

NOTICE OF MEETING
FOR THE GOVERNING BODY OF THE
CITY OF WILLIS, TEXAS

Notice is hereby given that a regular meeting of the governing body of the above named City will be held on the 19th of November, 2013 at 6:30 p.m. in the City Hall at 200 N. Bell Street, Willis, Texas at which time the following subjects will be discussed, to-wit:

1. Call to order the regular meeting.
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.
3. CITIZENS INQUIRY
 - a. Jace Houston, San Jacinto River Authority presentation on construction progress.
4. CONSENT AGENDA
 - a. Consider the minutes of the previous meeting; October 15, 2013 and October 29, 2013.
 - b. Approval of accounts payable.
 - c. Approval of financial statements and tax collection report.
5. NEW BUSINESS
 - a. Take action on Order #BSC13-0820 to Russell Luke on the substandard and dangerous structure located on Block 8, Lots 17, 18, 19, Bates Addition Section 1 on Young Street ordered on August 20, 2013.
 - b. Consider approval of a Waste Management Contract Amendment.
 - c. Consider a resolution to cast vote(s) for candidate(s) for the election of the Montgomery Central Appraisal District Board of Directors.
 - d. Award the contract for bids received for the renovation of City.
6. ORDINANCES
 - 1st Reading
 - a. Consider amendments to the water and sewer tap ordinance.
 - b. Consider an ordinance for the annexation of 217.58 acres in between FM 1097 West and Old Montgomery Road, Interstate 45 North roadway, and Highway 75 North roadway.
 - c. Consider an ordinance for zoning of a tract of land between FM 1097 West and Old Montgomery Road.
 - 2nd Reading
 - d. Consider an amendment to the ordinance on zoning regulations regarding building setbacks restrictions, lot sizes, and height restrictions.
 - e. Consider an amendment to the ordinance on subdivision regulations regarding building setback restrictions.
 - f. Consider an ordinance enacting and adopting a supplement to the code of ordinances.
 - g. Consider an ordinance prohibiting private water wells within the City of Willis.
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. City Engineer's report
 1. Update on Catahoula wells

- b. City Manager's report and updates
 1. Christmas Party

8. Adjourn.

Dated this the 15th day of November, 2013.

Brenda Burns, City Secretary

I, the undersigned authority, do hereby certify that the above Notice of meeting of the governing body of the above named City Council is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, at the City Hall of said City in Willis, Texas a place convenient and readily accessible to the general public at all times, and said Notice was posted on November 15, 2013 at 2:00 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 15th day of November, 2013.

Brenda Burns, City Secretary

The City Council for the City of Willis reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney); 551.072 (Deliberation about Real Property); 551.073 (Deliberations about Gifts & Donations); 551.074 (Personnel Matters); 551.076 (Deliberation about Security Devices; and 551.086 (Economic Development).

It is the policy of the City of Willis to afford disabled persons maximum access to all public meetings. The City of Willis will make reasonable accommodations to address the needs of persons with vision or hearing impairments or other disabilities, including the provision of readers or sign language interpreters when requested reasonably in advance.

Willis, Texas
November 19, 2013
6:30 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
John Lovelady, Mayor Pro Tem
Anna Ross, Council Member
Tamara Young-Hector, Council Member
Bill Van Alstyne, Council Member
Thomas Belinoski, Council Member
Hector Forestier, City Manager
James Nowak, Police Chief
Larry Foerster, City Attorney
John Mangiameli, Community Development Director
Arthur Faiello, Public Works Director
Brenda Burns, City Secretary
Marissa Quintanilla, Human Resources Director

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, all members were present.

The pledges were recited.

John Lovelady said the invocation.

3. CITIZENS INQUIRY

Mayor introduced Gary Louie; Mr. Louie introduced himself as a candidate for State Representative for District 16. Mr. Louie stated the election would be in March, 2014 and gladly entertained a meeting with the Mayor or Council on any concerns they may have.

- a. Jace Houston, San Jacinto River Authority presentation on construction progress.

Mr. Forestier stated Jace Houston was the Executive Director of the San Jacinto River Authority and with him was Mark Smith also with San Jacinto River Authority. Mr. Houston thanked Council for the accomplishments of the Public Works Department especially with the WEAT Award and the installation of the Catahoula wells. Mr. Smith gave a presentation on the progress of the water plant facility located at Lake Conroe and the progress of the surface water line.

John Lovelady asked why a portion of the water line would be located in the roadway. Mr. Smith stated because of conflicting lines in the street right-of-way and because the specific area would need to have the roadway replaced in the near future so they took the opportunity to do it now. Thomas Belinoski asked how far this would drop the lake level. Mr. Smith stated the project would drop the level 1" per year.

4. CONSENT AGENDA

- a. Consider the minutes of the previous meeting; October 15, 2013 and October 29, 2013.
- b. Approval of accounts payable.
- c. Approval of financial statements and tax collection report.

