



**City Council
Regular Meeting Minutes
March 25, 2025**

OPENING AGENDA

1. Call Meeting to Order.

The City Council Regular Meeting of the City of Montgomery was called to order by Mayor Countryman at 6:00 p.m. on March 25, 2025, at City Hall 101 Old Plantersville Rd., Montgomery, TX and live video streaming.

With Council Members present a full quorum was established.

Present: Mayor Sara Countryman
Mayor Pro-Tem Casey Olson
Council Member Place 1 Carol Langley
Council Member Place 4 Cheryl Fox
Council Member Place 5 Stan Donaldson

2. Invocation.

Council Member Donaldson gave the invocation.

3. Pledges of Allegiance.

Mayor Countryman led the pledges of allegiance.

PUBLIC FORUM

No comments were received.

PRESENTATION

4. Proclamation designating the month of March 2025 as Theatre In Our Schools Month.

Mayor Countryman stated the young lady that we were doing this proclamation for is not here. She should be here around 6:20 p.m. so we will come back to this item number.

At 6:20 p.m. Mayor Countryman said the City has a Proclamation that she would like to read and to present to Ms. Ginger Brown.

WHEREAS, every year in March, the American Allegiance for Theatre & Education, the Educational Theatre Association, and the International Thespian Society partner for Theatre In Our Schools Month to raise awareness about the value of theatre education and draw attention to the need for all students to have access to a quality theatre program; and

WHEREAS, theatre is an integral part of arts education and the arts have been part of life from the very beginning and are an inseparable part of the human journey; describing, defining, and deepening the human experience and adding depth and dimension to the environment we live in; and

WHEREAS, all students participating in arts education courses benefit from the skills and processes developed through the arts and apply those skills in a variety of disciplines and settings no matter their intended career path; and

WHEREAS, participating in theatre contributes to student's development through heightened skills in listening, understanding human experiences, adapting to and respecting others' diverse ways of thinking, communicating, effectively analyzing nonverbal communication, reading, self-expression, imagination of humankind, creativity; and

WHEREAS, theatre helps develop self-confidence, boost self-reliance, and increase empathy and compassion towards one's self and others; and

WHEREAS, as a creative outlet, or as the beginning steps toward a professional career, theatre programs in Montgomery shape the future of our young people. There are a variety of benefits that come from taking part in these programs for students of all backgrounds and professional and educational interests, including creative problem solving skills, the ability to accomplish team goals and many more.

NOW, I SARA COUNTRYMAN, MAYOR OF THE CITY OF MONTGOMERY, TEXAS, do hereby honor and proclaim the month of March 2025, as THEATRE IN OUR SCHOOLS MONTH and, on behalf of the City of Montgomery, hereby urge all citizens to celebrate theatre programs and the students that participate in them, as we work toward a better future for this important part of every student's education.

In testimony whereof, I have hereunto set my hand and caused the Official Seal of the City of Montgomery, Texas to be affixed this 25th day of March 2025.

CONSENT AGENDA

Agenda item 8 pulled from the Consent Agenda for separate discussion.

- 5. Consideration and possible action on the City Council Workshop Meeting Minutes of January 29, 2025.**
- 6. Consideration and possible action on the City Council Regular Meeting Minutes of February 11, 2025.**

7. **Consideration and possible action on a Resolution of the City Council of the City of Montgomery, Texas, declaring property salvage and authorizing the disposal of salvage property.**

Proposed Resolution No. 2025-09

Motion: Mayor Pro-Tem Olson made a motion to accept consent agenda items 5, 6 and 7. Council Member Donaldson seconded the motion. Motion carried with all present voting in favor.

8. **Consideration and possible on a Resolution calling for a Public Hearing to grant a Special Use Permit for 0.7059 acres of land situated in the John Corner Survey, Abstract No. 8 [A.K.A. 21049 Eva Street, Montgomery, Texas] Montgomery County, Texas for a fast food restaurant with common drive thru lane.**

Council Member Fox stated I would like to table this item until April 22nd because I would like to think about it and consider it more. Mayor Pro-Tem Olson said he believes if they table it, do they have to bring it back in the next session or can we pick one farther out? City Attorney Villarreal said you just need to state the date.

Motion: Council Member Fox made a motion to table item #8 as presented until April 22, 2025. Mayor Pro-Tem Olson seconded the motion.

Discussion: Council Member Langley asked if they will receive more information on it before April 22nd that you are looking for? Council Member Fox said she hopes so.

Motion carried with all present voting in favor.

REGULAR AGENDA

9. **Consideration and possible action by the City Council for a variance request related to lot minimum frontage and side yard setbacks of lots 27 & 28 for the Hills of Town Creek Section 5 development.**

City Engineer Roznovsky said in Hills of Town Creek Section 5 towards the very back corner by the driveway to the stadium, they had originally set up the property as a reserve in that back corner with no access to it. They have since come back and said they want to use that property as a park. They are requesting this variance to be able to replat the property to provide a reserve that goes from the street to that area to be able to communitize it with a walkway there that is on a property they would own and maintain, versus being on the neighboring property owners. If you look on page 47 in your packet, you will see an exhibit showing the proposed change. It essentially reduces those lots to 45 foot width at that point versus the 50 foot that was approved originally. Overall, the lot sizes since these are those pie shaped lots in the cul-de-sac, are still well above what the variance amount

was. One is 10,700 square feet, one is 8,500 square feet so the overall lot size is still above what was approved previously. Mayor Pro-Tem Olson asked does this affect the setback to where it abuts up to Lone Star Parkway as well? City Engineer Roznovsky said no, it should not. This variance what it does, is their original variance was for 50 foot lot widths, this is 45 foot. Council Member Donaldson said they are just making wider access to get to the park. City Engineer Roznovsky said correct. They are creating access that was not there. Mayor Countryman asked who did you say was going to maintain it? City Engineer Roznovsky said it would be the HOA. It is not a City property. This would just approve the variance. Mayor Pro-Tem Olson said I just want to make sure that the fence cannot be pushed closer. I am sure they are going to fence it if it is going to be a park, that it cannot get closer to Lone Star Parkway than it already is. City Engineer Roznovsky said it will not change the right-of-way line of Lone Star Parkway. I do not know if they are going to fence it, but we can definitely ask that question because we have a water line that goes through there, so we will need to see what or if anything they are proposing on top of it. They would not be able to go and build a fence within the Lone Star Parkway right-of-way without the County.

Motion: Council Member Donaldson made a motion to accept a variance request related to lot minimum frontage and side yard setbacks of lots 27 & 28 for the Hills of Town Creek Section 5 development. Council Member Fox seconded the motion. Motion carried with all present voting in favor.

