



MINUTES: APRIL 19, 2022
FOR THE GOVERNING BODY OF THE
CITY OF WILLIS, TEXAS

Leonard Reed, Mayor
William Brown, Mayor Pro-Tem
Ashley Nixon, Place 1
Barney Stone, Place 2
Tamara Young-Hector, Place 3
Tom Luster, Place 4

Sheyi I. Ipaye, City Manager
Marissa Quintanilla, City Secretary
Larry Foerster, City Attorney

The City Council of the City of Willis, Texas convened into regular session at city hall on the date and time aforesaid with the following members present:

Leonard Reed, Mayor
William Brown, Mayor Pro-Tem
Ashley Nixon, Council Member
Barney Stone, Council Member
Tom Luster, Council Member
Sheyi Ipaye, City Manager
Larry Foerster, City Attorney
Marissa Quintanilla, City Secretary
James Nowak, Chief of Police
Jeff Cross, Director of Community Development

And the following members absent: Tamara Young-Hector, 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 of 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.
City Secretary called roll for Willis City Council and Planning and Zoning Commission. Pledges were recited. Chief Nowak gave the invocation.
3. JOINT PUBLIC HEARING
 - a. Joint Public Hearing with the Planning and Zoning Commission to hear public comments on the proposed rezoning of 9.9158 acres of land out of the B.F. Burke Survey A-92 and Thomason Addition Section 2 Block 2 Lots 2-6 from General Commercial to Multi-Family High Density designation
Mr. Cross this public hearing was to discuss the rezone on Gerald Street. Mr. Cross stated the apartments would have roughly about 144 units with a pool and a welcome center and are looking to change the zoning from general commercial to multi-family high density designation. Mayor asked for any questions from the public. None were received. Mayor Reed recognized the Planning and Zoning Commission and thanked them for their time. Chairman Vornsand stated that the Planning and Zoning Commission met on this and that it was with a unanimous vote to recommended approval to the City Council for the rezone. Mayor Reed stated if no further questions or comments the public hearing was adjourned. The Mayor closed the public hearing at 5:35 p.m.
4. CITIZENS INQUIRY
 - a. Public Comments

No citizens inquiry

5. CONSENT AGENDA

- a. Consider the minutes of the previous meeting: March 22, 2022
- b. Approval of Accounts Payable
- c. Approval of financial statements and tax collection reports
- d. Approval of Willis Police Department Policy 1.6 – Departmental Reports
- e. Approval of Willis Police Department Policy 5.2 – Media and Public Information

Mayor asked if anything needed to be removed from the consent agenda and addressed separately. No items were removed from the consent agenda. Mayor and Council approved the consent agenda by unanimous consent.

6. ORDINANCE

First Reading

- a. An ordinance of the City of Willis, Texas amending the City Official Zoning Map and Title XV, Chapter 155 “Zoning” by reclassifying two tracts of land composed of 9.9158 Acres in the B. F. Burke Survey Abstract No. 92, and Lots 2 through 6 in the Thomas Addition Section 2, Block 2, from “GC” General Commercial District Zoning Classification to “HD” Multi-Family High Density District Zoning Classification

Mr. Cross stated the public hearing earlier was for this item. Mr. Cross stated that during the Planning and Zoning Commission meeting there were concerns discussed about the infrastructure and the cost to bring in the wastewater to accommodate. Mr. Cross stated that there is not a development agreement between the developer and the city at this time. Mr. Cross stated that the Planning and Zoning Commission had concerns that the cost of this should not be brought upon the citizens because what is there is functioning and there does not appear to be a place to increase construction in the area due to the flood areas. Mayor as if we were working through these issues. Mr. Cross stated we were, the decisions have not been completed on that but that will not affect the zoning. This was the first reading no action was taken.

7. NEW BUSINESS

- a. Presentation from Perdue, Brandon, Fielder, Collings & Mott LLP on Delinquent Tax Collection
Leslie Schkade, of Perdue, Brandon, Fielder, Collings, & Mott LLP went over the delinquent tax collection report with Council.
- b. Discuss and consider approval of a resolution authorizing the City of Willis as the responsible entity for the Environmental Review for the Willis Community Development Corporation’s participation in the Home Program operated by the Texas Department of Housing and Community Affairs Home Program
Mr. Ipaye stated that this item was brought the Council by the Willis CDC. Mr. Ipaye stated that they are in the process of filing an application for some grants to help the with Texas Development of Housing and Community Affairs. Mr. Ipaye stated that in the application there is a requirement regarding the environmental review, and they have asked the City to be the responsible entity. Motion was made by Councilman Brown to approve a resolution authorizing the City of Willis as the responsible entity for the Environmental Review for the Willis Community Development Corporation’s participation in the Home Program operated by the Texas Department of Housing and Community Affairs Home Program. Councilman Stone seconded the motion. Mayor asked for any further discussion. None was received. Motion passed unanimously.
- c. Discuss and consider approval of resolution designating Authorized Representatives for TexSTAR Investments
Mr. Ipaye stated that the TexSTAR Investments authorized representatives on the account are the Finance Director who has resigned and the previous City Manager. Mr. Ipaye stated that the resolution would allow for the change of those representatives to employees of the City now. Councilman Brown asked who would be on the accounts. Mr. Ipaye stated it would be the City Manager and the City Secretary and maybe another. Councilman Stone made a motion to approve a resolution designating authorized representatives for the TexSTAR investments. Councilman Luster seconded the motion. Mayor asked for further discussion. None was received. Motion passed unanimously.

