



**City Council
Regular Meeting Minutes
January 28, 2025**

The City Council Regular Meeting of the City of Montgomery was called to order by Mayor Countryman at 6:01 p.m. on January 28, 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

OPENING AGENDA

1. Call Meeting to Order.

2. Invocation.

Council Member Donaldson gave the invocation.

3. Pledges of Allegiance.

Mayor Countryman led the pledges of allegiance.

PUBLIC FORUM

Council Member Fox, 821 Stewart Street, Montgomery, Texas stated there is a piece of property for sale on FM 149 and the corner of Caroline Street. It sits adjacent to the law office which is a historical place in town. She is asking and hopefully everyone will be on board about Economic Development buying that piece of property because we have a plan that is going to hopefully revitalize and restore downtown Montgomery. Without that piece of property she does not see how a lot of things could be done to that property commercially and she does not see anyone residentially doing anything, but she feels they should not lose control of that one piece of property.

CONSENT AGENDA

4. Consideration and possible action on the City Council Regular Meeting Minutes of December 10, 2025.

5. **Consideration and possible action the acceptance of the Quarterly Investment Report for Quarter 4, 2024.**
6. **Consideration and possible action for the Council to authorize the waiver of applicant insurance for this event since this is a partnership with the City of Montgomery and the City would sponsor the event and have it covered under the City insurance policy.**

Mayor Pro-Tem Olson said he would like to clarify item number six is the Antique Festival and wishes that would have been in the agenda item. He said it is our annual Antique Festival that we are partnering up with a local citizen with for everyone's information.

Motion: Council Member Fox made a motion to accept the consent agenda items #4, #5, #6 as presented. Mayor Pro-Tem Olson seconded the motion. Motion carried with all present voting in favor.

REGULAR AGENDA

7. **Consideration and possible action to appoint a Municipal Court Judge and Associate Municipal Court Judge.**

Chief Solomon, Interim City Administrator said Ms. Duckett, Court Administrator is out sick. She wanted to bring before Council possible action. The prior judge moved to California and she wanted to bring two judges tonight. An Associate Judge and Appointed Judge. The Appointed Judge is Robert Rosenquist who has been with us before. The Associate Judge will be Jeremy Finch. Both Judges credentials are in the packet and both are here tonight if you would like to ask any questions.

Judge Robert Rosenquist stated he has either been the prosecutor or judge here for 15 years in different capacities. He made a career change two years ago and had to resign from all his municipal court benches because he assumed a higher level bench. He did that for a period of time. He has also been appointed for the City of Magnolia and the City of Shenandoah. Ms. Duckett asked him to reach out and take over this position he gave up to Judge Chad Pease two years ago when he left. He said he would be honored to come back and take up the role again. He believes most of you recognize his name. He has know Mr. Finch for about 15 years as well. As far as having a backup judge, he knows there are some budget considerations for that. Because he is appointed in at least three different cities right now, if there is ever an education year the City has to pay for you would only ever have to pay for one of us because he can always have one of his other cities roll it in. He can always move that around and allocate it so there is no extra cost to the City at all, even on the education side for appointing an alternate judge.

Mayor Pro-Tem Olson asked if this will be the first time for Mr. Finch acting as a judge? Mr. Finch said that is correct.

Motion: Council Member Fox made a motion to appoint Robert Rosenquist as Municipal Court Judge and Jeremy Finch as Associate Municipal Court Judge. Council Member Donaldson seconded the motion. Motion carried with all present voting in favor.

8. Consideration and possible action to approve a Resolution accepting a Petition for and Calling for a Public Hearing on the Creation of the Crossing at Montgomery Public Improvement District within the City of Montgomery, Texas pursuant to Chapter 372 Texas Local Government Code and Authorizing the Mailing and Publication of Notice of the Public Hearing.

City Attorney Petrov said when Council approved the development agreement it included provisions for organizing a Public Improvement District (PID) for the development. This will be the first step of that. All you are doing today is setting the hearing which will be in a couple of weeks in February.

Mayor Pro-Tem Olson said the names of these developments change all the time so this one is the one right over here. City Engineer Roznovsky said correct. This is now the Montgomery Crossing development which is right here along the railroad track between Old Plantersville and Old Dobbins.

Mayor Countryman asked City Attorney Petrov if he has experience in PIDs because the City has never had a residential PID before and thinks you may have thought we had a few, but we have never had any so this is new to them. She wants to make sure because it is new to them, it is not new to you. City Attorney Petrov said he can provide all the information you would like on how the PIDs operate. It will be essentially the same as commercial PIDs.

Council Member Fox said in all these criteria things they are talking about, the acquisition and installation of pieces of art, etc. how do we really know how that plays out? They have had something that was presented to them some time ago, but nothing like that. Also, when it goes to a public hearing what does that really mean? The public can be for it or against it? What does that really mean to the City? City Attorney Petrov said the public can be against it or for it. We have the opportunity to present more information about what it would really mean to the City in terms of how it would operate, what the proposed assessments would be, how they would function, what impact that might have on the residents who live there, or the City. Council Member Fox asked during the public hearing if there is opposition how is that resolved? City Attorney Petrov said there may be certain aspects of the formation that you want to establish that could be affected one way or the other by whatever opposition there might be. There might be some conditions. Mayor Pro-Tem Olson asked how much time do we need for staff and everyone to get it publicized and have all the information for the public hearing? Is there a time limit? 30 days? Two weeks? Council Member Donaldson said there is no date on this agenda. City Secretary Beaven said February 25, 2025. Mayor Pro-Tem Olson said he is a little confused because this agenda item is to call for a public hearing so that means we have not set a date for it yet. City Attorney Petrov said that is what this does. It sets the date. City Secretary Beaven said by accepting the resolution. Mayor Pro-Tem Olson said there is no date on here and that is why he is trying to understand what is going on. Mayor Countryman said it is on the second page. February 25th at 6:00 p.m. at City Hall.

City Secretary Beaven said for the record this is proposed resolution 2025-04.

Motion: Mayor Pro-Tem Olson made a motion to approve Resolution 2025-04, accepting a Petition for and Calling for a Public Hearing on the Creation of the Crossing at Montgomery Public Improvement District within the City of Montgomery, Texas pursuant to Chapter 372 Texas Local Government Code and Authorizing the Mailing and Publication of Notice of the Public Hearing. Council Member Donaldson seconded the motion. Motion carried with all present voting in favor.

9. Consideration and possible action on the Hills of Town Creek Section 5 Acceptance of Infrastructure and Entering into the One – Year Warranty Period and authorize the Interim City Administrator to sign the Certificate of Acceptance.

