeping up with it and they said no. Mayor Countryman said their plan failed and yet they want to continue with a failed plan. Mayor Countryman said they had four or five different plans and were thinking on the fly throughout all of that. Mr. Tramm said during the freeze they were relying on the County to open and found out very late into the freeze it was not opening and it was a last-minute item trying to work with MISD to try and open a facility.

Mr. Tramm said the City only owns two buildings that are significant to use, the Community Center and City Hall. Mr. Tramm said City Hall is needed for operation use and City staff to be able to work here. Mr. Tramm said they could shelter some people, but they also have to be able to work here especially if we have a long-term emergency. Mr. Tramm said what they lacked during an emergency was control because the facilities, other entities, and the County they relied on were not able to help. Mr. Tramm said MISD worked with them but the facility

turned out to be well out of the City. Mr. Tramm said they are looking at getting more generators for their schools. Mr. Tramm said they are on a different schedule than us and that will take a much longer time. Mr. Tramm said if we were to partner with them, even if they split it fifty-fifty for the generator with the school that would be many times more expensive than a generator itself. Kevin Lacy said that would be a lot more people too. Mr. Tramm said it would but you are talking hundreds of thousands of dollars and MISD is not positioned to make that purchase. Mr. Tramm said MISD is beginning the process for a school bond that will potentially rehab the schools. Mr. Tramm said MISD has to have studies and an election for that. Kevin Lacy asked if MISD was approached with this. Mayor Countryman said they have been meeting with the Superintendent and their Police Department for months.

Mayor Countryman asked if there is a way to partially fund this through grant money. Mr. Tramm said there is always that potential. Julie Davis asked if MEDC would want to fund it. Mr. Tramm said it could be a question they approach MEDC with.

T.J. Wilkerson asked even if they got the generator would it be first come first serve at the Community Center or just Montgomery. Mayor Countryman said no they are not going to decline anyone. Julie Davis said that is not true because you have the Fire Marshal standards and would have to defer to that. Mayor Countryman said she is not saying according to where their address is because if it is outside the City limits they will have them.

Kevin Lacy said he would like to see the Community Center up to date so it could handle it if they do purchase the generator. Mayor Countryman said they can certainly put improvements on the road map to get something done by the end of this year to bring the Community Center up to standard. Mr. Tramm said they can fund other improvements to that building as separate items. Mayor Countryman said she does agree to have a generator for a building that is not in the best shape is not a good idea.

Julie Davis said just to clarify that no motion on this agenda item means it falls flat and they move on. Mr. Tramm said no action on an item means there is no action taken on an item. Mr. Caleb Villarreal, City Attorney said you can table it or make a motion.

Carol Langley asked if the electrical portion of the Community Center is up to par. Mr. Tramm said this is a natural gas generator.

Byron Sanford said if they do not move on this it would also give them time to not only make improvements to the Community Center but also give them more time to look for funding. Mr. Villarreal said you could make a motion to that effect and to examine the issue.

Kevin Lacy asked how big the generator is. Mr. Tramm said he does not know the exact size but all three generators were all within 10 hp each. Kevin Lacy said he thinks maybe they should table this for another meeting.

Byron Sanford moved to table this item and look further into improvements at the Community Center before accepting it. Kevin Lacy seconded the motion, the motion carried unanimously. (5-0)

8. Consideration and possible action on the purchase of vehicles for the City of Montgomery Police Department.

Mr. Tramm said when the City approved the budget this year it did so conservatively due to certain fiscal unknowns. Mr. Tramm said some of the larger-priced ticket items were not budgeted for the year. Mr. Tramm said three police vehicles would have been planned to be purchased during the fiscal years 2020-2021 or 2021-2022. Mr. Tramm said he would like to ask City Council to approve the purchase of these vehicles, as well as including a fourth vehicle to be used as an investigator vehicle. Mr. Tramm said the prices listed include being outfitted with emergency equipment. Mr. Tramm said Police Chief Solomon shopped for these items and this is done at government procurement pricing.

