

Willis, Texas  
November 13, 2018  
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  
Barney Stone, Mayor Pro-Tem  
Tamara Young-Hector, Council Member  
Thomas Luster, Council Member  
Bill Van Alstyne, Council Member  
Hector Forestier, City Manager  
Larry Foerster, City Attorney  
Marissa Quintanilla, City Secretary  
James Nowak, Chief of Police  
Rick Valdez, Fiance Director  
Pat Riley, Public Works Director  
Fernando Garcia, Director of Community Development

and the following members absent: Thomas Belinoski, Council Member, constituting a quorum at which time the following business was transacted to-wit:

1. Call to order the regular meeting.  
Mayor Reed 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 Reed called roll, Thomas Belinoski was absent.  
Pledges were recited.  
Larry Foerster said the invocation.
3. CITIZENS INQUIRY  
No citizen inquiries.
4. CONSENT AGENDA
  - a. Consider the minutes of the previous meeting: October 16, 2018.
  - b. Approval of accounts payable.
  - c. Approval of financial statements and tax collection report.
  - d. Approval of Willis Police Department Policy 4.9 Health and Physical Fitness.
  - e. Approval of Willis Police Department Policy 4.11 Support Services for Families of Officers Killed in the Line of Duty.  
Mayor Reed called for questions or comments on the consent agenda or if any item needed to be considered separately. No questions or comments. Mayor and Council approved the consent agenda by unanimous consent.
5. NEW BUSINESS
  - a. Discuss services being provided by Management Advisory Group International, Inc.  
Mr. Forestier introduced Donald Long of Management Advisory Group International, Inc. Mr. Long gave the Council a brief summary of the services being provided by Management Advisory

Group. Mr. Long stated that the study includes getting good, accurate, current job information from employees in reference to the type of work being done within each of the positions. Mr. Long stated that while they wait for information from the questionnaire, they evaluate the market for competing employers, which is done through a survey process where they identify key positions with the City's structure and are commonly found with other employers. Mr. Long stated that some employers to consider would be the City of Conroe, and Montgomery County. Mayor Reed asked if the study was comparing the market around the City not comparing like cities. Mayor Reed asked if we would be comparing our job titles, pay and benefits to Conroe's job titles, pay and benefits. Mr. Long stated that he thinks it should be considered if the job is similar in nature and they are a competitive employer. Mayor Reed stated that they were a competitive employer but they are a 50,000 to 70,000 citizen population, and the salaries would be different and the City of Willis population is 6,000, how could we compare to them. Mr. Long stated that for some of the positions, such as entry level positions it would be comparable, but for department head positions it might not be appropriate to compare to Conroe. Mayor Reed stated that he questioned comparing to the City of Conroe when our budgets are on different scale, they can afford to pay more. Mayor Reed stated that the City makes revenue from water and sewer sold, sales tax and ad valorem taxes, and if our comparison shows that in order to compete with the job market we have to pay the salaries and we can't afford those salaries, what good is it to compare those. Mr. Long stated that typically what they would like to be able to do is identify ten to fifteen employers who look exactly like the City, but that is not possible, so what they try to use is criteria that enables them to identify who the competitive employers are in our market. Mr. Long stated that there is usually a balance of some employer who are small in size, and some that may be larger, but if they are in our market they have to be considered. Mr. Long stated that information is captured from both smaller and larger employers regardless of the ability to pay, and then averages are calculated and then a plan is presented that identifies what the average of the market would be, and then if it turns out that the City is not able to compensate at that level than structure changes can be made that would allow the City to be competitive, yet be able to pay for any changes that may be needed. Mayor Reed stated that this is not what he expected, he did not know that we would be doing a market survey, he thought it would be a survey with like cities. Mr. Long stated that what we could do is come back to the Council with a list of comparable agencies that would be compared and discussed and if then if the Council wishes to use only cities that are similar in size across the state of Texas, they will try to accomplish this. Mayor Reed stated that this is what he was expecting and thought that this is what we were doing. Mr. Long stated that they could suggest an approach that would reflect what they would normally try to accomplish and then discuss with City Manager and if Council has a list of target agencies they could go from there. Mr. Van Alstyne stated that if you are trying to attract employees to the jobs we do have, we need to know what other surrounding jobs of the same caliber are. Mr. Van Alstyne stated that we would have to look at Oak Ridge North, Shenandoah, and Conroe, and can't isolate ourselves. Mr. Van Alstyne stated he did not think we should exclude ourselves and just compare to cities under 8,000, he does not think the City would improve if we did that. Mayor Reed stated that regardless of what the job market is paying, if the City can't afford to pay that no matter what it shows, the City is still going to be in the same spot that we were if we compared like cities. Mr. Long stated that once the target agencies are identified they will take salary information from them, and the information provided by the employee's and provide a recommendation to the Council. Mr. Long stated the process should take three to four months.

b. Discuss the recommendations for Church Grease Traps.