City Engineer Roznovsky said this item is regarding Hills of Town Creek Section 5. On December 17, 2024 we did a final inspection. On page 51 in the packet you will see a copy of that followed by on page 52 of the actual punch list identified at that inspection. There are a handful of items we identified as monitor to look at the one year warranty. They were not to be addressed, but just pre-putting on the notice that we are going to be looking at these which includes things like the sidewalks. Home builders do not want the sidewalks in front because while building the homes they are going to break them so they have to have them in by one year as they are building the houses. Things like checking on some minor cracking that had developed and see if it is normal cracking or if there is additional work that needs to be done at the one year so that is listed. Our recommendation is to accept it into the one-year warranty period which would end on December 17, 2025. Just as a reminder, this project has been platted and was approved at a previous Council meeting. This process going forward is about 30 days out from the December 17th date. We will have a reinspection with the same engineer, developer, and the contractor and generate a new punch list and then come back to Council to officially end the warranty period at that time. Mayor Countryman asked City Engineer Roznovsky are you saying there are cracks in the road? City Engineer Roznovsky said there are monitoring hairline cracks near the inlets, there are monitoring curbs, and remove and place as needed. Most of them were issues around the curbing. The reason we say wait until the one year is because they are going to get damaged during construction of the homes. Let us just catch it all at one time and at the one-year warranty get all those curbs addressed at the same time that are not done by the home builders. Mayor Pro-Tem Olson asked City Engineer Roznovsky if he can touch on the sidewalks one more time because of the way it is written in here. He understands we wait to pour the concrete for the sidewalks because they are going to break them up, but if we wait until the end, they pour, and then our one-year warranty is up, do we get an extra one year for anything they do not have done because they just pour some junk and leave it in all cracks and it is on us? City Engineer Roznovsky said he does not have a good answer, but the typical way it has been handled with other developments is the sidewalks go in with the homes. There is not a separate one-year warranty for each kind of home sidewalk that goes in. It is all caught at that time and there is an additional timeline, but that is something he will have to get with the City Attorney on to see the best way to address that regarding the sidewalk component. If you want regarding the sidewalks specifically in that concern except with that caveat of bringing that clarification back to the next Council meeting for how that happens. What this will allow them to do is continue with pulling building permits because they are not allowed to get building permits until,

however they do need to get that clarified and back to Council at the next one or two meetings.

Motion: Mayor Pro-Tem Olson made a motion to accept infrastructure and entering into the one-year warranty period with the exception of item number 23 concerning sidewalks and authorize the Interim City Administrator to sign the Certificate of Acceptance with Hills of Town Creek Section 5. Council Member Langley seconded the motion. Motion carried with all present voting in favor.

10. Consideration and possible action on the execution of a variable width Access Easement for Water Plant No. 2 and authorize the Mayor to sign the agreement.

City Engineer Roznovsky said there is an existing access road that goes from Worsham to the water plant number two site that goes through the Huss' property. It was found out that the road and the actual road in the easement were not in alignment. This is just covering that up. You will see in the exhibit it is a sliver 10-foot wide triangle server on page 71 of your packets. This gets the entirety of the access easement actually in the easement so there is a legal right to it. This has been reviewed by the property owners and they have offered no objections. A signed copy is in your packet.

Motion: Mayor Pro-Tem Olson made a motion to accept the execution of a variable width access easement for Water Plant No. 2 and authorize the Mayor to sign the agreement. Council Member Fox seconded the motion. Motion carried with all present voting in favor.

11. Consideration and possible action on the approval of the BNSF Railway Pipeline License Agreement Old Plantersville Rd 12" Waterline Extension project and authorize the Mayor to sign the agreement.

City Engineer Roznovsky said Red Bird Meadows development is installing a 12-inch waterline that goes along Old Plantersville and Old Dobbins-Plantersville, connects over by the Methodist Church and then over by Womac Cemetery. Part of that is they have to cross the railroad. Council has previously approved this agreement, however due to time it needs to be reupped. There are four changes that are in the disagreement that is in front of you from what you have seen previously. One is the permit fees have been increased, however, the City already paid those back in November 2024 so therefore, the payment that was received counts toward it. The contact information for BNSF from their scheduling agent and for their permitting person has been updated in the agreement and then there were additional provisions on the required slope of the drilling assembly itself. This was going in horizontally for the waterline. It does not change the plans or the cost to it. He recommends approval of this agreement and updating the project as a whole. They have completed the majority of the work minus this crossing and they will get that completed and get it wrapped up. Mayor Pro-Tem Olson asked who is putting in the waterline? Bull-G is the contractor and it is a contractor working for the City, but it is funded by Red Bird Meadows development. Mayor Pro-Tem Olson asked if we will get a borescope camera view when they are done boring? City Engineer Roznovsky said he will take a look at the exact terms of the agreement. He does not recall. Mayor Pro-Tem Olson

asked if that is something we talked about when we have borers now what we want to see when they get done and what they bored through? City Engineer Roznovsky said this one they will put in a steel casing first and then the waterline will go in after so we will not have to. The issue of boring with the directional drilling is not the same in this case versus where dry utilities are going in that cause damage. It is on a waterline. It will pop up. Mayor Pro-Tem Olson said yes that will, but what they bored through we will not know. City Engineer Roznovsky said correct. Mayor Pro-Tem Olson said the places they cross other lines are going to show us that. City Engineer Roznovsky said as they are crossing, both the BNSF inspector and our inspector will be on site so if there is any damage hit on a dry utility it will be noticed right away and they have to do one locates.

Motion: Mayor Pro-Tem Olson made a motion to approve the BNSF Railway Pipeline license agreement Old Plantersville Rd. 12” waterline extension project and authorize the Mayor to sign the agreement. Council Member Langley seconded the motion. Motion carried with all present voting in favor.

12. Consideration and possible action regarding authorizing a utility easement with Shadow Creek Estates, LTD to allow for access for City of Montgomery infrastructure.

City Engineer Roznovsky said this is for the Taylor Morrison development, which is also known as Lone Star Ridge, on Lone Star Parkway. Part of the feasibility and part of how they are paying water and sewer services off of Buffalo Springs requires a utility easement. The developer found early on in their design there was an easement there, but it was a private easement, it was not a public easement for the City use. They were required to obtain a public easement for the location of the public utilities which would include a waterline. They will have a waterline that connects to Buffalo Springs, routes through the development, and connects to Lone Star Parkway, as well as their sewer line will head out that easement down to lift station 10. This is just the actual easement itself between the City and the current property owner which is the Shadow Creek Estates Ltd. Shadow Creek has reviewed and signed it as well as the lien holder. We would recommend the City to do the same. Page 103 of your packet shows that location. This is on the back side of the homes.

Motion: Mayor Pro-Tem Olson made a motion to accept authorize a utility easement with Shadow Creek Estates, LTD to allow for access for City of Montgomery infrastructure. Council Member Langley seconded the motion. Motion carried with all present voting in favor.

13. Consideration and possible action on acceptance of the Engineer’s Recommendation of Halff Associates to complete the Design Services related to the Town Creek Wastewater Treatment Plant project and authorize the Mayor to sign the agreement.

