

**City Council
MINUTES**

February 13, 2024, 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

***** audio was not available for this meeting*****

CALL TO ORDER

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

INVOCATION

Mayor, Byron Sanford provided the invocation.

PLEDGE OF ALLEGIANCE TO FLAGS

VISITOR/CITIZENS FORUM:

Bill Cassidy – 128 Race Track Lane thanked the Police Chief for his staff protecting the citizens of Montgomery. He then stated he would like to talk to the city council about the streets of Lake Creek Village. He continued by saying that he moved in 2015 and was of the first residents, at no time did they or others get informed that the streets would be private. Moving into the City limits he thought that the city would own the streets, not the homeowners.

Mr. Cassidy stated that the streets are not just used by the residents, everyone uses them, going through Buffalo Springs. The Police Officers cannot ticket anyone as there are no speed limit signs. We are asking for help so that the city can take over the streets. With the potential growth happening it will be a dire need.

Bert Herridge – 131 Race Track Lane stated that he retired from MISD and moved into the subdivision in 2016, the second group of homeowners. When he moved in there was no through access, however, now there is through access and there are children playing, and cars speeding. The HOA has met and discussed the traffic speeding, even witnessed a MISD Police Officer do a rolling stop at a stop sign. This is a private community, but you wouldn't know it. The community is asking consideration from the city to take over

the streets. We looked at installing Gates, however that would be a hinderance to the emergency services, and potentially life threatening for anyone who needs EMS etc.

Hilary Dumas – 898 Clepper stated she was here to speak on an incident that happened about two weeks ago. Her family own the land surrounding and Ransoms. There was an incident where after the police being called for a homeless person loitering at the restaurant and taking off, police conducted a search and located where they had been staying. On the land is an old house, and inside there was drugs, paraphernalia and someone had been squatting and for some considerable time. They had barricaded the doors, opened walls to freely walk through home, they had covered the windows, so you would not know they were there, in fact she stated she walked her dog there frequently and did not ever know they were there, and her dogs didn't alert her to them either.

The home is destroyed they would need to hire a specialist crew to remove the drugs and other items. She is looking to see if the city ordinances could be enacted that would allow the officers to remove them and not have them stay.

Larry Finke – 238 Racetrack Lane – stated that he was the president of the Homeowners Association for Lake Creek Village, and it took over from the developers in 2019. We asked back then for the City to take over the streets as we have no way of gating the community.

In 2022 the community talked at length again about the issue and voted to ask the city once again to look at taking over the streets. He met with Richard Tramm, Dave McCorquodale and Mike Muckleroy; Dave had informed the community of the information needed to even begin the process. I have been working on gathering said information, only to find that in fact the city administration would not bring it before the city council. Therefore, this is where he had stopped.

Mr. Finke added that the community and its residents need help, the traffic going through there is incredible, the police have been great, but they have limited power and cannot write tickets. The community is part of the city and wants the streets to be part of the city as well.

Councilmember Sara Countryman asked if the issue had been brought before city council at any time.

Mr. Finke responded that it had not.

CONSENT AGENDA:

1. Approval of the following Minutes:
 - (a) City Council Workshop 01-22-2024
 - (b) City Council Meeting 01-23-2024

Councilmember Stan Donaldson stated he would like to thank Nici, the City Secretary for getting the minutes to them promptly and the agenda packet a day earlier. With such a large packet of information to read through having it earlier is so helpful.

Councilmember Sara Countryman stated that she would like to thank Gary Palmer who had begun the workshops and meeting with council one on one to go over any items that may need more input than an agenda packet.

Councilmember Sara Countryman moved to approve the consent agenda as presented.
Councilmember Casey Olson seconded the motion. **Motion Passed (5-0).**

CONSIDERATION AND POSSIBLE ACTION:

2. Consideration and possible action on calling a Public Hearing to be held at Montgomery City Hall on March 12, 2024, at 6:00 p.m. for the purpose of giving all interested persons the right to be heard on a proposed amendment to Chapter 78, Subdivisions, of the City Code of Ordinances to define and regulate vesting rights of property owners and regulate stalled development projects within the City.

Mr. Gary Palmer introduced this item stating it was a housekeeping item, as the city has grown there are various legacy type projects therefore, we need to have an ordinance in place that has a time limit, in order to prevent this and future councils from being bound by old restrictions.

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

3. Consideration and possible action on The Abandonment of a Sanitary Control Easement Related to a Decommissioned City Water Well

Mr. Gary Plamer introduced this item and explained to the city council the issues surrounding this request. The City Council expressed some concern regarding the proof that the well was properly and correctly capped/abandoned.

Mr. Alan Petrov provided some historical and legal references to the request before City Council.

Councilmember Carol Langley asked why this is now being asked for and was it by the current owners?

Mr. Alan Petrov stated it was and presumably was to clear title.

