

**Notice of City Council  
MINUTES**

**May 24, 2022 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
	T.J. Wilkerson	City Council Place #3
	Cheryl Fox	City Council Place #4
	<i>Vacant</i>	City Council Place #5

Also Present:	Dave McCorquodale	Assistant City Administrator& Planning Development
	Nici Browe	City Secretary & Director of Administrative Services
	Alan Petrov	City Attorney
	Richard Tramm	City Administrator.

**INVOCATION**

Mayor Pro Tem T.J. Wilkerson provided the Invocation.

**PLEDGE OF ALLEGIANCE TO FLAGS**

**VISITOR/CITIZENS FORUM:**

1. Justice of the Peace Pct. 1 Judge Wayne Mack administered the Oath of Office to the following duly elected officials from the May 7, 2022, City of Montgomery General Election: **Byron Sanford, Mayor; Casey L. Olson, City Council Place 2; and Cheryl Fox, City Council Place 4.**
2. Mayor Byron Sanford recognized Sara Countryman for her dedication and passion to the citizens of Montgomery as Mayor for the past four years. He thanked her and presented her with a plaque and refreshments were served.  
  
Former councilmembers Davis and Lacey were absent.
3. Consideration and possible action to elect the Mayor Pro-Tem for the term of one (1) year as provided by Texas Local Government Code § 22.037(b).

Councilmember Carol Langley moved to nominate TJ Wilkerson as Mayor Pro Tem. Councilmember Cheryl Fox seconded the motion. Motion passed (4-0).

**VISITOR/CITIZENS FORUM:**

Ms. Duncan spoke at length on the appreciation the citizens of Montgomery owe Sara Countryman for all her dedication and hard work. She will be missed.

Mr. Lefevre spoke about several topics for the City. A potential to enter into a Interlocal Agreement to resolve the traffic at Bentwater and the heavy back up. A Traffic Study is needed, we also need lights, but the City says it doesn't have the money to do that. He also spoke with regards to the Bridge at the loop. He has watched it erode and decay for 3-5 years .His concerns are that if there is ever an evacuation for a disaster event that road and bridge will not withstand that use.

**CONSENT AGENDA:**

4. Consideration and possible action on the following:
  - a. Approval of the minutes of the Regular City Council Meeting, May 10, 2022.
  - b. Approval of the minutes of the Special Called City Council Meeting, May 17, 2022.
5. Consideration and possible action regarding an Escrow Agreement by and between the City of Montgomery, Texas and Alconcorp, Inc. for a proposed office building at Montgomery Summit Business Park Reserve "A" (Dev. No. 2206).
6. Consideration and possible action regarding an Escrow Agreement by and between the City of Montgomery, Texas and Express Oil Change & Tire Engineers for a proposed automotive service business in The Shoppes at Montgomery Section 2, Reserve "D-1" (Dev. No. 2207).

Mayor Pro Tem TJ Wilkerson moved to approve the consent agenda as presented. Councilmember Carol Langley seconded the motion. Motion passed (4-0).

**CONSIDERATION AND POSSIBLE ACTION:**

7. Consideration and possible action regarding the following:
  - (a) Review of the Annexation petition by Redbird Meadow Development LLC.

City Administrator, Richard Tramm stated that this was the culmination of work that began over a year ago.

- (b) Convene into Public Hearing on the petition to annexation.

Mayor Sara Countryman opened the Public Hearing at: 6:31 PM

No members of the public addressed City Council on this item.

Mayor Sara Countryman closed the Public Hearing at 6:32 PM.

(c) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS TO VOLUNTARILY ANNEX BY REQUEST OF THE PROPERTY OWNER APPROXIMATELY 378.2 ACRES OF LAND LOCATED IN ZACHARIAH LANDRUM SURVEY, ABSTRACT NO. 22, MONTGOMERY COUNTY, TEXAS BEING A PORTION OF A 388.5 ACRE TRACT, CONVEYED TO REDBIRD MEADOW DEVELOPMENT, LLC, AS RECORDED UNDER CLERK'S FILE (C.F.) NO. 2021049974 OF THE OFFICIAL

PUBLIC RECORDS MONTGOMERY COUNTY (O.P.R.M.C.) INTO THE INCORPORATED MUNICIPAL BOUNDARIES OF THE CITY OF MONTGOMERY, TEXAS INCLUDING THE FOLLOWING: FINDINGS OF FACTS, EFFECTIVE DATE; REPEALER; SEVERABILITY; AND PROPER NOTICE AND MEETING.

Mayor Pro Tem T J Wilkerson asked staff and the City Engineer what was entailed with this annexation agreement.

Mr. Chris Roznovsky of WGA provided a detailed response as the process.

Mayor Pro Tem TJ Wilkerson moved to approve the ordinance for annexation as presented. Councilmember Casey Olson seconded the motion. The motion passed (4-0).

8. Consideration and possible action on authorizing the City Administrator to approve expenses for replacing lift pumps at Lift Station 3 in the amount of \$37,872.00

Public Works Director, Mike Muckleroy provided Council with an explanation to the cause of the blockages and issues with the impeller due to a ragging problem that has been increasing in frequency. He stated he would require some lead time to get the replacements.