City Engineer Roznovsky said if you remember you solicited qualifications and Halff was selected. The process was essentially put on hold while we were waiting on the permit because we did not want to get design going with a permit flux. We now have the draft

permit in hand and the final permit is on the way. It will still be a little while before we get it. We now have the Halff proposal and we talked about this also at the budget workshop last week. Their proposal is they have basic design services around \$675,000 and additional services for a total of \$757,000 which is cumulative and not by themselves. This includes things such as survey, geotech analysis, some corrosion control, etc. In the contract there is also an hourly services line for construction support throughout the bidding submittal process. One other item to note in the supplemental services is they have a line item for a grant support, helping with identifying. One of the reasons that Halff was selected is they have an in house funding specialist and so there is a line item in there for their involvement to help identify and go after funding for the project. The total contract amount is \$831,200 for all of those services including construction. The timeline of this is their design and approvals expect to take 330 days from those to proceed and then the construction will be thereafter. Your City Attorney Petrov has reviewed this agreement. Obviously Halff has prepared the agreement and we all find it to be in order. We have Pam and Ryan Londeen who you all know representing Halff if you have any specific questions for them.

Mayor Pro-Tem Olson asked what was our original budget on this? City Engineer Roznovsky said the original design budget was \$600,000. Mayor Pro-Tem Olson said that is what he thought. We are quite a ways over our original design budget. City Engineer Roznovsky said design is up to \$674,000 from the \$600,000 originally just based on scope and time since that \$600,00 was two or so years ago. Council Member Fox asked how long ago? City Engineer Roznovsky said when they originally did the certificate of obligation (co) he thinks that budget was around two years ago. We reviewed the numbers and we feel that based on the scope of the project that is in line. There was a bunch of negotiation back and forth between staff and Halff. Mayor Pro-Tem Olson said the original design was over quite a bit. Mayor Pro-Tem Olson asked what about construction? City Engineer Roznovsky said the hourly construction services was not in that \$600,000, but is part of the contract that will not get started until we get to that point. That was in the overall construction budget of the project, not in the design, but we do need their services for that so it is in there. Mayor Countryman asked just for clarity this is the one off of FM 149 on the west side? City Engineer Roznovsky said yes. The scope of this project is replacing the decommissioned wastewater plant on FM 149 just south of Town Creek across from the propane tanks. Mayor Countryman said which will be needed for sure. City Engineer Roznovsky said correct. This will replace it to a 300,000 gallon a day plant. Your permit is for up to 600,000. So this will be the first phase their design will lay out for future improvements. So when you do the next phase of the project, to go up to its ultimate capacity, it will be as seamless as possible. Mayor Pro-Tem Olson said so we will have the design already done. He asked when is this going to start? Mayor Countryman said it should be ready almost by Christmas.

Motion: Mayor Pro-Tem Olson made a motion to accept the engineer's recommendation of Halff Associates to complete the design services related to the Town Creek Wastewater Treatment Plant project and authorize the Mayor to sign the agreement. Council Member Langley seconded the motion.

Discussion: Mayor Pro-Tem Olson said he has a big request. You are going to have to find some funding because we are over budget, so please find us some funding.
Motion carried with all present voting in favor.

14. Consideration and possible action on approval of the Final Plat for Montgomery Bend Section 3 (Dev. No. 2203).

City Engineer Roznovsky said the developer reached out to them today and said they are not ready for the final plat. They do not have their performance bond in place and so they requested it be pulled. They did not commit that it will be ready at the next meeting so he would just say a future day when the developer requests it. This is not a City driven request to pull this, it was a developer driven request to pull. City Secretary Beaven said we could just pull it or take no action instead of tabling it because technically tabling would need to come back. Either assign a date or bring it back at the next meeting. Mayor Countryman said we will then take no action on item #14.

15. Consideration and possible action on acceptance of a Utility and Economic Feasibility Study for the BCS Capital Commercial and Multi-Family Tract (Dev. No. 2415).

Motion: Council Member Donaldson made a motion to table item #15 until 02/11/2025.

Council Member Donaldson said he wants to table item #15 until February 11th at the next Council meeting. Mayor Pro-Tem Olson asked what is the reasoning? Council Member Donaldson said he is just not settled about everything that is going on. We had a workshop yesterday and two of the Council members were absent. Mayor Pro-Tem Olson said it was a 2:00 p.m. meeting and they have day jobs. Council Member Donaldson said he knows. He is just saying you missed what was going on. He just got the feasibility study four hours ago and he wants more time to look at it. City Engineer Roznovsky said if you like he can run through the study and then you could decide on the action. At least he can provide the contents of it. Then if you decide to carry it over to the next meeting for acceptance he can answer questions. Mayor Countryman said she actually thinks that is fair if you would do that for those that were not able to make the meeting yesterday. City Engineer Roznovsky said this one has been on a quicker timeline than normal. He said he will go through it if it is okay with everyone. Council Member Donaldson said that is fine.

City Engineer Roznovsky said as Council Member Donaldson was saying, yesterday there was a presentation by the developer on this project. It went over the general scope of the project and the potential alternatives that they are looking at. One thing that he did was put a caveat on the study and also what he said in his email to you all earlier today when he sent this out was there is a lot to be determined with this project in terms of is there a hotel, is the multi-family component a sure thing, the retail component? The actual makeup of this is still to be determined. We went off the information we received for this study. He will go through it and point out some of the items to consider and then definitely think of questions and we can go from there because he thinks that especially with the development of this scale that touches Buffalo Springs and C.B. Stewart, and SH-105, this development

agreement if it gets to that point definitely has a lot of moving pieces to it that need to be considered before anything.

City Engineer Roznovsky said he will start on page three of the executive summary and hit the highlights, go through a handful of the items, and then divert your attention back to the exhibits in the back which is really what he wants to talk from. This project is in the City and there is no annexation required for this tract. You can see where this property is on exhibit A in the back of your packet. As far as water and sewer capacity, as we have been talking about you are getting tight, but you do have plans in place. In regard to the water plant capacity, the last Council meeting authorized the booster pump edition which takes your flow capacity from roughly 58,000 gallons a day to 730,000 gallons a day. You have also solicited RFQ's for the water plant number four. The design project they have received and plan to bring that back to you at the next meeting to move forward with that process to get water plant four designed to meet the ultimate need of these ongoing developments within the City. The wastewater treatment plant project we have talked about so obviously with the project you just authorized on the last agenda item that goes a long way to get your capacity needs. Based on the projected timing of this development and other developments, we are still right in line with it as long as things stay on schedule to get the capacity in, but he would say again, based on projected timing, that next phase after this project is going to be quickly on the heels based on the timing of all the developments within the City.

