

Willis, Texas
December 13, 2016
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 Foerster, City Attorney
Marissa Quintanilla, City Secretary
James Nowak, Police Chief
Pat Riley, Public Works Director
John Mangiameli, Director of Community Development
Rick Valdez, Director of Finance
Christina Dahse, Court Administrator

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. CITIZENS INQUIRY
 - a. Recognition of Christina Dahse for completing the Texas Courts Clerk Association (TCCA) Level III Certification.
Rhonda King, Court Administrator for the City of Brenham, and President of the Texas Courts Clerk Association presented Mrs. Dahse with a certificate of completion for Level III Certification.
4. CONSENT AGENDA
 - a. Consider the minutes of the previous meeting; November 15, 2016.
 - b. Approval of accounts payable.
 - c. Approval of financial statements and tax collection report.
Mayor called for questions or comments on the consent agenda. None were received. Mayor and council approved items 4a – 4c by unanimous consent.
5. NEW BUSINESS

- a. Discussion by Leslie Schkade, of Perdue, Brandon, Fielder, Collings & Mott LLP on the process of acquiring property which is in tax default.
Ms. Schkade went over the procedures of acquiring property which is in tax default with the council.
- b. Consider and take action on a release of lien for Lots 7 and 8, Block 5, Bates Addition of the City of Willis, Montgomery County, Texas.
Ms. Schkade stated that there was a tax suit initiated on this property on behalf of the City, a few months after the title research was done and the lawsuit filed, City filed another lien that was not included in the title research. Property was purchased out of the tax trust. The gentleman that purchased the property received a warranty deed. Motion was made by Tamara Young-Hector to release lien for Lots 7, and 8, Block 5, Bates Addition of the City of Willis, Montgomery County, Texas. Thomas Belinoski seconded the motion. Mayor called for questions. None were received. Motion passed unanimously.
- c. Consider and take action on putting up for bid Lot 6, Block 3, Bates Addition of the City of Willis, Montgomery County, Texas.
Mr. Forestier stated that three lots were bought on Young Street to improve drainage. The lots were sold to the City for about \$9,700. Mr. Forestier stated that the improvements had been made to help with the drainage issues. Mr. Forestier stated that Mr. Obra Toliver had expressed interest of Lot 6, Block 3. Mr. Forestier stated that this property was not being used for any drainage improvements and would like to put the property up for bid with a minimum bid of \$3,300. Motion was made by Thomas Belinoski to put Lot 6, Block 3, Bates addition of the City of Willis, Montgomery County, Texas up for bid with a minimum bid of \$3,300. Tamara Young-Hector seconded the motion. Mayor asked for questions. None were received. Motion passed unanimously.
- d. Consider and take action on a Resolution reviewing the Investment Policy.
Mr. Forestier stated that is an annual resolution. Mr. Forestier stated that the policy had been reviewed by the city attorney and the CPA. Mr. Forestier stated that it is the policy of the City that all funds shall be managed and invested with four primary objectives, listed in order of their priority: safety, liquidity, diversification and yield. Investments are to be chosen in a manner which promotes diversity by market sector, credit and maturity. Motion was made by Tamara Young-Hector to approve a resolution reviewing the Investment Policy. John Lovelady seconded the motion. Mayor called for questions. None were received. Motion passed unanimously.
- e. Consider and take action on a Resolution designating the Conroe Courier as the official newspaper for the City of Willis.
Mr. Forestier stated that this was an annual request. Motion was made by Thomas Belinoski to approve a resolution designating the Conroe Courier as the official newspaper for the City of Willis. John Lovelady seconded the motion. Mayor called for questions. None were received. Motion passed unanimously.
- f. Consider and take action on a Resolution calling upon the Texas Legislature to amend the governing law of the Lone Star Groundwater Conservation District to provide for the direct election of the District's Board of Directors.
Mr. Forestier stated that this item has been requested by State Representative Will Metcalf and each city in the county had been asked to act upon it. Mr. Forestier stated that the composition of the Lone Star Water Conversation District (LSGCD) is made up of nine members, and each member represents 14 cities. Mr. Forestier stated that according to Mr. Metcalf and other State Representatives they feel there is not a fair representation, and would like to move forward with an elected, rather than an appointed board. Mayor Reed asked how it would work if this was an

