

**Notice of City Council
MINUTES
July 25, 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

INVOCATION

Councilmember Stan Donaldson provided the Invocation.

PLEDGE OF ALLEGIANCE TO FLAGS

VISITOR/CITIZENS FORUM:

Mr. Matt Tucker – Mr. Tucker stated he was here to respond to any questions on item # 2 on the agenda.

CONSIDERATION AND POSSIBLE ACTION:

1. Consideration and possible action on a parking variance request from Home Depot USA, Inc.

The full video footage of the Home Depot, negotiations and discussions can be viewed at www.montgomerytexas.gov under agendas and minutes.

Councilmember Casey Olson moved to approve the Home Depot Parking Variance with the following conditions: Home Depot Contributes not more than \$750,000 toward the intersection signal at 105 and Buffalo Springs Dr and Buffalo Springs Dr. road improvements. Additionally, both parties agreed to pursue that signal funding through TXDOT and if successful, Home Depot’s \$750,000 contribution will go toward Buffalo Springs Dr. road improvements. If TXDOT refuses to fund the signal, the City is responsible for funding the signal and installation. The remaining cost of the Buffalo Springs Dr. road improvements will be funded through a Chapter 380 economic development agreement between Home Depot and the City.

Councilmember Sara Countryman asked about the building materials, she would like a full brick façade.

Councilmember Casey Olson said he did not see that as a vital part of this motion. Councilmember Cheryl Fox seconded the motion.

The council held further discussion regarding the traffic signal already in motion through TXDOT.

Motion Passed (4-1) Councilmember Sara Countryman voted against the variance.

2. Public Hearing and consideration and possible action on Lone Star Estates Partial Replat No. 1.

Mayor Byron Sanford opened the public hearing at 6:21 P.M.

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

Mayor Byron Sanford closed the public hearing at 6:22 P.M.

Councilmember Sara Countryman moved to approve the partial replat No. 1 as presented. Councilmember Casey Olson seconded the motion. **Motion Passed (5-0).**

3. Transportation Advisory Committee Charter Adoption

Mr. Gary Palmer, City Administrator advised the city council that he has taken the comments from the last time this was talked about and provided them with an amended version. He went through the charter and highlighted areas where the council had required some amendments.

He then provided the council with several options to select from for an item within the charter.

The city council discussed and mutually agreed option # 4 best suited their needs.

Councilmember Casey Olson moved to approve the Transportation Advisory Committee Charter with option # 4 as presented. Councilmember Sara Countryman seconded the motion. **Motion Passed (5-0).**

4. Consideration and possible action regarding the proposal submitted by Ward, Getz & Associates, PLLC for completion of an amendment application for the Texas Pollution Discharge Elimination System (TPDES) Permit for Town Creek Wastewater Treatment Plant.

Ms. Katherine Vu introduced this item and explained this is a follow up for the request for an analysis from the July 11 workshop. She went on to explain the process for the permit amendment stating that it is a year long process. Once the permit is obtained for .8mgb this will allow for future expansion.

The proposed costs are \$10,000 plus reimbursable costs. You will only pay for what is actually spent.

Councilmember Casey Olson moved to approve the City Engineers to proceed with the amendment as presented. Councilmember Stan Donaldson seconded the motion. **Motion Passed (5-0).**

DEPARTMENTAL REPORTS:

5. Sales Tax Report

6. June 2023 Municipal Court Report

7. Police & Code Enforcement Report
8. Utility Operations Report (H2O) ** see below
9. Public Works Report
10. Engineers report 2023
11. City Administrator Report

** Councilmember Casey Olson stated he was disappointed in the preventative maintenance as the recent violation has put the city and its residents at risk. He asked the H2O representative if the samples were done by a 3rd party lab and if this was a one-time issue or something that is ongoing.

Mayor Byron Sanford asked why it had been caught so late, as the reports show a three-month trend.

Jacob Williams of H2O responded that the State does not send them the reports.

Councilmember Sara Countryman asked if they are testing currently and the same tests as the TCEQ.

Jacob Williams responded that H2O does not test for the same contaminants as the State.

Councilmember Casey Olson stated he felt this issue was out of ignorance, how do you ignore the rising test results?

Councilmember Sara Countryman stated we as council have to answer to our citizens.

Jacob Williams responded that operators cannot perform the tests the state does, they have to go to a third party.

The council held a detailed discussion with Jacob Williams the H2O representative, highlighting the need for the compliance manager to have seen the rising rates, and continue to take samples until it decreases, or find out why it's rising.

Jacob Williams responded that they had discovered that there was a false dead end and dead valve.

Mr. Gary Palmer stated that he and Mike and the operator have been doing a deep dive and are working to create a plan to prevent this situation reoccurring.

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

COUNCIL INQUIRY:

Councilmember Cheryl Fox stated that a downtown business owner Kambra Drummond who has products outside of the store, states that code enforcement stated that it needed to be removed per the code. Perception is that it was tacky or unsightly. She is not the only one that stores their wares outside, therefore we should probably rework that code.

Mr. Palmer stated that we have a meeting scheduled with Ms. Drummond to review the issues. We will look at amending the Ordinance to meet the needs of the businesses as well as the City's

ADJOURNMENT

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

ADJOURNED: 7:38 P.M.

Submitted by: _____
Nici Browe TRMC, City Secretary

Date Approved: _____

Byron Sanford, Mayor