



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

BE IT REMEMBERED THAT ON THIS THE 21st day of December, 2015 at 7:00 p.m. the City Council of the City of Waller, Texas met in Regular Session at 3007 Waller St. with the following present:

Mayor Danny Marburger
Mayor Pro Tem Sidney Johnson
Councilmember Nancy Arnold
Councilmember Edna Eaton
Councilmember Dwayne Hajek
Councilmember Mike McCormick

Cynthia Ward, City Secretary
Gene Schmidt, Supt. of Public Works
Michael Williams, Captain
John Isom, EDC Director (absent)
Paula Alexander, City Attorney

Mayor Marburger called the meeting to order at 7:00 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE

Prayer was given by Councilmember Arnold. Pledge of Allegiance was led by Councilmember Hajek.

COMMUNICATIONS FROM THE PUBLIC

No comments from the public.

CONSENT AGENDA ITEMS

1. Approval of Minutes for November 16, 2015 Regular Meeting.
2. Approval of Minutes for November 30, 2015 Special Meeting.
3. Approval of City of Waller 2016 Holiday Calendar.
4. Approval to move January City Council meeting to January 25, 2016.

Councilmember Hajek motioned to approve Consent Agenda Items 1-4. Councilmember Eaton seconded the motion. Vote was unanimous.

REGULAR ITEMS

5. Discussion and possible action regarding **Ordinance #486**, adopting the suggested changes in the building codes that govern construction in the City of Waller, Texas.

Gene Schmidt addressed Council and stated the City is currently operating under the 2003 NEC Code and would like to change to the 2012 ICC Code. This change would allow the City to operate at the same level as the state and meet all the minimum codes.

ORDINANCE NO. 486

AN ORDINANCE OF THE CITY OF WALLER, TEXAS, AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF WALLER, TEXAS BY ADOPTING THE 2012 INTERNATIONAL BUILDING CODE, THE 2012 INTERNATIONAL RESIDENTIAL CODE, THE 2012 INTERNATIONAL MECHANICAL CODE, THE 2012 INTERNATIONAL PLUMBING CODE, THE 2012 INTERNATIONAL FIRE CODE, THE 2012 INTERNATIONAL FUEL GAS CODE, THE 2012 INTERNATIONAL EXISTING BUILDING CODE, THE 2012 INTERNATIONAL SWIMMING POOL AND SPA CODE, THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE, THE 2012 NATIONAL FIRE PROTECTION ASSOCIATION 101: LIFE SAFETY CODE; THE 2009 INTERNATIONAL ENERGY CODE, AND THE 2011 NATIONAL ELECTRICAL CODE; PROVIDING CERTAIN AMENDMENTS TO THE 2011 NATIONAL ELECTRICAL CODE; REPEALING ORDINANCES NO. 332, 333, 334, 335 AND 336 AND ALL ORDINANCES INCONSISTENT OR IN CONFLICT THEREWITH; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF ANY VIOLATION HEREOF; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALLER, TEXAS, THAT:

Section 1. The Code of Ordinances of the City of Waller, Texas, is hereby amended by deleting Divisions 2 through 11, and substituting new Divisions 2 through 11, adding new Divisions 12 and 13 of Article III, Chapter 14, to provide as follows:

ADDITIONS:

Division 2. BUILDING CODE

Section 14-70. International Building Code adopted. The International Building Code, 2012 Edition (non-residential), as published by the International Code Council, is hereby adopted. A copy of said code is made a part hereof for all purposes, an authentic copy of which has been filed with the City Secretary and is available for public inspection.

Division 3. ELECTRICAL CODE

Section 14-90. National Electrical Code adopted. The National Electrical Code, 2011 Edition, is hereby adopted by the City of Waller for the purpose of establishing rules and regulations for the construction, alteration, removal and maintenance of electrical systems, including permits, penalties and the collection of fees therefore. A copy of said code is made a part hereof for all purposes, an authentic copy of which has been filed with the City Secretary and is available for public inspection.

Section 14-91. Amendments. The National Electrical Code, 2011 Edition is amended to require the following:

All structures must have a main electrical disconnect on the outside of the building

Division 4. MECHANICAL CODE

Section 14-120. International Mechanical Code adopted. The International Mechanical Code, 2012 Edition, as published by the International Code Council is hereby adopted. A copy of said code is made a part hereof for all purposes, an authentic copy of which has been filed with the City Secretary and is available for public inspection.

Division 5. FUEL GAS CODE

Section 14-143. International Fuel Gas Code adopted. The International Fuel Gas Code, 2012 Edition, as published by the International Code Council, is hereby adopted. A copy of said code is made a part hereof for all purposes, an authentic copy of which has been filed with the City Secretary and is available for public inspection.

Division 6. PLUMBING CODE

Section 14-174. International Plumbing Code adopted. The International Plumbing Code, 2012 Edition, as published by the International Code Council, is hereby adopted. A copy of said code is made a part hereof for all purposes, an authentic copy of which has been filed with the City Secretary and is available for public inspection.

Division 7. RESIDENTIAL CODE

Section 14-206. International Residential Code adopted. The International Residential Code, 2012 Edition, as published by the International Code Council, is hereby adopted. A copy of said code is made a part hereof for all purposes, an authentic copy of which has been filed with the City Secretary and is available for public inspection.

