

Willis, Texas
March 21, 2017
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
Thomas Belinoski, Mayor Pro-Tem
John Lovelady, Council Member
Thomas Luster, Council Member
Tamara Young-Hector, Council Member
Bill Van Alstyne, Council Member
Hector Forestier, City Manager
Larry Forestier, City Attorney
Marissa Quintanilla, City Secretary
Alton Nelson, Lieutenant
Pat Riley, Public Works Director
John Mangiameli, Director of Community Development
Rick Valdez, Director of Finance

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.
The 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.
John Lovelady said the invocation.
3. PUBLIC HEARING
 - a. Hear citizens and property owners on an abandoned, unsecured and substandard structure located at 7581 County Line Road, Lonis Geo W, Tract 77-B and take action deemed necessary.
John Mangiameli stated that Debra Rips with ND& D Interest was present. Mr. Mangiameli stated that this property was damaged during the storms last year. Mr. Mangiameli stated a tree came down right on the mobile home and that the other mobile home on the property had been vandalized. Mr. Mangiameli stated this mobile home could be salvageable. Mr. Mangiameli stated the recommendation was for the mobile home that the tree fell on be demolished following the 30 day waiting period, and the salvageable mobile home be boarded and secured. Motion was made by Thomas Belinoski to tear down or remove the mobile home that the tree fell through following the 30 day statutory waiting period. Tamara Young-Hector seconded the motion. Mayor called for questions. None were received. Motion passed unanimously.
 - b. Hear citizens and property owners on an abandoned, unsecured and substandard structure located at 517 Young, Block 8, Lot 16 Bates 01 and take action deemed necessary.

Mr. Mangiameli stated that this was an old structure which was occupied until recently. Mr. Mangiameli stated that Bonita DeRosa had spoken with the son of the gentleman who had been living in the home and expressed that he wanted to demolish the structure, but nothing had been done yet. Mr. Mangiameli stated the recommendation was to demolish the structure following the 30 day waiting period. Motion was made by Tamara Young-Hector to demolish the structure at 517 Young street following the 30 day statutory waiting period. Thomas Belinoski seconded the motion. Mayor called for questions. None were received. Motion passed unanimously. Mayor closed the public hearing at 5:40 p.m.

4. CITIZENS INQUIRY

- a. Update from Randy Johnson, of Montgomery County Hospital District
Randy Johnson gave the council an update on the Montgomery County Hospital District. Mr. Johnson stated that in January they received a quality accreditation called CAAS. Mr. Johnson stated that CAAS is a survey that looks to make sure they are providing quality and appropriate services. Mr. Johnson stated there was no negative findings and ranked in the top five. Mr. Johnson gave the council commemorative coins.

5. CONSENT AGENDA

- a. Consider the minutes of the previous meeting; February 21, 2017
- b. Approval of accounts payable.
- c. Approval of financial statements and tax collection report.
- d. Approval of City of Willis Purchasing Policy
- e. Approval of Personnel Policy Section 3.2 Policy on Responsibility for City Equipment and Vehicles.
Mayor called for questions or comments on the consent agenda. None were received. Mayor and council approved items 4a – 4f by unanimous consent.

6. ORDINANCES

First and Final Reading

- a. Discuss and Consider adoption of an ordinance authorizing publication of notice of intention to issue up to \$9,800,000 City of Willis, Texas Tax and Revenue Certificates of Obligation, Series 2017.
The Mayor read the following caption, “ORDINANCE AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE UP TO \$9,800,000 CITY OF WILLIS, TEXAS TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2017” Motion was made by Tamara Young-Hector to approve an ordinance authorizing publication of notice of intention to issue up to \$9,800,000 City of Willis, Texas Tax and Revenue Certificates of Obligation, Series 2017. John Lovelady seconded the motion. Mayor called for questions. None were received. Motion passed unanimously.

7. EXECUTIVE SESSION

- a. Convene into closed executive session to discuss certain matters related to economic development negotiations in the City as authorized by Section 551.087 of the Texas Government Code.
 - i. Caldwell Property Development
Mayor and council convened into closed executive session at 5:53 p.m.
- b. Reconvene into open session to take action, if necessary, on matters discussed in closed executive session.
Mayor and council reconvened into open session at 6:56 p.m. No action was taken.

8. NEW BUSINESS

- a. Consider approving a resolution supporting special legislation granting road powers to Montgomery County MUD 100 and Montgomery County MUD 101.

