

The City Council of the City of Willis, Texas convened in regular session via teleconference on the date and time aforesaid, with the following members present:

Leonard Reed, Mayor
Tom Luster, Mayor Pro-Tem
Teresa Herod, Council Member
Barney Stone, Council Member
William Brown, Council Member
Thomas Belinoski, Council Member
Robert Evans, City Manager
Larry Foerster, City Attorney
Marissa Quintanilla, City Secretary
James Nowak, Chief of Police
Taylor Whichard, Director of Public Works
Steven Hill, Director of Community Development
Rachel Kulhavy, Finance Director
Derek Wind, Bleyl Engineering

And the following members absent: none, constituting a quorum at which time the following business was transacted to-wit:

1. Call to order the regular meeting.
2. Roll Call, Pledge of Allegiance, and Invocation
I Pledge Allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all. Honor the Texas Flag. I pledge allegiance to thee Texas; one state under God, one and indivisible.
City Secretary called roll.
Pledges were recited.
Councilman William Brown gave the invocation
3. CITIZENS INQUIRY
 - a. Public Comments
No citizens inquiry
4. CONSENT AGENDA
 - a. Consider the minutes of the previous meetings: May 19, 2020
 - b. Approval of accounts payable
 - c. Approval of financial statements and tax collection reports
 - d. Approval of Willis Police Department Policy 4.5 – Uniforms, Appearance, and Equipment.
 - e. Approval of Willis Police Department Policy 4.10 – Honorably Retired Peace Officers
 - f. Approval of Willis Police Department Policy 4.11 – Support Services for Families of Officers Killed in the Line of Duty
 - g. Approval of Willis Police Department Policy 7.25 – Nalozone
 - h. Approval of Willis Police Department Policy 7.3 – Arrest with and without a Warrant
Mayor asked for questions or comments on the consent agenda. None were received. Mayor and Council approved the consent agenda by unanimous consent.

5. ORDINANCES

Second Reading

- a. Consider approval of an ordinance by the City of Willis continuing the Juvenile Curfew Ordinance

Mayor asked for any questions or comments. None were received. Motion was made by Tom Luster to approve an ordinance by the City of Willis continuing the Juvenile Curfew Ordinance. William Brown seconded the motion. Motion passed unanimously.

6. NEW BUSINESS

- a. Consider approval of the audit for year-end September 30, 2019.

Mike Brooks of BrooksWatson & Co present the Council with the Audit for year-end September 30, 2019. Mr. Brooks stated the audit was performed in accordance with Generally Accepted Auditing Standards (GAAS). The audit was a risk-based approach in which they identified potential areas of risk that could lead to material misstatement of the financial statements. They tailored their audit programs and resources to specifically address areas of risk in revenue recognition and related receivables, capital projects, purchasing and compliance with bidding procedures, payables, accrued liabilities, and expenditures. Mr. Brooks stated the City received an unmodified opinion which is the highest level of assurance. Mr. Brooks stated governmental funds revenues for FY 19 totaled \$5,266,351, an increase of \$255,448 or 5%. Property tax increased \$300,008 due to an increased property tax rate and appraised values. Permit and code enforcement decreased \$81,840 due to development in the prior year. Intergovernmental decreased \$56,373 primarily due to nonrecurring grant revenue in the prior year. Mr. Brooks stated governmental funds expenditures for FY19 totaled \$4,451,439, an increase of \$274, 830 or 7%. Mr. Brooks stated that general government expenditures increased \$170,542 or 30% primarily due to additional salary and wages. Public safety decreased by \$53,850 due to vehicle and equipment purchases in the prior year, and changes in debt service are in line with bond issuances and corresponding service schedules and the consolidation of the EDC with the general fund. Mr. Brooks stated overall the fund balance of the governmental funds increased by \$2,102,452, this was primarily due to the transfer of the EDC net assets resulting in a onetime increase in fund balance of \$1,235,818, the general fund balance increased \$826,582 before the EDC transfer, the unassigned fund balance of the general fund was \$3,298,759 or 79% of total general fund expenditures. Operating revenues increased by \$208,432 due to an increase in the City's customer base resulting in greater consumption, operating expenses decreased by \$15,943, and proprietary fund net position increased by \$589,557 during the fiscal year. Mr. Brooks stated that overall, the audit went smoothly. Mayor asked for questions or comments. Motion was made by Thomas Belinoski to approve the audit for year-end September 30, 2019. Barney Stone seconded the motion. Motion passed unanimously.