Mayor Countryman said now if you would please look at your agenda on item number four. Miss Ginger Brown has entered the building and we would like to go ahead and put item number four on the agenda.

10. Consideration and possible action by City Council on an Amendment to the Agreement with Taylor Morrison (the “Developer”), for the Lone Star Ridge Development to include Retaining Walls, and to authorize the Mayor to sign the agreement.

City Engineer Roznovsky said this is the Lone Star Ridge development which currently they are creating and clearing the site on Lone Star Parkway. Through the develop design process and through the comments back from the home builder to the design engineer, they need the lots to be flatter than were originally proposed. Therefore, retaining walls were required on site. If you look on page 59 of your packet, you will see a general exhibit showing the location, a substantial amount of walls therein, and height all across the property. What this amendment to the agreement does is it assigns and denotes who is liable for the walls, where they should and should not be constructed, and any issues inside the walls are not the City’s responsibility going forward. It is clarifying it so in the future, if there is a problem, we have an agreement in front of us to reference back to. This has been reviewed and approved by the developer. The developer’s engineer is here if you have any specific questions for him on the need, etc. that we would recommend approval of the

amendment. Mayor Pro-Tem Olson asked did the drainage plan have to be adjusted for all the walls? City Engineer Roznovsky said it was. The way that they received the project which is normal and then they will go back and finish up the review of the water and drainage plans that includes drainage layout that accounts for the walls. One of the last changes accompanying this, is moving these walls back away from the right-of-way, away from utilities. Again, we are trying to minimize any future repair costs. Mayor Countryman said I am assuming that if these walls deteriorate and fall down, it is not on us. It is on their POA who is collecting it. It is the neighborhood who will own them. City Engineer Roznovsky said it is on the developer. This agreement can be assignable, so I do not know. I do not know if this will get assigned to the MUD on this property, or the HOA on the property, but as of this agreement, it is the developer's responsibility. Mayor Countryman said just for full transparency from today moving forward of who owns these walls and this drainage. City Engineer Roznovsky said per this agreement, the developer is the owner and will hold the City harmless of any issues caused by the walls. Mayor Countryman said just because we have had issues back there. City Engineer Roznovsky said yes, retaining walls and especially when you look at Fairwater, we want to make this as crystal clear as we can. Mayor Pro-Tem Olson said my concern about the drainage is that yes, the walls belong to the developer in the subdivision ultimately, but the streets are public and it means the ditches are public and we will have considerable runoff. I am from up north, so we use a lot of walls. Our topography is much more than it is here generally. If we do not do our drainage correctly, we can have a mess quick.

Mr. Jonathan White with L Squared Engineering said just for your concern, like City Engineer Roznovsky indicated, we did a master drainage plan. One thing we wanted to do on this property was obviously to do detention, so we did enlarge detention ponds in the very back, did off-site drainage areas, and made sure everything flowed through. In most of our designs on any of the on-site storms here, we try to make sure that 100 percent can be conveyed within the energy grading of the storm system itself. We are not relying on any overflow through streets, so we do try to make that as an implementation of our design. Some of the ditches that we have on the east and west property lines, those are actually going to be owned and maintained by the MUD district. The detention pond is going to be owned and maintained by the MUD district. We coordinated with the property next door of potentially giving them access, rights, and easements to where that MUD district can take care of all that. We know that we have had some concerns with the area downstream, so we have been even through construction trying to monitor that as closely as we possibly can. There will be a form of government entity that will be in charge of the drainage components outside of what the City owns. Mayor Countryman asked Mr. White, will you be that MUD's engineer? Mr. White said yes.

Motion: Mayor Pro-Tem Olson made a motion to accept an amendment to the agreement with Taylor Morrison, the Lone Star Ridge development to include retaining walls, and to

authorize the Mayor to sign the agreement. Council Member Langley seconded the motion. Motion carried with all present voting in favor.

11. Consideration and possible action on a request for a sign variance of the entry sign for the Lone Star Ridge development.

Code Enforcement Officer and Planning/Zoning Administrator Tilley said this letter is their (Taylor Morrison's) apologies that they are unable to attend this meeting. It explains exactly what they are doing and the reasons for this sign variance. What they are asking for is according to our sign ordinance, you cannot exceed 64 square feet of sign base and the height is not to exceed eight feet. What they are proposing is a 782.5 square foot sign at a height of 15 feet so their variance request is going to be for 718.5 square feet with a high variance of seven feet. The main reasoning or the finding that I would support the recommendation of approval of this sign is the location of the sign. It is actually going to be about 200 feet from Lone Star Parkway, so for visibility and safety for their residents, it would be good to have that size of sign. Also to note, they are only proposing back lighting for the signage on that sign, so no spotlight or anything like that. Mayor Countryman said it is very good looking. Council Member Langley asked do we have any other signs in the City that are this large at entrances to subdivisions? Code Enforcement Officer and Planning/Zoning Administrator Tilley said the one most recent would be Montgomery Bend that has the two towers on either side. City Council Member Langley asked that is the only other one that you know? Code Enforcement Officer and Planning/Zoning Administrator Tilley said that would be the most recent. There might be a couple that might be coming, maybe not this size. Take into consideration that the actual size is based on how you are required to measure the dimensions of a monument sign. It includes everything from ground all the way up, and from all sides where the lettering is actually on a small portion of that whole monument sign, but because the monument sign is so large, you have to measure the whole structure, not just the lettering. Mayor Countryman said I was in the neighborhood today and they had these kinds of signs. It is very clean and good looking.

Motion: Council Member Donaldson made a motion to accept a request for a sign variance of the entry sign for the Lone Star Ridge development. Mayor Pro-Tem Olson seconded the motion. Motion carried with all present voting in favor.

12. Consideration and possible action on an Ordinance of the City of Montgomery, Texas, granting to SiEnergy, L.P. a franchise to furnish and supply gas to the general public in the City of Montgomery, Montgomery County, Texas, and to transport, deliver, sell, and distribute gas in and out of and through said municipality for all purposes; providing for the payment of a fee or charge for the use of the streets, alleys, and public ways; and providing a severability clause, a penalty clause, and an effective date.

Mayor Pro-Tem Olson said they were here and presented at the last meeting. Is that correct? Mayor Countryman said that is correct. I then saw them on television the next day.