Larry Forester stated this was a request from Tim Fitzpatrick, and Peter Barnhart representatives of the Caldwell Property Development regarding MUD 100 and MUD 101 road powers. Mr. Fitzpatrick stated that MUD 100 and 101 had been created by the state legislature, but had not been created with road powers. Mayor asked them to explain road powers to the council. Mr. Fitzpatrick stated that a traditional MUD District allows the developer over time as they create value get reimbursed for water, sewer, drainage, and major thoroughfares, road powers allows will allow for this reimbursement. Motion was made by Thomas Belinoski to approve a resolution supporting special legislation granting road powers to Montgomery County MUD 100 and Montgomery County MUD 101. Thomas Luster seconded the motion. Mayor called for questions none were received. Motion passed unanimously.

- b. Consider and take action on a resolution cancelling the May 6, 2017 city general election. Mr. Forestier stated John Lovelady had not run for re-election, but Johnnie Stone had signed up for his position. Mr. Forestier stated that the positions of Mayor and Council were uncontested. Motion was made by Thomas Belinoski to approve a resolution cancelling the May 6, 2017 city general election. Tamara Young-Hector seconded the motion. Mayor called for questions. None were received. Motion passed unanimously.

- c. Consider and take action on a resolution against Senate Bill 2.

Mr. Forestier stated that Senator Bettancourt of Houston has proposed Senate Bill 2 reducing the percentage amount that a city can increase on ad valorem tax from 8% to 4%. Larry Foerster stated that they passed this 18 to 12 and is out of senate. Motion was made by Tamara Young-Hector to approve a resolution against Senate Bill 2 upon changing from Senator Robert Nichols to Representative Will Metcalf. Thomas Belinoski seconded the motion. Mayor called for questions. None were received. Motion passed unanimously.

Mr. Fitzpatrick of Caldwell Property Development stated that there were two resolutions, one for the consent of the MUD's and one for the consent of road powers. Mr. Forester stated that the only resolution the city received was the one on the road powers. Mr. Forester stated on the consent of the MUD's no action had been taken and there had only been one reading. Mr. Forester stated that the concern the Mayor had was that this item was not specifically on the agenda therefore no action could not be taken at this meeting.

- d. Consider and approve appointments to the Willis Economic Development Corporation for terms expiring.

Motion was made by Thomas Belinoski to approve appointments of Anthony Williams, and Nancy Petrus to the Willis Economic Development Corporation for terms expiring. John Lovelady seconded the motion. Mayor called for questions. None were received. Motion passed unanimously.

- e. Consider and approve appointments to the Willis Community Development Corporation for terms expiring.

Motion was made by John Lovelady to approve the appointments of Lorrinda Bishop, Yolanda Harris, Tamara Young-Hector, and Mary Reed to the Willis Community

Development Corporation for terms expiring. Thomas Luster seconded the motion. Mayor called for questions. None were received. Motion passed unanimously.

- f. Consider approval of accepting a 10' utility easement from Ameritex.
Mr. Forestier stated that when the city extended the water and sewer lines going east on FM 1097 the city had an agreement with Ameritex for them to provide an easement for a lift station, and this would be a utility easement for water. Mr. Foerster stated this was a connection from the road out towards their property. Pat Riley stated that they had plans to put in a 4" water line from the road to their facility, and they ended up putting in a 6" water line for a fire hydrant on their property. Mr. Riley stated that the 6" line reduces down to a 4" at the fire hydrant where they want to set the meter, in order for the City to have a meter inside of our easement they were willing to give the City the easement up to the 4" water line. Motion was made by Thomas Belinoski to accept a 10' utility easement from Ameritex. Thomas Luster seconded the motion. Mayor called for questions. Mayor asked if the City inspected the line when it was put in. Mr. Riley stated that they put the line in according to the City's specifications. Motion passed unanimously.
- g. Consider and take action on accepting bids for Lot 8, Block 3, Bates Addition of the City of Willis.
Motion was made by John Lovelady to table item g for further discussion. Tamara Young-Hector seconded the motion. Motion passed unanimously.
- h. Consider approval of a street closure on Thomason Street between Watson and Worsham for Family Faith Church on April 16, 2017 from 8:00 a.m. until 3:00 p.m. for its annual Easter Extravaganza.
Mr. Forestier stated this was an annual request from the Family Faith Church for their Easter Celebration. Motion was made by Tamara Young-Hector to approve a street closure on Thomason Street between Watson and Worsham for Family Faith Church on April 16, 2017 from 8:00 a.m. until 3:00 p.m. for their annual Easter Extravaganza. John Lovelady seconded the motion. Motion passed unanimously.

