

**City Council Regular Meeting
MINUTES**

October 24, 2023 at 6:00 PM

CALL TO ORDER

Mayor Byron Sanford called the meeting to order at 6:00 p.m.

Present:	Byron Sanford	Mayor
	Carol Langley	City Council Place #1
	Casey Olson	City Council Place #2
	Sara Countryman	City Council Place #3
	Cheryl Fox	City Council Place #4
	Stan Donaldson	City Council Place #5

Also Present:	Gary Palmer	City Administrator
	Alan Petrov	City Attorney
	Nici Browe	City Secretary

INVOCATION

PLEDGE OF ALLEGIANCE TO FLAGS

VISITOR/CITIZENS FORUM:

No visitors addressed city council.

CONSENT AGENDA:

1. Consideration and possible action regarding an Escrow Agreement by and between the City of Montgomery, Texas and Lonebuff Ventures, LLC for a convenience store development to be located at Town Creek Crossing Section One Commercial Reserve “D”, a 1.642-acre parcel of land at the northwest corner of Lone Star Parkway and Buffalo Springs Bridge Drive. (Dev. No. 2306).

Mr. Palmer addressed the city council stating that the city council had been provided the information in their packet, if there were any specific questions he could ask Mr. McCorquodale upon his return.

Councilmember Stan Donaldson move to approve the escrow agreement as presented. Councilmember Carol Langley seconded the motion. **Motion Passed (5-0).**

Councilmember Sara Countryman asked Mr. Palmer and Ms. Browe when they would see minutes again as it has been a while.

Ms. Browe stated they would be on the next city council agenda along with the workshop minutes.

CONSIDERATION AND POSSIBLE ACTION:

2. Consider Adoption of a Resolution Authorizing the Publication of Notice of Intent to Issue Certificates of Obligation for the Funding of Capital Improvement Projects.

Mr. Palmer introduced this item and reminded the council that this is what was discussed in the council workshop, to fund the must do projects in the city which amounts to \$3.5 million the city would need to issue certificates of obligation. What this resolution is, is an approval of a legal notice of intent to issue those certificates and states a public hearing date.

Councilmember Sara Countryman thanked Mr. Palmer for his diligence and getting this accomplished so swiftly.

Councilmember Sara Countryman moved to approve the Resolution of Notice of Intent as presented. Councilmember Cheryl Fox seconded the motion. **Motion Passed (5-0).**

3. Consideration and possible action on the appointment of Kristin Gyldenege to Place 1 on the Planning & Zoning Commission.

Mayor Byron Sanford explained that the applications for this applicant and item #4 are in the packet, is there a motion.

The city council collectively asked Ms. Gyldenege what her business was, her time in Montgomery as a business owner and what businesses she has held.

Councilmember Casey Olson moved to approve the appointment of Ms. Gyldenege to Place 1 on the Planning & Zoning Commission. Councilmember Stan Donaldson seconded the motion. **Motion Failed (2-2-1) Councilmembers Langley and Fox voted against with Councilmember Sara Countryman no comment (abstain).**

4. Consideration and possible action on the appointment of Tom Czulewicz to Place 5 on the Planning & Zoning Commission.

Councilmember Sara Countryman moved to approve the appointment of Mr. Czulewicz to Place 5 on the Planning & Zoning Commission. Councilmember Casey Olson seconded. **Motion Passed (5-0).**

5. Application for a City Alcoholic Beverage Permit for 14335 Liberty Street, Montgomery, TX 77356.

Ms. Nici Browe introduced this item and stated the applicant Ryan Routt is seeking to open Krawfish Kai serving alcoholic beverages. This is the city application and the TABC application is ongoing. The city would not issue their permit until the TABC approval has been sent to the city secretary's office.

Councilmember Casey Olson inquired if the policy for processing has been updated.

Ms. Browe stated that was on the goals for this year.

