



**Regular City Council Meeting
Meeting Minutes
November 12, 2024**

CALL TO ORDER:

Mayor Sara Countryman called the meeting to order at 6:00 p.m.

Present:	Sara Countryman	Mayor
	Casey Olson	Mayor Pro Tem
	Carol Langley	City Council Place #1
	Cheryl Fox	City Council Place #4
	Stan Donaldson	City Council Place #5
Also Present:	Gary Palmer	City Administrator
	Dave McCorquodale	Director of Planning & Development
	Maryann Carl	Finance Director
	Anthony Solomon	Chief of Police
	Diana Titus	Deputy City Secretary
	Alan Petrov	City Attorney
	Katherine Vu	City Engineer

INVOCATION:

Councilmember Stan Donaldson gave the Invocation.

PLEDGE OF ALLEGIANCE TO FLAGS:

Mayor Sara Countryman led the Pledge of Allegiance to the United States and State of Texas flags.

PUBLIC FORUM:

Hillary Dumas, 8560 Majestic Lake Court, Montgomery, Texas stated she is here tonight regarding an agenda item that occurred on September 10th specifically agenda item two – acceptance of Lake Creek Village roads and underlying storm sewer. This topic was introduced by Mr. Palmer saying “they have problems out there. They have problems with storm sewer, problems with road conditions.” He continues to say more and elaborates but then says, “they would need to be brought up to our standards” and then he defers to our city engineers. City engineers start with Katherine, “I did not receive testing results until the packet tonight.” Chris follows with very specific accusations “the developer specifically asked us not to spend time reviewing the roads, specifically did not want us inspecting.” Mike Muckleroy then follows with “we were told to not even look at the streets, not to City standards we do not understand what is there.” It has been almost 10 years but lucky for everyone she keeps her emails. Tonight she has a packet for everyone with special highlights. This was strange to her because everything, every construction project that is done in

the City of Montgomery requires a permit. You cannot build a house and even internally everything has to be inspected. She said a project of this magnitude with this many lots and this many homes connecting to city utilities would absolutely have to be inspected. She checked the city website and on October 27, 2015 the City Council minutes reflect that City Council unanimously accepted water, sanitary, drainage, and paving improvements with Lake Creek Village Section One. On October 25th Council unanimously approved the Section Two improvements. Mr. McCorquodale was the City Councilman on both of those and voted to approve and accept those utilities. All of this was available on the city website had city staff taken two seconds to look they would have found it. If you continue through the packet you will see copies of emails. The engineer of record on both of these projects would be Ed Shackelford. Chris Roznovsky did not even join Jones Carter of Montgomery yet so he would not have been part of these discussions. If you go through these emails they are highlighted but section one we actually bonded and paid the City had \$600,000 of our money. Everything was subject to inspection. All the testing reports were provided to city staff and city engineers. Everything is there and you will see copies of all this. Nothing was done without Glen Fleming or Ed Shackelford approving it. They had regular correspondence with our contractors and received reports in a very timely manner. If you go through these emails you will see that we had the money with the City. You will see emails from Phillip to Glen and Ed “hopefully you guys continue to stop by. Because this is the first project with the City for both Jack (who was the City Administrator at the time) and you guys we need to get it right. Coastal will be out there tomorrow to pull samples and test for density. We will have those results Monday. If you guys need to have someone present when they come out please let me know.” Ms. Dumas asked does this sound like we are hiding anything. There are more reports and all of these go to city staff. Then you get to final inspection of Section One with an email from Glen Fleming and he did the walk-thru. For Section Two the City approved all of the testing and all of the plans they red-lined and sent them back to us. We actually had a preconstruction meeting with Glen Fleming representing the City as the City Engineer. In no way were these improvements ever done without city oversight or anything that would not have been to city code. If you continue to go through the packet you can see Glen Fleming’s attending and here is road geotex. Please let me know if you have any comments otherwise we will go with seven percent lime as recommended. The road is not even built yet. She said when they do this she does not even pay the contractors until the improvements have been inspected and approved. Glen Fleming actually has to pay her pay requests before they ever pay them. The city was involved from every step of the process. Glen Fleming says Mike Muckleroy is invited to the punch out and Glen is going to provide a letter of substantial completion. Regarding Section Two road, there was discussion Chris specifically said they were told not to inspect the road, not to look at the road, and not to do anything. These emails directly relate to the road. There was specific discussion about a bird bath if you want to continue reading through. Glen Specifically says in these emails how to handle it. The last one is actually one of her favorites because it is from Chris Roznovsky who is the current City Engineer and it includes Katherine. It is after the one-year maintenance period has ended and it is the final punch out. In that email he gives me three things that need to be done and he includes a picture. One of those three things is the caulking on the road. At no time did we ever say the city could not be included and in fact we went out of our way to include them so I appreciate the fact that you guys could see that and voted to approve those improvements. The last point is that she has thousands of dollars of invoices directly from Jones and Carter. Section Two of Lake Creek Village was actually where we had an issue with billing from Jones and Carter. It was determined they were getting billed for different things so Chris’s one of the first interactions he had with us was to sit

