

STATE OF TEXAS  
COUNTIES OF WALLER AND HARRIS  
CITY OF WALLER

BE IT REMEMBERED THAT ON THIS THE 19th day of May, 2014 at 7:00 p.m. the City Council of the City of Waller, Texas met in Regular Session at 1915 Locust 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  
Councilmember Edna Eaton (new)

City Secretary Jo Ann London  
Supt. of Public Works Gene Schmidt  
WEDC 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.

3. Canvass and acceptance of May 10, 2014 General Election. Escrutinio y aceptacion de 10 de mayo de 2014 elecciones generales.

City Secretary explained that the Official Canvass had the same numbers as the Unofficial Canvass, this after there was one (1) mail-in ballot and (1) provisional ballot that had to be resolved after the election and before the official canvas could be presented. Waller County Elections Administrator Dan Teed informed Ms. London that the provisional vote was for the school board election and there were no changes for the city election. Mayor Pro-tem Dalton moved to accept the canvass of the May 10, 2014 General Election. Councilmember Johnson seconded the motion. Motion passed unanimously.

4. Swear in Aldermen.

Notary Public Thelma Newton swore in re-elected Mayor Danny Marburger and newly elected Councilmember Edna Eaton. Judge Albert M. McCaig, Jr. swore in re-elected Councilmember Nancy Arnold.

Mayor Marburger presented an Appreciation Plaque to outgoing Mayor Pro-tem Rick Dalton. Mayor Pro-tem Dalton thanked the Mayor and expressed he would stay involved in the City of Waller and its future.

5. Consideration and possible action to Appoint a Mayor Pro-tem.

Mayor Marburger stated he would like to appoint Councilmember Johnson as Mayor Pro-tem. Councilmember Eaton moved to appoint Councilmember Johnson as Mayor Pro-tem. Councilmember Johnson seconded the motion. Motion failed with Councilmembers Eaton and Johnson voting yes, and Councilmembers Arnold, Frey and Hajek voting no. Mayor Marburger stated he would re-visit this agenda item next month.

### **COMMUNICATIONS FROM THE PUBLIC**

No communications from the public.

### **CONSENT AGENDA ITEMS**

Councilmember Hajek moved to approve the Consent Agenda consisting of Item 6. Councilmember Frey seconded the motion and the motion carried unanimously. Each item, as approved by consent, is restated below along with the approved recommendation for each, for the record.

6. Consideration and approval of the Minutes of the April 21, 2014 Regular Meeting

**RECOMMENDATION:** Approve the Minutes of the April 21, 2014 Regular Meeting.

### **REGULAR**

7. Consideration and possible action to approve a Resolution repealing Resolution No. 14-04 for Annexation of a portion of Lot 3, Tranquility Park, Waller County, Waller, Texas.

Ms. London reported the owner of this piece of property had asked to withdraw his request for annexation. Public hearings were scheduled for May 26<sup>th</sup> and 27<sup>th</sup> and will be cancelled. Councilmember Arnold moved to approve Resolution 14-05 repealing Resolution No. 14-04 for Annexation of a portion of Lot 3, Tranquility Park, Waller County, Waller, Texas. Councilmember Frey seconded the motion. Motion passed unanimously.

## **EXECUTIVE SESSION**

8. City Council will convene into Executive Session pursuant to Section 551.071 of the Texas Government Code for purpose to consult with its attorney about (1) pending or contemplated litigation, (2) a settlement offer, or (3) a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct clearly conflict with the provisions of Chapter 551.

Convened into Executive Session 7:17 p.m.

Re-convened into Regular Session 7:50 p.m.

## **REGULAR SESSION**

9. Consideration and possible action on Executive Session: Pursuant to Section 551.071 of the Texas Government Code for purpose to consult with its attorney about (1) pending or contemplated litigation, (2) a settlement offer, or (3) a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct clearly conflict with the provisions of Chapter 551.

No Action taken.

## **10. MAYOR-COUNCIL REPORTS**

No reports givens

## **11. STAFF REPORTS**

Superintendent Gene Schmidt reported there will a start-up of the new water well this week. He reported that this well will pump approximately 500 gallons per minute. Mr. Schmidt is still working to get a bid to clean the big ditch from FM 362 to Reinke Rd.

Police Chief Rehak reminded everyone to lock their vehicles; there have been several vehicle break-ins reported.

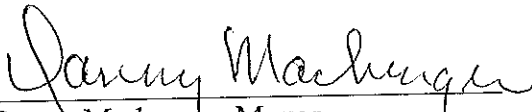
EDC Director John Isom reported the Alegacy Equipment LLC ETJ is supposed to be in the Mayor's office preparing a drafting of an Ordinance for this release. Mr. Isom updated Council on some more property owned by Mr. Ortega that will be requesting some ETJ release.

Ms. London reported the Waller Freedom Fest will be a 2 day event, July 3 and July 4. The billboard on 290 is up advertising the Freedom Fest. City Hall will be closed on Monday, May 26<sup>th</sup> for Memorial Day.

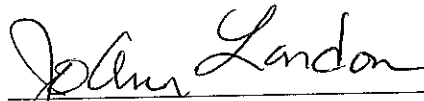
**12. ADJOURNMENT**

There being no further business to discuss Mayor Marburger adjourned the meeting at 7:59 p.m.

APPROVED BY:

  
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Danny Marburger, Mayor

ATTEST:

  
\_\_\_\_\_  
Jo Ann London, City Secretary