City Engineer Roznovsky said at the bottom half of the page you will see cost of potential projects for the development. One thing he wants to note is they looked at all the different types of improvements and what they touch. He thinks there is definitely room to discuss the final scope as part of how they phase their development, what the final land plan turns out to be, if it includes as many multi-family units, it has to all be discussed as part of the development agreement. Some of the items they identified were roadway improvements to both Buffalo Springs and C.B. Stewart. Both of those roads are in rough shape and as you did for the Home Depot project and extending concrete, extending that further if you look at exhibit B in the back of your packets you will see those general scopes of what those are shown. This also brings up a lot of the master plans the City has looked at and put together. Between the different alternatives is intersection improvements at C.B. Stewart and Buffalo Springs. There has been the roundabout concept. There is a lot of development that is happening on this corner. Part of the discussion that ultimately needs to be had is what should be done with that. The land utilities is a bit more straightforward. If you are looking at exhibit C they would extend water and sewer across the frontage of SH-105 as well as at Buffalo Springs Drive. The cost in here assumes they extend it all the way down Buffalo Springs to Lone Star Parkway because ultimately that is what is going to get the most benefit is by making that connection to get the flow. Instead of right now water coming from water plant number three all the way around Lone Star Parkway to get to the tract, making that connection would be highly beneficial to close that additional loop. It is something that should be considered as part of the development agreement with the City. Overall, there is a lot. You are looking at \$3.5 million of improvements if you did all of those scopes of work. If you just did the improvements immediately adjacent to the property it is \$2.8 million. There is a lot of variation in that on what the final scope of the improvements become.

City Engineer Roznovsky said on page four of the study this is all based on information provided by the developer. At full build out they are estimating between \$90 million to \$97 million. Assessed value based on your current tax rate and a 95 percent collection rate you would be looking at approximately \$360,000 a year in additional ad valorem tax to the City at full build out based on what was provided.

Moving onto page five he has covered a lot of the items, but how this study was based on was based off the one multi-family reserve of about 17 acres and the remainder parcel being a retention pond and commercial. Again, if the hotel concept that was discussed yesterday goes forward that will change the usages and demands. He would not say it would change the linear improvements because most of those are sized. The 12 inch line is plenty, but the scope and turn lanes, etc. that would be required would obviously be dictated by their final land plan. One other important thing to note and we talked about this last night was the zoning of the property. When you look at exhibit B in your packets the northernmost portion of the property is in the plan development district and the remainder is within zone B commercial. Based on their land plan they have multi-family that would extend in the plan development as well as into the commercial, so a rezoning would be required in order for that to be allowed within that zone. Additionally, one thing that your attorney is working on is the architectural control which also has over purview over land use. Within the plan development (PD) is believed to be by the Buffalo Springs Architectural Control Committee is who that right passed down to after the agreement expired. Your attorney is working on a memo for that so we have that in writing. That is with the land use within the PD zone.

On page eight regarding drainage, your attorney is working on a memo concerning the stance on drainage for this tract. To bring it all back around, in the development agreement with Mr. LeFevre back in 2004 it tied them into certain drainage provisions and a drainage study at that time. Your attorney is writing this up so we have an official memo from the attorney on the stance of that. It is believed they will have to follow the current rules and regulations of the City since that agreement has expired. Paving and traffic we have talked about, but again a big caveat being the final land plan is going to determine the impact analysis and what capacity improvements are needed aside from the actual condition of the roadway.

Finally, on page nine on the impact fees you see at the bottom of the page the water impact fee of approximately \$348,000 and wastewater impact fee of \$334,000. That is based on one three-inch tap, one six-inch tap, and six two-inch taps. So based on the best available today, again, as cap size changes development changes and that number will change with it as well.

City Engineer Roznovsky said one thing they did include in here that he has not typically provided is on the very last page of your packet. You will see what is currently in your development handbook as far as the process of what comes next. He knows there have been some questions on what is the proper process for this so this is what is currently in there. They added in the box that does not look like the rest of them a development agreement so that is a newer step just to clarify. Where they are right now is at this utility and economic

feasibility study right before the development agreement. Then they go into the development agreement and annexation does not apply to this one, but zonings and variances would be the next piece of the process before they move into full design and construction. Mayor Countryman thanked City Engineer Roznovsky for this. She said it has been needed and asked for it for years. Council Member Fox said she does like this but, has this been presented to Planning and Zoning prior to coming to City Council? City Engineer Roznovsky asked the development or the process? Council Member Fox said the development. City Engineer Roznovsky said the development has not. Council Member Fox asked why? City Engineer Roznovsky said it was more of a meeting timing. They will, after this meeting, at the next Planning and Zoning meeting which is next Tuesday present this feasibility study to Planning and Zoning. The process that has been followed is they had a pre-development meeting back in December, requested the feasibility study right before the holidays, and then we got to this point. The feasibility study was not ready for the Planning and Zoning meeting in January so it will be present at the next available one. Council Member Fox said to her it seems like it would be much more logical to present to Planning and Zoning prior to presenting it to Council. City Engineer Roznovsky said that is why they wanted to present this process in here and at a separate meeting discuss modifications to this process and ways to make sure that between Planning and Zoning and Council is a workshop. In his personal opinion he felt it was helpful yesterday to hear, but just the timing being back to back makes it a little difficult to process and move on to the next piece of it, but that is something they can definitely discuss and work into the process so as development comes in, there is the opportunity for the workshop and discussion on the forefront before we get into this phase of the development.

Mayor Pro-Tem Olson said the question he has and he is going to lean to agree with Council Member Donaldson on his tabling, is this feasibility study. Unfortunately he was not able to make the meeting yesterday, but if they have not hammered down what their design is how do we make a feasibility study? It sounds like a bunch of guessing. City Engineer Roznovsky said there are a lot of assumptions made so what we ask them to provide or every developer to provide is their estimated water and sewer usage, approximate land plan, and estimated values which drive this study so that is what this is on. The 70,000 gallons a day of water and sewer demand is directly from the developer on what they think those usages will be. Mayor Pro-Tem said but if they do not have a hammered down plan they have no idea. City Engineer Roznovsky said correct. Mayor Pro-Tem Olson said this is not worth the paper it is written on. City Engineer Roznovsky said the overall concept of utility extensions and roadways he thinks those stick regardless of the final use. Mayor Pro-Tem Olson said that is what the true need of a feasibility study is. What is our water, what is our sewer? The roads are not going anywhere, they are there and we can see those, but we do not know what our capacities are and that is what the feasibility is. City Engineer Roznovsky said there still is a lot of variation. Mayor Pro-Tem Olson said it is a guess and it is a poor one at that because they do not have a plan. Ms. Hillary Dumas said keep in mind though that this letter says that this does not bind the City to anything. Moving forward with this feasibility agreement just allows them to move forward with their due diligence and their process. It does not bind the City to anything. Also, this 32 acres of land is not platted so they cannot do anything without coming through Planning and Zoning and coming back to the City for platting regardless of whether it is half an acre, 5 acres, 10

