

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  
James Nowak, Police Chief  
Jonny Green, Iterim Director of Public Works  
Steven Hill, Director of Community Development

And the follwong 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. CITIZENS INQUIRY  
No citizens inquiry
4. CONSENT AGENDA
  - a. Consider the minutes of the previous meetings: August 6, 2019; August 20, 2019
  - b. Approval of accounts payable
  - c. Approval of financial statements and tax collection reports  
Mayor asked for any questions or comments on the consent agenda, or if any items needed to be considered separately. No questions or comments from were received. Mayor and Council approved the consent agenda by unanimous consent.
5. ORDINANCES  
First Reading
  - a. An ordinance by the City of Willis, Texas approving the Second Amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number One, City of Willis Texas.  
Larry Foerster stated that the Council had approved the Second Amended Project Plan and Reinvestment Zone Financing Plan for the Reinvestment Zone Number One at last

month's meeting, but by statute, the plan has to be approved by ordinance. Mayor asked if we would have to go back through the process. Mr. Forester stated that we would not, the public hearing has already been held, this is the first reading and the second reading would be at the next council meeting. Mayor asked for questions. None were received.

- b. An ordinance by the City of Willis, Texas repealing and replacing Chapter 154 "Subdivision Regulations", of the City Code of Ordinances.

Mr. Foerster stated that at the last legislative they passed HB 3314 which provides that from the time the City receives a plat or plan the City only has 30 days from the date of submission to approve it. Mr. Foerster stated staff went back and looked at the subdivision regulations and streamline the process and include some of the language that is found in the bill and incorporate it into the City's subdivision regulation ordinance. Mr. Foerster stated that what is being proposed is an ordinance that would change chapter 154 of the Code of Ordinances relating to subdivision regulations. Mr. Foerster stated that currently the subdivision regulations provides for the City to approve certain development in the ETJ. Mr. Foerster stated that with the new annexation law we will not be doing any annexation unless with the approval of the property owner, and the City's hasn't reviewed any in about a year or so that its been done by Montgomery County. Mayor asked if we were doing before, and he believes that we were doing them before, because we did not want anything substandard in the ETJ that might be incorporated into the City. Mayor asked if the County's standards the same as the City, Steven Hill, and Jonny Green both stated they were similar. Mr. Foerster stated that the draft the Council has does not include the ETJ, but can be included in Council so desired. Mayor stated that not to worry about including in, if the County's standards are the same. Mr. Foerster asked if Council wanted to the Planning and Zoning Commission to be involved in the process. Mr. Foerster stated that it would extend the process review time. Mayor stated this was the first reading and asked that the City staff get with the Planning and Zoning Commission to see what the role of the Planning and Commission will be.

- c. An ordinance by the City of Willis, Texas, amending the "Drainage Regulations found in Chapter 155, "Zoning Code" of the City Code of Ordinances.

Jonny Green stated that the current drainage is outdated. Mr. Green stated currently with the plan reviews the City has been following Montgomery County's standards and our ordinance is referencing TxDOT's manual. Mayor stated if we changed the ordinance or created a new ordinance. Mr. Foerster stated that this was just an amendment. Mayor asked what we were amending. Mr. Green stated that we were amending the TxDOT drainage plan to Montgomery County drainage plan. Mayor asked for any questions. Thomas Belinoski asked if someone was to put in a driveway with culverts, are the standards being brought up to the County's standards. Mayor asked what the City does when someone wants to put in a driveway. Mr. Hill stated that a citizen would by the culvert and the City would install, if it's a developer it would be the developer's responsibility.

## 6. NEW BUSINESS

- a. Consider approval of a resolution submitting nominee(s) as candidate(s) for the Election of the Montgomery Central Appraisal District's Board of Directors 2020-2021 Term.  
No action due to no nominations.
- b. Consider approval of a short form partial re-plat of 2.843 acres of land situated in the Jeremiah Worsham Survey requested by FNE Realty LLC.  
Mr. Hill stated that this was the property at the Dairy Queen on FM 1097 West. Mr. Hill stated that all the requirements have been met for a short form plat, and recommended

approval. Motion was made by William Brown to approve a partial re-plat of 2.843 acres of land situated in the Jeremiah Worsham Survey requested by FNE Realty LLC. Thomas Belinoski seconded the motion. Motion passed unanimously.

