

Willis, Texas  
January 8, 2019  
5:30 p.m.

The City Council of the City of Willis, Texas convened in special 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  
Thomas Belinoski, Council Member  
Hector Forestier, City Manager  
Larry Foerster, City Attorney  
Marissa Quintanilla, City Secretary  
James Nowak, Chief of Police  
Rick Valdez, Finance Director  
Pat Riley, Public Works Director  
Fernando Garcia, Director of Community Development

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

1. Call to order the special 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, Bill Van Alstyne was absent.  
Pledges were recited.  
Larry Foerster said the invocation.
3. CITIZENS INQUIRY  
No citizen's inquiry
4. CONSENT AGENDA
  - a. Consider the minutes of the previous meeting: November 13, 2018.
  - b. Approval of accounts payable.
  - c. Approval of financial statements and tax collection reports.  
Mayor called for questions or comments on the consent agenda or if any item needed to be consider separately. There were no questions or comments. Mayor and Council approved the consent agenda by unanimous consent.
5. ORDINANCES  
First Reading
  - a. An ordinance of the City of Willis, Texas granting to SiEnergy, L.P. a non-exclusive franchise to furnish and supply gas to the general public in the City of Willis, Montgomery County, Texas and to transport, deliver, sell and distribute gas in and out of and through said municipality.  
Mr. Forestier stated that this was a request from SiEnergy to have a franchise agreement that mirrors CenterPoint's franchise agreement. Mr. Forestier also stated that the City Attorney has

also reviewed the agreement. Mr. Foerster stated that this is a standard ordinance and is nonexclusive. Mayor asked for questions. None were received. Mayor read the caption.

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

Mr. Forestier stated this was annual requirement for the codification of all ordinances passed in the past year. Mayor asked for questions. None were received. Mayor read the caption.

## 6. NEW BUSINESS

- a. Consider and accept resignation from Bill Van Alstyne, Council Member Place No. 5.

Mr. Forestier stated that Mr. Van Alstyne's had submitted his resignation from his place on the City Council. Mayor asked for questions. None were received. Motion was made by Tamara Young-Hector to accept Bill Van Alstyne's resignation from Council Member Place No. 5. Tom Luster seconded the motion. Motion passed unanimously.

- b. Discuss and take action by City Council to fill vacancy of Council Member Place No. 5.

Mr. Foerster stated that the City Charter does provide, if the Council chooses to, to fill the vacancy. Mr. Foerster stated that Council could fill the vacancy, or wait until the May 4, 2019 election. Mayor Reed stated that if the Council does not fill the vacancy, than if any Council member cannot make the meeting, then there would not be a quorum. Mr. Forestier asked Council to email him with any suggestions of someone who would like to fill the vacancy. Mayor suggested advertising the vacancy. Motion was made by Thomas Belinoski to advertise for the vacancy of Council Member Place No. 5 until the May 4, 2019 election and to take recommendations of anyone interested in applying for the vacancy, and to fill the vacancy at the February meeting. Barney Stone seconded the motion. Motion passed unanimously.

- c. Consider and award an administration and engineering firm for services for the CDBG Grant 2019-2020.

Mr. Forestier stated that the City advertise for the CDBG Grant, and two engineering firms provided RFQ's and one administration firm provided RFP's. Mr. Forestier stated that the committee to rate the firms was composed of one elected official, which was Mayor Reed and two staff members, which were Pat Riley, and Marissa Quintanilla. Mr. Forestier stated that based on the ratings, staff was recommending Bleyl Engineering and Public Management for services for the CDBG Grant 2019-2020. Motion was made by Tamara Young-Hector to award Public Management and Bleyl Engineering firm for services for the CDBG Grant 2019-2020. Barney Stone seconded the motion. Mayor asked for any questions. None were received. Motion passed unanimously.

- d. Discuss the engineering assessment to identify potential annexation benefits of 7.570 acres in the James Elkins Survey.

