

STATE OF TEXAS
COUNTIES OF WALLER AND HARRIS
CITY OF WALLER

BE IT REMEMBERED THAT ON THIS THE 27th day of January, 2014 at 7:00 p.m. the City Council of the City of Waller, Texas met in Regular Session at 2214 Waller Street with the following present:

Mayor Danny Marburger
Mayor Pro-tem Rick Dalton
Councilmember Nancy Arnold
Councilmember Roger Frey
Councilmember Dwayne Hajek
Councilmember Sidney Johnson

City Secretary Jo Ann London
Supt. of Public Works Gene Schmidt
EDC Director John Isom
Attorney Paula Alexander

GENERAL

1. Mayor Marburger called Regular meeting to order at 7:00 p.m.
2. Prayer and Pledge of Allegiance.

Prayer was given by Councilmember Arnold. Pledge of Allegiance was led by Mayor Pro-tem Dalton.

COMMUNICATIONS FROM THE PUBLIC

Clint Sciba from Waller County Fair Association was present to ask council for \$5,000 to promote the Waller County Fair. Mr. Sciba thanked Council for the money presented to them in the past years. Discussion will be Item No. 5.

CONSENT AGENDA ITEMS

Councilmember Arnold moved the Consent Agenda consisting of Items 3 & 4 be approved. Mayor Pro-tem Dalton seconded the motion. Motion carried unanimously. Each item, as approved by consent, is restated below along with the approved recommendation for each, for the record.

3. Consideration and approval of the Minutes of the December 16, 2013 Regular Meeting

RECOMMENDATION: Approve the Minutes of the December 16, 2013 Regular Meeting.

4. Consideration and approval of a Resolution approving Solid Waste Rates for 2014.

RECOMMENDATION: Approve the Resolution approving Solid Waste Rates for 2014.

REGULAR SESSION

5. Consideration and possible action to approve a Request for \$5,000 from the Hotel/Motel Tax for 2014 Waller County Fair Association.

Ms. London explained this request does qualify to come out of the Hotel/Motel Tax revenue; the Fair Association will include the City's two motels in our city limits in their advertisement to the public. Councilmember Hajek moved to approve the Request for \$5,000 from the Hotel/Motel Tax for the 2014 Waller County Fair Association. Mayor Pro-tem Dalton seconded the motion. Motion passed unanimously.

6. Consideration and possible action to approve the annual audit for FY 2012-2013, beginning October 1, 2012 and ending on September 30, 2013, as presented by Belt Harris Pechacek LLLP.

Nathan Krupke, Senior Auditor with Belt Harris Pechacek, LLLP provided a presentation to Mayor and Council. Councilmember Johnson asked Mr. Krupke if this was all the correspondence information and Mr. Krupke said yes that there is the audit, the management letter and the client representation letter, all of which have been presented. Mayor Pro-tem Dalton moved to approve the annual audit for FY 2012-2013, beginning October 1, 2012 and ending September 30, 2013, as presented by Belt Harris Pechacek, LLLP. Councilmember Arnold seconded the motion. Motion passed with Mayor Pro-tem Dalton, Councilmembers, Arnold, Frey, and Hajek voting for and Councilmember Johnson voting no.

7. Consideration and possible action to Refund Current Bonds at a Lower Interest rate.

City Secretary Jo Ann London stated that Mr. Gene Shepherd, the city's financial consultant, had called her to see if the city would be interested in refunding the 2004 bonds at a lower interest rate and she asked him to come to this meeting to explain the details. Mr. Shepherd explained to the Council the possibility of refunding approximately 1.2 million dollars of the 2004 bonds at lower interest rate; hopefully 3% or lower; a savings to the City of approximately \$4,000 annually. Mr. Shepherd suggests the City set this in motion tonight and he will bring the appropriate paperwork to the February meeting. Council agreed for Mr. Shepherd to set this transaction into motion and Staff to work with him on this project.

8. Consideration and possible action to approve a contract with the Waller county Election Department for 2014 City Elections.

Ms. London explained the contract with Waller County Elections is for election equipment and services and if approved, a deposit of funds would be made to Waller County. This is the first step in securing the voting machines and related services for the May election. Councilmember Hajek moved to approve a contract with the Waller County Elections Department for the 2014 City Elections. Mayor Pro-tem Dalton seconded the motion. Motion carried unanimously.

9. Consideration and possible action to approve a Resolution providing for an In-Kind Contribution for a development to be known as Carriage Crossing, located in the 31500-31700 block of Waller Tomball Rd.

Ms. London explained this is the third Resolution of three that the Mark-Dana Corporation has requested from the City to continue to move forward with this project. Attorney Paula Alexander has reviewed and approved the Resolution. Councilmember Frey asked if the completed project would be on the tax roll at full value. David Koogler, representative from Mark-Dana Corporation said the value would be based on income of the complex and not on the commercial value or the property. The total cost of project is estimated to be between 10-12 million dollars and should generate between \$40,000 to \$50,000 taxes per year once completed. Councilmember Arnold asked if this was a family unit project or senior living project. Mr. Koogler stated that this was a family unit but was open to seniors if they qualified. Councilmember Hajek moved to approve Resolution No. 14-02 providing for an In-Kind Contribution for a development to be known as Carriage Crossing, located in the 31500 – 31700 block of Waller Tomball Rd. Councilmember Johnson seconded the motion. Motion passed with Mayor Pro-tem Dalton, Arnold, Hajek, and Johnson voting yes. Councilmember Frey voting no.

