

**City Council Regular Meeting  
MINUTES**

**September 26, 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
	Nici Browe	City Secretary & Director of Administrative Services

**ANNOUNCEMENT**

Mayor Byron Sanford provided a proclamation honoring Kristian Rau, Eagle Scout Troop 623.

**CALL TO ORDER**

Mayor Byron Sanford called the meeting to order 6:00 P.M.

**INVOCATION**

Councilmember Stan Donaldson provided the invocation.

**PLEDGE OF ALLEGIANCE TO FLAGS**

**VISITOR/CITIZENS FORUM:**

Randy Burleigh – resident stated that he was glad to see the healthy back and forth discussions on projects and Well 2 being down, it is clear we need new facilities. He went on to say that over the years, the budget has been cut often so much so that the roads and street show for it, they are in a terrible condition, the focus of the budget should be on infrastructure. Mr. Burleigh added that he understands having salaries aligned is important and he thinks that rather than doing 4% over 9 months, it should have been merit not COLA. He is, however, appreciative that the employees were granted the increase.

Mr. Burleigh stated that he wanted the council to look at as soon as possible is the revenue from the water and sewer, an increase in water rates seems prudent.

**PUBLIC HEARING:**

1. Open Public Hearing.

**Mayor Byron Sanford opened the public hearing at 6:11 P.M.**

**2023 Tax Rate Public Hearing**

Regarding the tax rate of \$0.40 per \$100 of assessed valuation, to be set as the 2023 tax rate for Fiscal Year 2024, as proposed by the governing body of the City of Montgomery.

No members of the public addressed the city council on this item.

Close Public Hearing.

**Mayor Byron Sanford closed the public hearing at 6:11 P.M.**

2. Open Public Hearing.

**Mayor Byron Sanford opened the public hearing at 6:12 P.M.**

**FY2024 Annual Budget Public Hearing.**

For the Purpose of hearing public comments regarding the proposed FY2024 City of Montgomery Annual Budget.

**THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$107,916 OR 5.87%, AND OF THAT AMOUNT, \$70,042 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.**

No members of the public addressed the city council on this item.

Close Public Hearing

**Mayor Byron Sanford closed the public hearing at 6:12 P.M.**

**CONSENT AGENDA:**

3. Approval of the following Minutes:

(a) City Council Budget Workshop 08-11-2023

(b) City Council Budget Workshop 09-11-2023

(c) City Council Regular Meeting 09-12-2023

Councilmember Sara Countryman noted that the location for a project was stated as Lonestar Parkway/ FM762 where it should be Lonestar Parkway/FM1097,

Councilmember Casey Olson moved to approve the minutes with the corrections. Councilmember Sara Countryman seconded the motion. **Motion Passed (5-0).**

**CONSIDERATION AND POSSIBLE ACTION:**

4. Consideration and possible action regarding adoption, by record of vote of the following Ordinance: AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS ADOPTING AN OPERATING BUDGET FOR THE FISCAL YEAR 2023-2024.

THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$107,916 OR 5.87%, AND OF THAT AMOUNT \$70,042 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

Mr. Gary Palmer, City Administrator introduced the Budget item and had Ms. Maryann Carl, Finance Director walk the city council through the final budget hitting highlights of proposed changes, expenditures and revenues.

Ms. Maryann Carl also stated that the operating budget does not include the Capital Improvement Plan (CIP), that will be completed in the following month.

Councilmember Sara Countryman stated that on reflection to the workshop she would like to make a change. She would like the council to consider a 4% merit for hourly workers and that the department heads will not receive that increase.

Mayor Byron Sanford said he agreed and in the current situation this will make the most impact, and then we can hold tight and shoot for a better award but yes, a merit at 4% for hourly staff only.

Mr. Gary Palmer asked for clarification whether this was a merit or a COLA, as it was discussed as a COLA in the workshop, and is this for all employees except the department heads.

Councilmember Casey Olson stated that the Personnel Policy states differently so that would need to be amended asap.

Councilmember Sara Countryman stated that she did not see the \$8000.00 in the EDC budget for the transcribing of the minutes, does the employee get the \$8000.00 and the 4%.

Ms. Nici Browe responded that the Deputy City Secretary performs minutes for the MEDC as part of her duties, the MEDC reimburses the City the \$8000.00 it does not go to the individual employee.

Councilmember Carol Langley confirmed that the EDC reimbursement amount of \$275,000 includes that \$8000.00.