Mr. Forestier stated that back in November the Council asked for an assessment on the benefits of annexing the 7.570 acres in the James Elkins Survey. Mr. Forestier stated he asked Bleyl Engineering to do a cost to benefit comparison. Derek Wind presented the Council with the summary. Mr. Wind stated that to do a cost to benefit comparison, they looked at three main areas, which included roadways and general services, water and sewer services, and infrastructure capital cost for the City, and compared these together over a 20 year projection to come up with a total cost benefit analysis. Mr. Wind stated that for roadways and general services, these are typically paid for by taxes paid to the City. Mr. Wind stated that they looked at the population and what the increase of population would be an estimated about 2 people per RV space, which would be 160 added to the population which would be a 2.46% increase. Mr. Wind stated that this was a small increase and did not feel that as far as general services were concerned that there would be any significant cost to the city to add that small percentage. Mr. Wind stated that also looking at roadways the City could be concerned about road degradation

during construction or additional traffic, but in this case, the roadways to the site are TxDOT and County roadways no City roads would be impacted. Mr. Wind stated that essentially the annual cost estimate was \$0.00 versus the benefit, which is the tax base. Mr. Wind stated that the base value is a projected value based on a similar property on Highway 75. The proposed value was about \$313,988. Mr. Wind stated that based on this the annual tax revenue would be about \$2,102.77 a year. Mr. Wind stated that on water and sewer services based on 80 connections the costs are based on debt services and operation and maintenance cost. Mr. Wind stated the estimated annual cost would be about \$15,487.68. Mr. Wind stated that the revenue is based on the City's current water and sewer rates and the estimated annual revenue would be \$20,254.08. For infrastructure and capital cost water and sewer line extension will be installed by developer across Highway 75. The proposed sewer line will allow the City to serve areas east of Highway 75, and the proposed water line will add additional looping to the City's water system to improve pressures within the City. The developer would be responsible for the design and construction cost of the improvements while the City would have responsibility for reviewing and inspecting the project, with an estimated cost of \$10,000. The benefit would be an estimated revenue of \$75,000 for the improvements that would be constructed and dedicated to the City. Mr. Wind stated that the 20-year projection the total estimated cost to the City would be about \$329,753.60, while the total estimated benefit to the City would be about \$522,137.09 for a total estimated net benefit for a 20-year period of \$192,383.49. Mayor asked if this was for tiny homes or for an RV park. Mr. Wind stated that he believes the developer is planning to have tiny homes on the property. Mayor asked if we have an ordinance that distinguishes tiny homes and RV's. Mr. Forestier stated that we do not, and the tiny home concept is a new concept but that we can work on an ordinance for tiny homes. Mayor stated that he thought that this would be for only tiny homes and not RV's. Thomas Belinoski stated that he had indicated that that would be all that would be on the property; Mr. Belinoski also stated that the developer stated that they would have tiny homes to lease or you could lease the property and bring in your own tiny home. Mayor asked if container homes would be prohibited from the development. Pat Riley stated that Mr. Freels had stated that he does not intend to put any container homes on the property only tiny homes. Mr. Wind stated that the restrictions of container homes could be written into a development agreement. Mayor asked for any questions. None were received.

e. Discuss anti-camping ordinance.

Mr. Forestier stated that this was discussed back in October and there had been some questions. Mr. Forestier stated that Lt. Nelson had spoken with the City of Conroe, City of Galveston, and City of Magnolia. Lt. Nelson stated that one of the questions that came up was an issue that we had at the establishment where the person was living in the car. Lt. Nelson stated that the City of Conroe's ordinance addresses camping in a public place, and the interpretation is; public place and private property is not the same so this is covered. Lt. Nelson stated that when he spoke with other officers in other departments about the situation the City had, they had never experienced any business owner who would allow someone to camp on their property. Lt. Nelson stated that he believes this was allowed because the manager of the property was friends with the person who was camping on the property. Lt. Nelson stated that one of the problems that the City has is not so much camping, but more of a squatting issue. Lt. Nelson stated that at any given time there is someone living on private property. Lt. Nelson stated that when they find out about this in order for the squatter to be removed from the property, they have to locate the actual owner of the property, which could be a bank or could be someone who lives out of state, which takes time to locate and contact. Lt. Nelson stated that with the anti-camping ordinance this would give the police department the authority to move them without having to contact the property owners. Mayor asked if Lt. Nelson had any of the other cities ordinances to do a comparison. Lt. Nelson stated that he would forward the ordinance to him. Mayor asked for questions. None were received.

f. Discuss grease trap ordinance.