Mr. Forestier stated that a few months ago Council had discussed grease traps in the area and staff had requested more time to provide Council with recommendations on how to handle the

grease traps. Pat Riley stated that grease traps are an important item of TCEQ's implementation of keeping Fats, Oil, and Greases (FOG) out of our system. Mr. Riley stated that what we have in place right now is, anybody who has a food facility or serves food, has a potential of going down the drain, a 1,000 gallon grease trap needs to be installed. Mr. Riley stated that at one of the meetings it was discussed that churches were different even though some of them do serve food. Mr. Riley stated that he did contact the City of Conroe, Shenandoah, and Montgomery and they all require churches to have grease trap, but different variances on them. Mr. Riley stated that the City of Conroe follows the plumbing code which requires a grease trap based on usage and size, the City of Shenandoah does not have it in their ordinance because of their size, but follows the plumbing code which does require one, and the City of Montgomery does require a trap, but do not have any churches right now. Mayor Reed asked what the City of Conroe and Montgomery were doing now about their existing churches. Mr. Riley stated that he was not sure what they are doing with existing churches, weather they are keeping them as is or telling them not to serve food there, but would find out. Mayor Reed stated that we have churches that are 125 years old that may or may not have a grease trap and there has to be some kind of provision for them if we are doing a blanket ordinance we have to know who is doing food service and who is not. Mayor Reed asked if there was a list of churches that have food service. Mr. Riley stated that we could find out. Mr. Riley stated that basically we would contact the churches and asking if they have a fellowship hall, or if they serve food, if they did we would have to look at them in some capacity. Mr. Riley stated that some recommendations, based on what other cities are doing are churches that have existing grease traps is not to clean them as much as we have in the ordinance. Mr. Riley stated that in the ordinance now we have a 1,000 gallon grease trap and cleaned every six months. Mr. Riley stated that if a church has a 500 to a 1,000 gallon grease trap, we know that the volume will not be there so we would recommend cleaning it once a year. Mr. Riley stated that this would also give them a chance to inspect their grease trap to make sure there are no repairs needed. Churches with 100 to 500 gallons cleaned twice a year, and below 100 gallons would need to be cleaned every three months. Mr. Riley stated that the smaller the trap gets the quicker it gets full. Mr. Riley stated that if an existing church has food service capability that may allow FOG into the sewer system, they would require a grease interceptor. Mr. Riley stated that any new churches, or churches that are remodeling would revert back to the ordinance which requires 1,000 gallon grease trap. Mayor Reed asked if they decide to clean the grease trap and they don't get a significant amount of FOG in the trap, could they petition to have the grease trap removed. Mr. Riley stated that he would have to look into that. Mr. Riley stated that the way TCEQ words it, is if there is a potential for food to go down the drain a grease trap is required. Mr. Riley stated that these are recommendations and we can go back and revise these how council would like, but we still have to look at the plumbing code and TCEQ and how we can comply with them. Mr. Riley asked the Council to look over the recommendations presented in their packet and any recommendations or suggests they may have to please let him know. Mayor asked for any questions or comments from Council. None were received.

- c. Consider approval of the Memorandum of Understanding Concerning Certificates of Convenience and Necessity between the City of Willis and C&R Water Supply.

Mr. Forestier stated that this was tabled at the last meeting because TCEQ denied a dual CCN between the City and C&R Water Supply. Mr. Forestier stated that they have provided a new map and a new CCN. Mr. Riley stated that the only reason we had consider a dual CCN was that C&R Water had the old landfill in their area of service, which is inside the city limits. Mr. Riley stated that they were updating their records with the Public Utility Commission (PUC), and that the PUC does not allow dual CCN, so C&R Water took the landfill area off of their service map. Mayor Reed asked for questions. None were received. Motion was made by Tamara Young-Hector to approve the memorandum of understanding concerning certificates of convenience and necessity between the City of Willis and C&R Water supply. Barney Stone seconded the motion. Motion passed unanimously.