Kevin Lacy asked which vehicles they are looking at to retire and how many miles are on them. Chief Solomon said there are two 2013 Chargers with one at 74,000 miles and the other 77,000 miles. Chief Solomon said there are two 2016 Ford Explorers with 85,000 miles and 56,000 miles. Chief Solomon said two of the cars should have been replaced last year. Chief Solomon said the two Inceptors have been leaking water that has been going inside the vehicle. Chief Solomon said once the water gets in, the doors and handles start falling off. Chief Solomon said it is time to rotate these vehicles out.

Kevin Lacy asked what happens to the vehicles being replaced. Chief Solomon said they will auction two of them off and the other vehicles they will take the stripes off and have it as a car for people going to school or training.

Kevin Lacy asked if the investigator is currently doing dual roles where he investigates and works traffic so he would use that vehicle for both. Chief Solomon said yes and he is also a first-shift Sergeant. Chief Solomon said that vehicle does not have all the things on it like the other vehicles and that came in at \$40,000. Kevin Lacy asked if that was the white Charger. Chief Solomon said yes. Kevin Lacy said he knows there are a few vehicles that are in bad shape.

Byron Sanford said June's budget was \$12,500 and \$9,000 was listed as auto repairs, several invoices, tires \$1,900, and the 2017 Tahoe had an air conditioning issue. Byron Sanford said with the \$9,000 and the repair of the air conditioning on the 2017 Tahoe these are some of the things you would not expect with normal things to happen, so is this indicating it is on its last leg and that is why so much was spent. Chief Solomon said on these particular vehicles they spent \$7,717.

Mayor Countryman asked what was the average life of a vehicle in the police department. Chief Solomon said an average police car with one officer driving is about 65,000 miles.

Kevin Lacy asked what is the difference between the two Defenders with a \$15,000 difference. Chief Solomon said the other car is an Interceptor. Chief Solomon said the Defender is the company these cars are coming from. Kevin Lacy asked how many patrol cars in total will there be. Chief Solomon said they have 11 cars.

Mayor Countryman asked if next year they would rotate two cars out and two cars in. Chief Solomon said they are trying to rotate cars out every year because this is the year cars will be taken out, but next year they will not rotate any cars out.

Kevin Lacy asked about the investigator's car who is doing dual roles why would his car not have all the equipment on it. Chief Solomon said because it is an unmarked car and it will not have the extra equipment plus it costs another \$40,000 to add the equipment to the car. Kevin

Lacy asked if there is an opportunity to use seized vehicles as an investigator's car. Chief Solomon said the only seized vehicle they are using right now is the Tundra for training purposes.

Julie Davis moved to authorize up to \$100,000 for the purchase of however many vehicles \$100,000 buys.

Mayor Countryman asked Julie Davis to explain her rationale on that motion. Julie Davis said we are purchasing none next year for this year, so why not purchase two this year and two next year instead of taking it all as one lump sum. Julie Davis said clearly we have two vehicles that are in rough shape and we have a training vehicle that is a seized vehicle. Julie Davis said this is a lot of money to use right before budget time.

Mayor Countryman asked Chief Solomon if he is one or two years behind in purchasing patrol cars. Chief Solomon said two years behind. Mayor Countryman said next year you would have none so basically these four vehicles are for the last two years and then you will skip a year. Chief Solomon said they will skip a year. Chief Solomon said if they do not do it this year they will have to do it next year.

Kevin Lacy asked if it would be unrealistic to get the two Tahoe's this year and the other two Defenders next year. Mayor Countryman said if you look at what the Chief has asked for he is being very conservative. Mayor Countryman said this is our law enforcement and safety should be one of our number one priorities in the City. Mayor Countryman said if you have been or looked in those cars, quite a few are dilapidated and it is embarrassing.

Byron Sanford asked what is the most urgent for now. Chief Solomon said they could get by with all the cars except for the investigator's car.

Carol Langley asked to hear the motion one more time.