Mr. Forestier stated that at the last meeting staff had provided recommendations regarding the grease trap at churches. Mr. Riley stated that when this was discussed at the last meeting and Council wanted to see what the City of Conroe was doing. Mr. Riley stated that currently if the church does not have a grease trap, but does have a commercial kitchen, or their food activity impairs their sewer line in anyway, they would require them to install a grease trap. Mayor asked what the definition of a commercial kitchen was. Mr. Riley stated that if the kitchen had vent hoods, commercial grade stove, fryers, or mixers. Mr. Riley stated that the City of Conroe is working with the churches because they know they are not restaurants, and if they are not causing any problems to the sewer line, and they do not have a commercial kitchen they will work with them. If they do renovations, they require them to meet the code. Mr. Riley stated that the same recommendations were listed that were submitted to council for discussion. Tom Luster stated that he noticed in that the minimum that they would have to install would be 500-gallon grease trap. Mr. Riley stated that right now the minimum is 1,000 gallon grease trap, the recommendation is on the cleaning schedule of 500 to 1,000 gallon grease trap be cleaned once per year. Mayor asked how this would be enforced if the City does not know who has a grease trap and who does not. Mr. Riley stated that staff would have to go to each church and do an inspection. Mr. Forestier stated that the City does have a list that is available that shows the location that staff is aware of that do have some sort of grease trap. Mr. Forestier stated that grease trap owners should be sending a copy of their cleaning manifest once or twice a year depending on how often they are being cleaned. Mr. Riley stated that when inspections are completed, and the grease traps are not the correct size or if something is wrong with the grease trap, a letter is sent out informing them that one needs to be installed, cleaned, or repaired. Thomas Belinoski stated that the older churches have kitchens, but not big kitchens, if they have under the sink grease traps would they still need to send a cleaning manifest showing that it is being cleaned. Mr. Riley stated that if they have a under the sink grease trap, most of the time they can clean it themselves, but they can still send a manifest in saying when it was cleaned. Mr. Belinoski stated that he does not feel that the older churches should be penalized. Mr. Riley stated that the City is not trying to penalize them, but is trying to comply with TCEQ. Mr. Riley stated that self-cleaning of a grease trap would only be allowed for churches not a restaurant. If they do have a commercial kitchen, more than likely they are causing an impact on our system. Mr. Riley stated that in the recommendation presented to Council, it also states what the City of Montgomery and the City of Shenandoah are currently doing. Mayor called for questions. None were received.

g. Discuss the procedures for declaring and removing junked vehicles.

Fernando Garcia provided the Council the procedures for junk vehicles. Mr. Garcia stated that the City ordinance regarding junked vehicles follows the same as state law. Mr. Garcia stated that in order for a vehicle to be declared as a junked vehicle, it must have an expired windshield sticker and must be wrecked, dismantled, partially dismantled, or discarded, or inoperable and has remained inoperable for more than 72 consecutive hours if the vehicle is on public property; or 30 consecutive days, if the vehicle is on private property. The ACO, Melanie Robertson stated that she only works on a compliant basis, and does not go out actively looking for junked vehicles. Mayor asked if the City has an ordinance that identifies what junked vehicles are, why we are only work on a compliant basis. Ms. Robertson stated that staff is currently so busy with mobile home inspections, and animal calls, and junked vehicles. Ms. Robertson stated that there are quite a lot of junked vehicles in the City. Ms. Robertson stated that she could only focus on junked vehicles, but she would not be able to do any other duties. Mr. Garcia stated; to avoid anyone thinking that code enforcement is being selective on enforcing junked vehicles, they will go and investigate the complaint and if any other junked vehicles are in sight they will work those too. Mayor asked what the process was, because when citizens call him with complaints it is hard to explain to citizens that the City works on a complaint basis. Mr. Garcia stated that the process begins with the Code Enforcement Officer (CEO) investigating the complaint, and if a violation exists, after verification through DMV that the registration is expired a notice is mailed