in that conference room and line by line go through every Jones and Carter invoice for the previous years with the backup so that they could identify where we had been over billed and at the end of that meeting we got credits. So this whole discussion about they have never been included or never received reports is absolutely absurd. The fact that you are paying these are city paid staff and they cannot take the time to look up your own minutes on the website but review city records and they go out on public record to say that none of this had ever been tested or approved and they had no idea means that you probably need to get some new city employees.

Phillip Lefevre, 19971 FM 2854 Street, Montgomery, Texas stated he wanted to take this time to remind Council and mainly the public as well some of the history that has gone on in the town and some of it you already know. In 2003 there was a wave of people coming through Montgomery. Montgomery had become a huge bottleneck and it was taking parents an hour each way to pick up and drop off their children. Some people were spending three hours a day trying to get through the town. The County came to them and said that they were aware of the problem and wanted to create a bypass around the town. At the time the County had not budgeted the money and did not know where the road would go and when it would go which was kind of unacceptable. At the time the City of Montgomery did not have the money but they clearly accepted the problem and knew it was a problem. He said he did not have the money but owned the land and was able to borrow the money. Essentially he agreed to go ahead and fix the loop and to fix other parts. He said their attorney at the time said it would be bad practice for them not to create a plan development, cities in general not this one of course, but cities in general love you when they need you but 10 years later when they do not they will spit all over you. The attorney said to get a planned development organized. He said we created that plan development with the city and it basically did not give us any real rights. What it did was it gave us the ability to do a certain amount of zoning. We had a 200,000 gallon a day sewer permit and we gave that to the city. The city agreed to be obligated to give us sewer and water. As we proceeded with the plan development we basically agreed to build the structures so we built the initial loop, the Clepper extension, CB Stewart, and Plez Morgan. We spent millions of dollars which we essentially donated to the city. We honored their agreement and the city basically did not lose any power as they had full right of inspection, we had to follow all the ordinances and the ordinances at the time the city agreed not to change the ordinances on them but we had to follow them and follow all procedures. Planning and zoning inspections, everything we did went through this system. At no time did we ever disrespect the city or ever presume we had any authority over the city. The city is a sovereign entity and we always respected that. We have now gone over 20 years and this has been probably the most extreme change in the city since its inception. A lot of the success of that and it has been successful with multiple City Council members. They have always been above board and we have tried to be the same. One of the things we have done aside from essentially saving taxpayers, to accomplish the changes that the City has accomplished would have involved huge tax increases for people. We basically subsidized that. We built the roads, we gave them to the City, we put in utilities. The other things we have given, the City would not have the fire station without us, it would not have the library, or Fernland without us. We have tried to do everything we can to be a part of the City. The main thing we have done I think that goes beyond that is when you drive around the City you do not see a hodge podge of strip centers, garage repair shops, and sheetrock houses because we have essentially over the years refused to sale our land to anything that was not part of an overall bigger picture and a bigger plan. It has not been easy as several times we have nearly gone bankrupt but we have worked it through and it has been he feels a good partnership and feels the result has been a good one for everyone. The City has never had good administrators frankly, it has always been