acres, a whole 30 acres. All of that has to go through the normal City, Planning and Zoning, platting, and all of City Engineer Roznovsky's review. All of that still has to happen. This is just giving them the ability to say this is what we have in mind, this is what we think we can do. They think at this stage they are going to dedicate 15 plus acres to commercial, 17 plus acres give or take to some form of multi-family. They do not know what capacity. They still have to follow all of the City's ordinances, even the new ordinances that have not been enacted yet because there is no platting in place. The City process will continue to move forward as they are moving forward with their due diligence. This is not binding you to anything. Mayor Pro-Tem Olson said he knows it does not bind us but it should give us an idea of what we can do because if they come back to us and say they are going to do all this stuff and all of a sudden now our feasibility study that we had is not worth the paper it is wrote on because we have no idea what gallons we are going to use until we finally get a plan and we should have had the plan when we started, not after the fact. That is the whole point to get a plan in advance. Council Member Langley asked what is this good for? What are they wanting? City Engineer Roznovsky said what this does is it gives them the overall picture. He said he agrees with you. There is 71 acres of multi-family, 15 acres of the remainder. This is not really unlike the Shops of Montgomery and the other shopping centers. The difference is the variation of the potential uses. Like the hotel was the first time that was thrown out yesterday which obviously is a large user, but what we do not know at this time is if that hotel is going to eat away from the number of multi-family units, is that hotel going to eat away from the commercial space and come back to say okay this study was based on 880,000 gallons a day, 70,000 gallons a day usage. Their current land plan says it is 60, okay we are within range or the current land plan says 20, well we have to do an all stop and reevaluate the timing of these facilities. Council Member Fox said on the feasibility study it is not binding the City to do anything nor is it costing the City to do the feasibility study so in her opinion there is no reason not to pass the feasibility study. City Engineer Roznovsky said he hears you are concerned with the ambiguity of what the final development looks like. For this development agreement you can spell those things out like you did for Red Bird. You said (and these are not the correct numbers) you are up to 600 homes plus or minus 10 percent. If you change that you have to come back for approval. You can structure that in here to say these are the terms of the development, these are the capacities, these are the uses that are in here. If this changes or substantially changes by this, you have to come back and negotiate. Council Member Fox said but again, the bottom line to her is the fact that it is not binding the City to anything nor is it costing the City. It is just giving them their due diligence to see what it is going to cost them and how their plans will move forward. Mayor Pro-Tem Olson said it should give us a good idea. No feasibility is going to be exact, but we have no set plan. When a developer comes to us and says he is going to build 300 homes we can figure a good estimate of what 300 homes is, but if you come to us and say I think I am going to build something, I do not know what, but do a feasibility study. We have no idea. Mayor Countryman said they may not either. They are just saying they want to pay to go look at this property to see. We know what we can do and according to your zoning let us go do some due diligence. This is what we think, but it might change. And, we are going to pay to do that. You do not have to take any of the risk. That does not hurt the City at all. Mayor Pro-Tem Olson said he would much rather have a plan in place so they have something to study versus just throw something in the wind and hope it sticks. Mayor Countryman said this is a unique situation and she

agrees, but at the same time there is no risk to the City. City Engineer Roznovsky said after this they have a better picture of ultimate costs and they will likely go back and say okay based on the cost, the land cost, etc., what is the best use and be able to more dial in their land plan and say here is what it looks like before you get to that development agreement stage where you would be actually agreeing to providing service. Ms. Dumas said one of the things they talked about yesterday in length was drainage and drainage is a big what if in this scenario. At one point there was a central drainage plan for this property that required no additional detention, retention and that included the Kroger tract. At some point when a previous engineering firm worked for the City they basically cut off our drainage. They did not size the infrastructure properly for Kroger and Home Depot to accept the drainage it was supposed to accept from the west. This feasibility study allows them to look at the overall plan and say this is what the City capacity is, this is our range, this is what we are looking at, these are the different pieces of the puzzle that we could put together and depending on that, we have to dedicate one acre, three acres, five acres to detention and that gives them the ability to tell us yes, we can do it, or no, we cannot because five acres of detention is different than three acres and either way it was a costly mistake for all of us. We need to somehow mitigate or understand what that is in real life. They have a couple of different options they are looking at but again, they have to look at the big picture and understand. This just lets them move forward in that process.

Council Member Donaldson said his motion to table still stands until February 11th. He would rather wait to see what the attorney says about the zoning and drainage. Council Member Fox asked how are they going to find out unless a feasibility study is done about the drainage? Council Member Donaldson said it is a vacant piece of property we are talking about and look at all this money they are willing to spend. We still do not have a clear indication of what they are going to do because the hotel issue came up yesterday. He said he does not know how, but it is not in the feasibility plan. It may come up that it is going to change. Just like Mayor Pro-Tem Olson said everything is going to have to be rehashed and redone. He just wants some more time to think about it. He appreciates the last page because that is what he wants to talk about in two weeks. We have a change over in personnel and we need to get under our belt how we are going to do things from this day forward. We are not going to get out of order and get ahead too fast because when we do we make mistakes. It is his understanding we need to sit down and let us think about this. Let us hear from our attorney and let us weigh all the options that we have before we go forward. He is definitely upset because it has not gone through Planning and Zoning, but that is another issue that we have to take care of. We have to decide how we want this to go from here, one place to another and this is a good starting point for us. He has never seen anything like this. He appreciates it, but we need to decide at City Council with our City employees exactly how we are going to handle City business going forward because to him we just get rushed too much in his opinion. Things come to them and you all want an immediate answer. He said he is really not willing to give an immediate answer. He counts a lot of time on the experience and the know how of his cohorts here because they have lived here longer, but he is getting to the point where he has to have more time to

digest things. He said he is not against the proposal or the development. He is just not at a point where he is comfortable saying let us do this. Mayor Countryman said they are just seeing if their idea is feasible. They cannot even give you a solid plan yet because they do not even know. They have not done their study. You have to approve this for them to go do their study to see. Then they will start nailing down what they want from here. Ms. Dumas said there is nothing yet to submit to Planning and Zoning for approval because this is still in the early stages. Mayor Countryman said this is very conceptual. City Attorney Petrov said any feasibility study is going to be based on the developers assumption of their water and wastewater needs, based on their guess of what they might develop, but if those water needs change it will go up dramatically. You can always require another feasibility study at their cost and if the City has the infrastructure to support their changed plan. Mayor Pro-Tem said that is good. They can ask for another feasibility study when we actually get a plan. This will allow them to move forward. City Engineer Roznovsky said you have all done that in the past where a feasibility study was done, the project was set, and we did an update. Mayor Pro-Tem Olson said he does not want to approve a feasibility study and say we can handle this then they come to a plan and say well your feasibility study said you could. We did not have a plan to do the study on. Ms. Dumas said she understands, but it is their risk. They are paying for the feasibility study. Mayor Pro-Tem Olson said it is their risk until we cannot supply enough water and we are drilling more wells and putting in more pumps that we cannot afford. It is our risk at the end and every taxpayer in this town if we make a bad decision. Ms. Dumas said believe me, we have been paying the tax. Mayor Pro-Tem Olson said so unless you want to pay a whole bunch more because we made a bad decision, I want to make a plan. Mayor Countryman said just to be clear, she thinks Council is gun shy because we have been misguided as of late and previously so forgive us for that. Council Member Fox said she thinks they should be commended because they are doing their due diligence to do the best property development that they can possibly do in a City. Mayor Pro-Tem Olson said he is not down on the development. He just likes a plan and wants to see a plan. Council Member Fox said that is why they are doing the feasibility study to give you one. Mayor Pro-Tem Olson said no. You use the plan to do the feasibility study then you move forward. That is how every one is ever done.