- b. Consider approval of Change Order 7 for the Waste Water Treatment Plant Expansion.

Derek Wind stated that these are field orders, which are changes with in the contingency fund previously approved by the Council, so the contract amount is not changing. Mr. Wind stated that field order number 7 includes a deduct for the rerouting the sludge line that was not needed, and previous change orders where they had to excavate sludge that was found underground underneath the unit, as well as adding drain lines to all the units, they are requesting a additional day. Mayor asked for questions. None were received. Motion was made by Thomas Belinoski to approve Change Order 7 for the Waste Water Treatment Plant Expansion. Tom Luster seconded the motion. Motion passed unanimously.

- c. Consider approval of Change Order 8 for the Waste Water Treatment Plant Expansion.

Mr. Wind stated this was field order number 8, two items included which increased the cost which would be taken out of the contingency funds. Mr. Wind stated the first item being a change to the bar screen at the headworks at the plant. Mr. Wind stated that based on the application they found that a larger spacing was needed to be able to do proper screen, but not impede the flow. Mr. Wind

stated that the second item, they did not originally include removing the return activated sludge pumps, which are set between the clarifiers and the large oxidation ditch on the site. Mr. Wind stated that they don't actually need to be removed to construct the new items, but after speaking with City staff they decided to go ahead and remove those items as part of this project instead of having to do it later. Mayor asked for questions. Mr. Wind stated that the total price of this field order was \$8,136. Mayor asked how much would be left in the cash allowance after this field order. Mr. Wind stated about \$30,000. Mayor asked what the projected end date was for this project. Mr. Wind stated October. Motion was made by Barney Stone to approve changer order number 8 for the Waste Water Treatment Plant. Thomas Belinoski seconded the motion. Mayor asked for any questions or discussion. No questions or discussion was received. Motion passed unanimously.

- d. Discuss and consider approval of Willis Police Department Policy 2.6 Accident and injury Prevention, or Policy 3.7 Policy on Safety and Accidents.

Chief Nowak stated this Policy 2.6 was written to meet the standards, but would put it in conflict with City policy. Chief Nowak stated that he spoke with City attorney and felt it was better to have just one overarching policy, so he rewrote the current City policy to meet the standards. Chief Nowak stated that Council could approve both or either, but would prefer City policy 3.7 and refer to it. Mayor asked for questions. Councilman Belinoski asked if there is an accident involving a police vehicle, does an outside agency handle the investigation. Chief Nowak stated correct if it's a police vehicle involved in an accident DPS is called. Motion was made by Barney Stone to approve Policy 3.7 – Policy on Safety and Accidents. Thomas Belinoski seconded the motion. Motion passed unanimously.

- e. Cast ballot for the Montgomery County Emergency Communication District Board of Managers. No votes were cast for the nominees.

- f. Consider approval of appointments to the Willis Community Development Corporation for terms expiring.

Marissa Quintanilla stated that she had spoken with the Board members whose terms were to expire, and all agreed to serve another term. Motion was made by Barney Stone to approve the reappointment of Sonda Toliver, Sharon Luster and Teresa Herod to the Willis Community Development Corporation Board. William Brown Seconded the motion. Mayor asked for questions or discussion. None was received. Motion passed unanimously.

- g. Consider approval of setting a joint public hearing with the Planning and Zoning Commission on July 21, 2020 at 5:30 p.m. to hear public comments on the proposed re-plat of Caliber Subdivision in the G. W. Lonis Survey.

Steve Hill stated that the Planning and Zoning Commission had already discussed this at their meeting. Motion was made by William Brown to approve setting a joint public hearing with the Planning and Zoning Commission on July 21, 2020 at 5:30 p.m. to hear public comments on the proposed re-plat of Caliber Subdivision in the G. W. Lonis Survey. Tom Luster seconded the motion. Motion passed unanimously.