Councilmember Sara Countryman moved to approve the Alcohol Beverage Permit application as presented. Councilmember Casey Olson seconded the motion. **Motion Passed (5-0).**

6. Consideration and possible action approving a resolution for the City of Montgomery to participate in the Texas SmartBuy Membership Program of the Texas Comptroller of Public

Accounts, allowing the Police Department to purchase DPS Approved Toxicology Blood and Alcohol Test Kits accepted by the Texas Department of Public Safety Crime Lab.

Police Chief, Anthony Solomon presented this item and explained that the purchase of the lab kits are costly, they use so many that using a smartbuy program this exponentially reduces the cost. The membership for this program is \$100 annually.

Councilmember Cheryl Fox move to approve the resolution as presented. Councilmember Stan Donaldson seconded the motion. **Motion Passed (5-0).**

7. Consideration and possible action on the acceptance of the Waterline Infrastructure for Montgomery Bend Section One.

Mr. Chris Roznovsky, WGA City Engineers introduced this item stating the developer had paid the impact fees, and made sure the council understood this was not for the sewer or roads, which will come back later to council, this is so they can allow construction of the lots, and allow temporary water meters.

Councilmember Casey Olson moved to accept the Waterline as presented. Councilmember Stand Donaldson seconded the motion. **Motion Passed (5-0).**

8. Discussion Only of City Council Term Duration.

Mr. Gary Palmer stated that a councilmember had placed this on the agenda as a discussion item. He wanted to inform the city council that the State regulates the terms for a TYPE A and HOME RULE City. However, terms can be amended by a referendum.

Council discussed what was involved to begin the process to change the terms.

Council agreed that a term length of three years is optimum due to the time it takes to acclimate to the office.

No action was taken on this item.

DEPARTMENTAL REPORTS:

9. October Sales Tax Report

10. Utility Operations Report.

11. Municipal Court Report September 2023

12. September 2023 PD&CE Report

13. Public Works Report

14. Special Events Report

15. City Engineer Report

16. City Administrator Report

All Departmental reports were provided by staff highlighting specific areas.

Councilmember Carol Langley moved to approve the Department Reports as presented. Councilmember Casey Olson seconded the motion. **Motion Passed (5-0).**

EXECUTIVE SESSION:

The City Council reserves the right to Adjourn into Closed Executive Session as authorized by the Texas Open Meetings Act, Chapter 551 of the Government Code of the State of Texas.

Sections 551.071(consultation with attorney),[Town Creek and Atkins Creek Hydrology project]

Council Convened into Executive Session at 6:42 P.M.

Council Reconvened into Regular Session at 7:15 P.M.

POSSIBLE ACTION FROM EXECUTIVE SESSION:

Councilmember Casey Olson moved to authorize the City Administrator to seek qualification for a hydrology study. Councilmember Cheryl Fox seconded the motion. **Motion Passed (5-0).**

COUNCIL INQUIRY:

Councilmember Sara Countryman asked Mr. Palmer to explain the picture of the “water spout”. Mr. Palmer responded that there was a significant water line break and was a huge force of water, which was repaired very quickly.

Councilmember Carol Langley asked the City Engineer who was coming down College Street with pipes everywhere.

Mr. Roznovsky responded to her inquiry and stated that if there was any mess then he would get on with his inspector as they were not supposed to leave anything behind during or after the process.

Mayor Byron Sanford said that they had an outstanding opening of the Transportation Advisory Committee, with the MISD transportation director in attendance. He went on to say that in piggy backing off of Engineer/Staff meetings the committee can also obtain the information, expertise and guidance. He added that Shawn Davis as a member is valuable as she has good relationships with the commissioners office.

Mayor Byron Sanford informed the public that on November 17th there is a TXDOT open house meeting being held at the Lone Star Community Center.

ADJOURNMENT

Councilmember Casey Olson moved to adjourn the meeting. Councilmember Sara Countryman seconded the motion. **Motion Passed (5-0).**

Adjourned at: 7:24 P.M.

Submitted by: Nici Browe, TRMC
City Secretary

Date Approved: _____