Motion: Mayor Pro-Tem Olson made a motion to accept Ordinance 2025-09, an Ordinance of the City of Montgomery, Texas, granting to SiEnergy, L.P. a franchise to furnish and supply gas to the general public in the City of Montgomery, Montgomery County, Texas, and to transport, deliver, sell, and distribute gas in and out of and through said municipality for all purposes; providing for the payment of a fee or charge for the use of the streets, alleys, and public ways; and providing a severability clause, a penalty clause, and an effective date.

Discussion: Council Member Donaldson said on page 77 which is page 16, there are two blanks there on the franchise fee payment. What are those percentages? City Secretary Beaven said it is supposed to be five percent. Mayor Countryman asked do you want to add that to your motion to put five percent in there? Council Member Donaldson said I do not know how we determined that. That was my question tonight. City Secretary Beaven said the City Attorney. City Attorney Villarreal said this was City Attorney Petrov that actually looked at the contracts, but that is the number standard that is used in other cities and other franchise or agreements. It is the standard number that is used. Council Member Fox asked why was it left blank on this one? City Attorney Villarreal said I am not sure. I do not know why it is not filled in. Council Member Donaldson asked are the two brackets, one with the percent spelled out and one with a percent sign, is that for ambiguity? Are we supposed to match it? Is it supposed to be five percent in each box? Mayor Countryman said I think one of them is you type out five and then the next one you put in the numeral five just for clarity. Mayor Pro-Tem Olson said yes. Let us just add it to the motion. City Secretary Beaven said for clarification, when I uploaded that document into the agenda management, I grabbed the draft and not the one that the attorney had given me back. It does have it written out as “five percent (5%)” on the document to be signed. Mayor Countryman asked in that case, does the motion stand because in the actual, not the draft, but in the actual paper that you have it has five in there, or because right now we are approving the draft, or are we really approving that? We just happen to have the wrong one in front of us. City Secretary Beaven said you can run the motion with making sure that five percent is written in.

Motion: Mayor Pro-Tem Olson made a motion to amend Ordinance 2025-09, an Ordinance of the City of Montgomery, Texas, granting to SiEnergy, L.P. a franchise to furnish and supply gas to the general public in the City of Montgomery, Montgomery County, Texas, and to transport, deliver, sell, and distribute gas in and out of and through said municipality for all purposes; providing for the payment of a fee or charge for the use of the streets, alleys, and public ways; and providing a severability clause, a penalty clause, and an effective date with the caveat to make the change of the number five written out and five percent as “five percent (5%)” to Section XI. Council Member Donaldson seconded the motion. Motion carried with all present voting in favor.

13. Consideration and possible action regarding the BCS Properties Memorandum of Understanding.

City Engineer Roznovsky said this is the item you had the workshop on last night. Based on the comments we received, we handed out a revised copy. BCS can take a look if they are not in agreement with the exact terms that are in it. I will note this is not the final version; however, I think this will open up more discussion after last night's topics on what additional information BCS is looking for. Mayor Countryman said on this MOU, it still has the hotel on there, but I thought last night we discussed those two parcels for the detention pond with which BCS was going to be checking to see if it could be minimized. City Engineer Roznovsky said correct. On the market version, we had that highlighted to be removed. We just did not take that whole section out because it was not a big topic, at least to bring back up before it gets removed. 100 percent it needs to be removed. One thing that I just noticed sitting here that I missed earlier, is it talks about the water plant impact fee credit in section two. However, based on the talk last night, it was the overall reimbursement of costs, not direct impact fee credits was what was discussed. That would need to be modified. Based on our discussion last night, the way that we interpret it was it would be the 100 percent of the roadway cost, 50 percent of the utility cost reimbursed through sales tax, and that being from 50 percent of the City share. I know that last night there was more than we asked for in terms of creating additional jobs and credit above the national public cost in terms of the 380 agreement. We were looking at different mechanisms based on discussion last night.

Mr. Burgher said I felt like we made pretty good headway last night. Thank you guys. For us again, we stated last night, it is pretty simple. For us to be able to get this deal financed, we need \$4 million. We can do that in various ways. We can discuss and create a development agreement. We can do it that way, but \$4 million, no matter how you skin it, is what we need help with. We have an updated MOU that we sent that actually explains that. It spells it out. It is \$4 million. And then, we have increased it if you guys want us to do the CB Stewart as well to another \$800,000. We can do that, we just have to increase the number not to exceed. It is a not to exceed number. Mayor Countryman said I too, walked away with, I think the City Council as a whole, I felt that they were very much in favor of this, and sees that this development will, like Kroger, transform us. This is really going to transform us and really provide us with a lot of ad valorem taxes as well as sales tax. Partnering on the utilities and then the roadway, I see the importance of that as well. I guess it is up to Council. Again, we talked about \$4 million is in the scope of what this is going to bring to us. I think in the rearview mirror, we are going to say, oh that is all? I know it sounds like a lot, but we paid five and a half million dollars for Kroger. I think this is going too far exceed what Kroger has done and what I think even your projections will do. Based on the feedback from our constituents, everybody is very excited.

Council Member Donaldson said I was not exactly in total agreement because I do not even want to pay the \$4 million. When you changed the pad sites and added the retention ponds, we lost some sub pad sites because you moved the Academy over and those pad sites disappeared, so that is revenue that we will not get. I am not against what you are wanting to do, and I am for what you are wanting to do, I am just concerned about the payout and the time of the payout. I did not want to pay any more than seven years, and talking to some of the other Council members, we cannot do it in seven years. It has to be a 10-year payout which I really do not want, but if that is what it takes to get the deal done, I am fine. I still say I would like to have a little more wiggle room in the \$4 million after losing three sub-pad sites. Mr. Burgher said well, that is what we need to get it done, but we are local so we are going to be here, and I will give you some good news. It is not done, but we made some progress today on the adjacent six and a half acres. We are going to purchase that so that is more accretive dollars. Mayor Pro-Tem Olson asked are you not going to come back to us and ask us for some more money for six acres? Mr. Burgher said no we are not. The Academy deal does not make money. That is what I was trying to explain last night. It does not make money. You can ask other developers. Cities are having to invest in order to bring users like Academy, so that is a use specific. Once you get that anchor, then what it does for the remaining property you know, so no, we will not be coming asking for more money. That is on record. Mayor Countryman said that is huge and that is a big caveat as well. That is a game changer Jack.

