

**STATE OF TEXAS
COUNTIES OF WALLER AND HARRIS
CITY OF WALLER**

BE IT REMEMBERED THAT ON THIS THE 26th day of January, 2015 at 7:00 p.m. the City Council of the City of Waller, Texas met in Regular Session at 2214 Waller St. with the following present:

Mayor Danny Marburger
Mayor Pro-tem Dwayne Hajek
Councilmember Nancy Arnold
Councilmember Edna Eaton
Councilmember Roger Frey
Councilmember Sidney Johnson

Ann Smith, Interim City Secretary
Phil Rehak, Chief of Police
Gene Schmidt, Supt. of Public Works
John Isom, EDC Director
Paula Alexander, City Attorney

1. Mayor Marburger called the 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 Hajek.

COMMUNICATIONS FROM THE PUBLIC

No one ask to address the Council.

CONSENT AGENDA ITEMS

3. Approval of the Minutes of December 15, 2014 Regular Meeting.
4. Approval of the Minutes of January 6, 2015 Special Meeting.
5. Approval of Waller Police Department's 2014 Annual Contact Report.
6. Approval of 2015 Official City Holiday Schedule.
7. Approval of a Resolution adopting the Annual Investment Policy for the City of Waller.
8. Approval of the First Quarter Investment Report ending December 31, 2014.

Mayor Pro-tem Hajek motioned to approve the Consent Agenda consisting of Items 3, 4, 5, 6, 7 and 8 with change of date to 1/1/15 on Item #6. Councilmember Johnson seconded the motion. Motion passed unanimously.

REGULAR ITEMS

9. Consideration and possible action to approve the annual audit for FY 2013-2014, beginning October 1, 2013 and ending September 30, 2014, as presented by Belt Harris Pechacek, LLLP.

Nathan Krupke, Senior Auditor, with Belt Harris Pechacek, LLLP, presented the audit to Council. Mr. Krupke stated the City had a very good year with 4.8 months in fund balance for Operations. Mr. Krupke had no recommendations for any changes.

Councilmember Frey motioned to approve the annual audit for FY 2013-2014 as presented by Belt Harris Pechacek, LLLP. Councilmember Arnold seconded the motion. Vote was unanimous.

10. Presentation and possible action on a request from the Women's Club of Waller to spearhead a community workday and park improvements to the City Park.

Jami Dauphin with the Women's Club of Waller spoke to Council about working with the City on park improvements.

City Council suggested meeting with staff to discuss park improvements. No action was taken at this time.

11. Presentation and possible action on a request from the Waller Ministerial Alliance regarding sponsorship and management of the 2015 Freedom Fest.

Joel Bauler with Waller Ministerial Alliance addressed Council regarding the management role of Waller Freedom Fest 2015. Council directed staff to work with Mr. Bauler to bring back an agreement to the February council meetings.

No action was taken.

12. Consideration and possible action on a Final Plat for Goki Business Center , a 5.001 acre tract situated in the John Woodward Survey, Abstract # 847, Harris County, City of Waller, Texas.

Gene Schmidt presented the final plat to Council with approval from the City Engineer.

Councilmember Frey motioned to approve a final plat for the Goki Business Center, a 5.001 acre tract situated in the John Woodward Survey, Abstract #847, Harris County, City of Waller, Texas. Councilmember Johnson seconded the motion. Vote was unanimous.

13. Consideration and possible Action on adoption of an Ordinance, Stop Control Devices at the Intersection of Ashford and Key Streets, Intersection of Ashford and Smith Streets,

Intersection of Brazeal and A Streets, and the intersection of Brazeal and Alliance Streets.

Councilmember Arnold motioned to approve Ordinance No. 473 with clerical corrections as noted. Councilmember Hajek seconded the motion. Vote was unanimous.

14. Consideration and possible action to adopt an Ordinance of the City Council of the City of Waller, Texas regarding the placing and location of Recreational Vehicle Parks to be located within the City of Waller; providing for an effective date; providing a penalty; providing for severability; and containing other provisions relating to the subject matter.

Councilmember Eaton motioned to approve Ordinance No. 474 with clerical corrections as noted. Councilmember Johnson seconded the motion. Vote was unanimous.

15. Discussion and possible action regarding a report on conditions of substandard buildings located at 403, 2814, and 3110 Bois D Arc, in Waller, Texas.

City Council instructed Gene Schmidt to work with Paula Alexander on the nuisance abatement procedure for substandard buildings. Property listed as 403 Bois D Arc should be corrected to 1403 A Street. No action was taken.

16. Consideration and possible action to approve an Ordinance of the City of Waller, Texas providing for the holding of a General Election on May 9, 2015, for the purpose of electing three (3) at-large council members; designing the entire City as one election precinct; approving contracting with Waller County for a Joint Election.