Julie Davis moved to accept this with a budget of \$100,000 however the Chief decides to spend it on the vehicles.

Mayor Countryman said without the investigator's car it is \$174,297.

Mr. Tramm said there could either be a second to the motion or if the motion does not get a second motion it dies. Julie Davis said or someone could make an amendment to the motion and adjust the amount to what they want it to be.

The motion died for lack of a second.

Byron Sanford moved to accept the purchase of the vehicles for the City of Montgomery Police Department for a total of up to \$174,297. Kevin Lacy seconded the motion.

Discussion: T.J. asked if they were leaving out the investigator's car. Julie Davis said he has a car and they would not be replacing that one right now. T.J. Wilkerson said he wanted to approve the whole amount and be done with it for the next year. T.J. Wilkerson said it seems like a lot of auto dealerships are having issues getting vehicles and who is to say we would be put in a bind for the following year.

The motion carried with 3-Ayes and 2-Nay votes by T.J. Wilkerson and Julie Davis. (3-2)

9. Consideration and possible action to purchase three (3) mobile traffic control and messaging signs from All Traffic Solutions.

Mr. Tramm said in discussions with the Police Department they identified several mobile signs they could use that would be appropriate for emergency use, programable for changing, and also be able to use on a day-to-day basis for traffic direction and additional signage utilized for a variety of functions. Mr. Tramm said in this particular case these signs could also be used for traffic directional changes for festivals or other items in the City such as the Christmas Parade and anything that may be necessary to direct traffic.

Mr. Tramm said MEDC budgeted and set aside funds that would cover half of the cost. Mr. Tramm said if this is approved by City Council it will be on the MEDC Agenda next week to authorize those funds which would be an expenditure of \$10,000 that would have to come back to City Council for City Council to ratify.



Mr. Tramm said these signs were selected by the Police Department. Mayor Countryman said she would imagine they could easily put these signs out for the funerals to slow traffic so they do not have to have people standing out there.

Kevin Lacy asked how big is the problem of people getting directions for around town. Mr. Tramm said on a regular daily basis there is no significant problem. Mr. Tramm said when they do have the Christmas Parade they are redirecting traffic around the loop around town. Mr. Tramm said the last couple of years they have needed to borrow signs from other entities and that is not always an option. Mr. Tramm said for the Music and Mudbugs Festival that was held earlier this year in March, the festival needed to have traffic redirected. Mr. Tramm said they have the Wine Fest and the Chamber event that redirects traffic around the downtown area. Mr. Tramm said in some cases these can be used in the main area to block traffic as well. Kevin Lacy said right now the Police Department has a car to block traffic.

Chief Solomon said these message boards will do several things for the City. Chief Solomon said one of the main complaints they received during the snowstorm this past winter was the people did not know where the shelters were and they could not get information out because everything was down. Chief Solomon said they had no way of letting the people know shelter was at the other end of town. Chief Solomon said the message boards would also help with accidents and could be placed where the detour would be. Chief Solomon said the message boards would help with any of the festivals within the City and also on a day-to-day basis when there is construction going on.

Mayor Countryman asked how many signs we currently have. Mayor Countryman said she knows they have the one with the speed limit. Chief Solomon said we have that one and one with a small message board for distracted driving. Mayor Countryman asked how many message boards other cities our size have. Chief Solomon said it is not so much about the size of the city as it is about the traffic flow and where you need those message boards. Chief Solomon said during the emergency meetings they talked about three and if we had two of the message boards they could go a long way in getting the messages out if there are accidents, festivals, and detours.

Kevin Lacy asked if there is an accident how long would it take an officer to program and set up the message board. Chief Solomon said the message boards can be set up from here and set up where it needs to be located in five minutes. Kevin Lacy said otherwise there is an officer needed to block traffic. Chief Solomon said correct. Mayor Countryman said it would be significant for us to have. Chief Solomon said the message board is to give people the opportunity to make that turn before they get caught in traffic.