Mayor Pro-Tem Olson said the other question too falls back to the ponds. I have to rely on City Engineer Roznovsky and others because I am not an engineer and I do not understand necessarily the state rules on that, but they are huge. They are absolutely enormous. I have a hard time understanding why we would need six acres of water standing. Mayor Countryman said they are going to do what the engineers tell them to do. Mr. White said with the scale it does look larger, but when you zoom out you see the entire 32 acres and it will not look as bad. Mayor Pro-Tem Olson said no, I am not worried about the size. I am looking at the footprint and what it is costing us to build it. You are telling us it cost us \$2 million to build six acres worth of ponds. Council Member Donaldson said to me that it is not really part of what a 380 agreement is about. I do not think it is technically included in something that the City should have to pay for, but that is just my opinion. Mayor Countryman said but technically, it could be too, depending on how it is worded in the agreement. Mr. Burgher said we just did a deal in Spring with the MUD. We got a \$7.5 million economic development agreement. It had nothing to do with public infrastructure. It had to do with what we could do with the dollars in terms of accretive sales tax and that is how we see this here. We can do other uses for proposed on site, but bringing Academy and then what else it does with the development is an accretive sales tax and ad valorem tax generator for the City. Mayor Countryman said last night, but just for the record too, we established that commercially we are about 40 percent capacity, so there is that tipping point that Finance Director Carl talked about where when you build out, there is no more

growth and then now you have 380'd yourself out broke. We are not there. We are not at that tipping point thankfully. We still have room to grow and that is when we can make these kinds of commitments with developers like yourself. City Engineer Roznovsky said we are looking at multiple financing mechanisms because the 380 has certain rules that if the Council wants to go up to that \$4 million number, it is just switching. Is it based on job creation or other things that we can provide that incentive? What Finance Director Carl talked about last night is the rules around 380 and what the City has adopted specifically to public infrastructure. However, there are other tools in the tool chest to be used to get to that number. The retaining walls they are talking about are at SH-105. Mr. White said I think they are around four feet. City Engineer Roznovsky asked, and then additional ones are behind the Academy or to be determined? Mr. White said the retaining walls fall on this corner here. This is the lowest point of the property, so it would wrap here. Mayor Countryman asked who maintains this? Mr. White said it would be most likely the property owner. Mr. Burgher said we are going to create a POA that governs the entire development. Mayor Countryman said just not the City. I do not want to pay for it over and over again. Mr. Burgher said we talked to our MUD attorney specialist today about how we can skin what City Engineer Roznovsky was talking about. Our attorneys can help with the City attorneys in order to skin this, but this is done all the time in terms of putting a hard cap and not having it for exact public infrastructure. Mayor Countryman asked could we put a hotel in the six acres and get that commitment? Mr. Burgher said we can look at a hotel. I cannot make any commitments. Council Member Fox asked what type of hotel? Mr. Burgher said a boutique a hotel. That is what we were originally going to reserve, but the detention is now going on that.

Mayor Pro-Tem Olson said City Engineer Roznovsky I am going to ask some questions on the numbers here and I am going to go off of your sheet you provided. If we throw the linear utilities back to 100 percent and we double that up, that puts us at \$1.12 million. We add that back into the roadway expenses of \$1.4 million. We should end up right around \$2.5 million, right? City Engineer Roznovsky said correct. Mayor Pro-Tem Olson said impact fees is a hard pill for me to swallow, to give impact fees back. Council Member Donaldson said me too. Council Member Fox said me too. Mayor Pro-Tem Olson said then we look at the cost, so we are \$2.5 million, and they have \$2.7 million, but I am going to go with your numbers at \$2.5 million. Now we have roughly \$2 million in the ponds, so that is \$4.5 million is what they are looking at that I find to be anywhere in the City's realm of somewhat responsible. Like I said, the ponds, I am struggling with those ponds. \$2 million for two three-acre ponds. One of the ponds seems like a lot, but also \$2 million for walls and ponds. City Engineer Roznovsky said the concept that is being proposed is the pond would still be a private detention, not a City feature. If you have \$2.5 million in reimbursement of city public infrastructure, impact fees are off the table, but on city water is a roadway that gives a million and a half dollars of additional incentive job creation, whatever it is, to tie that to what that proper tool is. I think we will have to come back with

how to structure it, but you are ultimately trying to get to the total of the \$4 million total. Mayor Pro-Tem Olson said I do not want to pay \$4 million just plain and simple. That is where I stand. I just do not want to pay \$4 million for this. Council Member Fox said I do not want to pay \$4 million, but I want the project. Mayor Pro-Tem Olson said I am not against the project. I just feel like we are carrying most of the load on this. I know utilities and all that come back, but we have to maintain this stuff. They walk away with their \$4 million, but we still have to maintain everything. Mayor Countryman said we still have to maintain it today though too. Mayor Pro-Tem Olson said no, there is not anything there right now. Mayor Countryman said well yes, there is on that roadway. There is a road. It is deteriorating and they are partnering with us to build that infrastructure back up. A partnership is a give and a get. It is not an I will and I will give. Mayor Pro-Tem Olson said but that is what I am saying. We are giving 100 percent back on the roadway. We are giving 100 percent back on everything. Council Member Fox said we are not giving it right this minute. Mayor Countryman said right. Council Member Fox said it is on lay away. Mayor Pro-Tem Olson said I understand. Mayor Countryman said we give it today, but we pay it out. Again, this project pays for itself. Mayor Pro-Tem Olson said I am not saying that we should not be partners on this. Council Member Fox said it is a lot. Mayor Countryman said I am not saying it is not a lot, but also I think it is a great investment and a worthwhile investment. Mr. Burgher said the best remaining land piece in the City of Montgomery; we are going to foster this and develop Class A retail with surrounding restaurants that is going to have the look and feel that the City is going to be proud of and we are going to protect that. Not only are we going to generate and pay for ourselves, because we are, we are going to pay for ourselves, and this will be a fantastic investment. We want to pay you off quicker too. If we pay you off quicker, then we pay ourselves off quicker. Now we are excited about the additional six and a half acres and what we can do to really square off the site and get all the way to C.B. Stewart. We understand this is a big ask. It is a big ask, so we just appreciate you guys. Mayor Countryman said but it is not out of the realm of possibility, you are not shooting for the stars here. Mr. Burgher said we feel like it is a win-win. Mayor Countryman said I agree. City Engineer Roznovsky said just to point out, the numbers are only the sales tax numbers. The ad valorem tax, I cannot remember what the total valuation is, but roughly at \$90 million valuation, which I think they were the same numbers that were hired. Mayor Countryman said 130. Mayor Pro-Tem Olson said property taxes stabilized revenue of 270. Mayor Countryman said that is nice and the ad valorem taxes 100 percent come to us and we do not do anything with that, which is not what we have currently today, but some other ones. This to me is the soundest we have put together.

Motion: Council Member Fox made a motion to accept the BCS Properties Memorandum of Understanding.