Mayor Reed called for any questions or comments on the consent agenda. None were received. Mayor and Council approved items 4a – 4c by unanimous consent.

5. NEW BUSINESS

- a. Take action on Order #BSC13-0820 to Russell Luke on the substandard and dangerous structure located on Block 8, Lots 17, 18, 19, Bates Addition Section 1 on Young Street ordered on August 20, 2013.

John Mangiameli stated the issue was brought before Council in August and Mr. Luke has not completed anything that was ordered. Mr. Mangiameli was recommending Council proceed with the 30-day statutory deadline and proceed with demolition if Mr. Luke does not comply. Motion was made by John Lovelady to move forward with steps to demolish structure. Anna Ross seconded the motion. Motion passed unanimously.

- b. Consider approval of a Waste Management Contract Amendment.

Mr. Forestier stated Terry Woodson gave an update a couple of meetings ago on some changes to the contract on the CPI adjustment, holidays and bulky pickups. Larry Foerster and Ms. Woodson worked out the changes in the contract. Ms. Woodson stated the changes would give the city a 60-day notice on a CPI adjustment, holidays would go to three days a year, and the bulky pickup would go to 8 items once a month instead of 2 items every week. Motion was made by Bill Van Alstyne to accept and approve the Waste Management Contract Amendment. Thomas Belinoski seconded the motion. Motion passed unanimously.

- c. Consider a resolution to cast vote(s) for candidate(s) for the election of the Montgomery Central Appraisal District Board of Directors.

Mayor called for a motion to cast votes. John Lovelady made a motion to cast one for each for the following candidates: Ed Chance, Mike Meador, John Wiesner, Gary Hanson and Alan Sadler. Thomas Belinoski seconded the motion. Motion passed unanimously.

- d. Award the contract for bids received for the renovation of City.

Austin Love, Bleyl & Associates stated four bids were received on the City Hall second floor build out and elevator. The bids were Level Infrastructure-\$269,289.00, Fairweather Group-\$349,762.50, GTT, Inc.-\$335,940.49 and Diamond Commercial Construction-\$333,183.00. Mr. Love stated each bidder is evaluated and their company had not worked with Level Infrastructure so a full workup was done on the company. Mr. Love stated it was the only Houston based company bidding, the company has only been in business two years and had only one project to evaluate that did not have an elevator and was not similar to the project the city was bidding. Mr. Love stated the second low bidder has been in business since 1982 and has done extensive work. Mr. Love stated they were recommending the second low bidder, Diamond Commercial Construction. Mr. Forestier pointed out that bidders 2, 3 and 4 were only slightly different in amounts, but the low bidder was 64K lower than the other three. Mr. Forestier stated the budget was 325K and the second lowest would be over by 8K. Mayor stated based on the engineers recommendation, he would also recommend the Diamond Commercial Construction. Mr. Van Alstyne was also concerned with the low bid since the company was coming from South Houston. Motion was made by Anna Ross to accept the bid from Diamond Commercial Construction in the amount of \$333,183.00. Tamara Young-Hector seconded the motion. Motion passed unanimously.

6. ORDINANCES

1st Reading

- a. Consider amendments to the water and sewer tap ordinance.
Arthur Faiello stated a fee was added to test water meters in order to formalize a process that was already in place. Mr. Faiello stated staff can test up to a 2” meter in house and if the meter test okay then the customer would be charged a fee of \$35.00 and for larger meters it would be sent out to a vendor and the fee would be based on the charge assessed by the vendor and would be paid by the customer if the meter was okay. In the event a meter test bad the city would incur the cost and an adjustment would be made accordingly to the customer. Mayor read the caption and stated the final reading and approval would be at the next meeting.
- b. Consider an ordinance for the annexation of 217.58 acres in between FM 1097 West and Old Montgomery Road, Interstate 45 North roadway, and Highway 75 North roadway.
John Mangiameli stated there were four parcels, three of the parcels were roadways and one parcel was between FM 1097 West and Old Montgomery Road to Omega Farms RV Park. Mayor called for any questions. None were received. The final reading and approval will be at the next meeting.
- c. Consider an ordinance for zoning of a tract of land between FM 1097 West and Old Montgomery Road.
John Mangiameli stated the owners had petitioned to have the entire area zoned commercial. The item was taken back before the Planning and Zoning Commission to consider the change and the Commission voted unanimously to recommend the entire area be zoned commercial. Mr. Mangiameli stated residential could still be constructed in a commercial zone. Mayor read the caption and stated the final reading and approval would be at the next meeting.