City Council that has run things but now it has this group. He said this is the first time he has seen city managers, city contractors, and employees outright lie to City Council and outright say things that they knew were not true. The testing that Larry Finke got, they got those same tests too. The original design for Lake Creek Village Section One could have been asphalt but we knew at that time that asphalt cracked three times. The City has done Clepper twice. All asphalt roads crack so we knew essentially if subdivisions are to look nice they have to have concrete so they went with concrete and it was more money as he implied we are cutting corners. We went with a stronger mix. Instead of a 3,000 pound mix we went with a 4,000 pound mix. These guys have come and they have made these statements to the city that this is a bad project and was not inspected. They had to know that these were not true. Mr. McCorquodale was on City Council. Mr. Chris Roznovsky and Mrs. Katherine Vu met with us to go over bills. They had to know that what they were telling you was false. Mr. Palmer or whoever received the testing from the roads from Mr. Larry Finke. I did not think they were going to produce that until the last minute and someone must have made them produce it. You cannot have city people outrightly misrepresenting things to Council about things and more than just us this went against the homeowners. The duty of people who work for the City is for the homeowners to protect them to make sure that they are well treated and these guys ignored that. They were not remotely interested in having the homeowners participate in their roads in the City. I personally think roads should stay private. I think the properties long time are more valuable as I think you said you get traffic through you can stop it with a gate, you can let your children out on the streets. In the long run I think they are making mistakes but it is their right. These guys were basically prepared to deny them their rights and in the same breath basically said that the product they live in and the houses they have are inferior basically and unacceptable. That is not how city council people should work. They should be working for the people and trying to come out with the best, not just obscuring the facts and making things look bad. These guys work for you. The only thing we can do is essentially report engineers to the State and we are deliberating whether we report them. I do not know I am not a lawyer but it seems to me maybe Mr. Palmer knows more about this than anyone else since his previous incarnation in Georgia. To me that is something that should be looked into.

Sara Countryman, 396 Berkley Drive, Montgomery, Texas, stated I wanted to take a moment to praise Stephanie Johnson our new MEDC Special Events Coordinator. She has been knowledgeable, detail oriented, and engaged and I have already had multiple business owners and residents compliment her. This past Saturday was her first city event, Lone Star Street Dance. She got to work at 7:30 a.m. and she was there with us until 10:00 p.m. that night. We had approximately 1,000 dance goers attend and she handled all logistics with curiosity and grace. This morning, I had a meeting with her and Rebecca Huss in regard to the Christmas Parade. I am blown away at her organizational skills, eagerness to learn, and she asked great questions. Mind you she has never been a parade organizer and I am confident with Becky's offered help she will nail this parade and as we know this parade is everything to this community. I can already tell you she is going to do an excellent job and me personally I am thrilled and excited to have her on at the City of Montgomery on the team. She is fantastic.

PUBLIC HEARING

1. Convene into a Public Hearing to receive comments on a Special Use Permit application for a paramedical and fine-line tattooing business located at 14375 Liberty Street.

Mayor Countryman convened into public hearing at 6:19 p.m.

Mayor Countryman closed the public hearing and reconvened into the regular meeting at 6:19 p.m.

REGULAR AGENDA

2. Approval of the October 22, 2024 Regular Meeting Minutes.

Councilmember Carol Langley moved approve the minutes of October 22, 2024. Councilmember Casey Olson seconded the motion. **Motion Passed (4-0).**

3. Consideration and possible action on AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS, GRANTING A SPECIAL USE PERMIT TO SHEA SYKORA FOR USE THE PROPERTY LOCATED AT 14375 LIBERTY STREET, SUITE 105, MONTGOMERY, TEXAS 77356, FOR A MICROPIGMENTATION, PARAMEDICAL, AND FINE-LINE TATTOO BUSINESS; ESTABLISHING CERTAIN TERMS, CONDITIONS AND LIMITATIONS; PROVIDING FOR PENALTY, SEVERABILITY, AND EFFECTIVE DATE.

Mr. McCorquodale said the applicant is here and you have the draft ordinance. He said he will be glad to answer any questions or if you would like to discuss with the applicant some of the nuance of the business I am sure she would be glad to speak.

Mayor Countryman said she was at the MEDC meeting where you spoke. Great job and great entity. It is noble of you.

Councilmember Stan Donaldson asked are we able to pass it without a City Secretary. Mayor Countryman said yes. Councilmember Stan Donaldson said he does not know why they kept delaying it though. Councilmember Casey Olson said the public hearing was missed.