- c. Consider approval of a development agreement with Willis RV Resort, LLC.  
Mr. Hill stated that the developer submitted a change to the original development agreement. Mr. Hill stated they were minor changes, and the Mr. Foerster had no objections. Mr. Hill stated the changes requested was the life of the contract would expire after 45 years, they wanted that removed. The second change was were the City would approve the contractor they would use, and it was explained to them that it was not for a contractor that they use on their site, it was for the contractor that would be used in the City's right-of-way or easement so that it would meet with the City's specifications and requirements. Mr. Foerster stated that we would be providing them with water and sewer to their property, but they did not want that turned off after 45 years, so they requested that language be taken out. Mayor asked if they were in the ETJ, Mr. Hill stated they were inside the City, but just barely. Mayor asked if extending the sewer would be the City's responsibility or the developer. Mr. Hill stated that it would be the developer's responsibility. Mr. Brown asked if the City was responsible for anything. Mr. Hill stated that the City would be responsible after the one-year warranty and after inspection. Mayor asked for questions. None were received. Motion was made by Thomas Belinoski to approve a development agreement with Willis RV Resort, LLC. Barney Stone seconded the motion. Motion passed unanimously.
- d. Consider approval of an Interlocal Cooperation Contract with Texas Department of Public Safety for the Failure to Appear Program.  
Mr. Evans stated that the Texas Department of Public Safety has asked that we not proceed with this contract, that they would be sending a new contract later this year. Motion was made by Barney Stone to table item d. Tom Luster seconded the motion. Motion passed unanimously.
- e. Consider approval of setting a public hearing for October 15, 2019 at 5:30 p.m. for public comments on a new Subdivision Regulations ordinance for the City of Willis.  
Mr. Foerster stated that by statue when changes to the subdivision regulations a public hearing is required before they are passed. Motion was made by Tamara Young-Hector to approve setting a public hearing for October 15, 2019 at 5:30 p.m. for comments on a new subdivision regulations ordinance. Thomas Belinoski seconded the motion. Motion passed unanimously.
- f. Consider and approve a resolution approving the City of Willis FY 2019-2020 Budget.  
Mr. Evans stated that Council and staff had workshops on the budget at previous meetings, changes that needed to be made had been made, but no changes since the budget was presented at the September meeting. Mayor asked for any questions on the budget. None were received. Motion was made by Thomas Belinoski to approve a resolution approving the City of Wills FY 2019-2020 Budget. Tom Luster seconded the motion. Motion passed unanimously.
- g. Consider, adopt, and set by resolution the 2019 Ad Valorem Tax Rate for Maintenance and Operation, \$0.5622/\$100.  
Mr. Evans stated this rate that we needed to support the budget that was just passed. Mayor asked for questions. None were received. Motion was made by William Brown to approve a resolution adopting and setting the 2019 Ad Valorem Tax Rate for Maintenance and

Operation at \$0.5622/\$100. Barney Stone seconded the motion. Motion passed unanimously.

- h. Consider, adopt, and set by resolution the 2019 Ad Valorem Tax Rate for Debt Service, \$0.0247/\$100

Mr. Evans stated this would pay for the debt. Motion was made by Tom Luster to approve a resolution adopting and setting the 2019 Ad Valorem Tax Rate for Debt Service at \$0.0247/\$100. William 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. Update on the Wastewater Treatment Plant construction

Derek Wind stated that the slabs have been poured for the two clarifiers, the walls are being formed and set and the project was on schedule.

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

Mr. Wind stated that the clearing for the lift station site is complete and will be putting in pipe in the ground later this week. Mr. Wind stated they will be starting at Longstreet with the water line, and north where the lift station with the sewer line. Mr. Wind stated that the project was on schedule. Mayor asked about the Valero easement. Mr. Wind stated that Mr. Green has taken up the responsibility of calling them regularly to get in contact with the representative there. Mr. Wind stated that for some reason they are avoiding our attempts. Mr. Brown asked what it was we are trying to get done. Mr. Wind stated that the City wants to avoid being in the right-of-way because in the future, if TxDOT decides to widen the highway the City might have to move the water and sewer lines again. Mr. Wind stated that this is the one easement we have not acquired yet. Mr. Wind stated that worst case scenario we would have a small stretch that would have to be in the TxDOT right-of-way.

- 3. Update on the Mill Street Improvements

Mr. Wind stated that the design is fully complete and are soliciting bids between now and the next meeting, and are hoping for Mr. Wind stated that we are hoping for a price less than the \$50,000 threshold so we won't have to publicly advertise for bids.

- 4. Update on the CDBG 2017-2018 Project – Ground Storage Tank

Mr. Wind stated that the project was complete and are satisfied with their level of work at this time and are closing out the project to be able to finalize the funding. Mr. Wind stated we did assess \$1,800 in liquidated damages for them being late on the project.

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

- 1. TML Annual Meeting October 9-11

Mr. Evans reminded Council of the TML annual meeting on October 9-11.

- 2. Personnel

Mr. Evans introduced Rachel Kulhavy. Mr. Evans stated Ms. Kulhavy would be the City's new Director of Finance and Human Resource and would start on October 1, 2019. Mr. Evans stated Ms. Kulhavy stated she was happy to get back into government work. Mayor and Council welcomed Ms. Kulhavy

## 8. EXECUTIVE SESSION

- a. Convene into closed executive session under Section 551.087 (Economic Development), and Section 551.071 (Consultation with Attorney) of the Texas Government Code to:
  1. Consider economic development proposals
  2. Consult with City Attorney on confidential attorney-client mattersMayor closed open session at 6:28 p.m. and stated Council would convene into closed executive session in the conference room upstairs at 6:35 p.m.
- b. Reconvene into open session and take action if necessary, on matters deliberated upon in closed executive session.
  1. Consider approving a TIRZ Reimbursement Agreement with the MRSS Partners, LP for the Moran Ranch tract.
  2. Consider approving a Development Agreement with the MRSS Partners, LP for the Moran Ranch tract.Mayor and Council reconvened into open session at 7:35 p.m. Mayor asked if there was any action coming out of executive session. No action was taken.

9. ADJOURN

Tamara Young-Hector made a motion to adjourn. Thomas Belinoski seconded the motion. Motion passed unanimously. The meeting adjourned at 7:41 p.m.

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Leonard Reed, Mayor

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Marissa Quintanilla, City Secretary