- d. Consider approval of a final plat for the development of Frontier Estates, a subdivision of 20.456 acres located in the Thomas G. Stephens survey.  
Fernando Garcia stated that the City received a plat for Frontier Estates, the property is located on Rogers Road and half the property is located in the City's ETJ and half the property is in the County. Mr. Garcia stated that the subdivision is 20.456 acres, 14 lots and 1 block, and that the property would be used for single family homes. Mr. Garcia stated the plat has been reviewed by the City and Bleyl Engineering and has been approved and city staff recommend approval. Mayor Reed asked about open space being reserved. Mr. Garcia stated that this is a continuation from across the street, and what was shown on the plat is just lots and may have already been in the previous plat. Mayor Reed asked what the plans where for water and sewer. Mr. Garcia stated that they did not provide any of that information. Motion was made by Tamara Young-Hector to approve a final plat for the development of Frontier Estates, a subdivision of 20.456 acres located in the Thomas G. Stephens survey. Thomas Luster seconded the motion. Motion passed unanimously.
- e. Consider approval of a final plat for the development of Boardman Park a subdivision of 1.411 acres located in the F.K. Henderson survey  
Mr. Garcia stated that the City received a plat for the Boardman Park, which is located on Cargill Drive. Mr. Garcia stated that it was 1.411 acres, 3 lots and 1 block and that Mr. Muson is proposing two warehouse buildings on lot 3. Mr. Garcia stated that city staff recommended approval. Mayor Reed asked if they would be office buildings. Mr. Forestier stated they would be office buildings and they were aware of the masonry ordinance. Mayor asked for questions. None were received. Motion was made by Bill Van Alstyne to approve a final plat for the development of Boardman Park, a subdivision of 1.411 acres located in the F.K. Henderson survey. Tamara Young-Hector seconded the motion. Motion passed unanimously.
- f. Consider approval of amendments to Exhibit A, of the Conditional Land Use Permit for Horizon RV Development located at 13421 East FM 1097.  
Mr. Garcia stated that last month Council approved a conditional Land Use Permit for Horizon RV Development. Mr. Garcia stated that Mr. David Simms with Horizon Development had mentioned that the underwriters wanted more lots on the property. Mr. Garcia stated that when the regulations were originally done, we were more stringent than the agreement with Majestic Pines, the regulations stated that only 12 lots per acre were permitted and each lot should have a minimum of 2,275 square feet. Mr. Garcia stated that after some discussion Horizon RV Development requested the change to 16 lots per acre, and to minimize the lot size to 1500 square feet. Mr. Garcia stated that the lot size and the number of lots allowed per acre were changed to meet the requirements that were set forth for the Majestic Pines RV Park, and city staff recommended approval. Mayor Reed asked if this would be the standard moving forward. Mr. Garcia stated that we could use this standard with any future agreements. Mayor asked for questions. None were received. Motion was made by Barney Stone to approve amendments to Exhibit A, of the Conditional Land Use Permit for Horizon RV Development located at 13421 East FM 1097. Tamara Young-Hector seconded the motion. Motion passed unanimously.
- g. Consider approval of a resolution granting a petition for annexation of a total of 7.570 acres of land in the James Elkins Survey and setting two public hearings.  
Mr. Forestier stated this was discussed briefly at the last meeting. Mr. Forestier stated this was 7.570 acres owned by Korey Freels at the entrance of African Hill. Mr. Forestier stated that at the last meeting the City provided Mr. Freels with approval to connect to our sewer system, and he is now requesting annexation. Mr. Forestier stated that two public hearings needed to be set for

December 11, 2018 and January 15, 2019. Mayor Reed stated that in the past when annexations have been done, studies were done to see if the area to be annexed was beneficial for the City, and asked if this had been done for this property, if not he'd like to see one done. Mr. Forestier stated that it had not been done in this case due to the fact that it's only 7.570 acres, but we would do a study. Mayor asked for questions. None were received. Motion was made by Tamara Young-Hector to approve a resolution granting a petition for annexation of a total of 7.570 acres of land in the James Elkins Survey and setting two public hearings. Barney Stone seconded the motion. Motion passed unanimously.

- h. Consider approval of a resolution adopting the City of Willis Investment Policy.

Mr. Forestier stated that the investment policy was an annual item needing to be approved that is requested by the state comptroller. Mr. Forestier stated that the investment policy in place now had been reviewed by the auditor and recommended approval. Mayor asked for questions. None were received. Motion was made by Bill Van Alstyne to approve a resolution adopting the City of Willis Investment Policy. Thomas Luster 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.

- a. City Engineer's Report

- 1. WWTP Rehab and Expansion

Jennifer Steen of Bleyl Engineering stated that the waste water treatment plant was moving forward. Ms. Steen stated that there was an issue with how they were going to pump around

the

system while they were doing construction on the lift station, but they were able to figure it out and move forward. Ms. Steen stated that there would be a pre-bid meeting on Thursday and bids would be received after Thanksgiving and hopefully would have bids for the December meeting after they have been evaluated and references have been checked.