Discussion: Mayor Pro-Tem Olson said he would like to amend the motion. City Engineer Roznovsky said he would like to help on what the terms are that we want to see in here regarding the total cap and what portion is coming from sales tax. Mr. Burgher said City Engineer Roznovsky, in all due respect, I think what we need right now is to know if we can get the \$4 million. I am not going to agree to the breakdown. That is just too much detail, too much finance involved. Mr. Todd said that will be done in the 380 agreement. City Engineer Roznovsky said the City needs to understand where the formula is coming from. Part of the MOU is the deal only works if it is 100 percent of all sales tax. Mr. Todd said that is not what we are saying here. The whole idea in the MOU is to figure out what cost we are going to put in there and then how much we want to get reimbursed. The 380 agreement is going to need to explain what percentages of the City, the EDC, and then of ad valorem tax is going to make that up. Then we are going to tie that to a projection. Those projections will have the property values for each one of these tracts and you can see where these revenue streams are coming from and how long that is actually going to take to hit the \$4 million that we are asking for. Now hopefully, it is a lot quicker than the 10 years that you all are opposed to. I think once we do those projections it will show that, but right now we are just trying to reel in the \$4 million and what is being done. Mayor Countryman said this is just high level and then we will approve the details later in the 380 agreement. Mr. Todd said absolutely. The MOU that was presented today is unapplicable. It needs to be redlined and then agreed upon, similar to what we did March 7th when City Engineer Roznovsky and I went back and forth on the red line and then March 11th we discussed it in a workshop. Mayor Pro-Tem Olson said actually what I would like to do because neither of the MOU's not the one we had that has been marked up that you all wrote, not the one you obviously do not agree to the engineers one, so we have two MOU's in front of us and neither one of them nobody agrees on, so we actually have nothing to vote on. I want to table this until we have an MOU that we all agreed upon. Mr. Todd said exactly. Mr. Burgher asked can we vote on the \$4 million? Mayor Pro-Tem Olson said no. The memorandums we have, neither one of them is agreed upon. It is not on the agenda. We can give direction to City Engineer Roznovsky and get an MOU in front of us. Mayor Countryman said we need the direction to put the \$4 million in there and then figure out how to slice and dice that. City Engineer Roznovsky said the direction of a maximum reimbursement of \$4 million that we can then bring back to you. Mayor Pro-Tem Olson said we are trying to hammer out what is going to be in the MOU. City Attorney Villarreal said Mayor Pro-Tem Olson, I think we are just looking for a motion or recommendation to give city staff so we can negotiate the MOU. Mayor Pro-Tem Olson said that we can do, but that is not what the agenda item says. City Attorney Villarreal said correct. Council Member Fox asked how would the motion be structured? Mayor Countryman said to restructure the MOU for BCS. City Attorney Villarreal said a motion to authorize city staff to negotiate the MOU with BCS. Mayor Pro-Tem Olson said before we make a motion, I would like to go a little bit farther in the fact that if by chance we can get the pond sizes down and they cost less, we would like that cushion. Mr. Todd said the 380 agreements are going to be tied to a budget that we all agree upon and then if the costs come in a little bit lower than that, we benefit from that getting more usable land and that is a win-win. Council Member Donaldson said we do not even have EDC involved yet. Mayor Pro-Tem Olson said no, and we can only vote on our one cent. Now I am good Council Member Fox. I just wanted to make sure you got that in there. City Attorney Villarreal said and with

that motion, my understanding would be the next Council meeting, we would have basically a final form of the MOU to present to Council. Council Member Donaldson said that is April 8th. Council Member Langley asked City Engineer Roznovsky do you have everything you need from us right now? City Engineer Roznovsky said you can put in the motion we are working with the \$4 million number because that is the key to this and so that way, it can get written with staff and BCS with that number in mind. Council Member Fox said the motion would be that we are authorizing city staff to negotiate the MOU to be able to substantiate the \$4 million. Is that right? City Engineer Roznovsky said yes. Mayor Countryman said and then the next Council meeting we will finalize it. Council Member Fox asked does it have to be April the 8th? City Engineer Roznovsky said yes. Mayor Pro-Tem Olson said just to clarify one more time, that new six acres is not part of this agreement. City Engineer Roznovsky said correct.

Motion: Council Member Fox made a motion for item #13 to authorize the city staff to negotiate the MOU with BCS for our next meeting April 8th with a cap of \$4 million. Council Member Langley seconded the motion.

Discussion: Council Member Langley asked City Engineer Roznovsky if he has what he needs? City Engineer Roznovsky said he is working on it.

Motion carried with all present voting in favor.

DEPARTMENTAL REPORTS

14. Police Dept and Code Enforcement/P&Z Admin for February 2025.

Lieutenant Belmares said just as a reminder, we will be starting our annual Citizens Police Academy next week so we are excited about that. I am here to take any questions you may have.

Council Member Donaldson stated you have a bunch of new vehicles, right? Lieutenant Belmares said yes sir. Council Member Donaldson said good.

Mayor Countryman said I believe I saw an officer that was downloading and updating software for new body cams or cams inside cars. What was that? Lieutenant Belmares said yes. We just got our new Axon system installed to the patrol units. It is so great to have this technology, and they also come equipped with the body cams. They all work in sync. They also work with our flock camera systems here in the City and so officers are patrolling and they are also reading just as the flock cameras will, but now they are traveling with the vehicle so as they are in parking lots and going through the apartment complexes and the businesses, the plates are being read so we will know if they are stolen vehicles, if they are in amber alerts, silver alerts, any type of alerts that would initiate officer contact. It is a well piece of equipment that we are going to benefit from as well as the City. Mayor Countryman said that is awesome. When do those go into effect? Lieutenant Belmares said

they are already running. Mayor Countryman asked so we should see increases in these numbers?

Mayor Countryman asked how big is the Citizens Academy? Lieutenant Belmares said we are at 12 for sure, possibly 13. Mayor Countryman said good. That is manageable.

Code Enforcement Officer and Planning/Zoning Administrator Tilley said you have the report in front of you. Do you have any specific questions. Mayor Countryman said I think this is probably for you and for Public Works Director Muckleroy, but any further problems with the development down Old Plantersville Road and Cemetery Womack? Code Enforcement Officer and Planning/Zoning Administrator Tilley said she has not heard anything. Mayor Countryman said she has not either. Good.

