

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

Leonard Reed, Mayor
Tom Luster, Mayor Pro-Tem
Teresa Herod, Council Member
Thomas Belinoski, Council Member
William Brown, 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
Jonny Green, Interim Diretor of Public Works
Rachel Kulhavy, Director of Finance

And the following members absent: Barney Stone, constituing 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. Barney Stone was absent
Pledges were recited.
Councilman Brown gave the invocation.
3. CITIZENS INQUIRY
 - a. Public Comments
No public comments
 - b. ISO Rating presented by Fire Chief Jason Oliphant
Chief Oliphant introduced Jessie Williams with the State Fire Marshall's office and Skip Gibson with ISO. Mr. Gibson stated that there are about 46,000 fire protection areas across the country. Mr. Gibson stated that the ISO rating of class 1 is a remarkable accomplishment. Mr. Gibson stated the rating is based on 100 points and have to score between 90 and 100 points. Mr. Gibson stated that across the country of the 46,000 there are only less than 400 class 1 ratings. Mr. Gibson stated that within Texas there are 77 class 1 ratings. Mr. Gibson stated that the City scored 93. Mr. Gibson stated the score reflects a culmination of what's available in the community and of all the stakeholders working together from the time 911 is call to the structure fire response and what kind of water is available. Mr. Williams presented the City with plaques in recognition of outstanding dedication in providing exemplary fire protection services to the

community. Mayor Reed commended the fire department and stated the City really appreciates the job they do.

c. Introduction of new employees

Chief Nowak introduced new officer Brittany Jozwiak. Ms. Jozwiak thank the Council for the opportunity to work for the City. Mr. Evans introduced Taylor Whichard as the new Director of Public Works. Mr. Whichard thanked the Council for the opportunity to work for the City.

4. CONSENT AGENDA

- a. Consider the minutes of the previous meetings: January 21, 2020
- b. Approval of accounts payable
- c. Approval of financial statements and tax collection reports
- d. Approval of Willis Police Department Policy 1.3 Fiscal Management
- e. Approval of the 2019 Traffic Stop Data Report
- f. Approval of the 2019 Use of Force Report
- g. Approval of the 2019 Pursuit Report

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

5. ORDINANCES

First Reading

- a. An ordinance adopting the amended City of Conroe Waste Water Treatment Plant technically based local limits as adopted by City of Conroe

Mr. Green stated that this was the first reading. The City of Conroe adopted new limits on certain heavy metals. Mr. Green stated we are in an agreement with them for pretreatment for industrial users. Mr. Green stated that we do have our own limits already adopted in our ordinance, which are stricter than the City of Conroe's limits. Mr. Green stated this was the first reading and would like to meet with the City of Conroe and discuss some of the issues and get with the City Attorney on whether or not we adopt some of Conroe's limits or all of the limits. Mr. Foerster stated that Conroe has requested that the City at least submit this as a first reading with a certificate of first reading that will allow them to notify TCEQ. Mr. Foerster stated that for the second reading the staff would fine tune the local limits table.

- b. An ordinance amending Title XV, Chapter 155, "Zoning," of the City Code of Ordinances by Classifying 1.803 Acres of Property on South Bend Court as High Density Residential "HD" Zoning District for use as Apartments.

Mr. Green stated that this property was in the South Bend Subdivision and the plat was approved in 2005. Mr. Green stated that prior to our current zoning map being approved. Mr. Green stated that the plat was approved with the tract reserved for apartments and when it was zoned, it was zoned as single family residential. Mr. Green stated staff was considering this a mistake on the zoning map that needs correcting. Mr. Foerster stated we are just updating our official zoning map.

Mayor asked if this item had gone through the Planning and Zoning Commission Board. Mr. Green stated that because this is a map correction and not changing the zoning, it had not been brought before the P & Z Board. Mr. Foerster stated that Steve Hill had asked him about this, and because this was created before our ordinance, this was approved platted as apartments he does not believe it needs to go back before the Planning and Zoning Commission since it was already approved by Council in 2005. Mr. Foerster stated this would be an exception to the rule. The Mayor stated that we should look into this, it's not a rezoning, but seems like the zoning

commission would still have authority over it. Mr. Foerster stated that this was the first reading and would look into discussing this with the Planning and Zoning Commission.

Second Reading

- a. An ordinance enacting and adopting a supplement to the Code of Ordinances for the City of Willis and declaring an emergency.

Mr. Evans stated this is the supplement and codification of ordinance that were passed in the past calendar year. Mayor read the following caption, “AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES FOR THE CITY OF WILLIS, TEXAS AND DECLARING AN EMERGENCY.” Motion was made by Thomas Belinoski to approve an ordinance enacting and adopting a supplement to the Code of Ordinances for the City of Willis and declaring an emergency. Tom Luster seconded the motion. Motion passed unanimously.