Councilmember Stan Donaldson says he has a point of information. It says in here City Council by an affirmative four fifths vote may by ordinance grant a special permit. What happens in the case that our Council does not have four fifths, we have four and if one says no that does not equal the four fifths vote. He said he was just curious. Mr. Alan Petrov, City Attorney said it will not pass. Councilmember Casey Olson said it has to be unanimous.

Councilmember Carol Langley moved to approve the ordinance granting a special use permit for the business located at 14375 Liberty Street as presented. Councilmember Casey Olson seconded the motion. **Motion Passed (4-0).**

4. Consideration and action on AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, CANVASSING THE RETURNS AND DECLARING

THE RESULTS OF THE CITY OF MONTGOMERY, TEXAS, SPECIAL ELECTION HELD ON THE 5TH DAY OF NOVEMBER, 2024, 1) FOR THE CREATION OF THE MONTGOMERY CRIME CONTROL AND PREVENTION DISTRICT; AND 2) EXTENDING THE TERM OF OFFICE FOR MAYOR AND COUNCIL FROM TWO YEARS TO FOUR YEARS.

Mayor Countryman said item #4 has been taken off the agenda as we do not have the official results yet. Councilmember Carol Langley asked if they should table it and bring it back. Mr. Palmer said he has a recommendation on that. He said we do not need to take any action on this item tonight but it would be good for us to call for the special meeting while we are here. He is thinking maybe Friday in the afternoon or Monday in the afternoon as they have to have it done by the 19th. Councilmember Carol Langley asked if to canvass the vote you only have to have two people. Mr. Petrov said that is correct. Councilmember Carol Langley said she does not know if she will be one of those two people. Councilmember Stan Donaldson said he spoke with Montgomery Elections today and they said their vote would not be complete until next week sometime. Councilmember Carol Langley said she thinks the deadline is the 19th which is next Tuesday. Mayor Countryman asked is that her deadline to get it done. Mr. Palmer said that is State law that it has to be done. Mayor Countryman said that is what she thought.

Councilmember Casey Olson moved to call a special meeting on Monday November 18, 2024 at 5:00 p.m. to be held at City Hall 101 Old Plantersville in Montgomery, Texas to accept the canvassing of the election votes. Councilmember Cherly Fox seconded the motion. **Motion Passed (4-0).**

5. Consideration and possible action approving projects to be funded from the American Rescue Plan Act funds.

Ms. Maryann Carl, Finance Director said we are bringing before you two projects that have been on our Capital Improvement Plan that we have run by Grant Works. We actually ran the project list by Grant Works and sought input from them to find out which of these projects in our different priority list will be eligible to use ARPA funds. All passed for meeting the criteria. The first two projects are the College Street drainage improvements and the water plant number three booster pump edition. These were projects that were identified as priority two. They do meet the criteria and based in the stage where we are at we have not gone out for bid; we have not done any of those items so we are bringing those forward tonight to ask for approval to use the ARPA funds for those two projects. There will be a series of things that happen. In December you will have some more things pertaining to this but our first step is to state what the projects would be. Mayor Countryman asked if in December they are going to be required for more meetings and asked if that is part of the process because we only have one meeting in December. Ms. Carl said it should not require them to have more meetings as long as we approve projects tonight. There will be a few things that we have to do. We have some policy stuff that we have to bring forth in order to meet the federal procurement guidelines under ARPA and will be bringing that forward at the December meeting as well as a process, it is basically an MOU with ourselves for these projects because we are not actually going to have these

projects obligated by the deadline of December 31st. They have guidance from treasury for that and that is what we will be bringing forward in December.

