

STATE OF TEXAS  
COUNTIES OF WALLER AND HARRIS  
CITY OF WALLER

BE IT REMEMBERED THAT ON THIS THE 21st day of July, 2014 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

City Secretary Jo Ann London  
Supt. of Public Works Gene Schmidt  
Attorney Paula Alexander  
WEDC Director John Isom  
Police Chief Phil Rehak

**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 Councilmember Frey.

**COMMUNICATIONS FROM THE PUBLIC**

Resident Larry Watson, 3106 Sledge St., addressed Council about clean-up in the west end of city limits. He and several other residents are willing to help with a clean-up effort if the City could help them with some of the funding. Mayor Marburger told Mr. Watson that the City Budget for 2014-2015 would have some money budgeted for community clean-up. Mayor also told Mr. Watson that Mr. Schmidt was getting bids for some clean-up of the creek in that area.

Resident Rick Dalton, 31815 Old Washington, addressed Council to remind them the City is allowed to install up to ten new street lights each year and he is encouraging the Council to take advantage of this offer from CenterPoint Energy. Mr. Dalton has ridden around with some of the police officers at night time and notice there are several areas in town that are pretty dark. Mr. Dalton also reported Pool Bids on Business 290, has a lot of cardboard stacked around the building, which is unsightly.

**CONSENT AGENDA ITEMS**

Mayor Marburger asks that Items No. 3 and 6 be moved to regular session.

Councilmember Frey moved to approve the Consent Agenda consisting of Items 4 and 5. Councilmember Hajek 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.

4. Consideration and approval of the Minutes of the July 07, 2014 Special Meeting.

**RECOMMENDATION:** Approve the Minutes of the July 07, 2014 Special Meeting.

5. Consideration and approval of the Quarterly Investment Report for June, 2014.

**RECOMMENDATION:** Approve the 2<sup>nd</sup> Quarterly Investment report.

### **REGULAR**

3. Consideration and approval of the Minutes of the June 16, 2014 Regular Meeting.

On the bottom of page 3 of the June 16, 2014 Regular Minutes there was a correction to be made to the minutes. Councilmember Frey was to be changed to Councilmember Eaton in voting yes. Mayor Pro-tem Hajek moved to approve the minutes with the correction stated above. Councilmember Johnson seconded the motion. Motion passed unanimously.

6. Consideration and approval of an Ordinance accepting 87.09 acres in the G.A. Dennett Survey, Abstract No. 124, and Waller County into the city's Extraterritorial Jurisdiction.

AN ORDINANCE OF THE CITY OF WALLER, TEXAS ACCEPTING INTO ITS EXTRATERRITORIAL JURISDICTION, ON PETITION BY THE LANDOWNER(S) PURSUANT TO THE AUTHORITY CONTAINED IN CHAPTER 42 OF THE TEXAS LOCAL GOVERNMENT CODE, ALL OF THE TERRITORY WITHIN CERTAIN LIMITS AND BOUNDARIES, SAID PROPERTY BEING CONTIGUOUS TO EXISTING EXTRATERRITORIAL JURISDICTION OF THE CITY OF WALLER AND BEING A TRACT OF LAND CONTAINING APPROXIMATELY 87.09 ACRES OUT OF THE G.A. DENNETT SURVEY, A-124, WALLER COUNTY, TEXAS; CONTAINING OTHER MATTERS ON THE SUBJECT; AND PROVIDING FOR SEVERABILITY.

EDC Director John Isom explained this is the piece of property for the new business, Alegacy Equipment, LLC. Alegacy is owned by Bob Nickles and Bo Pierce. They would like to have city utilities to this piece of property for development. The first step toward getting city utilities was for them to request that the City of Houston release it out of their ETJ and give it to Waller. Houston did that and this ordinance is to accept the property into Waller's ETJ and continue on with city utilities. After some discussion Councilmember Arnold moved to approve Ordinance 467 accepting 87.09 acres in the G.A. Dennett Survey, Abstract No 124, Waller County into the

City of Waller's Extraterritorial Jurisdiction. Mayor Pro-tem Hajek seconded the motion. Motion passed unanimously.

7. Consideration and possible action to approve a Final Plat in the City of Waller for a 1.0 acre tract consisting of TR 67A-1 of the J. Woodard Survey, Abstract #847 in Harris County, Texas.

Mr. Gene Schmidt, Supt of Public Works, reminded Council they passed the preliminary plat for W.A.R.M. last month. This is the final plat and City Engineer David Leyendecker has reviewed it and recommends its approval. Councilmember Arnold noted on the Application for Final Plat the property owner name was listed as Waller Assistance & Restoration Industries, Inc. and the proper name is Waller Assistance & Restoration Ministries, Inc. Mr. Schmidt said he would make sure the building permits were issued under the correct name. Councilmember Frey moved to approve the Final Plat in the City of Waller for a 1.0 acre tract consisting of TR 67A-1 of the J. Woodard Survey, Abstract #847 in Harris County, Texas. Councilmember Arnold seconded the motion. Motion passed unanimously.