15. Municipal Court Report February 2025.

Court Administrator Duckett said she has the collections report for February. The citations were 163 and the revenue is \$35,702.10. Are there any questions for the municipal court? Mayor Countryman said the revenue is up big time from 2023 and 2024. Is it the new way that you are processing everything? Court Administrator Duckett said they work smart, not hard. Mayor Pro-Tem Olson said we have a new judge also, right? Has he started now? Court Administrator Duckett said yes.

16. Financial report for the period ending February 28, 2025.

Finance Director Carl said on the cover sheet, the one item she pointed out to everyone, is that we had a very large sales tax payment in February and that was directly related to comptroller audit. There were a total of 45 businesses in that audit and it went all the way back to 2014 in that audit period. Mayor Countryman asked have we found the retailer yet, that money? Finance Director Carl said the retailer that has been in question that had been contacted by the comptroller to reach out to the local field office, as of last report in February, had not done so. Mayor Countryman said I have personally witnessed merchandise coming from headquarters, their other location, to this location, but my understanding is their POS systems are two separate systems, so would not each POS have to pay taxes from its own POS system? Finance Director Carl said I do not know the answer to that, but I can tell you that our sales tax group HDL has reached back out to the comptroller's office to find out what the time period is that they are given in which to continue this. Mayor Countryman said the said retailer has been open three or four years and we have never collected a dollar. That is going to be a significant amount because I know that they do a good business here. Finance Director Carl said right, and so what we have to believe in this particular instance is that sales tax is being collected, and sales tax is being paid to a jurisdiction other than ours. That will be a part of this audit situation where they will be able to take money that would have gone to the other jurisdiction and send it our way, or if there is any other jurisdiction that would be entitled. Council Member

Fox asked how far can they go back? Finance Director Carl said this one went all the way back to 2014. Mayor Countryman said Council remembers we had a similar situation. HEB sent us \$400,000 and it was meant for the Magnolia store, but they sent it to us and we put it in a bank account and made money off of it until they asked for it back which was good. Finance Director Carl said those kind of things are identified real quick. Mayor Countryman said it took a year almost for them to figure that one out. That is okay. We will take the interest.

17. Engineer's Report for February 2025.

City Engineer Roznovsky said starting with water plant number two on page 132 in your packets, we will go through the highlights. I will hit the high points, and ask if there are any questions. Water plant number two improvements is still proceeding. They still expect to be complete in July.

The Old Plantersville waterline project, I am on item five, page 133, second part of our report. The Old Plantersville water extension that serves the Redbird Meadows development, we are still waiting on BNSF. There is a lot of back and forth on their side regarding insurance requirements. Everything has been provided, just at the mercy of BNSF right now.

The Town Creek wastewater treatment plant they expect to have that permit in May.

Items seven and eight, the downtown improvements. We are coordinating with the design team and meeting with property owners going through different options and hopefully get a detail schedule from the design team here soon to get that project moving forward.

The wastewater treatment plant expansion project we have been coordinating with Half. They are in the process of the preliminary design. The latest is they are going through a couple different site plan options, optimizing it for future growth of that plant, so that is going well.

We did have a kickoff meeting with Baxter and Woodman regarding the water plant number four design. They are providing their draft contract to us for review and in turn, we will bring it back to you all for official approval.

On page three, these are all developer related projects. Lift station 10 improvements as a reminder, that is the Taylor Morrison project. One thing that the developer asked, I will just say again here, is that project is not critical for phase one. They definitely have to have it for phase two of the project, just based on capacity, so it will be done. The design is wrapping up, but the selling and building of homes is not contingent on that project. They are moving forward, they put up their funds, and it is going.

The same thing with Tri-Pointe on the lift station number five relocation. Both that and the West Lone Star Parkway have put up their deposit so all that is proceeding with design.

We are working on the final closeout documents, and we do have the final pay estimate. You have already accepted the project for Buffalo Springs Drive. One thing to know going through the TxDot process, is they officially accepted the signal into their maintenance period. That officially happened on March 17th, and that is solely TxDot's responsibility going forward.

The two design projects for College Street and for the booster pump edition, we expect to submit to TCEQ for the booster pump this month, in the next couple days, and then we received the survey back. We are working on that, especially to complete the design next month for that project.

The plan reviews are listed, none really to note. There have been a lot of them and there is more coming. Mayor Pro-Tem Olson asked the College Street, that was the bridge, right? City Engineer Roznovsky said correct. Replacing those culverts, repairing the road, and regrading the ditches. Mayor Pro-Tem Olson said we talked about larger culverts, right? City Engineer Roznovsky said correct. Mayor Pro-Tem Olson said and that is in the new number? City Engineer Roznovsky said correct.

Council Member Fox said number two says that it is going to be substantially completed in July 2025. What is substantially completed? City Engineer Roznovsky said operational. All facilities are fully operational for their schedule. They might have punch lists, touch-up coatings, grass, etc., but fully operational by that time. Components will be able to come online sooner, so like well and other things that should be able to come online sooner, but everything being completed and installed. When we say substantially, it is more issues of substantial completion. It is when it is an operational facility meets its intended function. Generally, that is what kicks in your warranties, especially with plant projects, contractors do not want to extend mechanical warranties waiting on restrooms, so it will be deemed substantially complete while they address the minor items. City Engineer Vu said part of the contract they had to evaluate the foundation of the ground storage tank to determine if it was adequate to put the new tank online. When they evaluated the foundation, they determined that it needed to be replaced, so we already had it written into the contract that if this needed to happen, it gave them an extra 60 days to get that additional work completed. They had to reach out to the structural engineer and get it designed to have us review it and approve it as well, and then do a full demo of replacement of the foundation. That is why that substantial completion date shifted as well because the foundation has to now be replaced.

City Engineer Roznovsky said a couple other things to know; I will just hit the high points. Planning properties are ongoing. Ongoing construction, we talked a little bit about the

Briarley development and the water, so all that has been going better now that there is additional sight on their part.

One-year warranty for Flagship, the contractor is still addressing this punch list. We did notify the bonding company that he was delaying it, that is now complete.

Going onto page six off our report, the Lone Star Bend and Lone Star Parkway intersection improvements. We have a meeting with Montgomery County tomorrow to talk about our signal at that intersection tomorrow morning. It is at Lone Star Bend and Lone Star Parkway.

For item six, I want to highlight the clean water and drinking water state revolving fund. Back in the first of March, we prepared and submitted four different projects to get on project information forms to the state for funding. All four of those were accepted and so now they are going to the full application process. That total is around \$20 million with capital improvements. This puts you in line for low interest loans with the water development board. This is the first step of that process. It is a project information, and they accepted it. These qualified and met the rules. They have asked us to do the full application process for those. We would know fully late this summer that those would be able to get the funding. That was a big win to get those accepted and keep that process going.