Councilmember Casey Olson moved to approve the budget for FY2023-2024 with the amendment that the COLA would be 4% beginning January 1, 2024, for all employees with the exception of the department heads. Councilmember Carol Langley seconded the motion.

Mayor Byron Sanford called the roll for a vote: -

Councilmember Carol Langley	Yes
Councilmember Casey Olson	Yes
Councilmember Sara Countryman	Yes
Councilmember Cheryl Fox	Yes
Councilmember Stan Donaldson	Yes.

**Motion Passed (5-0).**

5. Consider, Adopt and Set by Ordinance the 2023 Ad Valorem Tax Rate for Maintenance and Operations. **\$.3030/\$100**

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

6. Consider, Adopt, and Set by Ordinance the 2023 Ad valorem Tax Rate for Debt Service, **\$0.0970/\$100.**

Councilmember Casey Olson moved to approve the Ordinance as presented. Councilmember Stan Donaldson seconded the motion. **Motion Passed (5-0).**

7. Consideration and possible action on: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, SETTING THE AD VALOREM TAX RATE OF THE CITY OF MONTGOMERY, FOR THE YEAR 2023 AT A RATE OF **\$0.400** PER ONE HUNDRED DOLLARS (\$100) VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITES OF THE CITY OF MONTGOMERY AS OF JANUARY 1, 2023 SPECIFYING SEPERATE COMPONENTS OF SUCH RATE FOR OPERATIONS AND MAINTENANCE AND FOR DEBT SERVICE, LEVYING AN AD VALOREM TAX FOR THE YEAR 2023 PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING FOR COLLECTION AND ORDAINING OTHER RELATED MATTERS.

Mr. Gary Palmer introduced the Ordinance regarding the ad valorem tax rate.

Councilmember Casey Olson stated he would like to point out that he and others have worked tirelessly to prevent any raises in taxes, this will be its 5<sup>th</sup> plus year, and as long as he is here, he will continue to stop any tax rate increases.

Councilmember Carol Langley moved to approve the Ordinance by reading the formal wording regarding tax rate at \$0.400 per one hundred dollars valuation. Councilmember Casey Olson seconded the motion.

Mayor Byron Sanford called the roll for a vote: -

Councilmember Carol Langley	Yes
Councilmember Casey Olson	Yes
Councilmember Sara Countryman	Yes
Councilmember Cheryl Fox	Yes
Councilmember Stan Donaldson	Yes.

**Motion Passed (5-0).**

8. Consideration and possible action regarding the award of the contract for “Water and Sewer Operations and Maintenance Services” and authorize the City Administrator to execute the contract.

Mr. Mike Muckleroy presented this item and confirmed that the city went out for an RFP for a water sewer operations provider as the contract with H2O, the city’s current operator, is due to

expire. He stated after reviewing all bids he is recommending the city award the contract to Hayes and the owners are here this evening to answer any questions that you may have.

Councilmember Casey Olson asked when Hayes would begin operating for the city.

Mr. Muckleroy responded on 1<sup>st</sup> of November.

Councilmember Sara Countryman stated that there were some billing issues in the past, and it took a lot to hammer it out.

Councilmember Carol Langley asked who oversees the invoices billed to the city.

Mr. Muckleroy responded that it is him and he goes through everything with a fine toothpick to make sure it is accurate.

Councilmember Casey Olson moved to approve the award to Hayes as presented. Council member Cheryl Fox seconded the motion. **Motion Passed (5-0).**

9. Consideration and possible action on A RESOLUTION BY THE CITY COUNCIL OF MONTGOMERY ADOPTING LABOR STANDARDS PROCEDURES AND OVERSIGHT RESPONSIBILITY FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROJECT WITH THE GENERAL LAND OFFICE (GLO), STATE CONTRACT NO. 19-076-017-B366.

Mr. Dave McCorquodale introduced this item and explained that the resolution is required to be adopted by the city stating it adopts fair labor standards. Grant works the city's grant manager must be covered by this act.

Councilmember Sara Countryman moved to approve the resolution as presented. Councilmember Stan Donaldson seconded the motion. **Motion Passed (5-0).**

10. Nomination and Appointments/Reappointment to the Montgomery Economic Development Corporation, Planning and Zoning Commission, and Transportation Advisory Committee.