Mayor Countryman said there is a motion on the table to table it by Council Member Donaldson. Is there a second? The motion is killed. It will then continue to be open for discussion or if there is another motion to be made. Mayor Pro-Tem Olson said as long as we can ask for another one when we actually get a plan then he is fine with it.

Motion: Council Member Fox made a motion to accept a utility and economic feasibility study for the BCS Capital commercial and multi-family tract (Dev. No. 2415). Mayor Pro-Tem Olson seconded the motion. Motion carried with all present voting in favor.

Council Member Langley said she is not comfortable with having this without seeing a better plan. Mayor Countryman said she is confident they will see one. Council Member Langley said she just wants that in the record.

Council Member Fox asked City Engineer Roznovsky at some point will Planning and Zoning see these next set of plans prior moving forward? City Engineer Roznovsky said the following process, the next step would be a development agreement which would be between Council. As far as how that gets amended, if that is a joint workshop between Council and Planning and Zoning or if it is the request for Planning and Zoning to provide an opinion on what improvements should be included or improvements of the agreement, that is something we can definitely take advisement on and take to Planning and Zoning before. As Council Member Donaldson mentioned, revisiting the last flow chart in it instead of the way that it is listed, it goes to Planning and Zoning first, then to Council, then to feasibility study. We can definitely have that discussion. Mayor Countryman said it is a little bit difficult. A Planning and Zoning meeting once a month and then us meeting twice a month and sometimes even three times, it delays some of the developer progress as well which is not their problem, but not our problem.

DEPARTMENTAL REPORTS

16. Police Department 2024 Annual Report & Code Enforcement 2024 Annual Report.

Lieutenant Belmares said he would like to point out the police department applied for a grant early on in January 2024 which was approved in early December for body worn cams. The agency is also very grateful that during the CCPD program process you all supported us and the voters voted for the program. It is going to be very beneficial to the agency as well as the City as a whole. Mayor Countryman said your slackers with only 1,799 training hours. I was hoping you would get one more in for 1,800, but impressive that the average per officer is nearly 112 and a half hours of additional training. For our department that is huge for their personal growth and it is one of the golden carrots that we wave to recruiting good officers and keeping them here. She would like to point that out and commend you on that. Lieutenant Belmares said thank you very much. Mayor Countryman said also on your engagement there has been a huge uptick and community engagement taking. We are the only department in the County that engage with churches to make sure that they are safe and giving them guidance, so great job. Our community outreach she is hearing it from different facets of the community that you have the right person in that spot, Officer Bauer. He meets and greets everyone and definitely they appreciate it. Lieutenant Belmares said yes we have a great team overall. Together combined, there are many things this organization can do for the community. We also brought on the Take Me Home program that started in December. He knows they are also going to add the Rape Aggression Defense (RAD) program to offer to the citizens for this year. Mayor Countryman asked if he would give a high level of what the Take Me Home program is. She does not know that everyone has heard it. Lieutenant Belmares said the Take Me Home program is a free assistance that the police department offers to members of the community to include the ETJ. This is a program that has taken a lot of time to put together, but is to help members of the community who suffer from cognitive disorders,

Alzheimer's, autism from all spectrums, and dementia. We work with the sheriff's office. We have the family members or the guardian of the individual, we get photos and information on this person so that if they do become lost they will contact the sheriff's office and let them know they are part of the Montgomery Take Me Home program. What we do is we are able to pull up a share drive that we have with all the officers to get a photo and learn how to communicate with this person should we come in contact with them so that we can get a family member to come pick them up. The goal is as this grows here in the City that it grows countrywide so that other agencies can be a part of this. He is working with the sheriff's office to get this process going. Mayor Countryman asked so that you know what triggers the individual that is lost or how to handle them? Lieutenant Belmares said yes. If they are in crisis you know the best way to approach them. It could be a song or it could be a phrase that they could potentially talk to them about. It is very important we are able to get that information out so if this individual is actually outside of the jurisdiction and they can get the information that they are part of the Take Me Home program, we can then provide that information to the responding officer and/or agency if they are on the other side of the County. Mayor Countryman said thanks for leading the way. That is great. Thank you and we appreciate all you do.

17. Public Works Reports for October, November and December 2024

Public Works Director Muckleroy said he would like to say thank you to City Engineer Roznovsky and his team. He hit a little bit on the negotiation they did with Halff, but they did a lot of negotiation and wants you all to know that. The number started out really high, but they worked with them and got some things cut and brought the number way down for them. Mayor Countryman said thank you for fighting on our behalf. He wanted to say a little bit more about it than just what City Engineer Roznovsky said.

Council Member Donaldson said he took a trip last week from SH-105 to FM 1097 on Buffalo Springs. It happened to be before sunrise and before they concrete it he would like to know why we do not have any road stripes on? We do not have a center line and we do not have any stripes. How come we do not have at least a center line? Public Works Director Muckleroy asked on the concrete? Council Member Donaldson said on Buffalo Springs from where it is concrete all the way to FM 1097 it is just a blank road. At night for older people that may have issues with vision it could be difficult. He just wants to know why if it is possible for us to stripe it. Public Works Director Muckleroy said we can have it striped. Buffalo Springs is definitely one of the roads that is on the top of our list for a lot of work to be done. He said he will be honest and say if they stripe it right now it is not going to come out great, maybe better than nothing, but that is a heavily traveled road that we know needs a lot of work done to it. He said he will look at it and see if there is something they can do in the meantime until they get a good long-term fix for that road.

Mayor Countryman asked if it was your guys that lowered the mound of dirt that she thinks contractors left in front of the snowball stand. Public Works Director Muckleroy said yes. Mayor Countryman said thank you for that. She had several complaints and she kept trying to tell you it looked terrible. Public Works Director Muckleroy said that was the fire line tap they had to perform. Believe this or not, it depends on what time of the month you dig

on how big of a mound you end up with. They wanted to leave it and let it settle as much as they could.

Mayor Pro-Tem Olson said we had some pretty cold temperatures there for a few days last week. Has anyone checked on our vacant property on 213 Prairie? Public Works Director Muckleroy said he does not know when the last time they walked through it, but he will ask. He said he knows their foreman walks through it regularly to watch things ever since there was the water leak a couple years ago. The water is off and they keep the meter off. They turned it on for inspections a while back when we had a potential buyer on it, but we do keep it off. He will find out and get an answer on that. Mayor Pro-Tem Olson said just as long as the water is off and as long as the lines are drained. He is sure the heat is not kept on there. Public Works Director Muckleroy said they do leave the air on.