Thomas Belinoski asked if item (a) needed to be amended. Mayor stated that it could not be amended because it was not an item on the agenda. The agenda item was to approve road powers, and no action could be taken. Mr. Foerster stated it was a mistake on our part, and thought that the resolution that was submitted included everything, and if we had realized that it didn't we would have added it. The resolution does suggest that the city supports the special legislative by granting the road powers. Mayor asked Mr. Foerster what his recommendation was. Mr. Foerster stated that he felt comfortable with the council approving the legislation, if not it would have to be postponed until the next council meeting. Mayor stated that he did not know what council wanted to do, but if council wanted to move forward with that item he would recuse himself and let the Mayor Pro-Tem handle that item. Council decided to wait till April's council meeting.

9. 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.

Tamara Young-Hector reminded council of the TML Region 14 Meeting on April 20, 2017 at Bobs Steak and Chop House at 6:00 p.m.

John Lovelady stated that he'd like to see residents have their address on their home. Mr. Forestier stated that he'd would talk to Chip VanSteenberg with 911 about this.

Bill Van Alstyne stated that he feels that the FM 1097 project is lagging and is affecting the businesses located in that area.

a. Engineer's report

i. West Side Loop – TX Dot update

Mike Mathena stated that the West Side Loop is done and open and the feeder road is being restriped. Mr. Mathena stated they would like to do a traffic count before school is over but will have to work with TX Dots time table.

ii. Paving Projects

Mr. Mathena stated that Miners is packing up and moving out, and will be working with TX Dot on the steep drop off on Paddock and FM 1097 East.

iii. Water and Sewer Rate Study

Mr. Mathena showed the council a spreadsheet of all the City's expenses for the water and sewer. Mr. Mathena went over the spreadsheet with council. Mr. Mathena stated that the Willis Alternative Source of Water (WASW) is a line item that covers the Catahoula wells expenses. Mr. Mathena stated that the city issued debt to drill the Catahoula wells and the WASW line item covers this debt. Mr. Mathena stated the annual debt payments were around \$230,000 a year, and charge customers around \$2.28 per thousand gallons of water usage, which generates an estimated revenue of about \$460,000, which means the city will have an estimated \$200,000 to \$230,000 in excess and recommend that money be used for future improvement on the Catahoula wells. Mr. Mathena stated the Lone Star Ground Water Conservation District (LSGCD) projected about \$2,300 dollar short fall, however this is just a function on how much water the city buys and sells. Mr. Mathena stated that the WASW and LSGCD were not included in the rate projections. Mr. Mathena stated that the 8.45 million in certificates of obligation that is being proposed for the sewer plant, which includes rehabbing the plant, expanding the plant by a quarter million gallons a day that debt service is about \$562,000 a year, which may fluctuate based on the interest rates we get on the certificates on obligation. Mr. Mathena stated that a total expense on the water and sewer side would be about 2.6 million dollars, Mr. Mathena stated this was debt and operations and maintenance cost. Mr. Mathena stated that based on the water being sold in the city, the cost per thousand gallons of water pumped is \$10.90. Mr. Mathena stated this covers water and sewer. Mr. Mathena stated that what is being proposed is a rate structure that will generate about 2.8 million dollars. Mr. Mathena stated that the rate structure proposed is to increase the base rate to \$21.25 which is an increase of about \$3.00 and still maintains the first 3,000 gallons, between 3,000 and 8,000 gallons recommending a charge of \$5.45 per thousand gallons, anything over 14,000 thousand gallons would be a charge of \$5.95, and anything over 25,000 gallons would be a charge of \$6.45, these would be inside city residential and commercial rates. Mr. Mathena stated that outside rates would be doubled. Mr. Forestier stated that no action would be taken on this, this was part of the budget process and once the money is issued to expand the sewer plant it would be put into an ordinance and approved along with the budget.

b. City Manager's report

i. Mobilitie Agreement

Mr. Foerster stated that they received notice from TML that there had been a ruling or a proposal by the Administrative Law Judges urging the Texas Public Utility Commission to mandate that certain wireless telecommunication companies are entitled free use of our city right of ways. Mr. Foerster stated that

as of now the city receives under franchise agreement certain fees from telephone, cable and so forth. Mr. Foerster stated that there certain companies that are arguing that under local government code 283 they are entitled to free use of the city right of ways. Mr. Foerster stated that this is still in litigation and will continue to monitor this, but expects that Mobilitie will be coming back to city with this request. Mr. Foerster stated that there is a bill that TML is pushing that would require companies to pay more than more money than they are paying now.

- ii. Trash-Off March 25, 2017
Mr. Forestier reminded council of the Trash-Off on March 25, 2017 at 7:00 a.m. to 3:30 p.m.
- iii. Entergy LED Light Options
Pat Riley goes over the LED light options for the West Side Loop.

10. ADJOURN

Motion was made by Thomas Luster to adjourn. John Lovelady seconded the motion. Motion passed unanimously. The meeting adjourned at 7:57 p.m.

Leonard Reed, Mayor

Marissa Quintanilla, City Secretary