elected board. Mr. Forestier stated that they are recommending each precinct in the county would have two members and one member at large. Mr. Forestier stated that at the minimum the city could have two votes or representations on the board. The Mayor stated his concern was that he's not sure where precinct 2, 3, or 4 touches the City of Conroe, but precinct 1 does and there is a possibility that if elections were made by precinct the City of Conroe could have three or more votes or representations on the board. Mayor stated that he agrees the LSGCD should be an elected board, but would not like to lose any representation that the City has on the board now. Mr. Forestier stated that this was just preliminary that it has not been decided yet. Motion was made by Thomas Belinoski to approve a Resolution calling upon the Texas Legislature to amend the governing law of the Lone Star Groundwater Conservation District to provide for the direct election of the District's Board of Directors. Tom Luster seconded the motion. Mayor called for questions. None were received. Motion passed unanimously.

- g. Consider and take action on a nomination to serve on the Board of Directors of the Lone Star Groundwater Conservation District.

Mr. Forestier stated that every two years the Lone Star Groundwater Conservation District ask the City to vote for a representative. Mr. Forestier stated that Scott Weisinger had sent a copy of his resume. Mayor asked for any recommendations from Council. Motion was made by Thomas Belinoski to nominate Scott Weisinger to serve on the Board of Directors of the Lone Star Groundwater Conservation District. Bill Van Alstyne seconded the motion. Mayor called for questions. None were received. Motion passed unanimously.

- h. Consider and take action on a commercial property development agreement between the City of Willis and Chris Strickland owner of real property located at 12251 Hilltop Dr. Willis, TX 77318.

Pat Riley stated that in September Mr. and Mrs. Strickland had asked the City if they could tie into the city sewer system at their business, Relentless Diesel, south of Kids World on Hilltop Dr. Mr. Riley stated that there is not a sewer line running down Hilltop. Mr. Riley stated that the County will not let them put in a septic system again, because their property is not big enough. Mr. Riley stated that they've looked into what Kids World has. Mr. Riley stated that Kids World put in a private lift station, they gave an easement to the City along Hilltop Dr. and then runs into a manhole by Woodcreek. Mr. Riley stated that the same scenario could be used for Mr. and Mrs. Strickland. Mr. Riley stated that they have agreed to sign a commercial property development agreement, and have also agreed to give the City a 16ft easement, so they would have access to run their force main from their lift station up Hilltop Dr. to go to the same manhole by Woodcreek. Mr. Riley stated that Monarch Utilities services the water to that property, and the City would read that meter once a month and bill them according to their usage. Motion was made by Thomas Belinoski to enter into a commercial property development agreement between the City of Willis and Chris Strickland owner of real property located at 12251 Hilltop Dr. Willis, TX 77318 contingent upon changing the agreement to read only sewer. John Lovelady seconded the motion. Mayor called for questions. None were received. Motion passed unanimously.

- i. Consider and award the bid for the cooling towers.

Mike Mathena stated that bids were taken on December 1, 2016. Mr. Mathena stated that the River Authority gave the City money to fund the project. Mr. Mathena stated that funds total about 1.12 million dollars. Mr. Mathena stated that 10 bids were received, the low bidder is a company called Hassell Construction. Mr. Mathena stated that they are a firm they are familiar with, but they are a firm that predominantly does dirt and roadways, they have hired a gentleman who worked for a company called T&C. Mr. Mathena stated that they are branching out to water and sewer plant work. Mr. Mathena stated that the gentleman has 20 year's experience, he has great reviews; however Hassell Construction is new to this industry. Mr. Mathena stated that