Byron Sanford asked if the message board for \$8,284 is a cheaper option. Byron Sanford asked how many message boards are being recommended. Mayor Countryman said three. Chief Solomon said the message board you see is more of a speed board and not something they would purchase.

Kevin Lacy said if they have a designated shelter area for Montgomery, Texas there could be permanent signs located along the road that say shelter and not necessarily a message board. Mr. Tramm said the difference is with the permanent sign it does not tell you if it is overflowed or if there is another announcement notification. Kevin Lacy said that is when you could use Facebook or check on the City website. Mayor Countryman said you cannot check Facebook to look for emergency announcements when you are driving.

Julie Davis said there are a lot of options here that total way more than \$44,000. Julie Davis asked what are the three signs they are looking at. Chief Solomon said these are not the signs, the City Administrator asked him to use these signs as examples to look at, but those are actual prices of the ones they selected. Julie Davis asked if the speed message board does studies just like the one they have because she would love to see the data. Julie Davis asked if Chief Solomon is using that data to better patrol the high-speed times. Chief Solomon said they use that data they receive and that is part of Sergeant Hernandez's duties. Julie Davis asked if those sheets in the report are just visuals and not price sheets. Chief Solomon said yes.

Mayor Countryman asked Chief Solomon if he had three particular message boards in mind and if you know the names of them they can look them up. Chief Solomon said the first one is the Wanco Full-Matrix Message Board Sign and Trailer. Julie Davis said none of this information is on the Agenda.

Julie Davis moved to table this item for the next City Council meeting at the end of the month so they can have a full breakdown data of what they are purchasing. Julie Davis said the pictures in the Agenda pack are totally different than what is being read and they do not even know what is being purchased. Kevin Lacy seconded the motion, the motion carried unanimously. (5-0)

**EXECUTIVE SESSION:**

The City Council reserves the right to discuss any of the items listed specifically under this heading or for any items listed above in executive closed session as permitted by law including if they meet the qualifications in Sections 551.071(consultation with attorney), 551.072 (deliberation regarding real property),551.073 (deliberation regarding gifts), 551.074 (personnel matters), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Government Code of the State of Texas.

No action was taken.

**POSSIBLE ACTION FROM EXECUTIVE SESSION:**

No action was taken.

**COUNCIL INQUIRY:**

Pursuant to Texas Government Code Sect. 551.042 the Mayor and Council Members may inquire about a subject not specifically listed on this Agenda. Responses are limited to the recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place on the agenda of a future meeting.

Byron Sanford said he made contact with a developer regarding homes that are under \$200,000 which he believes is a big need. Byron Sanford said he has a bachelor's degree and two masters and if it were not for the passing of his parents he would have never been able to build in Montgomery. Byron Sanford said he is making a public statement that there are people out there that care about people like himself and his son who is an educator to have another option other than paying \$1,500 a month in an apartment stacked on top of each other. Byron Sanford said he raised his sons in a house in Sour Lake and it was \$39,000. Byron Sanford said he sold it 15 years later for \$60,000. Byron Sanford said he

grew up without means, but \$132,000 is not without means and we could build some decent houses. Byron Sanford said it takes the heart of someone willing to cut that price down. Byron Sanford said his only desire is to give the man a chance. Byron Sanford said he was an orphan and has made some things happen in Conroe. Byron Sanford said he has seen the houses himself and the materials and they are not unlike what his are in Town Creek. Byron Sanford said they are nice starter homes. Byron Sanford said he would like to invite that man from Conroe. Byron Sanford said his business is up and coming and very unique. Byron Sanford said he found his business on Facebook and started liking it. Byron Sanford said he found a realtor who is partnering with his ministry and he thinks it is worth their effort to at least bring him in.

Mr. Tramm said they would need to have someone get in touch with them or we can contact them. Byron Sanford said he will get Mr. Tramm the name and a time he could possibly be here. Mr. Tramm said he would be happy to have that conversation.