Council Member Langley said will you remind me where that subdivision is called, it says used to be Harry Teach Grove. City Engineer Roznovsky said yes, the Cheatham Stewart property behind Napa. Council Member Langley said not the one right across over here. City Engineer Roznovsky said as of the writing of this report, they have reached back out. The Villages of Montgomery, which was this small, I do not know if garden style is the right word, but alley load houses, have reached back out and they have requested to be on the upcoming Planning and Zoning meeting for some variances for lot size. Mayor Countryman said I thought that development was not going to have variances. City Engineer Roznovsky said the Tri-Pointe development they do not. Tri-Pointe, Heritage Grove, and now Legacy Grove are all the same. Council Member Fox asked who is asking for the variance for Planning and Zoning? City Engineer Roznovsky said you were asking about the one right across the street here at the end of Caroline and over. That one they have reached back out that they are planning to move forward with the project and are starting the variance process. If you remember, their feasibility study had the boulevard street down in the middle with an alley load behind on those houses. We received that application, I think it was late last week, so it may or may not make this Planning and Zoning meeting because those agenda items are due on Monday. It will likely go to the next one. Mayor Countryman said we discussed that when they came to us and were talking about the variance because they were going up with them and going deep. City Engineer Roznovsky said they changed a couple things on the land plan, so we are asking some

clarifying questions because one thing that popped up earlier today is they are now closing connection to College Street which originally, they were not, so that was on there. We just identified some of those items that we need to discuss. Council Member Langley asked you do not think they will be on this next Planning and Zoning? City Engineer Roznovsky said we received the request on Thursday and realized they need to have the agenda items on Monday. Council Member Langley said the next one. City Engineer Roznovsky said that it is a safe one too, next Monday. Mayor Pro-Tem Olson asked did not that development have some retention pond issues? City Engineer Roznovsky said their ponds are all on the west, on both sides of the creek. Legacy Grove has ponds as well, right along the creek. Mayor Countryman said they were talking about doing like jogging trails around. City Engineer Roznovsky said we have a lot of questions, and we have not heard from this development in quite some time and then, they pop back up asking for variances. Also, the Mia Lago reserve development was able to get out of the City of Conroe so there will be future items for that requesting variances.

Mayor Countryman asked did you happen to find out about the ETJ question that we discussed last night about those tiny homes? City Engineer Roznovsky said it is on our list. We are meeting on Friday morning and that is one of our top discussions, to get that nailed down and get that correspondence out to them one way or the other. Mayor Countryman said if he is moving dirt, we need to make him aware. City Engineer Roznovsky said what Mayor Countryman is referring to is on FM 149 south of Spring Branch Road, if you are going down FM 149 there is the creek. If you look off to the east, they have cut in a road and are clearing behind, and that is within your ETJ. You do not have full control of developments in your ETJ, but you do have subdivision regulations that apply.

Council Member Donaldson asked what is the status of Plez Morgan? Mayor Countryman said the drainage. City Engineer Roznovsky said we were actually talking about that earlier. We agreed from the road it is still relatively the same. We set the drone up last week and just have to download those photos to see if it is starting to undercut anymore.

Mayor Countryman said I talked to Chief Edwards at the fire department yesterday and I went by there today. I do not know if you know, I am sure you do, that they want to put some administrative offices out there and another office. That drainage is concerning, especially if they are going to be putting concrete out there with the severity of that drainage.

Mayor Countryman said I also had somebody call me about FM 1097 north where the bridge blew out all that stuff at the end of Summit. If a development went in there, what is their liability for all the stuff south of FM 1097? City Engineer Roznovsky said the development went in north of FM 1097, so they would be required to send a drainage study that shows their impact to the creek, if they are changing the flow of the creek, and its impact of the downstream. As long as they follow the rules and regulations, they are not

impacting it, and they are doing proper detention, I do not think they would have liability involved. Mayor Countryman said they just do not want their fingerprints on anything south.

Which by the way, that leads me to Sunday or Saturday, I was driving and there is dirt being moved and there is big, heavy equipment out there on Atkins Creek. City Engineer Roznovsky said they were made aware. Mayor Countryman said I have pictures. City Engineer Roznovsky said yes, we have pictures. One of the officers was called out previously and asked about that. We are discussing that because that is not a city contractor, that is not a contractor that has any plans to do improvements in that area. Mayor Countryman asked did we find out who those people belong to? City Engineer Roznovsky said I do not know as of yet. Mayor Countryman said because there was no signage on their vehicles either. They were making it wider; they were moving dirt. I was like what is going on here? I even drove through Terra Vista and took pictures and video because I had not seen anything on any agenda saying there should be any movement on that. City Engineer Roznovsky said that is correct. We are working with your attorney.

18. Public Works February 2025 Monthly Report.

Mayor Countryman said if Council has any questions on number 18 of public works, Public Works Director Muckleroy had an emergency and had to step out. If you have any questions, feel free to write to him and Chief Solomon, or ask me and I will get with Public Works Director Muckleroy.

19. Utility Operations February 2025 Monthly Report.

Mr. Phillip Wright, Hays Utility Services said he has another apology. If you look at my report, obviously you can see very quickly on the very first page the low accountability of this last month. Part of it was because the report went out before while I was on spring break with my kids, so I hope you do not mind, but let us add a million gallons to the flushing and I am not even joking. We did in the month of February an extraordinary amount of flushing and that is because of the dirty water calls that we had. We hit multiple areas doing directional flushing for longer periods of time than we ever have before, and so I would say that number needs to be at least 1.6 million which brings us up to around 91 percent of accountability. I have also been talking with Public Works Director Muckleroy and he got those meters tested accurate. We are supposed to go out to all the major commercial meters to verify those and so we are waiting reports back on that. There is no doubt in my mind that we did at least 1.6 million gallons worth of flushing this last month. Water quality is a priority obviously. Mayor Pro-Tem Olson asked did we do well swapping? When we use the deep one, the water gets softer, way softer. Mr. Wright said it is softer. Mayor Pro-Tem Olson said I noticed that in the water usage when at the house like wow, the water is extremely soft, so I had to turn my softener down a little bit. Did we

do any kind of swapping, did we use the mix different? Mr. Wright said I would not say that the mix was different. We definitely were just running so much more volume. I think that the water age difference was a big factor this last month because essentially, you had this long draw. We had very little water usage, and then all of a sudden, we are pumping so much water through there. That may have been a part of what we were experiencing, but going back and forth between the wells, I think we try to keep it around the same type of blend so there is not really a big blend difference there. Mayor Pro-Tem Olson said I just noticed there was a big change for about a week.