18. Financial Report as of December 31, 2024.

Finance Director Carl said she does not have anything of concern in the report. She would like to point out the sales tax revenue. We have definitely had an uptick. The sales tax net payment trend for the month of October we were 40 percent over last year. The November collection was over 20 percent greater than last year and December's was 22 percent higher so we are definitely watching that trend. We are looking at the detail reports and do not see anything that is a big red flag like it does not belong to us. The entities that have been sent to the Comptroller's office we are still waiting for response from those entities to get with the field office to put a corrective plan into action. Mayor Countryman asked what is the plan of action on that? What if they do not respond to them? Finance Director Carl said she is sure there is an enforcement mechanism, but is not 100 percent sure what that is. In her conversation with HDL we said we would have a conversation about this in March that would give them a six month window to at least take action. Mayor Countryman said she went walking and noticed boxes from a retail store that has multiple locations and one being here and we are not collecting the sales tax from this location. She thought perhaps part of the problem was it was going to the "eight" headquarter location, all of the shipments and then they were being brought over here. In fact, all of these shipments had the Montgomery address on them. That would lead her to believe that it should be two sets of books or a multiple set of books and not a one set of books. Finance Director Carl said just to bring you all up to speed on this, we did report the entity to the sales tax group HDL. They reported it to the Comptroller's office. It has taken a little bit for the Comptroller's office to figure out exactly what was going on. It was not one of those easy cases where they were able to say by the way this is where you need to remit the sales tax. This is what we show as your previous reports. As a matter of fact, our one person at HDL has not seen this action from the Comptroller's office previously where the Comptroller has notified the entity that they need to work with the field office to get this corrected. It is a complex case.

Council Member Langley said on this report that says December 24th, December of 2024, this money is actually from where? Finance Director Carl said that would have been money that would have been collected at the businesses in October, remitted to the Comptroller by November 20th, and then paid to us in December. We are giving you this sales tax report for December. She is giving December reports so we are doing the sales tax collection to

align with what you are seeing in the budget for your sales tax collection at that time. Council Member Langley said on the list of the top 30, Home Depot being number nine, this was money that you think they collected in October? Finance Director Carl said they know it was. You also have to remember we have been seeing Home Depot revenue for the last 14 months. Council Member Langley said but they have not ever been that high on the list. Finance Director Carl said no, it was definitely higher. Council Member Langley said they took Jim's spot because Jim's Hardware was number nine and now Home Depot is number nine. Finance Director Carl said she anticipates we are going to see some shifting in those top 10 over the next six months. There is just a small portion of October. They opened around the 20th of October. Council Member Langley said Discount Tire was number 23. She expected them to be higher, but they have a lot of exempt people coming so they do not collect tax. Finance Director Carl said that could be. She said that is a rolling total that keeps your spot in that.

Council Member Donaldson asked on our water and sewer income is it possible to separate the two to see how much water we receive and how much sewer we receive on the report? Finance Director Carl said she thinks they can run a report based on the product code. The two are tied together unless it is irrigation, but we can run a product and she will see what can be done on that.

19. Utility Operations Reports for October, November and December 2024.

Mr. Phillip Wright, Hays Utility Services, said he wanted to point out on the very last report on the January report you do have a total there which you do not really get to see too often. It is the full annual report for 2024 for your groundwater permit with Lone Star Groundwater Conservation District. You can see what kind of capacity you have there in your permit since you got your new amendments. It is looking good there. With the full year gone by you have used 34 percent of your Jasper and 54 percent of your Catahoula. There are really no major concerns or excursions.

Mayor Countryman said she noticed on the accountability we were in the high 80's and typically we had been in the high 90's. What is the difference? Mr. Wright said when we ran those numbers the number came out in October at the lower number. Public Works Director Muckleroy noticed it right away. They found a leak. It was a leak that had probably been running for a while. They spent some time looking for it on SH-105. It ran for quite a while until they found it. They got it fixed and as you can see the accountability already started coming back up. It was found some time right after Christmas time, so hopefully in the next report it will be back in the 90's. If not, one of the other things they talked about was looking at meters so we will see if that is the case. They are already talking about doing some regular reporting on just looking at accuracy on big commercial meters, big users.

Council Member Donaldson said his question is similar to Mayor Countryman's. He thinks the difference is the fact that we have a new permit. The new permits allow us to pull more water and so the percentages should go down. When do the new permits go into effect because in October the last time we had this discussion we did not see these new permit withdrawal numbers like we do today. He was just wondering when the permits went into effect and if he knew roughly when. Mr. Wright said he thinks he mentioned that actually

at the September meeting that the new permits had already been in effect and City Engineer Vu got that squared away with Lone Star. He failed to reflect that on his report and so it was the next month or the month after that when they got it right and got the percentages corrected based upon the new permitted allowances. Council Member Donaldson said he understands that and sees in his notes where Mr. Wright talked about the new permits and he thinks that is where some of the confusion came from on the percentages. Mr. Wright said because it looked like we were going to go over or we did go over and we did, but those permits came in in time and it was not a problem so you are looking good for all the growth that is coming in the City. Council Member Donaldson asked when we get well number two back online are we going to still have these kind of usages? City Engineer Roznovsky said it is going to fall into that Jasper column, your gulf coast aquifer. He would expect you to still see around the same, you are just going to be pulling from two different wells to get to that same amount. Just to piggy back off of Mr. Wright and the permit limits, you will remember the goal is applying for new allocations and permits every three years because there is a cost and a study so balanced out you are going to be paying higher permit fees as we catch up for that three years and then do it again because that is how the math worked out.

Council Member Donaldson asked on well number two the old hole, the one it created, we plugged it right and we drilled a new one? City Engineer Roznovsky said correct. Council Member Donald said he just wanted to know because there was some talk about we were trying to fix the first hole. City Engineer Roznovsky said no, he does not know exactly if it is completed today, but they had one crew that was plugging the existing well and another crew that was drilling. Council Member Fox asked when will number two go online? City Engineer Roznovsky said this summer. He thinks the whole contract is scheduled to be done in June, but the well itself they have drilled.

20. Municipal Court Report for October, November and December 2024.

Mayor Countryman said she can see a significant uptick in all of the totals so that is good.

21. Engineering Report for activities since October 22, 2024.

City Engineer Roznovsky said they have not received a pay estimate on water plant number two improvements so the items that are reflected on here in those percentages are artificially low. They have actually completed drilling the well. They sent us the well log so we are going through those. As he mentioned at the budget workshop, they are in the process of redesigning the foundation to replace the foundation of the ground storage tank. All is going well and so far it has been a good contractor. Hopefully the sound issues are getting themselves resolved.

City Engineer Roznovsky said in regard to the FM 1097 sewer line project, the contractor has moved on site. He quickly found there is an issue that the existing line the surveyor picked up they had missed the manhole and actually the line was located outside of the easement on private property. We have come up with a reroute to move it all within the easement. It is about a \$9,000 change order. What it does is it also gets it further away from

the creek which is good and closer to the right-of-way. They received that today and Chief Solomon and Public Works Director Muckleroy have approved that so they are moving forward with the relocation work. They should be done within the next two weeks. It is a pretty quick project once they get going.