Councilmember Carol Langley moved to nominate "Arnette Easley" to the Board of Directors of the EDC. Councilmember Sara Countryman seconded the motion. **Motion Passed (5-0).**

Councilmember Sara Countryman moved to reappoint Dan Gazda to the Planning & Zoning Commission. Councilmember Carol Langley seconded the motion. **Motion Passed (5-0).**

Mr. Palmer discussed the transportation committee, and stated that with Chief or his alternate which is George Hernandez, it is a 5-member committee, and one city councilmember should be on the committee also.

Mayor Byron Sanford stated that Shawn Davis is an excellent choice for the committee as a resident expert in the field of transportation, George Hernandez as the alternate for the Chief, and hoped that Stan or Sara would fill the remaining spaces until a full committee is formed.

Councilmember Sara Countryman stated that she nominates Stan to be the council person on the committee, but she would gladly step in to fill the spot until the committee can locate another candidate.

Councilmember Sara Countryman moved to approve: Shawn Davis, George Hernandez, Sara Countryman and Stan Donaldson to the Transportation Committee. Councilmember Cheryl Fox seconded the motion. **Motion Passed (5-0).**

11. Consideration and Possible action to approve a TexPool Resolution Amending Authorized Representatives.

Councilmember Casey Olson moved to approve the resolution as presented. Councilmember Stan Donaldson seconded the motion. **Motion Passed (5-0).**

12. Consideration and possible action on calling a Public Hearing to be held on October 10, 2023, at 6:00 PM related to a request to locate a HUD-code manufactured home at 14692 North Liberty Street, Montgomery, Texas.

Mr. McCorquodale introduced this item by providing the city council with a history of this request, and the process to follow such a request to the city council for approval as a mobile home outside of a mobile home park.

Councilmember Casey Olson asked if the city helps residents to complete all of the forms for permits.

Mr. McCorquodale responded that the staff helps as much as possible yes.

Councilmember Carol Langley moved to call a Public Hearing on October 10, 2023, at 6:00 PM. Councilmember Casey Olson second the motion. **Motion Passed (5-0).**

13. Authorize the Sale of City-Owned Real Property Known as 213 Prairie Street in Downtown Montgomery.

Mr. Gary Palmer presented this item and informed the city council that this property is the property purchased with the intent of making it a city police department, however, it became cost prohibitive. In order for the city to sell such property we have to advertise it in the paper and have authorization from council for him to list broker services to assist with the sale.

Councilmember Carol Langley moved to authorize the City Administrator to sell the real estate property as presented. Councilmember Cheryl Fox seconded the motion. **Motion Passed (5-0).**

14. Consideration and possible action on a Chapter 380 Agreement by and between the City of Montgomery and Home Depot USA, Inc. for the Buffalo Springs Drive Roadway Reconstruction and Traffic Signal at SH105W & Buffalo Springs Drive projects.

Mayor Byron Sanford stated that this item does not need any action as this will be discussed in a meeting called for October 2, 2023, at 6:00 P.M.

#### **DEPARTMENTAL REPORTS:**

15. Sales Tax Report for September 2023
16. Utility Operations Report (H2O)
17. Public Works Report
18. Municipal Court Report.

19. Police & Code Enforcement Report
20. Engineer's Report.
21. City Administrator Report

All city departments provided their reports to the city council and were included in the city council packet.

Councilmember Carol Langley moved to accept/approve all departmental reports. Councilmember Cheryl Fox seconded the motion. **Motion Passed (5-0).**

**EXECUTIVE SESSION:**

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: Redbird Meadow, pending litigation)

551.072 (deliberation regarding real property),

551.074 (personnel matters).

**The City Council convened into Executive Session at 7:21 P.M.**

**The City Council reconvened into Regular Session at 7:58 P.M.**

**POSSIBLE ACTION FROM EXECUTIVE SESSION:**

Consideration and possible action on items discussed in Executive Session.

No action taken on items discussed in Executive Session.

**COUNCIL INQUIRY:**

Councilmember Carol Langley stated that Tuesday, October 3<sup>rd</sup> is the City's Faith in Blue event being held at the Community Center grounds and the downtown area.

Mayor Byron Sanford stated that he had sat down with other local officials and mayors who are lobbying for a rail program, again making sure that demographics are accurate for the city in order to have the opportunity for alternative funding.

**ADJOURNMENT**

Councilmember Cheryl Fox moved to adjourn the meeting. Councilmember Carol Langley seconded the motion. **Motion Passed (5-0).**

**Adjourned at: 8:14 P.M.**

Submitted by: Nici Browe, TRMC  
City Secretary

Date Approved: \_\_\_\_\_

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Byron Sanford, Mayor