Mayor Countryman said this is month three. I am seeing the accountability, and I hear what you are saying and I understand, but at the same time, if we see it in month four, then there is a serious problem. Mr. Wright said I feel it too. This month we are kind of back to normal flushing operations, the plant's operation at normal. Right now, we are kind of back into a normal mode and then when we get these testing results back from these meters that Public Works Director Muckleroy was hoping he could report on tonight, but I understand, family first. We will have a full report on the accountability of those meters and it will be top priority.

Council Member Donaldson asked, you are not pumping any water out of well number four? Mr. Wright said no, well yes, we are. Well number three and well number four. It is just three and four being blended out of the one water plant. Council Member Donaldson said okay because I thought that was one, we had the problem with the dirty water is when we opened up four. I misunderstood. Mayor Pro-Tem Olson said four is usually warm and soft. Mr. Wright said that is the Catahoula.

20. Building Official Report for February 2025.

Mr. Rick Hanna, CBO Building Official, said I have on here the swimming pool barrier update. I think we failed four of them. Still working on some of the others. I did go out and look at them all. They were failing and they were not compliant, so that keeps the permit active. We will continue to work on that.

As a reminder, we will be coming to you next month once they produce all the documents for the proclamation for May to be water safety month. We will start to do a PR campaign.

We are going to try to do a little better job. Our system should have generated a report, but it did not jive with what Kristen had, so hopefully next month the report will make a little more sense on the volume of permits.

Council Member Donaldson asked is the PR campaign for the swimming pool? Mr. Hanna said pools and pool barriers.

Mr. Hanna said the last thing that I enclosed was an expired building permit policy. I visited various cities. The idea was that if somebody comes in and pays for a building permit, a building permit is good for 180 days. If you begin work, then it just continues to extend. If you stop for 180 days, it expires. If someone pays for a building permit and never does anything, in visiting other folks, they are with the attitude of like buying a seat for a baseball game. If you do not show up for the game, they will come the next day and say can I get my money back or can I start now? My thought was if somebody's permit expires, pay another fee, have plans reviewed again, and start all over. If they do not like that idea, they can appeal to either a Board or come to Council. During the course of their permit, if they run 150 days and we are contacted and they say we are having trouble getting materials or something of that nature, you can extend the permit. If they do not ever say anything, it is like buying a ticket and not showing up. That is my policy, unless you all want to advise me otherwise. Mayor Countryman said that is all right. Are we keeping you busy? Mr. Hanna said yes. I think we did 11 plan reviews for Hills of Town Creek so they should hopefully, within the next few weeks, try to get started there. We have two plan reviews done in Redbird Meadows and that is the correct name. They are going to call it Briarley, and I understand. We had a report come in that she set up for a plan review, so yes, we have plenty going on.

Motion: Mayor Pro-Tem Olson made a motion to accept all departmental reports as presented. Council Member Fox seconded the motion. Motion carried with all present voting in favor.

COUNCIL INQUIRY

Mayor Pro-Tem Olson said I have an inquiry for city staff and City Attorney Villarreal. Would you guys be interested in a summer intern, city staff admin side? City Secretary Beaven said yes. Mayor Pro-Tem Olson asked City Attorney Villarreal how we would go about doing that? City Attorney Villarreal asked, is it going to be a paid position? Is it a paid position that would have to be budgeted for and accounted for? Mayor Pro-Tem Olson said I imagine we would have to pay him to work him to death would we not? Chief Solomon said not necessarily, because we are giving him a valuable lesson as well. That is not always the case. We do it all the time at the police department and they are not paid, but they are gaining a valuable lesson. Mayor Pro-Tem Olson said for the individual to use it as a credit, we would have to make it official. An internship. Chief Solomon said yes, we can do that. Mayor Pro-Tem Olson said we have an individual interested in that. Chief Solomon said have them give us a holler and we will take care of it. Mayor Pro-Tem Olson said absolutely.

Mayor Countryman said in the Historic District, Code Enforcement Officer and Planning/Zoning Administrator Tilley I think this is for you, and I missed asking you, I have been made aware of a resident that has a box truck parked in the back of their lot. Is

that something that the neighbor needs to call and have you go look at, or do I discuss it with you afterwards? I do not believe that it is in the Historic District's ordinances. Code Enforcement Officer and Planning/Zoning Administrator Tilley said I can check it if you just give me the address.

Mayor Countryman said Chief Solomon, on the next agenda there are some properties I think I talked to you about, some properties, some ideas. Can we put that on the next agenda? Chief Solomon said already done. City Secretary Beaven asked is going to be in executive session? Mayor Countryman said it does not really matter. Chief Solomon said we will do it in executive session.

EXECUTIVE SESSION

21. Closed Session

City Council will meet in Closed Session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

- A. Section 551.074 Personnel Matters for the purpose of discussion and deliberations regarding the appointment, employment, evaluation and duties of a City Administrator.**

At 7:22 p.m. Mayor Countryman convened the Montgomery City Council into closed session pursuant to provision of Chapter 551 of the Texas Government Code, in accordance with the authority contained in A. Section 551.074 Personnel Matters for the purpose of discussion and deliberations regarding the appointment, employment, evaluation and duties of a City Administrator.

22. Open Session

City Council will reconvene in Open Session at which time action the matter(s) discussed in Closed Session may be considered.

- A. Section 551.074 Personnel Matters for the purpose of discussion and deliberations regarding the appointment, employment, evaluation and duties of a City Administrator.**

At 8:20 p.m. Mayor Countryman reconvened the Montgomery City Council into an open session pursuant to provision of Chapter 551 of the Texas Government Code to take any action necessary related to the executive session noted herein, or regular agenda items, noted above, and/or related items.

No action taken from executive session.

CLOSING AGENDA

23. Items to consider for placement on future agendas.

Mayor Countryman said to add properties for placement on future agendas.

Mayor Pro-Tem Olson said there was a workshop with MEDC. Do we need to do anything with that? City Secretary Beaven said yes, it is going to be a joint workshop with EDC on the marketing logo. Council Member Langley asked when is that? Mayor Pro-Tem Olson said we have not set it up yet.

24. Adjourn.

Motion: Mayor Pro-Tem Olson made a motion to adjourn the Regular Meeting of the City of Montgomery at 8:22 p.m. Council Member Fox seconded the motion. Motion carried with all present voting in favor.

APPROVED:

Sara Countryman, Mayor

ATTEST:

Ruby Beaven, City Secretary