For sanitary sewer rehabilitation phase one they are still confirming the quantities. The contractors had multiple project managers switch out so that one has been dragging to get that complete. Sewer rehabilitation phase two. At your December Council meeting you accepted that infrastructure and since then we have received the final pay estimate so those have been sent to Finance Director Carl to process payment.

City Engineer Roznovsky said for Old Plantersville force main extension a couple pay estimates were received. We had a final inspection and are waiting on permanent vegetation. Part of the contract is obviously the seed that the contractor puts down in the fall is very different than the grass that grows in the spring so the contract requires them to come back and reseed with a Bermuda mix in the springtime to actually get full turf establishment put in. They are aware of it and it is on their list. That project is waiting for the Red Bird folks to catch up to be able to connect to it.

Old Plantersville waterline extension is what we talked about with the BNSF permit. Most of that work is complete less the bore of the railroad track and then a lot of clean up work to be done between them and the developer along that project. There were no pay estimates this month.

We talked about your TPDES permit. We did receive the draft permit and expect the final permit finally in our hands in April by the time they based on their normal processing times, but we do not expect from the draft permit to the final permit to change anything that would change the design which is why we had that item earlier today.

On the McCown downtown waterline replacement project, City Engineer Roznovsky does not have a lot of update on this. We have the workshop tomorrow between all parties, all the design teams, and groups to go over the project as a whole budget so we will get into more details at that time.

For the water plant qualifications we expect to bring that to you at your next Council meeting.

We did receive the final pay estimate on the Buffalo Springs project for the roadways. Our three, including the final for the roadways was accepted at your January 14th meeting. We are still working with Home Depot to do a final true-up on that to get those costs covered, but that is also being held up by number 12. The signal is being held up by TxDOT. TxDOT has a 30-day waiting period that ends next Friday before they will officially accept it and turn it over. Mayor Countryman asked so it has not been operating? City Engineer Roznovsky said it has been operating, but they have to complete TxDOT's punch list. It was down to minor things and they did that, then enter the TxDOT's 30-day window, and then TxDOT will officially take it over. We have brought it to you to officially accept it

and TxDOT to accept. It should be not at your next meeting, but the following meeting after that.

City Engineer Roznovsky said the next section is all of your developments that are listed. There are a lot of them and they are in different stages. I will not go into a lot of detail on those unless you have any questions specifically.

City Engineer Roznovsky said on the plat reviews all of those are listed that are ongoing. We have a couple that are outstanding. Montgomery Bend was the one that no action was taken and pushed to a future meeting. We are also still working with MISD on the athletic complex. They are obviously out there in construction, but for the final taps and then things will be done. They presented that and we are just doing some final comments to get that addressed.

For ongoing construction on page six, you will see a couple of photos of what is going on in Hills of Town Creek. All the work in Redbird is still continuing and ongoing.

On the next page at the bottom, is the Flagship Boulevard. As a reminder, we had the one-year warranty back on December 5th. The contractor is addressing punch list items on that project.

City Engineer Roznovsky said for general ongoing activities all the TxDOT coordination is continuing between the different projects. For the SH-105 improvements they are still trying to get a better timeline for TxDOT for the utility relocations. As of right now it is still tentatively left for bidding in September of 2027. For the last couple items we are updating the rate analysis that we discussed, making the changes, and working with a financial advisor to come back with some recommendations on funding mechanisms as well as with Halff specifically regarding the wastewater plant.

City Engineer Roznovsky said on the very last page of your packets you will see an updated development map that shows everything that is ongoing in the City. There are a couple changes since this has been produced. Firestone has started moving dirt on their site which is next to AutoZone. Mayor Countryman asked what is the Lone Star Cowboy Church? City Engineer Roznovsky said they were looking at a building expansion on the back side of the property. Right now there is a gravel lot on the back. They were looking to pave and provide another building. We provided comments because we were concerned about drainage and traffic. As they continue to add spaces and places for people, traffic has already been a concern and this was the first major change so we raised the concern about traffic also. It was a major change they had platted so we asked them to go through the platting process and we have not heard back in a few weeks. Council Member Donaldson asked if that building is going to be near the private road? City Engineer Roznovsky said all the work was going on by that exit.

Mayor Countryman asked if he said Reserves of Mia Lago? We have not heard from them lately? City Engineer Roznovsky said he has not. Mayor Countryman said she thought you had said they have gone silent. City Engineer Roznovsky said heard that the Village of Montgomery right here across the street is looking to move forward, but we have not had any conversation with them. Mayor Countryman said she remembers looking at this map

and there would be four white squares with what was going on and now there are 16 on here.

Motion: Council Member Langley made a motion to approve all departmental reports as presented. Council Member Donaldson seconded the motion. Motion carried with all present voting in favor.

COUNCIL INQUIRY

Mayor Countryman said State of the Precinct is happening January 30th from 5:30 p.m. to 7:30 p.m. at the Lone Star Convention Center given by Commissioner Walker so it would be great to show up for that.

Mayor Countryman also thanked Chief Solomon and staff for getting us a table at the Chamber Gayla this past Saturday. It was a lot of fun. Montgomery showed up and showed out and they made us feel very welcome there and recognizing us there. That was awesome.

Mayor Countryman said there have been a lot of long hours, long work days, and a lot of hard work coming out of here and we see it. She has not had a month that has gone by without a call from someone that is screaming and yelling at her and it has been awesome. Just so you know, the taxpayers see all of your hard work and see a change at City Hall. All of you, I know are not working 8:00 a.m. to 5:00 p.m. We appreciate it and just want to say thank you.

Convene into Executive Session at 6:33 p.m.

Reconvene into Open Session at 7:08 p.m.

EXECUTIVE SESSION

22. 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 – City Administrator Position

B. Section 551.072 Deliberations about Real Property – Potential sale of 777 Clepper

C. Section 551.072 Deliberations about Real Property – Potential property lease/development of 2850 Eva

At 7:35 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 Section 55.074 Personnel Matters – City Administrator Position, Section 551.072 Deliberations about Real Property – Potential sale of 777

Clepper, and Section 551.072 Deliberations about Real Property – Potential property lease/development of 2850 Eva.

23. Open Session

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

A. Section 551.074 Personnel Matters – City Administrator Position

B. Section 551.072 Deliberations about Real Property – Potential sale of 777 Clepper

C. Section 551.072 Deliberations about Real Property – Potential property lease/development of 2850 Eva

At 8:09 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

24. Items to consider for placement on future agendas.

No items to consider for placement on future agendas.

25. Adjourn.

Motion: Mayor Pro-Tem Olson made a motion to adjourn the Regular Meeting of the City of Montgomery at 8:09 p.m. Council Member Donaldson seconded the motion. Motion carried with all present voting in favor.

APPROVED:

Sara Countryman, Mayor

ATTEST:

Ruby Beaven, City Secretary

DRAFT