- d. Discuss and consider approval of a resolution amending Recreational Vehicle Park regulations for the City of Willis
- Mr. Cross stated that this resolution was brought because the City's recreational vehicle park regulations are behind the times as people move what is known as Park Model recreational vehicles in RV Parks. Mr. Cross stated that the concern the City had was that because of the design of the RVs they can't be moved every 180 days, which is a requirement the City has had to prevent people from residing in these RVs, the standards in which they are manufactured, states that they cannot. Mr. Cross stated the changes occurred because we are concerned about the fact that if we enforce the fact that they are living there and we make them move these RVs, then the City could be liable on certain things that may occur. Mr. Cross stated staff has added the park model recreational vehicles into the regulations that already existed, defined what they were in a way that describes the recreational vehicle, and have set an exemption for these vehicles, so that they could stay there and be stored while they are not being occupied. Mr. Cross stated this will only apply to the park model, or tiny homes. Mr. Cross stated they have designed a space placement so that they can be secured down in compliance with the adopted building codes and skirted so that they do not look bad, and parked in a way that they would still comply as an RV, but will not be treated as a normal RV that you go camping in. Mr. Cross stated they also made minor plumbing additions relating to wells and on-site sewage facilities. Mr. Cross stated the change occurred to allow the City to go in and ask the RV owner to remove the well and septic system so that we can have them put city sewer and water in. Mr. Cross stated as other RV parks are built and put in place and are not able to get them city services for a couple of years, then they will have a small time period to get connected to city services. Motion was made by Councilman Brown to approve a resolution amending the Recreational Vehicle Park regulations for the City of Willis. Councilwoman Nixon seconded the motion. Mayor asked for any further discussion. None was received. Motion passed unanimously.
- e. Discuss and consider approval of an amendment to the development agreement between the City of Willis and Makarios Acquisitions, LLC
- Mr. Cross stated that when reviewing the paperwork for the development agreement it was noted that in the agreement that the structures were dwellings and that they are to be installed as per the building codes. Mr. Cross stated that the challenge is that the structures are not actually tiny homes, they are recreational vehicles. Mr. Cross stated we would have allowed them to install them as homes the developer would have had to permit them separately, water and wastewater would have had to have been connected with plumbing and permit as well as the electrical would had to have been done like if each one was a manufactured home, which is not what they are intended to be. Mr. Cross stated the developer recognizes these are not actually recreational vehicles so with his help changes were made to the regulations of the RV, which were just approved. Mr. Cross stated the amended development agreement recognizes the structures as what they are, and the developer has agreed to follow along with the regulations as approved. Motion was made by Councilman Brown to approve the amendment to the development agreement between the City of Willis and Makarios Acquisitions, LLC. Councilman Stone seconded the motion. Mayor asked for any further discussion. None was received. Motion passed unanimously.
- f. Discuss and consider approval of a rate increase from Bleyl Engineering
- Mr. Ipaye stated he received a letter from Bleyl Engineering on March 21, 2022, and they are requesting for an increase in the charges that they are charging the City. Mr. Ipaye stated the current rate was established in March of 2019. Mr. Ipaye stated that the increase was about a 10% increase. Mr. Wind of Bleyl Engineering stated the labor market is where they get the resources to provide their services and they are consistently battling increased salaries and wages to keep a strong staff to be able to provide their service, and that is why the increase happened. Mr. Wind stated that when looking at the contract they have with the City, part of the process is that if they were to issue these rates to the City, the City would have to approve the change in rates and that is why it was brought to Council. Mr. Wind stated that Bleyl has been the City Engineer since 2006 and have a long-standing relationship. Mr. Wind stated that he understands the City has a lot of changes going in and a lot of expenses. Mr. Wind stated he talked with John Bleyl and did want to extend for the City of Willis specifically, that they would defer these changes for now. No action was required on item 7f.
- g. Discuss and consider approval of appointments to the Willis Community Development Corporation for terms expiring

Mr. Ipaye stated that we had 3 members for the CDC Board whose term has expired, those members being: Sonda Toliver, Sharon Luster, and Anthony Williams. Mayor Reed stated they have agreed to serve another term. Mayor asked for a motion. Motion was made by Councilman Stone to reappoint Sonda Toliver, Sharon Luster, and Anthony Williams to the Willis Community Development Corporation. Councilman Luster seconded the motion. Motion passed unanimously.

- h. Discuss and consider approval of removing Finance Director Beth Rodriguez as an authorized signer on all bank accounts.

