

Willis, Texas
January 15, 2019
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
Thomas Belinoski, Council Member
Hector Forestier, City Manager
Marissa Quintanilla, City Secretary
James Nowak, Chief of Police
Rick Valdez, Finance Director
Pat Riely, Public Works Director
Fernando Garcia, Director of Community Development

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.
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.
James Nowak said the invocation.
3. PUBLIC HEARING
 - a. Public Hearing on the annexation of a total of 7.570 acres in the James Elkins Survey.
Mayor asked if any questions or comments from the public. None were received. Mayor closed the public hearing at 5:33 p.m.
4. FAREWELL RECEPTION FOR BILL VAN ALSTYNE (10 MINS)
Council and staff took a 10-minute break for a farewell reception for Mr. Bill Van Alstyne.
5. CITIZENS INQUIRY
Boy scouts Issacc Stafford from Troop #161 and Travis Vanschuyvez from Troop # 776, both working on their citizenship badge were in attendance.
6. CONSENT AGENDA
 - a. Approval of accounts payable.
 - b. Approval of financial statements and tax collection reports.
Motion was made by Thomas Belinoski to approve the consent agenda. Thomas Luster seconded the motion. Mayor asked for questions. None were received. Motion passed unanimously.

7. ORDINANCES

Second 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 the second reading, and is a non-exclusive franchise agreement, and is mirrored like the CenterPoint franchise agreement. Mayor asked for questions. Mayor stated that he spoke with Mr. Forestier and needed clarification on where their customer base would be. According to the agreement, they would only be paying a franchise fee to use the easement, and if they are not supplying gas inside the city limits, the City would not get a franchise fee, and SiEnergy would be using the City easement at no cost. Mayor stated that Mr. Forestier recommended tabling item 7a until the February meeting. Thomas Belinoski made a motion to table item 7a until the February meeting. Barney Stone seconded the motion. Motion passed unanimously.

- 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 an annual requirement and to approve the codification of all the ordinances passed in the previous year, and recommend approval. Mayor asked for questions or comments. None were received. Tamara Young-Hector made a motion to approve an ordinance enacting and adopting a supplement to the Code of Ordinances for the City of Willis and declaring an emergency. Thomas Belinoski seconded the motion. Motion passed unanimously.

8. NEW BUSINESS

- a. Consider approval of granting a 3,883 sq. ft. easement located in the George W. Lonis Survey, to Entergy Texas, Inc.
Mayor Reed recused himself from items 8a-8b at 5:56 p.m. Mayor Pro-Tem Barney Stone took over the meeting.
Mr. Forestier stated that the City would be receiving \$3,560 from Entergy for the easement and staff recommends approval. Mayor Pro-Tem asked for questions or comments. None were received. Thomas Belinoski made a motion to approve granting a 3,883 sq.ft. easement located in the George W. Lonis Survey, to Entergy Texas, Inc. Thomas Luster seconded the motion. Motion passed unanimously.

- b. Consider approval of granting a 50 ft. easement located in the George W. Lonis Survey, to Gulf South Pipeline Company, LP.
Mr. Forestier stated this was for Entergy for the Lewis Creek Plant, and the City would be receiving \$500 for the 50 ft. easement. Mr. Forestier stated that both easements are located on the City's old landfill. Mayor Pro-Tem asked for questions or comments. None were received. Thomas Belinoski made a motion to approve granting a 50 ft. easement located in the George W. Lonis Survey, to Gulf South Pipeline Company, LP. Tamara Young-Hector seconded the motion. Motion passed unanimously.

- c. Consider approval of a resolution authorizing the submission of a Texas Community Development Block Grant Program Application to the Texas Department of Agriculture for the Community Development Fund.
Mayor Reed re-enters the meeting at 5:59 p.m.
Mr. Forestier stated that the special meeting last week was to approve the administration and engineering firms for the CDBG grant the City was applying. Mr. Forestier stated that the grant was for \$350,000 and the City would match at \$75,000. Mr. Forestier stated that there are three different projects the City was looking at were at Pin Oaks water plant, and staff recommended approval. Mayor asked for questions. None were received. Tamara Young-Hector made a motion to approve a resolution authorizing the submission of a Texas Community Development Block

Grant Program Application to the Texas Department of Agriculture for the Community Development Fund. Thomas Belinoski seconded the motion. Motion passed unanimously.

