

Willis, Texas  
August 20, 2019  
5:30 p.m.

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

Leonard Reed, Mayor  
Tom Luster, Mayor Pro-Tem  
Tamara Young Hector, Council Member  
Barney Stone, Council Member  
Thomas Belinoski, Council Member  
William Brown, Council Member  
Robert Evans, City Manager  
Larry Foerster, City Attorney  
Marissa Quintanilla, City Secretary  
Pat Riley, Director of Public Works  
James Nowak, Police Chief  
Christina Dahse, Court Administrator  
Steven Hill, Director of Community Development

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.  
Mayor called the meeting to order at 5:30 p.m.
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.  
Mayor called roll.  
Pledges were recited.  
Councilman Brown gave the invocation.
3. PUBLIC HEARING
  - a. Public Hearing on FY 2018-2019 Budget  
Mr. Evans stated the FY 2018-2019 budget was a conservative and balanced budget. No one came forward with comments on the budget.
  - b. Public Hearing on proposed second amendment to the Willis Tax Increment Reinvestment Zone Number One Project Plan and Financing Plan  
Scott Bean briefed the Council on the amendments made to the TIRZ project plan and financing plan. Mr. Bean stated that purpose of the second amendment was to add and adjust a few costs necessary to accommodate the Moran Ranch project in the future, mainly the I-45 frontage road and a wastewater treatment plant expansion. Mr. Bean stated that the cost was lowered from the original plan. Mr. Bean stated that the TIRZ Board had approved the plan and recommend approval by the City Council. Mayor asked for questions. None were received. No one came forward with comments. The public hearing closed at 5:35 p.m.
4. CITIZENS INQUIRY
  - a. Introduction of New Employee  
Chief Nowak introduced new Office Daniel Beltran to the Council. Mr. Beltran thank the Council for the opportunity to work for the City of Willis.

## 5. CONSENT AGENDA

- a. Consider the minutes of the previous meetings: July 2, 2019; July 15, 2019; July 16, 2019; July 18, 2019; July 22, 2019
- b. Approval of accounts payable
- c. Approval of financial statements and tax collection reports
- d. Approval of Willis Police Department Policy 4.7 Grievance Procedure
- e. Approval of Willis Police Department Policy 10.1 Consular Notification
- f. Consider and accept excess collections for 2018 debt service and certification for debt service collection rate for 2019-2020

Mayor asked for any questions or comments on the consent agenda, or if any items needed to be considered separately. No questions or comments were received. Mayor and Council approved the consent agenda by unanimous consent.

## 6. ORDINANCES

### Second Reading

- a. An ordinance adding Section 155.073 to Chapter 155, "Zoning Code" of the City Code of Ordinances; adopting electrical, mechanical, plumbing, and administration permit and inspection fee schedules for all residential and commercial buildings and structures.

Mayor read the following caption: AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WILLIS, TEXAS, BY ADDING SECTION 155.073 TO CHAPTER 155, "ZONING CODE" OF THE CITY CODE OF ORDINANCES; ADOPTING ELECTRICAL, MECHANICAL, PLUMBING, AND ADMINISTRATION PERMIT AND INSPECTION FEE SCHEDULES FOR ALL RESIDENTIAL AND COMMERCIAL BUILDINGS AND STRUCTURES; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A TEXAS OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION. Motion was made by Thomas Belinoski to approve an ordinance adding Section 155.073 to Chapter 155, "Zoning Code" of the City Code of Ordinances; adopting electrical, mechanical, plumbing, and administration permit and inspection fee schedules for all residential and commercial buildings and structures. Barney Stone seconded the motion. Motion passed unanimously.

- b. An ordinance amending the manufactured home fee schedule in appendix "a" to Chapter 151 "manufactured Homes" of the Willis City Code of Ordinances.

Mayor read the following caption: AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WILLIS, TEXAS, BY AMENDING THE MANUFACTURED HOME FEE SCHEDULE IN APPENDIX "A" TO CHAPTER 151, "MANUFACTURED HOMES" OF THE WILLIS CITY CODE OF ORDINANCES; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A TEXAS OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION. Motion was made by Tamara Young-Hector to approve an ordinance amending the manufactured home fee schedule in appendix "a" to Chapter 151 "Manufactured Homes" of the Willis City Code of Ordinances. William Brown seconded the motion. Motion passed unanimously.

- c. An ordinance adding Section 154.49 to Chapter 154, "Subdivision Regulations" of the City Code of Ordinances; adopting City fees for subdivision plans and plat filings.