Mr. Ipaye stated that the City received a letter of resignation from Finance Director Beth Rodriguez and need to remove her from all bank accounts. Motion was made by Councilman Brown to remove Finance Director Beth Rodriguez from all bank accounts. Councilman Luster seconded the motion. Mayor asked for any further discussion. None was received. Motion passed unanimously.

- i. Discuss and consider action regarding the establishment of a Park, Clean City, and Celebration Commission

Mr. Ipaye stated we have an opportunity to continue to move the City of Willis forward. This new commission will be responsible for all the parks of the City of Willis, cleaning of the City of Willis and the celebrations that may happen within the City. Mr. Ipaye stated that Willis Park, Clean City and Celebration Commission will consist of five members appointed by the Mayor and Council. Mr. Ipaye stated the Commission will work to improve and enhance the physical environment of the City of Willis through beautification, litter abatement program, cleaning awareness activities, solid waste management program. They will educate our citizens and encourage them to participate in cleaning Willis. The Commission will have the authorization to be part of the keep Texas Beautiful. Mr. Ipaye some of the power and duties of this commission include promotion and organization of the July 4th parade and activities, Juneteenth Celebration, Veterans Day events, Christmas tree lighting and promote and organize other municipal celebrations as directed by the Mayor and Council. Mr. Ipaye stated they may also be collection donations to do some of the work and look for other individuals in our community to help and assist them to achieve they work. Councilman Stone asked if there were any names of who was to be on the commission. Mr. Ipaye stated the Mayor will work with the Council and bring up individuals that the Council feels will help us move the City forward in this regard. Motion was made by Councilman Luster to approve the establishment of a Park, Clean City, and Celebration Commission. Councilwoman Nixon seconded the motion. Mayor asked for further discussion. None was received. Motion passed unanimously.

8. 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.

Councilman Brown thanks Bleyl Engineering for all their hard work they do for the City and City staff.

a. Engineer's Report

1. Lindley Park Improvements

Mr. Wind stated that Lindley Park improvement is looking good. Mr. Wind stated the covers for the basketball courts erected and finishing up in the next couple of weeks.

2. Water Plant No. 3 Improvements

Mr. Wind stated that the manufacturer of the electrical equipment keeps giving postponements to the delivery of the equipment. Mr. Wind stated that at the last meeting Council authorized a change order to get more time to wait for the equipment. Mr. Wind stated that at that time the delivery date was end of April, since then the manufacturer has changed the delivery date again to May 15th.

3. MLK and Pine Circle Park Improvements

Mr. Wind stated that the Willis CDC has authorized Bley Engineering to start design work for some parking and lighting at MLK Park and adding a bathroom and paved parking at Pine Circle Park.

b. City Manager's Report

1. Update regarding the transfer of Police Department Army truck (LMTV) to Homeland Security

- Mr. Ipaye stated the truck has been transferred to Homeland Security and has been picked up.
2. Update regarding 606 West Powell
Mr. Ipaye updated the Council about 606 West Powell and has been demolished and cleaned up. Mr. Ipaye stated that he has asked the Willis CDC to join the City in help with demolition and has asked that they put about \$35,000 in their budget for this.
 3. Report regarding City Council Budget Rankings for FY 22-23
Mr. Ipaye, asked that Council fill out the ranking sheet for the budget FY 22-23
 4. Update regarding City of Willis Property Values comparison for 2021 to 2022 Preliminary Values
Mr. Ipaye updated the Council on the average value of property is going up about 50%. Mr. Ipaye stated this is a time to advise citizens if they have to go and protest to keep their property value about the same.

9. EXECUTIVE SESSION

- a. Convene into closed executive session as provided by the Texas Open Meetings Act under Section 551.072 (Deliberation about Real Property) and 551.074 (Personnel Matters) and of the Texas Government Code.
 1. Real Estate
 2. Personnel

Mayor closed open session at 6:32 p.m. and reconvened in executive session in the upstairs conference room.

- b. Reconvene into open session and take action, if necessary, on matters deliberated in closed executive session. Mayor and Council reconvened into open session at 7:30 p.m. Mayor asked for any action coming out of executive session. Mr. Foerster stated that he would like to state for the record that in the personnel matter that was discussed of 551.074 of the Texas Open Meetings Act. Mr. Foerster stated that it came to the City's attention that on April 4, the Public Works Director Taylor Whichard tendered his resignation as an employee of the City, following his resignation, approximately four days later, he notified the HR Director Beth Rodriguez that he had filed a grievance against the City Manager. Mr. Foerster stated that he was invited him to closed executive session and did not appear. The Council and City Attorney reviewed all documents related to his employment going back to the time of employment, and since that time. Mr. Foerster stated that his recommendation as City Attorney, that his grievance be denied. Motion was made Councilman Brown to deny the grievance submitted by Taylor Whichard. Councilman Luster seconded the motion. Motion passed unanimously.

Motion was made by Councilman Stone to appoint the Mayor as a point person for real estate transactions. Councilwoman Nixon seconded the motion. Motion passed unanimously.

10. ADJOURN

Motion was made by Councilman Brown to adjourn. The meeting adjourned at 7:33 p.m.

Leonard Reed, Mayor

Marissa Quintanilla, City Secretary