2nd Reading

- d. Consider an amendment to the ordinance on zoning regulations regarding building setbacks restrictions, lot sizes, and height restrictions.
John Mangiameli stated the amendment would change the side setback to 5’ and remove the height restrictions from the zoning ordinance, but would still be regulated by the standard building code. Mayor read the following caption, “AN ORDINANCE AMENDING CITY ORDINANCE NO 09-0721, DATED JULY 21, 2009, AS FOUND IN THE WILLIS CODE OF ORDINANCES, TITLE XV, CHAPTER 155, AMENDING THE CITY OF WILLIS ZONING REGULATIONS BY THAT ALL LOT SIZES OF RESIDENTIAL, GENERAL COMMERCIAL AND GENERAL INDUSTRIAL DISTRICTS WITHIN THE CITY MUST COMPLY WITH THE SETBACK RESTRICTIONS AND LOT SIZE REQUIREMENTS IN THE CITY SUBDIVISION REGULATIONS FOUND IN SECTION 154 OF THE WILLIS CODE OF ORDINANCES; PROVIDING THE INCLUSION OF A “PUBLIC” ZONING DESIGNATION; PROVIDING THE ADDITION OF ALLOWABLE USES IN THE GENERAL COMMERCIAL AND PUBLIC DESIGNATIONS; PROVIDING THAT THE HEIGHT RESTRICTIONS IN THE “GC,” “GI,” AND “PUBLIC” ZONING DESIGNATIONS BE GOVERNED BY THE INTERNATIONAL BUILDING CODE; PROVIDING A PENALTY OF UP TO \$500 FOR NON-COMPLIANCE; PROVIDING A SAVINGS CLAUSE AND REPEALING CLAUSE; COMPLYING WITH THE TEXAS OPEN MEETINGS ACT; AND ESTABLISHING THE PASSAGE OF THE ORDINANCE UPON PROPER PUBLICATION” and called for a motion. Motion was made by Thomas Belinoski to approve the ordinance. John Lovelady seconded the motion. Motion carried unanimously.
- e. Consider an amendment to the ordinance on subdivision regulations regarding building setback restrictions.
John Mangiameli stated this amendment would make the zoning and subdivision ordinances sync. Mayor read the following caption, “AN ORDINANCE AMENDING CITY ORDINANCE

NO. 96-0220, DATED FEBRUARY 20, 1996, AS FOUND IN THE WILLIS CODE OF ORDINANCES, TITLE XV, CHAPTER 154, AMENDING SECTION 154.35 OF THE CITY OF WILLIS SUBDIVISION REGULATIONS BY CHANGING THE BUILDING SETBACK RESTRICTIONS TO COMPLY WITH THE BUILDING SETBACK REGULATIONS DESCRIBED IN THE CITY ZONING REGULATIONS FOUND IN CHAPTER 155 OF THE WILLIS CODE OF ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE AND REPEALING CLAUSE; COMPLYING WITH THE TEXAS OPEN MEETINGS ACT; AND ESTABLISHING THE PASSAGE OF THE ORDINANCE UPON PROPER PUBLICATION” and called for a motion. Tamara Young-Hector made a motion to approve the amendment. Bill Van Alstyne seconded the motion. Motion passed unanimously.

- f. Consider an ordinance enacting and adopting a supplement to the code of ordinances. Mr. Forestier stated this was an annual approval in order to update the code of ordinances with the actions that took place during the 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” and called for a motion. Motion was made by Thomas Belinoski to approve the ordinance. Tamara Young-Hector seconded the motion. Motion passed unanimously.
- g. Consider an ordinance prohibiting private water wells within the City of Willis. Arthur Faiello stated this would prevent the drilling of private wells in the city although existing wells could be used and repaired. If the repairs required drilling the well deeper or the construction of a new well and city water was available within 200’ the repairs would be prohibited. Mayor read the following caption, “AN ORDINANCE OF THE CITY OF WILLIS ADDING CHAPTER 56, TITLE V TO THE CITY CODE OF ORDINANCES BY PROHIBITING PRIVATE WATER WELLS WITHIN THE CITY OF WILLIS; PROVIDING EXCEPTIONS FOR CURRENT WATER WELLS AND FOR OTHER REASONS; PROVIDING PENALTIES OF UP TO \$500 FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE, A REPEALING CLAUSE AND A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION” and called for a motion. Motion was made by Tamara Young-Hector to approve the ordinance. Anna Ross 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.

Ms. Ross was concerned with the large truck traffic on Longstreet Road. Mr. Forestier and Mr. Faiello stated they were working on the issue.

- a. City Engineer’s report
 - 1. Update on Catahoula wells
- b. City Manager’s report and updates
 - 1. Christmas Party
 - Mr. Forestier stated the well at Pin Oak was operational and the well at the Police Department was being worked on.
 - Mr. Forestier gave an update on the parade violations.

8. Adjourn.

Anna Ross made a motion to adjourn the meeting. Tamara Young-Hector seconded the motion. Motion carried unanimously. The meeting adjourned at 7:42 p.m.

Leonard Reed, Mayor

Brenda Burns, City Secretary