- h. Elect Mayor Pro-Tem

Mayor asked for any volunteers. Thomas Belinoski stated he would serve as Mayor Pro-Tem. Mayor asked for objection to elect Thomas Belinoski as Mayor Pro-Tem by unanimous consent. No objections were heard. Thomas Belinoski was elected Mayor Pro-Tem by unanimous consent.

7. REPORTS

Input from Council related to issues for possible inclusion on future agendas; related to issues such as (but not limited to) municipal projects, personnel, public property, development, and other city/public business.

Council Barney Stone, asked if there were any plans to put street lights on North Danville and Highway

where they made the new intersection. Robert Evans stated that would be TxDOT, but would find out.

a. Engineer's report

1. WWTP rehabilitation and expansion

MR. Wind stated that the project was progressing well. Mr. Wind stated that the drying bed in now ready for use, they are working on MCC and Chemical buildings. Mr. Wind stated that it should be in July when they are able to switch the plant over and start doing the other parts of the plant. Mr. Wind stated the projected completion date would be the fall of this year close to October.

2. Utility Extension on SH 75 North

Mr. Wind stated it is mostly complete except the lift station. Mr. Wind stated that all utilities are complete and pumps are installed. Contractor is working on SCADA, SCADA submittal will take 6 weeks, and installation another 12 weeks. The final walkthrough will not be held until lift station SCADA is installed.

3. 2016 CDBG Drainage Culvert Lining

Mr. Wind stated that this project was about 50% complete, and is a 30-day project, to be completed by the end of June and are on scheduled. Mr. Wind stated that a meeting was held with Public Management and City staff, and based off the meeting they have identified several storm drains and inlets and drainage projects along the same area to try to apply the remain funds that are available. Public Management will submit to the GLO to get approval to proceed with design. Mr. Wind stated that City has until March 2021 to complete.

b. City Manager's report

1. Budget Process

Mr. Evans stated the budget process was on schedule and would be having a budget workshop on June 30, 2020 with Council.

2. Sale tax

Mr. Evans stated the State of Texas did get a drastic drop, but not the City. Mr. Evans stated we had a 10% increase compared to last year.

3. City of Conroe billing for Wastewater Treatment Plant

Mr. Evans stated that have asked Conroe what they really want in regards to back payment when the billing was wrong, and for any type of agreement in the future.

4. Splashpad at Martin Luther King Park

Mr. Evans stated that the splash pad is functional and would like to entertain discussion from the Council as far as rules and policy. Mayor stated he would like it open this week, but asked how it would affect the drainage project. Mr. Wind stated that the lining project the pipe has to stay dry in order for the cement lining to cure, and since the splash pad ties into the storm drain there would be conflict of being open to open the splash pad.

5. Remote Meetings

Mr. Evans stated everyone would like to have in person meetings again, and we are allowed, but there have been some cases in person meetings have resulted in the spread of the virus. Mr. Evans stated that unless we are not getting something done remotely, he recommended staying remote. Mayor asked if Council could do the meetings at City Hall remotely in different offices. Mr. Evans stated that we could. Mayor asked if City Hall was open for customers to come in, Mr. Evans stated it was not, but would get a policy written before opening up.

8. EXECUTIVE SESSION

a. Convene into closed executive session under the Texas Open Meetings Act to confer with city attorney on confidential matters (Texas Government Code Section 551.071) and to deliberate on economic development negotiations (Texas Government Code Section 551.087).

1. Development Agreement with MRSS Partners, Ltd.

Mayor closed open session at 6:37 p.m. and stated they would convene in closed executive session at 6:40 p.m.

- b. Reconvene into open session and take action if necessary, on items discussed in executive session. Mayor and Council reconvened in open session at 7:10 p.m. Mayor asked if there was any action coming out of executive session. Motion was made by Thomas Belinoski to approve entering into a development agreement with MRSS Partners, Ltd. Barney Stone seconded the motion. Mayor asked for questions or discussion. None was received. Motion passed unanimously.

9. ADJOURN

Motion was made by Thomas Belinoski to adjourn. Tom Luster seconded the motion. Motion passed unanimously. The meeting adjourned at 7:12 p.m.

Leonard Reed, Mayor

Marissa Quintanilla, City Secretary