

**City Council Regular Meeting
MINUTES**

January 10, 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
	Cheryl Fox	City Council Place #4
	Patricia Easley	City Council Place #5
Absent:	T.J. Wilkerson	City Council Place #3
Also Present:	Gary Palmer	City Administrator
	Nici Browe	City Secretary & Director of Administrative Services

CALL TO ORDER

Mayor Byron Sanford called the meeting to order at 6:00 PM.

INVOCATION

Mayor Byron Sanford led the Invocation.

PLEDGE OF ALLEGIANCE TO FLAGS

ANNOUNCEMENT

Mayor Byron Sanford welcomed Mr. Gary Palmer as the newly appointed City Administrator.

VISITOR/CITIZENS FORUM:

Sara Countryman, Berkley, Montgomery addressed City Council laying out her concerns with Mr. McCorquodale, Public Works and City Secretary's Office as well as the utility office and operations.

She welcomed Mr. Palmer to the City and stated she hoped she had the opportunity to meet with him to go over her concerns and her knowledge of certain situations.

CONSENT AGENDA:

1. Approval of the Minutes of Regular Meeting 11/08/2022

Councilmember Carol Langley moved to approve the minutes of the regular council meeting of November 8, 2022. Casey Olson seconded the motion. **Motion passed (4-0).**

BOARD OF ADJUSTMENT:

2. Consideration and possible action on a side yard setback encroachment request at 704 Caroline Street.

Mr. McCorquodale, Planning & Development Director presented this item, explained what this application was regarding and that it had already been to planning & zoning and they have recommended approval.

Councilmember Cheryl Fox stated that the neighbors had explained to her that they had seen the plans and they were ecstatic.

Councilmember Casey Olson moved to approve the side yard setback encroachment as presented for 704 Caroline Street. Councilmember Cheryl Fox seconded the motion. **Motion passed (4-0).**

3. Consideration and possible action on a building line encroachment for Montgomery Summit Business Park Reserve B.

Mr. McCorquodale, Planning and Development Director presented this item and informed Council that this item had also been heard by the City's Planning and Zoning Commission, who have recommended approval.

Councilmember Casey Olson moved to approve the building line encroachment as presented for Montgomery Summit Business Park Reserve B. Councilmember Cheryl Fox seconded the motion. **Motion passed (4-0).**

CONSIDERATION AND POSSIBLE ACTION:

3. Consideration and possible action on a request to demolish the existing structures at 704 Caroline Street in the Historic Preservation District.

Mr. McCorquodale Planning and Development Director presented this item. He spoke about the applicant's desire and submittal. He also spoke with regards to the records of the county and noted that the house although in the Historic Preservation is not of an historic nature, and in its current form was not able to be inhabited.

Councilmember Patricia Easley inquired if the Historical Society would have information on the property.

Councilmember Cheryl Fox stated that the house isn't as old as has been stated in the past, therefore unlikely the historical society would have anything on the property.

Councilmember Carol Langley moved to approve the demolition of the existing structure at 704 Caroline Street. Councilmember Cheryl Fox seconded the motion. **Motion passed (4-0).**

5. Consideration and possible action on the following:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS AMENDING THE RATES TO BE CHARGED FOR SOLID WASTE COLLECTION SERVICE INSIDE THE CITY OF MONTGOMERY, TEXAS; PROVIDING FOR A PENALTY FOR FAILURE TO PAY ACCOUNTS; PROVIDING CONDITIONS UPON WHICH SERVICE WILL BE RESUMED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Ms. Nici Browe, City Secretary introduced this item and informed City Council that back in April right before the previous City Administrator left the city, a notice from the current provider was submitted notifying us of an annual increase of costs based on the CPI. This was never brought before Council, and WM has not charged us those new rates as of yet.

She provided Council the new rates that WM would begin billing the city. Ms. Browe then explained that in the past an administrative cost was added and transferred to the customers of City of Montgomery.

Ms. Browe proposed that the city add 2.5% charge to the new rates to be billed to the City. This would cover administrative costs and go towards some of the maintenance to the roads etc.

Mayor Byron Sanford inquired would we be expected to get another rates increase from WM next year.

Ms. Browe stated she would hope not, and that the economy would stabilize however, it is in their contract that they can assess an annual rate increase.