- d. Consider and award the bid for the expansion of the Waste Water Treatment Plant.
Mr. Forestier asked Jennifer Steen, Johnny Green, and Austin Beck with Bleyl Engineering to present to Council. Ms. Steen stated that five bids were received. Ms. Steen stated that eight references were contacted on the low bid and all were very good, and had great feedback. Ms. Steen stated that after reviewing the evaluations and references Bley Engineering was recommending R.P. Constructors, Inc. for the base bids with extra items of \$5,751,000, which comes in under what is allocated in the bond for this project. Ms. Steen asked for questions. Thomas Belinoski asked what is expected with the expansion. Ms. Steen stated that once the work is complete the work itself should last about 20 years, before it would need to be looked or any major maintenance preformed. Ms. Steen stated that this expansion adds capacity to the wastewater treatment plant, and expects about 10 years before the City would need to expand. Tamara Young-Hector made a motion to award the bid for the expansion of the Waste Water Treatment Plant to R.P. Constructors, Inc. for the base bid with extra items for \$5,751,000. Barney Stone seconded the motion. Mayor asked for questions or comments. None were received. Motion passed unanimously.
- e. Consider approval of purchasing a used truck for Public Works to replace PW1.
Pat Riley stated that a few months back PW1 was in an accident. Mr. Riley stated that the City was going to have the truck repaired, but the insurance company totaled it because the frame was bent. Mr. Riley stated that staff went to ET Motors in New Caney and found a 2010 F150 single cab ½-ton long bed that meets City requirements. The truck has 41,600 miles, new tires, and spray bed liner. ET Motors is willing to sell the truck to the City for \$11,000. Mr. Riley stated that the insurance would cover \$9,400 and staff is asking for permission to use the 2018-2019 budget and split the \$1,600 between four departments in the maintenance category. Mayor asked for questions. None were received. Thomas Luster made a motion to purchase a used 2010 truck for \$11,000 for Public Works to replace PW1. Tamara Young-Hector seconded the motion. Motion passed unanimously.
- f. Consider approval on the hiring of personnel in the Police Department related to an Officer employed by the Police Department.
Chief Nowak stated that five applications were received for the open clerk position at the police department. One applicant was returned after the background check was completed Chief Nowak stated the applicant's name was Talisha Raney, whose brother-in-law; Matthew Sweeny is a Police Officer for the City of Willis Police Department. Chief Nowak stated that Section 2.2(3) of the Personnel Policy Manual requires approval by the Council before a relative of a current city employee may be employed by the City, and Section 2.2(1) prohibits a person from working in a department supervised by another relative, however, Officer Sweeney would not be her supervisor. Mayor asked for questions. None were received. Thomas Belinoski made a motion to approve the hiring of Talisha Raney in the Police Department related to an Officer employed by the Police Department. Barney Stone seconded the motion. Motion passed unanimously.
- g. Consider approval of an election services agreement with Montgomery County, Texas for the May 4, 2019 election.
Mr. Forestier stated that this is an agreement with Montgomery County for administrative work for the election. Tamara Young-Hector made a motion to approve an election services agreement with Montgomery County, Texas for the May 4, 2019 election. Thomas Luster seconded the motion. Mayor asked for questions. None were received. Motion passed unanimously.
- h. Consider approval of the joint election agreement with Montgomery County, Texas for the May 4, 2019 election.

Mr. Forestier stated that the joint election agreement would allow the City to participate in the joint election, along with other political jurisdictions that will be having an election. Tamara Young-Hector made a motion to approve a joint election agreement with Montgomery County, Texas for the May 4, 2019 election. Barney Stone seconded the motion. Mayor asked for questions. None were received. Motion passed unanimously.