- 2. Water and sewer lines on north Highway 75

Ms. Steen stated that they are still working with property owners on Highway 75 and have acquired most of the easements with Pat Riley's help. Ms. Steen stated that some development

agreements were still being worked on and once the price is in on the wastewater treatment plant it will give us a clear number on how much funds are leftover in the bond for the utility project. Ms. Steen stated that they hoped to bring bids for this project in early spring of 2019 once the development agreements are finalized with the property owners. Mr. Forestier stated after the last Council meeting he had sent out email to the Council and the Mayor regarding the

annexation plan that was put together in 2012 for this area. Mr. Forestier stated that in the annexation service plan in section IV Capital Improvements section b Water and Wastewater Facilities states that after giving due consideration to the topography, land use, population density, the adequacy of existing retail utilities, private water wells and septic tanks, anticipated

levels of demand, and the existing City utility infrastructure, the City Council has determined that no apparent need presently exists for the expansion or extension of the City's water and wastewater facilities. From time to time, upon written request from a property owner, the City will consider whether or not changed conditions have resulted in a need for line extensions to serve property within the annexed area, which was developed at the time of annexation. The determination of a need for the extension will be made in accordance with the City's water and wastewater treatment service extension policies. If it is determined that line extension are necessary, then the City will cause the construction of such necessary lines to be

commenced within two years and substantially completed within four and one-half years of the

land owners written request. The City reserves the right to recover the cost of such line extension from benefited property owners in any manner which is permitted by law. Mr. Forestier stated that we are not in a rush until we have all the development agreements, and funds we need from the property owners and we feel comfortable that this will take care of this project. Mr. Forestier stated that he had also sent Subchapter C. Developer Participation in Contract for Public Improvements of the Texas Local Government Code which states in section 212.071 Without complying with the competitive sealed bidding procedure of Chapter 252, a municipality with 5,000 or more inhabitants may make a contract with a developer of a subdivision or land in the municipality to construct public improvements, not including a building, related to the development. If the contract does not meet the requirements of this subchapter, Chapter 252 applies to the contract if the contract would otherwise be governed by that chapter. Mr. Forestier stated that this is a key water and sewer line so most likely the staff will be recommending that we allow only a professional contractor to move forward with installation of the entire system.

b. City Manager's report

1. Charter Review

Mr. Forestier stated that we would be starting the Charter review process with Larry Foerster in January, but asked Council to look over the Charter and let us know if there is any changes the Council would like to talk about other than the change in the number of people on the Planning and Zoning Board.

2. Christmas Party

Mr. Forestier reminded Council about the Christmas lunch on December 13, 2018 at 11:30 a.m. at the North Montgomery County Community Center.

3. Christmas Parade

Mr. Forestier reminded the Council about the Christmas Parade on December 1, 2018 at 11:00 a.m. and asked Council to please let Marissa Quintanilla know who would be attending so that golf carts could be reserved.

4. Mayor and Council Questionnaire

Mr. Forestier ask that Council please fill out the questionnaire given to them for the auditor and return the completed form to Marissa Quintanilla.

5. Anti-Camping Ordinance

homeless Lieutenant Nelson stated that at any given time in the Willis area there is a handful of people who are living in the City. Lt. Nelson gave mention of several instance that have occurred in the past and stated that with the anti-camping ordinance, it would allow the police to act when homeless people are found in a camp, and be able to move them out. Lt. Nelson stated that the City of Conroe's ordinance states "if you are on someone else's property you have to have written permission to be there, if not the police can make you leave." Lt. Nelson stated that guidance from the Council is needed, and does the Council feel that we need an anti-camping ordinance. Lt. Nelson stated it's a problem as the City grows and could become worse and right now the police department can't do anything about it but contact the property

owner first which could take several weeks or months depending on where the property owner lives. Mayor asked Lt. Nelson to send him a copy of the ordinance that we are trying to model from. Lt. Nelson stated he would send Mayor and Council a copy of the ordinance.

Mayor asked about the status of the Lone Star Community Health Center. Mr. Forestier stated that they are moving next month to the old Huntsville Emergency Clinic. Mr. Forestier stated that they would eventually be selling the building on Young Street. Mayor asked what they would be doing with it in the meantime. Mr. Forestier stated that he would let him know later this week after he meets with them. Mayor asked about the school property on MLK. Mr. Forestier stated that the school board met on November 1, 2018 and provided the information to their attorney and Mr. Foerster has sent an email to them as well, but have not heard back from them.

7. ADJOURN

Motion was made by Tamara Young-Hector to adjourn. Thomas Luster seconded the motion. Motion passed unanimously. The meeting adjourned at 6:47 p.m.

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Leonard Reed, Mayor

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Marissa Quintanilla, City Secretary