Mayor read the following caption: AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF WILLIS, TEXAS, ADDING SECTION 154.49 TO CHAPTER 154, "SUBDIVISION REGULATIONS" OF THE CITY CODE OF ORDINANCES; ADOPTING CITY FEES FOR SUBDIVISION PLANS AND PLAT FILINGS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS

CLAUSE; PROVIDING A TEXAS OPEN MEETINGS CLAUSE; AND PROVIDING ANEFFECTIVE DATE AFTER PUBLICATION. Motion was made by Thomas Belinoski to approve an ordinance adding Section 154.49 to Chapter 154, "Subdivision Regulations" of the City Code of Ordinances; adopting City fees for subdivision plans and plat filings. Tom Luster seconded the motion. Motion passed unanimously.

## 7. NEW BUSINESS

- a. Consider approval of second amendment to the Willis Tax Increment Reinvestment Zone Number One Project Plan and Financing Plan.

Mayor stated that the public hearing earlier was on this item. Mayor asked for any questions. None were received. William Brown made a motion to approve the second amendment to the Willis Tax Increment Reinvestment Zone Number One Project Plan and Financing Plan. Thomas Belinoski seconded the motion. Motion passed unanimously.

- b. Presentation by John Bleyl on considering approval of a resolution opposing the inclusion of the 2010-Desired Future Conditions (DFC) in the Groundwater Management Plan of the Lone Star Groundwater Conservation District.

John Bleyl stated that resolution was sent from Lone Star Ground Water Conservation District asking for support in not using the 2010-DFC as part of their management plan. Mr. Bleyl stated that the DFC modeling is done to give a 50 year look at the future to see how aquifers respond to ground water pumping. Mr. Bleyl stated that over time the demand increases, water level change. Mr. Bleyl stated that the rules that were in place to require reduction in ground water pumping were declared in valid and unenforceable by a district judge in Montgomery County. Mr. Bleyl stated that the newly elected board for LSGCD is working on new rules and part of the management plan they have to do new modeling with new rules to see what the DFC would be. The Water Development Board has recommended that they go back to the 2010-DFC, and the LSGCD board does not agree with that recommendation because the old rules are no longer enforceable.

Motion was made by Tamara Young-Hector to approve a resolution opposing the inclusion of the 2010-DFC in the Groundwater Management Plan of the Lone Star Groundwater Conservation District. Thomas Belinoski seconded the motion. Mayor asked for questions. None were received. Motion passed unanimously.

- c. Consider approval of a resolution appointing representatives to serve on the Conroe-The Woodlands Urbanized Area Mobility Committee.

Hector Forestier stated the UZA Board is composed of two major cities, Conroe and the Woodlands, and the third is smaller cities. Mr. Forestier stated that when he announced his retirement, the two elected officials asked if Kathie Reyer could sit on the board. Mr. Forestier stated that the Mayor of Oak Ridge North also sat on the board planned to retire also and board suggested adding Mayor Ritch Wheeler. Motion was made by Thomas Belinoski to approve a resolution appointing Kathy Reyer and Ritch Wheeler as representatives to serve on the Conroe-The Woodlands Urbanized Area Mobility Committee. Tamara Young-Hector seconded the motion. Mayor asked for questions. None were received. Motion passed unanimously.

- d. Consider approval of a development agreement with Big Tin RV Park.

Pat Riley stated that the development wants to develop a site out on FM 2432 East. Mr. Riley stated that it was not in the city limits, but is in the ETJ, and are wanting to tie into the city utilities. Mr. Riley stated that they are going to have to extend and upsize the water line down to their property, and that they are wanting to put in a private sewer system which would consist of a lift station and force main. Mr. Riley stated that the sewer system would be theirs to take care of the water line will be in a public easement so they would want to turn that over to the City, for the City to use and maintain. Mr. Riley stated that they are wanting to put in a RV Park. Mr. Riley stated that we required them to do a sanitary sewer feasibility study which shows that the

current City infrastructure can handle the added load. Mr. Riley stated that the developer has agreed to develop the RV Park in accordance with the standards and regulations set out by the City. Mayor asked for questions. None were received. Motion was made by Thomas Belinoski to approve a development agreement with Big Tin RV Park. Tom Luster seconded the motion. Motion passed unanimously.

- e. Consider approval of a change order for the Wastewater Treatment Plant Expansion for removal of sludge under main structure.

Mr. Riley stated that while doing construction at the wastewater treatment plant, contractors were digging and found sludge buried. Mr. Riley stated that it was not a large amount, and does not know when it was buried or how long ago. Mr. Riley stated that the contractors were able to put the sludge in our basins and was hauled off the landfill. Mr. Riley stated that the contractors were able to put down stabilizing sand to continue construction. Mr. Riley stated that this would not change the amount of the contract due to the project having a built-in cash contingency for items like this. Mr. Riley stated the amount of the order was for \$8,913 and staff recommended approval. Mayor asked for questions. None were received. Motion was made by William Brown to approve a change order for the Wastewater Treatment Plant Expansion for the removal of sludge. Tamara Young-Hector seconded the motion. Motion passed unanimously.

- f. Consider approving the sale from Willis ISD of a 0.658-acre tract of property, including a portion of Philpot Street and property along Philpot Street, for the purchase price of \$23,030.