- i. Discuss and consider approval of a resolution ordering the City of Willis Election to be held on May 4, 2019 for the election of mayor and five (5) city council positions; for the approval of twelve (12) Home-Rule Charter amendment propositions; and for a proposition to abolish the sales and use taxes for City street maintenance and repair and for the Type A Willis Economic Development Corporation; and the adoption of an increase in the Willis sales and use tax from one percent to 1.625 percent.

Mr. Forestier stated that on the May 4, 2019 election all Council positions and Mayor would be up for reelection and 12 propositions for the Home-Rule Charter amendment, and the abolition of the sales and use taxes for City street maintenance and repair and for the Type A Economic Development Corporation. Mayor and Council reviewed all 12 propositions for the home-rule charter amendments, and the abolition of the sales and use taxes for street maintenance and Type A Economic Development Corporation. Thomas Belinoski made a motion to approve a resolution ordering the City of Willis Election to be held on May 4, 2019 for the election of mayor and five city council positions; charter amendments with the exception of proposition 4 and 6, and the abolition of the sales and use taxes for City street maintenance and repair and for the Type A Willis Economic Development Corporation; and the adoption of an increase in the Willis sales and use tax from one percent to 1.625 percent. Barney Stone seconded the motion. Mayor asked for questions. None were received. Motion passed unanimously.

- j. Discuss the Garage Sale ordinance.

Fernando Garcia stated that City staff has created a garage/yard sale permit application and ordinance. Mr. Garcia stated that the following regulations were included in the ordinance; permit required for garage sale, no permit fee required, restrictions on conduct of sale, time period for garage sale, signage allowed, and provided a penalty if any violation occurred. Mayor asked for questions. None were received.

- k. Discuss the Outdoor-burning ordinance.

James Nowak stated that staff has been working on this ordinance for about a year, incorporating input that was received from Council, and Fire Marshall. Chief Nowak stated that state law prohibits any outdoor burning unless there is a city ordinance. Chief Nowak stated that leaves and garbage are the most problematic. Chief Nowak stated that the City does have trash pickup for garbage and leaves therefore can have an ordinance prohibiting the burning of those items. Chief Nowak stated that there are certain exemptions in the Texas Administrative Code, which we have to allow for under state law, which are; fire training, preparing food such as grilling hamburgers, fires for warmth in a barrel, disposing of animal remains, and public safety burns. Mr. Nowak stated that land clearing operations are also exempt, but is defined and subject to state permitting requirements to protect air quality. Chief Nowak stated asked for any questions. None were received. Chief Nowak stated that staff should have the ordinance ready for a first reading at the February meeting.

9. 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 Lift Station at Wastewater Treatment Plant

Jennifer Steen stated the lift station at the Wastewater Treatment Plant was substantially completed. Ms. Steen stated there were a few items on the punch list, but is up and running.

2. Update on Longstreet 12” and 4” Water Line Extension

Ms. Steen stated that both water line extensions are under construction. Ms. Steen stated that Entergy is hoping to have the water up and running by the end of the month.

b. City Manager’s report and updates

1. Applications for place on ballot due to City Secretary by February 15, 2019

Mr. Forestier reminded Council that applications for a place on the ballot for the May 4, 2019 election were due to City Secretary by February 15, 2019.

Mayor closed open session at 7:02 p.m. for closed executive session.

10. EXECUTIVE SESSION

a. Convene into closed executive session under Section 551.074 (Personnel Matters) of the Texas Open Meetings Act to discuss:

1. Procedures for City Manager search

2. Willis Police personnel matter

Mayor and Council went into closed executive session at 7:08 p.m.

b. Reconvene into open session and take action deemed necessary on matters discussed in closed executive session.

Mayor and Council reconvened in open session at 7:26 p.m.

No action was taken from matters discussed in closed executives session.

11. ADJOURN

Mayor adjourned the meeting at 7:26 p.m.

Leonard Reed, Mayor

Marissa Quintanilla, City Secretary