Councilmember Sara Countryman moved to approve the Abandonment of a Sanitary Control Easement upon the condition that staff will locate and confirm the proper and correct capping of said Well. Councilmember Stan Donaldson seconded the motion. **Motion Passed (5-0).**

4. Consideration and possible action on A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, APPROVING AN APPLICATION FOR GRANT FUNDING THROUGH THE OFFICE OF THE GOVERNOR, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FOR UPDATED IN-CAR CAMERA SYSTEM, FOR FISCAL YEAR 2024, AND DESIGNATING THE CITY ADMINISTRATOR AS THE CITY OFFICIAL WITH AUTHORITY TO APPLY FOR, ACCEPT, REJECT, ALTER OR TERMINATE SUCH GRANT FUNDING.

Police Chief, Anthony Solomon presented this item and explained this is a request to seek grant funding for the in-car cameras, technology becomes obsolete, and this is an opportunity for the city to obtain cameras for approximately \$70,000. The grant is \$150,000 and the cost of the in-car cameras for the fleet is \$220,000.

Councilmember Sara Countryman asked the lifespan of the in-car cameras on average.

Chief Solomon responded it is approximately ten years.

Councilmember Sara Countryman moved to approve the request to seek a grant for In Car Cameras. Councilmember Cheryl Fox seconded the motion. **Motion Passed (5-0).**

5. Consideration and possible action on A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, APPROVING AN APPLICATION FOR GRANT FUNDING THROUGH THE OFFICE OF THE GOVERNOR, BC-BODY-WORN CAMERA

(BWC) PROGRAM FOR BODY WORN CAMERA (BWC) UPDATE, FOR FISCAL YEAR 2024, AND DESIGNATING THE CITY ADMINISTRATOR AS THE CITY OFFICIAL WITH AUTHORITY TO APPLY FOR, ACCEPT, REJECT, ALTER OR TERMINATE SUCH GRANT FUNDING.

Police Chief, Anthony Solomon presented this item and explained that like the previous grant, this is a request to seek a grant for the purchase of body worn cameras. The grant being sought is \$85,000 with a 25% cash match. The City would be out of pocket \$28,000.

Councilmember Casey Olson moved to approve the request to seek a grant for body worn cameras as presented. Councilmember Stan Donaldson seconded the motion. **Motion Passed (5-0).**

6. Consideration and possible action on AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 4, 2024 FOR THE PURPOSE OF ELECTING A MAYOR AND TWO COUNCIL MEMBERS, PLACES 2 AND 4; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

City Secretary, Nici Browe introduced the ordinance to call for an election.

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

7. Consideration and possible action on the Adoption of the Election Services Agreement by and Between the City of Montgomery and Montgomery County Election Office for the May 4, 2024, Election.

City Secretary, Nici Browe introduced this item and explained that this is an agreement with the Montgomery County Election Department to conduct the election for us.

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

8. Consideration and possible action Regarding Adoption of the Joint Election Agreement by and Between the City of Montgomery and Montgomery County Elections Office for the Purpose of Sharing Jointly Conducted Elections to be Held May 4, 2024.

City Secretary, Nici Browe introduced this item and explained that this agreement is to agree to consolidate precincts and enter into a cost share with other entities who are holding elections within the county.

Councilmember Casey Olson moved to approve the agreement as presented. Councilmember Sara Countryman 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.

No items for Executive Session at time of publication.

POSSIBLE ACTION FROM EXECUTIVE SESSION:

Consideration and possible action on items discussed in Executive Session.

COUNCIL INQUIRY:

Councilmember Sara Countryman stated that she has been informed that some of the businesses and residents have not been offered the high-speed internet in the city, where Tachus and consolidated have been installing lines. She asked Mr. Palmer if he was able to inquire where the lines are installed now or intended to be installed in the future.

City Council asked Mr. Palmer if he could also locate Gas lines, and all other utility installations.

Mr. Palmer responded he would look into that for the Council.

Mayor Sanford stated that in his tenure as mayor he has been thoroughly encouraged that the ordinances will be worked on especially for the development aspects, where we can hold the developers to the fire and make them stick to the agreement. He is saddened that he won't be in office to see the completion of it, but he is confident that Mr. Palmer will continue to the end, as the city grows it is important that the city has control over such things. He continued that this is a one-to-two-year painstaking process.

He also commended the city council for their commitment to making this city great, and stated he felt that you could not improve upon this city council.

Councilmember Casey Olson directed his statement to Mr. Palmer. He stated that with the Lake Creek Development he really wants an engineering analysis of the stormwater drains, and look at the liability of taking on such streets etc.

Councilmember Sara Countryman agreed and asked if a checklist could be drawn up.

Councilmember Cheryl Fox stated that despite her length of being a resident of Montgomery, she was not aware they were private streets.

Mr. Gary Palmer inquired if there were other private developments/streets in the city.

Councilmember Casey Olson said we have a right to refuse to take on streets if the developer refuses to follow our code.

Mr. Gary Palmer stated he would work on gathering the information and have it for the March City Council Workshop.

Councilmember Sara Countryman asked if it were possible to obtain soil samples if they were taken.

ADJOURNMENT

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

The meeting was adjourned at 6:49 P.M.

Submitted by: _____
Nici Browe TRMC, City Secretary

Date Approved: _____

Mayor, Byron Sanford