Larry Foerster stated that he had asked Tony Belinoski, the Chief Appraiser for an appraisal of a piece of property that includes a portion of Philpot Street. Mr. Foerster stated that it was discovered sometime ago that this area was acquired by Willis I.S.D. back in the 1920's. Mr. Foerster stated that he's gone back and forth with the school attorney, and superintendent on how to best handle this. Mr. Foerster stated that their request was that they be paid the appraised value. Mr. Foerster stated that appraised value was \$23,030. Mr. Foerster stated that the funds to pay for this would be coming from the Willis Community Development Board. Mayor asked for questions. None were received. Motion was made by Barney Stone to approve the purchase of a 0.658-acre tract of property, including a portion of Philpot Street and property along Philpot Street, for the purchase price of \$23,030. Tamara Young-Hector seconded the motion. Barney Stone, Tamara Young-Hector, Tom Luster, and William Brown voted for the motion; Thomas Belinoski abstained. Motion carries.

- g. Consider approval of appointments to the Willis Community Development Corporation Board to fill vacancies.

Mayor Reed stated he'd like to appoint Lisa Toliver and Teresa Herrod to the vacant seats on the Willis Community Development Corporation Board. Motion was made by Thomas Belinoski to appoint Lisa Toliver and Teresa Herrod to the Willis Community Development Corporation Board. William Brown seconded the motion. Motion passed unanimously.

- h. Consider approval of the removal and addition of signatures on all financial and bank accounts.

Mr. Evans stated this was to remove Rick Valdez and Hector Forestier from all financial and bank accounts and add his signature. Motion was made by Barney Stone to approve the removal of Rick Valdez and Hector Forestier signature's form all financial and bank accounts. Tom Luster seconded the motion. Motion passed unanimously.

- i. Discussion on the budget for FY 2019-2020.

Robert Evans stated that we have informed the county that the budget will be passed on September 17, 2019.

Rick Valdez stated the budget was a conservative budget. Mr. Valdez stated the revenues are conservative according to the tax rate that will be approve at the September meeting. Thomas Belinoski asked about the sales tax. Mr. Valdez stated we saw an increase this past quarter,

possible due to no school for the summer. Mr. Valdez stated that we did see a reduction last month due to a back payment that needed to be done. Mayor asked how our reserve fund was. Mr. Valdez stated that according to the auditor we have 1.2 million in reserves for general and utilities purposes.

## 8. 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.

### a. Engineer's report

#### 1. Update on the Wastewater Treatment Plant construction

Derek Wind stated the WWTP was making good progress and is on schedule. Mayor asked what we were expanding the plant too, Mr. Wind stated that it was at 800,000 gallons per day and is being expanded to right under a million gallons.

#### 2. Update on the utilities going north on Highway 75

Mr. Wind stated that the contractor has mobilized and have started doing some clearing. Mr. Wind stated that they have not started any excavation or putting any pipe in. Mr. Wind stated should see in the next month or so more progress. Mayor asked if there was any news on Circle K. Mr. Wind stated that there have been continual attempts to try and reach them but no contact yet.

### b. City Manager's report and updates

#### 1. TML Region 14 Fall Meeting August 23-24, 2019

Mr. Evans reminded the Council of the TML Region 14 Fall meeting on August 23-24.

#### 2. TML Annual Conference October 9-11, 2019

Mr. Evans reminded the Council of the TML Annual Conference on October 9-11.

## 9. EXECUTIVE SESSION

### a. Convene into closed executive session under Section 551.087 (Economic Development), Section 551.074 (Personnel Matters), and Section 551.071 (Consultation with Attorney) of the Texas Government Code to:

#### 1. Economic Development negotiations

#### 2. Personnel Matters – Employee Grievance Appeal

#### 3. Consult with City Attorney about litigation matters

Mayor and Council closed open session at 6:08 p.m. to convene into closed executive session.

### b. Reconvene into open session and take action if necessary, on matters deliberated upon in closed executive session.

Mayor and Council reconvened into open session at 8:15 p.m.

#### 1. Consider approval of Chapter 552 Agreement with MRSS Partners, L.P. for municipal utility district public improvements

Motion was made by Thomas Belinoski to approve a 552 agreement with MRSS Partners, L.P. for municipal utility district public improvements. Barney Stone seconded the motion. Motion passed unanimously.

#### 2. Consider action on personnel matter

Motion was made by William Brown to give Ira Toliver the option to resign, or to be reinstated with backpay minus 30-day suspension without pay with a six-month probation period. Barney Stone seconded the motion. Motion passed unanimously.

## 10. ADJOURN

Motion was made by Tamara Young-Hector to adjourn. William Brown seconded the motion. Motion passed unanimously. The meeting adjourned at 8:18 p.m.

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Leonard Reed, Mayor

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Marissa Quintanilla, City Secretary