Division 8. FIRE CODE

Section 14-227. International Fire Code adopted. The International Fire Code, 2012 Edition, as published by the International Code Council, is hereby adopted. A copy of said code is made a part hereof for all purposes, an authentic copy of which has been filed with the City Secretary and is available for public inspection.

Division 9. ENERGY CODE

Section 14-252. International Energy Code adopted. The International Energy Code, 2009 Edition, as published by the International Code Council, is hereby adopted. A copy of said code is made a part hereof for all purposes, an authentic copy of which has been filed with the City Secretary and is available for public inspection.

Division 10. PROPERTY MAINTENANCE

Section 14-285. International Property Maintenance Code adopted. The International Property Maintenance Code, 2012 Edition, as published by the International Code Council, is hereby adopted. A copy of said code is made a part hereof for all purposes, and authentic copy of which has been filed with the City Secretary and is available for public inspection.

Division 11. EXISTING BUILDING CODE

Section 14-308. International Existing Building Code adopted. The International Existing Building Code, 2012 Edition, as published by the International Code Council, is hereby adopted. A copy of said code is made a part hereof for all purposes, an authentic copy of which has been filed with the City Secretary and is available for public inspection.

Division 12. SWIMMING POOL & SPA CODE

Section 14-339. International Swimming Pool & Spa Code adopted. The International Swimming Pool & Spa Code, 2012 Edition, as published by the International Code Council, is hereby adopted. A copy of said code is made a part hereof for all purposes, an authentic copy of which has been filed with the City Secretary and is available for public inspection.

Division 13. NFPA 101: LIFE SAFETY CODE

Section 14.361. Life Safety Code adopted. The National Fire Protection Association 101: Life Safety Code, 2012 Edition, is hereby adopted. A copy of said code is made a part hereof for all purposes, an authentic copy of which has been filed with the City Secretary and is available for public inspection.

Section 2. Penalty. Any person who intentionally, knowing, recklessly, or with criminal negligence violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2000.00. Each day of violation shall constitute a separate offense.

Section 3. Repealer. Ordinance No. 332, 333, 335, and 336, passed and approved the 14th day of November 2005, as amended, and Ordinance No. 334, passed and approved the 12th day of December, 2005, and all ordinances or parts of ordinances inconsistent or in conflict herewith, are, to the extent of such inconsistency or conflict, hereby repealed.

Section 4. Severability. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Waller, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 5. Effective Date. This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect immediately upon passage and adoption.

Councilmember Arnold motioned to approve Ordinance #486 adopting the recommended changes in the building codes that govern construction in the City of Waller with the typographical correction of the International Energy Code from 2012 to 2009. Councilmember McCormick seconded the motion. Vote was unanimous.

6. Discussion and possible action approving a bid received from Wakefield Bridges for the demolition and reconstruction of the Waller Street Bridge.

Gene Schmidt addressed Council in regards to a bid received in the amount of \$148,100 dollars to demolish and reconstruct the Waller Street Bridge with a crosswalk. City Engineer David Leyendecker recommended we move forward with the bid.

Councilmember Hajek motioned to approve moving forward with the bridge replacement. Mayor Pro Tem Johnson seconded the motion. Vote was unanimous.

7. Discussion and possible action to move forward with the City of Waller new website design proposal.

Cynthia Ward addressed Council in regards to a web design proposal which will allow mobile access and the updates requested by Council.

Councilmember Arnold motioned to approve moving forward with the new website design as detailed in the proposal. Councilmember Hajek seconded the motion. Vote was unanimous.

8. Discussion and possible action to re-appoint Chuck Scianna and Cheryl Liere to the WEDC board.

Councilmember Eaton motioned to re-appoint Chuck Scianna and Cheryl Liere to the WEDC board for a three year term. Councilmember McCormick seconded the motion. Vote was unanimous.

9. Discussion and possible action regarding WEDC board recommendations to appoint Bill Fendley to serve the vacant position on the 2015-17 WEDC board.

Mayor Marburger addressed Council noting that Mr. Fendley would be an asset to the board.

Councilmember Hajek motioned to accept the WEDC recommendation to appoint Bill Fendley to the WEDC board. Councilmember Eaton seconded the motion. Vote was unanimous.

MAYOR-COUNCIL REPORTS

Mayor Marburger announced:

- Information will be provided to the newspaper regarding the Waller Street Bridge closure and when it will begin.
- A special meeting regarding the annexation of Alegacy will be scheduled before year end.

STAFF REPORTS

Gene Schmidt:

- City Engineer David Leyendecker indicated it would probably be February before information regarding the Civic Center parking lot was ready.
- Outside lights have been installed at the Civic Center.

Captain Williams:

- Several have been attending leadership classes at the PD.
- Operation Safe Holiday is going well, over 200 visits to businesses around town.
- Sergeant Bellard and Officer Manuel are currently assisting a family involved in a tragic accident.

John Isom: Absent

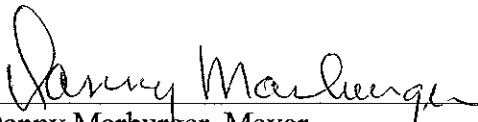
Cynthia Ward:

- Introduced Melissa Chadd the new finance officer to the Council.

ADJOURNMENT

With no further business, Mayor Marburger adjourned the meeting at 7:24 p.m.

APPROVED BY:



Danny Marburger, Mayor

ATTEST:



Cynthia Ward, City Secretary