Alan Petrov, City Attorney stated that this is common among service providers, and they will monitor the CPI and is written into contracts to allow for an increase in rates.

Councilmember Patricia Easley moved to approve the new rate charged by WM plus the 2.5% to customers as presented. Councilmember Casey Olson seconded the motion.

Motion passed (4-0).

6. Consideration and possible action regarding the solicitation of mowing contracts.

Mr. Mike Muckleroy introduced this item and informed Council that the current contract for mowing services is due to expire and it is standard that they go out for RFP. He also noted that they are extremely happy with their quality of service.

He went on to add that the process would be if council approved, that Ms. Browe would submit a legal notice to the newspapers and would ensure the information is on our website. Two weeks later the RFP deadline would close, and the bids received would be opened and reviewed. It is added to a future council agenda for awarding of the contract.

Councilmember Casey Olson moved to approve the Public Works Director to submit an RFP for mowing within the City of Montgomery. Councilmember Carol Langley seconded the motion. **Motion passed (4-0).**

7. Consideration and approval of 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 6, 2023, FOR THE PURPOSE OF ELECTING THREE (3) CITY COUNCIL MEMBERS, PLACES 1, 3 AND 5; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

City Secretary Nici Browe presented this item. She informed Council that this was the Ordinance as required by Election Law to call the City's General Election for May 6, 2023 uniform election date to elect three Councilmember places. Place 1, 3 and 5.

Councilmember Casey Olson moved to approve the Ordinance as presented. Councilmember Cheryl Fox seconded the motion. **Motion passed (4-0).**

8. Consideration and possible action regarding adoption of the Election Services Agreement by and between the City of Montgomery and Montgomery County Elections for the May 6, 2023 Election.

City Secretary, Nici Browe presented this item and explained that the City of Montgomery would be contracting with the County to conduct the May 6, 2023, General Election. This agreement authorizes the County to operate for the City.

Councilmember Patricia Easley moved to approve the Election Services Agreement as presented. Councilmember Cheryl Fox seconded the motion. **Motion passed (4-0).**

9. Consideration and possible action regarding adoption of the Joint Election Agreement by and between the City of Montgomery and Montgomery County Elections for the purpose of sharing jointly conducted elections to be held May 6, 2023.

City Secretary, Nici Browe presented this item and explained that the City of Montgomery is entering into the Joint Election Agreement with the County. This agreement allows for a cost share for all entities contracting with the County for this General Election. The final cost will be determined once the county has the final list of election races.

Councilmember Casey Olson moved to approve the Resolution for the Joint Election Services Agreement as presented. Councilmember Patricia Easley seconded the motion. **Motion passed (4-0).**

10. Consideration and possible action on the following Resolution: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS AUTHORIZING THE SIGNORS FOR ALL CITY OF MONTGOMERY BANKING ACCOUNTS WITH FIRST NATIONAL BANK; AND PROVIDING AN EFFECTIVE DATE.

Mr. Gary Palmer, City Administrator explained that this resolution is to amend the signors for all the City banking accounts. Approval will add him as a signor.

Councilmember Casey Olson moved to approve the resolution as presented. Councilmember Carol Langley seconded the motion. **Motion passed (4-0).**

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

Mr. Gary Palmer, City Administrator explained that this item was similar to the previous and that this is to add him as an authorized representative for the City's Texpool account.

Councilmember Patricia Easley moved to approve the resolution as presented. Councilmember Cheryl Fox seconded the motion. **Motion passed (4-0).**

EXECUTIVE SESSION:

Adjourn into Closed Session in compliance with Section §551.001 etseq. Texas Government Code, to wit:

City Council did not adjourn into Executive Session.

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.

Councilmember Casey Olson inquired the status of the Engineers bid for the Sewer Rehab Project. Mr. Chris Roznovsky responded that the project had seen the bids received, a contract awarded and executed.

Mayor Byron Sanford stated that Monday, MLK day at 11AM to 1PM at the Lone Star Community Center there would be a prayer, and event. He urged everyone including Department Heads to attend.

ADJOURNMENT

Councilmember Cheryl Fox moved to adjourn the meeting. Councilmember Patricia Easley seconded the motion. **Motion passed (4-0).**

ADJOURNED: 6:43 P.M.

Submitted by: _____

Date Approved: _____

Nici Browe, City Secretary

Byron Sanford, Mayor