6. NEW BUSINESS

- a. Consider authorizing a condemnation lawsuit to acquire a utility easement on the Valero Store property at the corner of State Highway 75 and Calvary Road.

Mr. Foerster stated that at the previous meeting Council authorized the condemnation process for the utility easement on the Valero Store property. Mr. Foerster stated this included getting an appraiser to do a certified appraisal of the property. Mr. Foerster stated that letters had been sent to the Bid Diamond Limited Company and proposed that we would pay them the MCAD value of the property. Mr. Foerster stated the hope was that we would get some response from them. Mr. Foerster stated that Mr. Matthew Whitney was hired to do the appraisal and are waiting on the appraisal report to come in. Mr. Foerster stated that confirmation was received that the letters mailed out were received on January 27th. Mr. Foerster stated that the process states we have to give them 30-day notice of an initial offer, if we have not heard from them within the 30 days. Mr. Foerster stated that the next step would be a resolution which we proceed with condemnation of the property. Mr. Foerster stated that there is a possibility that once we send a final offer that they may agree to that. If we don't receive a response from the final offer then we can proceed with the condemnation process. Thomas Belinoski stated that we should proceed with it, but hates to do the eminent domain. Mr. Evans stated that it would be returned to them, all going to be under the surface, we are not actually going to be taking it from them. Motion was made by Thomas Belinoski that the City of Willis, Texas authorize the use of the power of eminent domain to acquire a public utility easement on the property of the Valero Convenience Store located at 25 Calvary Road an the corner of State Highway 75 North for the purpose of constructing and maintaining City water and sanitary sewer lines within the easement. William Brown seconded the motion. Motion passed unanimously.

- b. Consider a proposed transfer of funds to the Willis Police Department Building Maintenance Budget from the Willis Police Department Patrol Fuel Budget.

Mr. Evans stated that this is an intra-fund transfer. Mr. Evans stated it was a significant amount, it was more than what was budgeted for building maintenance. Mr. Evans stated that he can easily transfer the funds and stay with in the department budget, but wanted to make sure that Council was aware of it. Mayor Reed stated that if the fuel budget ran out would we be doing the same thing again. Mr. Evans stated that you could run out of money in the fuel budget no matter what you budget, but this was for vehicles that were not used and when you compute your budget for the fuel you base it on all vehicles for the whole year and these were some that were not used. Mayor stated he did not like doing that because they receive the percentage of each line item that is used, and does not like to see one way over what was budgeted for. Mayor asked for questions.

None were received. Motion was made by Thomas Belinoski to approve a transfer of funds to the Willis Police Department Building Maintenance Budget from the Willis Police Department Patrol Fuel Budget. Williams Brown seconded the motion. Motion passed unanimously.

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.

a. Engineer's report

1. WWTP rehabilitation and expansion

Derek Wind stated most of the structure has been complete, the contractor is installing the clarifier and headworks, and is making good progress.

2. Utility Extension on SH 75 North

Mr. Wind stated that the main focus has been the lift station. Mr. Wind stated that they are confident contractor will work with us with the condemnation, as far as hopefully not having any delays.

3. Worsham Street

Mr. Wind stated that the box culverts have been installed and have a few touch ups to complete the projection and will be having a walk through on Thursday.

4. Martin Luther King Park Improvements

Ms. Steen stated that Centerpoint did finish today. Contractor is ready for Entergy meter installation. Splash pad is ahead of schedule, concrete is being poured. New completion date is March 5, 2020.

b. City Manager's report

1. Input for Chapter 1 of the employee manual from the Council requested by end of February

Mr. Evans ask for Council to look over Chapter 1 of the employee manual and any input from Council be sent to him.

2. Budget "wish list" development from departments

Mr. Evans updated Council, on "wish list" from departments.

3. Guidance from Council on intra-budget transfers between line items

Mr. Evans stated he's looking for guidance on intra-budget transfers, as far as are they considered budget amendments.

4. Guidance from Council on policy/guidelines for inserts in water bills

Mr. Evans stated we've had several requests for inserts in our water bills, and so far, has denied the request. Mr. Evans stated that in his experience unless it's a city sponsored event, we do not normally allow no inserts.

5. Guidance from Council on proclamations

Mr. Evans stated he has not many since his been here. In the past he speaks to Mayor and if Mayor agrees presents it to Council at the next meeting.

8. ADJOURN

Motion was made by Thomas Belinoski to adjourn. William Brown seconded the motion. Motion passed unanimously. The meeting adjourned at 6:19 p.m.

Leonard Reed, Mayor

Marissa Quintanilla, City Secretary