Councilmember Carol Langley moved to authorize the Public Works Director to proceed with the replacement lift pumps in the amount of \$37,872.00. Mayor Pro Tem TJ Wilkerson seconded the motion. The motion passed (4-0).

9. Consideration and possible action regarding calling a Public Hearing for a rezoning request from R1—Single-Family Residential to B—Commercial for 504 Caroline Street, Montgomery, Texas.

Planning & Development Director, Dave McCorquodale gave council a detailed explanation of the rezoning request and the impact on the zoning plan, future land use plan and the city as a whole. He provided council with advice on the next steps to take in the rezoning process.

Council discussed details of the request, in regard to the parking lot and the historic district.

Councilmember Carol Langley moved to approve calling a Public Hearing for June 28, 2022, at 6PM. Mayor Pro Tem TJ Wilkerson seconded the motion. The motion passed (4-0).

10. Consideration and possible action on acceptance of a Feasibility Study for Pulte Homes of Texas, LP for a proposed single-family residential development (Dev. No. 2203).

Mr. Chris Roznovsky, City Engineer of WGA, walked City Council through the Feasibility Study he had provided them, homing in on specific details that had previously been of concern for City Council in previous discussions. He provided responses to all questions that were asked of the study.

Mayor Byron Sanford cautioned Council, that this item is to accept the study, not to enter into a development agreement.

Mayor Pro Tem TJ Wilkerson moved to accept the Feasibility Study as presented. Councilmember Casey Olson seconded the motion. The motion passed (4-0).

11. Consideration and possible action on acceptance of a Feasibility Study for Nantucket Housing for a proposed senior-living and multi-family residential development (Dev. No. 2204).

Mr. Chris Roznovsky, City Engineer of WGA, walked City Council through the Feasibility Study he had provided them, homing in on specific details that had previously been of concern for City Council in previous discussions. He provided responses to all questions that were asked of the study.

Matthew Blazer, developer provided some clarity on points of concern for a member of the council.

Councilmember Carol Langley moved to accept the Feasibility Study as presented. Mayor Pro Tem TJ Wilkerson seconded the motion. The motion passed (4-0).

### **DEPARTMENTAL REPORTS:**

12. City Administrator's Report
13. Sales Tax Report
14. Municipal Court Report
15. Public Works Report
16. Financial Report
17. Hotel Tax Report
18. Montgomery Police Department Report
19. Code Enforcement Reports for March 2022 and April 2022
20. Utility Report
21. Utility Operations Report
22. Engineers Report

The Department Heads of each department stood before council and provided any additional information to supplement their departmental reports submitted to the council packet.

Mr. Ted Camel provided updated and detailed information and the work he has been doing for the City on Hotel Tax, and un reporting entities.

Mr. Michael Williams of H2O provided the Utility Operations Report.

Mr. Chris Roznovsky provided the Engineers Report.

Councilmember Carol Langley moved to accept the department reports as presented. Councilmember Casey Olson seconded the motion. The motion passed (4-0).

### **EXECUTIVE SESSION:**

The City Council reserves the right to discuss any of the items listed specifically under this heading or for any items listed above in executive closed session as permitted by law including if they meet the

qualifications in Sections 551.071(consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel matters), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Government Code of the State of Texas.

## **Council went into Executive Session at 7:56 PM**

## **CITY COUNCIL RECONVENED AT 8:55 PM**

### **POSSIBLE ACTION FROM EXECUTIVE SESSION:**

23. 551.074 (Personnel Matters) Review of the City Administrator Contract

Councilmember Casey Olson moved to terminate the City Administrators Contract effective May 24, 2022, for a vote of no confidence. Councilmember Cheryl Fox seconded the motion. The motion passed (3-1) Mayor Pro Tem TJ Wilkerson voted against.

### **COUNCIL INQUIRY:**

Pursuant to Texas Government Code Sect. 551.042 the Mayor and Council Members may inquire about a subject not specifically listed on this Agenda. Responses are limited to the recitation of existing policy, or a statement of specific factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place on the agenda of a future meeting.

Mayor Pro Tem TJ Wilkerson stated he now wants to know what the process is to fill the vacancy for the city Council position #5. He asked Mr. Alan Petrov if they (city council) should nominate someone.

Mr. Alan Petrov, City Attorney responded that there is a year left on the term, the City can operate without filling the position, however, yes, they can nominate and vote upon it and make sure the City Secretary knows to have it as an item on the council agenda.

Mayor Bryon Sanford instructed council to bring their recommendations to the next council meeting.

### **ADJOURNMENT**

Councilmember Carol Langley moved to adjourn. Councilmember Cheryl Fox seconded the motion. The motion passed (4-0).

ADJOURNMENT 9:05 PM

Submitted by: \_\_\_\_\_

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

Nici Browe, City Secretary

\_\_\_\_\_  
Byron Sanford, Mayor