Mayor Countryman said they met with Entergy yesterday and they will be getting a new light in front of the school on the curve and also some additional lights will be added down by McGinnis. Mayor Countryman said the residential lights that are turned toward the residents will be able to keep them and they will have City lights on the streets. Mayor Countryman said they also got an update on why the electricity keeps going out in our City. Mayor Countryman said there was a pole in Walden, at their substation, that because of all the rain became loose and the pole was moving and went on a neutral line and was causing the outages. Mayor Countryman said it has taken them months to figure it out. Mayor Countryman said they have figured it out and replaced the pole and installed new equipment. Mayor Countryman said at their meeting yesterday they actually had a blip, but that was because someone had hit an electric pole. Mayor Countryman said you cannot prevent accidents but what they did is found where there was an issue and promised that we should not have any further continued issues. Mayor Countryman said if you do experience any outages, please let City Hall know as they have a great relationship with Entergy and the team they are working with is extremely diligent and ready to get us answers as soon as possible.

Julie Davis said there is a huge tree in front of Wings of Montgomery that is hanging over a powerline and asked if we can make it on their bucket list. Mayor Countryman said they can certainly report it. Mayor Countryman said she knows of a pole that is about to break on the top at FM 149 and was told

there was a resident's call about that two months ago. Mayor Countryman said that is on the list to be repaired this week.

Julie Davis asked if the City has contact with MidSouth. Mayor Countryman said she does not know of any MidSouth contacts. Mr. Tramm said he does not either but Mr. Mike Muckleroy, Public Works Director does. Julie Davis said on Old Plantersville Road once you cross the railroad tracks up to City Hall they have no street lights on the other side of the railroad tracks and that is the thoroughfare for the cross-country and athletic programs for the high school where they will be running in the dark hours of the night. Julie Davis said that is when they tend to have all the speeders coming into the high school so it would be nice to see if they can get a MidSouth contact to put some kind of lights along Old Plantersville Road from the railroad track back to the high school. Mr. Tramm said they will reach out to MidSouth and get that.

Mr. Tramm said October 6-8, 2021 is the Annual Texas Municipal League Conference. Mr. Tramm said if any Councilmember is interested in going let Ms. Hensley or himself know so they can make the arrangements.

Mr. Tramm said the correct figure on the generator he was asked about was for \$25,000 and not \$26,000.

Mr. Tramm said the City Secretary asked him to state for the record that under the Consent Agenda the date and time for the Budget Public Hearing is September 14, 2021, at 6:00 pm. at City Hall in the Council Chambers.

Julie Davis asked if there was a public hearing date set for the Food Truck Ordinance. Mr. Tramm said they are working on scheduling that. Mr. Tramm said he and the City Attorney were discussing that today and will continue tomorrow on sending the schedule out. Mr. Tramm said City Council will be the one to set the date. Mr. Tramm said it is being set up as City Council requested as a workshop and not a public hearing. Julie Davis said normally when you table something it comes back for the very next agenda and that did not happen with the Food Truck Ordinance. Julie Davis said she knows a lot of people are still waiting on that and she does not want to let it linger. Mr. Tramm said items can be tabled to come back to a certain time or they can just be tabled indefinitely or not at all. Byron Sanford asked if there is any difference between table and postpone. Byron Sanford said at the TML meeting

they went to it seemed like there was some language in there that suggested table means table but postpone means go ahead and postpone it and set a particular time. Mr. Villarreal said any time he has tabled an item he postponed it so he uses it interchangeably. Mayor Countryman asked if it would be good practice to add the date or a specific time. Mr. Villarreal said yes. Mr. Tramm said they are working on outlining that schedule to present City Council with the dates. Julie Davis asked if he would have that by the next City Council meeting. Mr. Tramm said he expects to.

**ADJOURNMENT**

Kevin Lacy moved to adjourn at 7:31 p.m. Julie Davis seconded the motion, the motion carried unanimously. (5-0)

Submitted by:  Date Approved: \_\_\_\_\_  
Susan Hensley, City Secretary

\_\_\_\_\_  
Mayor Sara Countryman