Councilmember Carol Langley asked who has plans for the College Street drainage improvement. We have not seen any plans. Ms. Katherine Vu, City Engineer said this is the beginning of the ARPA process so you have to designate the funds for these projects. This will allow the plans to be created for the College Street drainage improvements and to refine those plans for the booster pump edition that came from what had already been previously completed. The construction plans for College Street have not been created yet as that is the next step in this process. The first step is assigning your ARPA funds to the projects so that they can be used for it. Councilmember Carol Langley said when the plans are done if there is more money needed it just has to come from somewhere else. Ms. Vu said correct. Councilmember Carol Langley said because all this says is drainage ditch channeled the flow of flood water with newly constructed drainage ditches. Newly constructed. I am confused. All this is is aligning two projects to spend this money on then we will just wait and see what comes out. Ms. Vu said right, so the language in here the City will be able to effectively channel the flow of flood water with newly constructed drainage ditches. Part of that project is reconstructing some of the ditches along College Street. What this paragraph is saying is the benefit that this project will have is identifying what that benefit will be as part of the ARPA funds to show that it is not just any project. There is a real significant benefit and that is to reduce the flooding on College Street with the ditches that will be constructed as part of a project. Councilmember Stan Donaldson asked what do we need to give them in order to qualify for the money. Is it just these two estimates and what are they looking for. Ms. Carl said we already have the money and now you have to meet this set of criteria in order to be able to spend that money. She said in our list of the CIP projects which was in your packet and is what we have discussed, this was in the July workshop, we gave Grant Works the list and said before we go out and try to conjure up more things that we could use this money for here is our list of projects that have been identified as needs. Is there anything on this list that we could use ARPA funds for and meet all of that criteria so that we do not end up having to give back our ARPA funds. In looking at our list again the items in priority one are already underway. We cannot use the funds on those projects because there are certain criteria that you have to meet for going out for bid, engineering services, there is just a whole slew of things that have to happen with that. We then move to the next priority list. That next priority list those two items in priority two met the criteria. We have not gone out for bid, we have not done design engineering, we have not done any of those things so by committing for these two projects we then can use the funds as we will meet all of the criteria, the posting, the bids, everything that we need to do and have in place so that we can use the ARPA funds for this and be able to check off all of our boxes and reporting with treasury so we do not have to give back the funds and reduce not spending them correctly. This is where we are at. If we do not have this committed and in place by December 31st we will be beginning the process to send the money back to treasury as we have no other option. Mayor Countryman said the first deadline is we have to get these obligated by this December. Ms. Carl said we are not able to do the traditional obligation because of the stage we are at and that is why we are going to bring forth this MOU with ourselves about committing these projects. Mayor Countryman asked how long do they give us when we turn dirt and start these projects and

when do they have to be completed by. Ms. Carl said December 30, 2026. You have two years to complete the project. Mayor Countryman said and if they come in under let us say we give them \$250,000 and they came in at \$190,000 those additional funds because it would be after December just go back to the federal government since they are unused. Ms. Carl said not necessarily. There is an avenue to be able to expend some limited funds on certain items. She said let us say we did these projects and one of these projects kind of falls apart and we have \$30,000 left. There is a list of approved items that could be brought forth for consideration at that time. She continued because we had had the funds allocated and committed for these projects that gives us the ability to move to that other category if something falls apart here and not by us sitting back and not taking any action. Councilmember Cheryl Fox asked if we have to go back and get all the bids and stuff on the new project or have you already got them by that time. Ms. Carl said it would not be a project at that point. For example one of the things that would be able to be considered at that time would be body cameras and that is something that would fit in that window if these funds were not used for that you could use a portion of funds for that. There are a few things that are allowable like that. She said I do not have the full list but certainly we can get with Grant Works to get that. It is not our intention to have to do that. It is our intention to be able to utilize funds for your Capital Improvements that you have designated as important. Ms. Carl said we will start with the larger project so that if there is any issue but we will put both of those projects on there. Your second project does have the ability to have funding from your impact fees.

Councilmember Casey Olson moved to approve item #5 as presented. Councilmember Cheryl Fox seconded the motion. **Motion Passed (4-0).**

6. Consideration and possible action on AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING CHAPTER 86, TRAFFIC AND VEHICLES, ARTICLE VII, TOWING SERVICES, TO UPDATE THE DEFINITIONS, FEE SCHEDULE, WRECKER SERVICE ROTATION LIST GUIDELINES; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING AN ENFORCEMENT CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION AND OPEN MEETING; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR OTHER RELATED MATTERS.

Chief Solomon said in keeping up with the changes made by the State on Chapter 86 towing and vehicle services we have made those changes for the maximum and the minimum fines. Also, during the course of that we made several updates and additions to the wrecker ordinance and rotation list. We clarified things that made them a little bit more efficient such as action taken, private tows, and public roadways. We cleared all that up in the articles while we were making those changes due to the fees change. We have made all those changes and have brought them here to Council for approval.