out to the owner requiring the vehicle to be removed within 10 days. If the owner does not respond or remove the vehicle, the CEO will issue a citation for failure to comply. If the owner of the vehicle contacts code enforcement and explains the reason why they are not able to comply within 10 days, they may request an extension. Mr. Garcia stated that to date, everyone who has contacted the CEO has been given an extension and has come to compliance. The owner has the option to either prove to the CEO that the vehicle is operable by driving it on the street, register the vehicle, or park it behind a fence, as long as it is not visible from public view. Mayor asked for any further discussion. No further discussion was received.

- h. Discuss and take action list of cities from Management Advisory Group International, Inc. for the salary survey.

Mr. Forestier stated that in the October Council meeting, representatives from Management Advisory Group International, Inc. had attended the meeting and briefed the council on the procedures of the survey and different companies and cities from which the survey would be done on. Mr. Forestier stated that he had emailed Council the list of cities for them to review them and give their suggestions. Mr. Forestier asked Rick Valdez to address this with the Council. Mr. Valdez stated that in November staff was tasked with creating a list with cities similar to Willis. Mr. Valdez stated that there are 20 potential target cities/organizations within our area. Mayor asked; when previous employees have left their employment with the City, for what reasons are they leaving, and how many employees have left over the last three years. Mr. Valdez stated that it has been for jobs with the oil field, some moved out of stated, etc. Mayor and Council looked over the list of cities for the survey. Motion was made by Thomas Belinoski to include the Cities of Wharton, Cleveland, Livingston, Hillsboro, Jasper, Bastrop, Hitchcock, Bellville, Hempstead, Waller, Sealy, Manvel, Dayton, Madisonville, Navasota, and Mont Belvieu in the salary survey. Barney Stone 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.

Tom Luster stated that the cover pavilion at Pine Circle Park looks great.

- a. Engineer's report

- 1. Update on using heat from the Catahoula Wells to generate power for the Water Plant.

Derek Wind stated that he Catahoula Wells were drilled for an alternative water source. Mr. Wind stated that the water come out ranging from 105 to 110 degrees; there is geo thermal heat that is coming from 2000 ft. below. Mr. Wind stated that he spoke to an electrical engineer and two ways that geo thermal energy is used, one is when the steam used that is generated from the water contacting the heat underground is used to turn turbines is not an option due to the temperature differential. Mr. Wind stated the other option would be to use for the heating or cooling of buildings. Mr. Wind stated that there are two water plants with the Catahoula Wells, one at Pin Oaks, and the other at the Willis Police Department. Mr. Wind stated that possible we could use the heat to do something at the police station. Mr. Wind stated that the problem with that is the pumps pump when the system needs the water, which is a different application when trying to circulate heat. Mr. Wind stated there is no way to implement the use of the geo thermal heat at this time.

- b. City Manager's report and updates

- 1. Charter review for the May 2019 Election

Mr. Forestier stated that at the next regular meeting we would be discussing the election for May 4, 2019. Mr. Forestier stated that in Council's packet there were several propositions for review for possible update to the City Charter, also included were propositions concerning HB157.

- 2. Entergy Easement for Power Line

Mr. Forestier stated that he had spoken with the executive director of the Boardwalk Pipeline Company and they are looking into requesting an easement from the City on the old landfill site.

8. ADJOURN

Motion was made by Tamara Young-Hector to adjourn. Thomas Luster seconded the motion. Motion passed unanimously. The meeting adjourned at 7:12 p.m.

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Leonard Reed, Mayor

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Marissa Quintanilla, City Secretary