they have talked with Hassell Construction and have assured them that they will stand behind the project and stand behind the work. Mr. Mathena stated they also visited with some their references about plant work that Hassell has done and reviews came back good, and based on that would recommend award to Hassell Construction in the amount of 1.059 million dollars. Thomas Belinoski asked if the fourth bidder, Schier Construction had done this type of work before. Mr. Mathena stated they had. Mr. Mathena stated that C4 Partners, LLC the second bidder at 1.090 million dollars, are a new company that has been in business about a year. Mr. Mathena stated they are a company that separated from another company called Liftwater Construction. Mr. Mathena stated Liftwater did construction on Hill Street lift station for the City about three years ago. Mr. Mathena stated that they are not new to this, they've hired the right people; however it is a new company. Past references are good. TTE, LLC, the third bidder is from Spice Wood, Texas, located in the Austin area. Mr. Mathena stated that in the specifications there is a requirement that their office be within 75 miles of the project site. Mr. Mathena stated that the fourth bidder, at 1.146 million dollars is Schier Construction. Mr. Mathena stated that they had done work on several projects for the City in the past. Mr. Mathena continued to go over the bid list with Council. Mr. Mathena stated that the Council was allowed to award the bid deemed most advantages to the City. Mr. Forestier ask Mr. Mathena to explain the alternate bid and the extra bid. Mr. Mathena stated that the alternate bid was for a microbial coating on the cooling tower to help prevent algae and other bacteria from growing. The initial estimate was between \$5,000 and \$10,000 depending on the size of the unit. Mr. Mathena stated he would recommend going against that because the City would be hitting the water coming out of the Catahoula well with bleach, prior to going into the cooling tower and after coming out of the cooling tower. Mr. Mathena stated that the extra bid was for some fencing. Mr. Mathena stated that 1.12 million from the River Authority, and what they did was put a \$50,000 cash allowance in the base bid, so if that was taken out Schier Construction would be under 1.1 million. Mr. Mathena stated that the money was there up to the fourth bidder. Mayor stated that Mr. Mathena recommended Hassell Construction. Mr. Mathena stated that he had no reason not to recommend them other than lack of experience as a company, the people they have hired has the experience. Thomas Belinoski stated that the new companies may have hired people with experience but there is no guarantee that they'd be there through the end of the project. Motion was made by Thomas Belinoski to award the bid to Schier Construction less the \$50,000 cash allowance. Bill Van Alstyne seconded the motion. Mayor called for questions. None were received. Motion passed unanimously.

- j. Consider and award an administration and engineering firm for services for the CDBG Grant. Pat Riley stated that CBDG Grant was coming up for the 2017-2018 budget year. Mr. Riley stated that the RFQ's went out in November. Mr. Riley stated that the packets were sent out to seven different firms, and sent out to five engineering firms. Mr. Riley stated that one packet was received for administration, and two packets were received from engineering firms. Mr. Riley stated that the Mayor and two other council members graded the firms accordingly. Mr. Riley stated that Public Management was the firm for the administration, and ELS, and Bleyl & Associates were the engineering firms. Motion was made by John Lovelady to award administration services to Public Management, and Bleyl & Associates for engineering services for the CDBG Grant. Tamara Young-Hector seconded the motion. Motion passed unanimously.

6. 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 wished everyone Happy Holidays.

- a. Engineer's report
 1. West Side Loop – TXDOT Update

Mike stated City received TXDOT permit, but there were a few items TXDOT wanted done in order for the City to actually get the permit. Mr. Mathena stated that there were some culverts moved, and additional things needed to be done.

2. Paving Projects

Meiner's will be putting the black base down on Paddock Street when school lets out for the holidays. Mr. Mathena stated everything else is being wrapped up. Mr. Mathena stated that the hay bales on Young Street were part of the SW3P Plan – Storm Water Prevention Pollution Plan which is a mandate from TCEQ. Mr. Mathena stated the hay bales are to prevent silt and trash to get into the storm water system, once the grass is established they will be removed.

b. City Manager's report and updates

1. Elected Officials Recognition January 5, 2017
2. Christmas Luncheon at the North Montgomery County Community Center December 15, 2016.

Mr. Forestier reminds Council of the Elected Officials Recognition on January 5, 2017 and the Christmas Luncheon on December 15, 2016.

7. EXECUTIVE SESSION

- a. Convene into closed executive session in accordance to the Texas Open Meetings Act, Section 551.087 (Economic Development).

1. Caldwell Development

No executive session.

- b. Take action deemed necessary from executive session.

8. ADJOURN

Motion was made by Tom Luster to adjourn. John Lovelady seconded the motion. Motion passed unanimously. The meeting adjourned at 6:42 p.m.

Leonard Reed, Mayor

Marissa Quintanilla, City Secretary