Councilmember Arnold motioned to approve Ordinance No. 475. Councilmember Frey seconded the motion. Vote was unanimous.

17. Consideration and possible action to approve a contract with the Waller Independent School District for 2015 Election Services.

Ann Smith requested City Council table any action on Item #17 until the February meeting.

Councilmember Hajek motioned to table Item No. 17 until the February Council Meeting. Councilmember Arnold seconded the motion. Vote was unanimous.

18. Consideration and possible action to approve a contract with Waller County Elections Administrator for a Joint Election relating to the May 9, 2015 Election.

Councilmember Hajek motioned to approve the contract with the Waller County Elections Administrator. Councilmember Frey seconded the motion. Vote was unanimous.

EXECUTIVE SESSION

Mayor Marburger read the following Executive Session Items and announced the Council would convene into closed session at 8:26 p.m.

19. 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, Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. Annual evaluation of Chief of Police, Supt. of Public Works, and Municipal Judge.
20. 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 TGC, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, discussion and possible appointment for the position of City Secretary.
21. Pursuant to Section § 551.071 of the Texas Government Code for purpose of "The City Council will now convene into executive session pursuant to Section 551.071 of the Texas Government Code, to seek advice of its attorney regarding (1) pending or contemplated litigation, (b) a settlement offer, or (c) a matter on which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with this Chapter. (Chavez v. City of Waller, cause no. is 14CV0329, and Chavez v. City of Waller Police Department, SOAH No. 407-14-2596.F5.)

City Council reconvened in open session at 9:00 p.m. The following actions were taken in open session:

22. Consideration and possible action on Executive Session pursuant to Section 551.074 of the Texas Government Code for purpose of personnel matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee. Annual evaluation of Chief of Police, Supt. of Public Works, and Municipal Judge.

Councilmember Eaton motioned to approve the annual evaluation of the Chief of Police, Supt. of Public Works, and Municipal Judge. Councilmember Frey seconded the motion. Vote was unanimous.

23. Consideration and possible action on Executive Session pursuant to Section § 551.074, of the Texas Government Code for purpose of to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, discussion and possible appointment for the position of City Secretary.

Councilmember Arnold motioned to authorize the Mayor to negotiate an employment agreement with the candidate for City Secretary. Councilmember Johnson seconded the motion. Vote was unanimous.

24. Consideration and possible action on Executive Session pursuant to Section § 551.071 of the Texas Government Code for purpose of to seek advice of its attorney regarding (1) pending or contemplated litigation, (b) a settlement offer, or (c) a matter on which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with this Chapter. (Chavez v. City of Waller, cause no. is 14CV0329, and Chavez v. City of Waller Police Department, SOAH No. 407-14-2596.F5.)

No action was taken.

25. MAYOR-COUNCIL REPORTS

Councilmember Eaton thanked Ann Smith for emailing Council Packets.

26. STAFF REPORTS

Gene Schmidt reported:

- The street sign project is three-fourths complete.
- Water and Sewer to Alegacy is in progress.
- The sewer line break on FM 2920 has been repaired.

Phil Rehak cautioned citizens and Council that there has been an increase in identity theft. PD is working one case where a citizen reported that his tax return had already been filed without his knowledge.

Councilmember Frey inquired as to the status of the speed limit monitor and asks if it could be placed back in use.

Councilmember Arnold asks Gene Schmidt to remove two old signs in the area.

John Isom reported:

- The Wallace-Bajjali Company once interested in working with us on the Main Street Project has dissolved so we will no longer be working with them.
- Tractor Supply has confirmed plans to build next to the Holiday Inn.
- The Daikin Corporation will be located on the Hwy 290 bypass between Kickapoo and Hegar. It will be a 490 acre development, 3.9 million square foot facility, employing four thousand employees.
- The EDC Billboard located on the Southside of Hwy 290 has been changed to promote some of the new companies in the area.
- A European Compressor Assembly Company is looking for property in Waller and also a competing company in Grimes County.

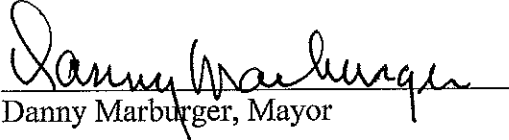
- With new growth coming to the area we are also looking for ways to incentivize upper scale residential developers.
- The annexation law proposal should be filed in February by Representative Cecil Bell's office.

Ann Smith had no reports.

27. ADJOURNMENT


With no further business, Mayor Marburger adjourned the meeting at 9:15 p.m.

APPROVED BY:



Danny Marburger, Mayor

ATTEST:



Ann Smith, Interim City Secretary