Councilman Stan Donaldson asked how many wrecker services do we have signed up with the City. Chief Solomon said we have two. They added a new wrecker service approximately four months ago. We were looking at their rotations yesterday. A couple months ago they were cancelling a lot of tows and we give you so long to cancel so many

tows and after that we cancel you out of that rotation. I spoke with the officers today during their shift briefing and those guys have started picking back up on those rotations. Councilmember Cheryl Fox asked if there is a storage lot inside city limits. Chief Solomon said yes. Councilmember Stan Donaldson said at one time he heard they had three. Chief Solomon said no we just have the two. Councilmember Stan Donaldson asked how do you keep the fairness with the rotation. Chief Solomon said it is on the guys computers in their cars so they know after one wrecker is gone they take that wrecker down and put the next wrecker up then the officer with the next tow knows that that wrecker has the next tow. That is the way they keep up with it because we could not get the County dispatch to keep up with it so they had to come up with a way to keep up with it ourselves and that is how they do it. Our guys put that rotation in and take that next rotation down.

Councilmember Cheryl Fox moved to approve the resolution as presented. Councilmember Stan Donaldson seconded the motion. **Motion Passed (4-0).**

7. Second reading and possible action on A RESOLUTION OF THE CITY OF MONTGOMERY, TEXAS, APPROVING AN EXPENDITURE TO CONTRIBUTE TO THE CONSTRUCTION OF A WATER MAIN FOR MONTGOMERY INDEPENDENT SCHOOL DISTRICT'S CAREER AND TECHNICAL EDUCATION (CTE) CAMPUS DEVELOPMENT; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. McCorquodale said that was the second and final reading you are now free to act on by adopting the resolution. Again, this falls in line with Council's intent and approval of this and EDC's willingness to pay the money.

Councilmember Stan Donaldson said the discussion was kind of confusing to me but regardless I know that this is the second reading. Mayor Countryman said in the packet the resolution was before the action item and it was at the end of Chief's towing resolution so it is a little confusing and I was confused too. Mayor Countryman said it is not under this it is at the end of Chief's.

Councilmember Casey Olson moved to accept item #7 as presented. Councilmember Carol Langley seconded the motion. **Motion Passed (4-0).**

8. Consideration and possible action on authorizing the city engineer to proceed with the off-site, public Sanitary Sewer Improvements project pursuant to the Development Agreement Between the City of Montgomery and Morning Cloud Investments for The Crossing at Montgomery single-family residential development (Dev. No. 2403).

Ms. Vu said this is again the offsite public sanitary sewer for The Crossing at Montgomery. Council approved the development agreement a couple Council meetings ago and this is the utility extension that goes along with it. To outline the scope of it for you I am turning to page 61 of your packet which is the exhibit. This shows the boundary of Marjorie's tract the future Crossing at Montgomery tract and then if you look at the northwest side their proposed forced main will run along Old Dobbin-Plantersville on the other side of the street

from where the waterline is going by the high school up to SH-105 and then turn and go east and discharge into the manhole. The line that it is discharging into will then need to be upsized from an eight inch as it currently stands to a 12 inch. The proposal in front of you also includes design services for their on-site lift station and then the developer will handle design of the force main from the lift station to the boundary of their property. That way they can coordinate with where the rest of the utilities are going and we are not trying to design right on top of each other. What is proposed in front of you is entirely to be developer funded. We are proposing a time and materials cost of \$332,600 and 517 calendar days through the duration of construction.