10. Consideration and possible action to approve the Annual Review of the Investment Policy for the City of Waller.

Ms. London reports there has been no change in Federal or State laws which would require changes to the policy at this time. Mayor Pro-tem Dalton moved to approve the Annual Review of the Investment Policy for the City of Waller. Councilmember Frey seconded the motion. Motion passed unanimously.

11. Consideration and possible action to approve a Disciplinary Action and Appeals Policy.

City Attorney Paula Alexander has been working on this policy and presented to Mayor and Council. Councilmember Johnson asked the attorney who had asked for this policy to be written and why at this time; Ms. Alexander state that these issues had been discussed by Council and needed to be addressed. Mayor Pro-tem Dalton expressed that he thought the policy needed to be in place. Mayor Marburger suggested that some of the Council had not had enough time to review the policies. Councilmember Frey did say he had spoken with Ms. Alexander about the policy. Councilmember Hajek agrees the policy needs to be in place. Mayor Marburger said he only had notice of this policy when he received his packet and he would like to see everyone on council have input on this policy. After some discussion, Mayor Pro-tem Dalton suggests this item be tabled and a workshop set to discuss this item. Mayor Pro-tem Dalton moved to table this item and a workshop be set for discussion by all. Councilmember Arnold seconded the motion. Motion passed unanimously.

12. Consideration and possible action to approve a Grievance Procedure.

Mayor Pro-tem Dalton moved to table this item for workshop discussion also. Councilmember Arnold seconded the motion. Motion passed unanimously.

13. Consideration and possible action on the Action of city property at 2206 Main St.

Ms. London informed Council the purchase of the 2206 Main St. property had been finalized and staff is looking for direction from council as to what they want done with the property. After

discussion it was decided the utilities would be disconnected, the fence in the back would be improved, the locks would be changed, and no trespassing signs would be put around the property. The property will be kept up as any other city property. No action taken on this item.

14. Consideration and approval of action to change the day of Heavy Trash & Recycling Day the Sewer Plant to the 1st Saturday of the month, regardless of whether it falls right before Bulk Item Pick Up.

Mayor has spoken with Mr. Schmidt and both agree it will be easier for residents to remember if the date is set to be the 1st Saturday of each month. Mayor Pro-tem Dalton moved to change the day of Heavy Trash & Recycling Day the Sewer Plant to the 1st Saturday of the month, regardless of whether it falls right before Bulk Item Pick Up. Councilmember Hajek seconded the motion. Motion passed unanimously.

15. Consideration and possible action to appoint a representative to the Waller County Sub-Regional Planning Commission.

Mayor Marburger stated that he has been the representative and is willing continue to serve unless someone else wanted this position. Councilmember Frey moved to appoint Mayor Marburger as the representative to the Waller County Sub-Regional Planning Commission. Councilmember Johnson seconded the motion. Motion passed unanimously

EXECUTIVE SESSION

16. City Council will convene into Executive Session pursuant to Section 551.074 of the Texas Government Code for purpose of "The City Council will now convene into executive session pursuant to Section 551.074 of the Texas Government Code, to deliberate Personnel Matters, appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee".

- A. Police Officers
- B. Mayor

Convened into Executive Session at 8:05 p.m.

Reconvened into Regular Session at 9:55 p.m.

REGULAR SESSION

17. Consideration an possible action on Executive Session pursuant to Section 551.074 of the Texas Government Code for purpose of "The City Council will now convene into executive session pursuant to Section 551.074 of the Texas Government Code, to deliberate Personnel Matters, appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee."

- A. Police Officers

No action taken

B. Mayor

No Action Taken

18. MAYOR – COUNCIL REPORTS

No reports.

STAFF REPORTS

Superintendent Gene Schmidt reported the new well is going good; waiting on Centerpoint to bring in the power.

Police Chief Rehak had no report.

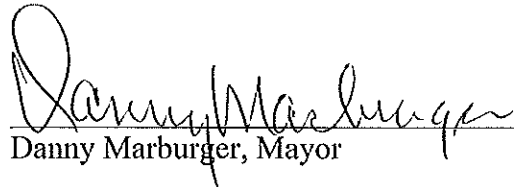
EDC Director John Isom updated Mayor and Council on various projects.

Ms. London reported the Olson & Olson Seminar would be from 8:30 am to 4 pm and anyone wanting to carpool should meet at City Hall at 7 am.

ADJOURNMENT

There being no further business to discuss Mayor Marburger adjourned the meeting at 10:04 p.m.

APPROVED BY:



Danny Marburger, Mayor

ATTEST:



Jo Ann London, City Secretary