Councilmember Casey Olson said this is the section that we talked about with SH-105 and that we have to replace anyways right, I mean we are replacing it for this reason when they tear up the highway. Ms. Vu said going along the same timeline but different utilities. This is a brand new force main that would be going in not necessarily an existing one that already needs to be relocated. This force main does not exist today. Councilmember Casey Olson said okay, the one that runs along SH-105. Ms. Vu said correct there is a force main on the north side of SH-105. Councilmember Casey Olson said that is the one we are tying into. Ms. Vu said we are tying into a gravity line along SH-105. The force main that we are discussing right now is not going to tie into an existing force main. It will keep going east until right in front of the Cowboy Church. There is a manhole there and then the gravity line will begin. This force main will discharge directly into a gravity line and will not connect to another force main. Councilmember Casey Olson said he does not know much about the piping of it but wouldn't it be better just to tie into the pipe that is already there by drawing under street. Ms. Vu asked you mean tie into the force main. Councilmember Casey Olson said the force main that is already there instead of putting one on both sides of the highway. Ms. Vu said tying two force mains into each other can cause some pretty tricky maintenance issues and so it is generally not recommended to tie one force main into another force main. You get into issues of flow and pressure and timing and so this was the best option for the City so that it did not kind of daisy chain the issues. This force main will be designed with TxDOT's improvements in mind to stay well out of the way plenty low enough so that we are not having to go back and relocate a brand new force main that we just put in. Councilmember Casey Olson said just to clarify there is a force main on the north side of the road. If you look at your drawing that you gave us, on the west end it ties into that same loop that we are going to gravity feed to just make a circle. The force main and the east side over here you are tied into it already. You are going to tie into it already. The blue line right. Ms. Vu said the blue line is water. Blue is water, green is sanitary. Councilmember Casey Olson said okay so existing sanitary sewer discharge point is blue on the south side of the road. Ms. Vu said no. I see where you are seeing blue. There is a waterline also on that same side and the way the utility map is shown they are right next to each other. Councilmember Casey Olson said so I cannot see the green is what you are saying. Ms. Vu said yes. Councilmember Casey Olson said that makes sense then. Ms. Vu said she sees where you are talking about and I see the blue and then right next to it is an eight inch green line. Ms. Vu said she sees what you are talking about now and sees the confusion.

Councilmember Carol Langley asked if this is all funded by the developer. Ms. Vu said that is correct and we would begin our design when the deposit is received by the developer. No work will begin until that deposit is received. Councilmember Carol Langley asked if the developer has seen this or not yet. Ms. Vu said yes.

Councilmember Casey Olson moved to authorize the City Engineers to proceed with item #8 as presented. Councilmember Carol Langley seconded the motion. **Motion Passed (4-0).**

9. Consideration and possible action on cancelling the November 26, 2024 and December 24, 2024 Regular City Council Meetings (holiday weeks).

Councilmember Casey Olson moved to accept item #9 as presented. Councilmember Carol Langley seconded the motion. **Motion Passed (4-0).**

COUNCIL INQUIRY:

Councilmember Carol Langley said the next Conroe Chamber luncheon is in Montgomery on November 20th at 11:30 a.m. to 1:00 p.m. at the Lone Star Community Center.

Mayor Countryman said the Montgomery Bear football team is going to playoffs which has been a very long time so she would like to ask staff to put that on the LED sign. They are headed to playoffs on Friday so if we could just put a little note to them up there that would be great so when they come through town they can see it. She said the Bears football team is playing Marshall at 7:00 p.m. on Friday and they have not been to playoffs in a very long time so we are rather excited

EXECUTIVE SESSION:

Adjourn into Closed Executive Session as authorized by the Texas Open Meetings Act, Chapter 551 of the Government Code, Section(s):

551.071 (consultation with attorney)

551.072 (deliberation regarding real property).

551.074 - (personnel matters) – city administrators employment contract

Council adjourned into Executive Session at 6:51 p.m.

Council reconvened into Open Session at 7:34 p.m.

ACTION FROM EXECUTIVE SESSION:

Councilmember Casey Olson moved to make a motion to authorize the attorney to moved forward with further legal action and mediation. Councilmember Cheryl Fox seconded the motion. **Motion Passed (4-0).**

Councilmember Carol Langley moved to make a motion to not renew the City Administrator’s employment contract due to lack of confidence. Councilmember Cheryl Fox seconded the motion. **The Motion carried with 3-Ayes and 1-Nay vote by Councilmember Casey Olson (3-1).**

ADJOURNMENT

Councilmember Cheryl Fox moved to adjourn the regular City Council Meeting of the City of Montgomery at 7:37 p.m. Councilmember Stan Donaldson seconded the motion. **Motion Passed (4-0).**

APPROVED:

Sara Countryman, Mayor

ATTEST:

Ruby Beaven, City Secretary