8. Consideration and possible action to go out for Bids to install a Baffle and Aerator in the final chlorine contact basin based on the Texas Commission on Environmental Quality (TCEQ) recommendation.

Mr. Schmidt explained to Council that Texas Commission of Environmental Quality (TCEQ) has recommended the installation of baffles and aerators in the chlorine contact basin. Mr. Schmidt has an estimate from City Engineer David Leyendecker of \$57,522. Mr. Schmidt would like to get this installed soon, to prevent being fined sometime in the future by TCEQ. Councilmember Frey asked Mr. Schmidt about using UV lighting and Mr. Schmidt said our plant was too small for that technology. Mayor Marburger said that if the inspector for TCEQ is recommending then he, too felt the City should go ahead and get bids. Ms. London reported there is money in the sewer fund balance for this expense. Councilmember Frey moved to go out for bids to install a baffle and aerator in the final chlorine contact basin based on the TCEQ's recommendation. Councilmember Johnson seconded the motion. Motion passed unanimously.

9. Consideration and possible action to approve a Lease agreement with AirCanopy Internet Services, Inc. d/b/a Skybeam to install and Maintain Wireless Data Communications Equipment on City Water Tower.

Chad LaFrenz and Edgar Morales, representing Skybeam, introduced themselves and explained that if this agreement was approved their company would be able to provide better internet service at better savings. Mr. LaFrenz explained this service would provide service for approximately 6 miles from water tower. This agreement would allow Skybeam to install and maintain equipment on one of the city's elevated water tanks - 2503 Bois D Arc. In exchange, they will take down the equipment that is currently there and will pay the city \$300.00 monthly, plus \$25 a month for electricity usage. This equipment will not interfere with the running of the elevated water tower. Councilmember Frey asked what type of equipment and were they covered by liability insurance. They explained the equipment and they are covered by liability insurance. Councilmember Frey expressed he would like to see an alternative to AT&T and this

would be a good alternative. Councilmember Frey moved to approve a lease agreement with AirCanopy Internet Services, Inc. d/b/a Skybeam to install and Maintain Wireless Data Communications Equipment on City Water Tower. Mayor Pro-tem Hajek seconded the motion. Motion passed with Councilmembers Hajek, Frey, Arnold, and Eaton voting yes. Councilmember Johnson voting no.

## 10. MAYOR-COUNCIL REPORTS

Mayor Pro-tem Hajek asked for information on the clean-up project that several citizens were involved in because of the dumpsters that were donated to the city for this project. Councilmember Eaton explained that this was a private citizen's clean-up and that Councilmember Johnson donated his backhoe and services, Mayor Marburger paid for the demo permit and she donated the funds for the fuel used on the private project. She also stated that the Watson and Walker families donated water and also helped with this clean up, as did other citizens. Councilmember Johnson and Eaton had spoken with David Aguilar with Republic Services about donating roll-offs for this community clean-up project and he was able to do this. Mayor Pro-tem Hajek said he was very happy to see citizens involved in community clean-up and was just concerned that proper protocol had not been used in these projects since the dumpsters were used for a private project rather than a public project. Mayor Marburger said that he sent the letter requesting the dumpsters and thanking Republic Waste for the dumpsters for the community project.

Mayor Marburger called on Michael O'Connor for Communications from the Public; Mr. O'Connor arrived to the meeting late and filled out a Communication Card. Mr. O'Connor owns undeveloped property that is sided by Dewey and Sledge streets and Field Store Rd. Mr. O'Connor would like for the City to consider granting access to his property on Field Store Rd. After much discussion Mayor Marburger told Mr. O'Connor no decisions could be made tonight but Mr. Schmidt would look into this situation. Mr. O'Connor feels he cannot develop this property without a more convenient access.

Councilmember Johnson thanked the citizens for the work on the community clean-up.

## 11. STAFF REPORTS

Superintendent Gene Schmidt informed Council that Rodney Spell has resigned. Staff will be advertising for his position and another outside Service Technician for the Utility Dept. Water Well is working but still waiting on TECQ for final paperwork to be completed.

Police Chief Rehak had nothing to report. Councilmember Johnson did ask the Chief about the bomb scare incident. Chief Rehak reported it turned out to be nothing, but certain precautions had to be taken because a bag had been left unattended at the door of the Police Department.

EDC Director John Isom reported there has been more discussion on the Downtown Revitalization. Efforts are being made to enlarge the city's ETJ area making it easier to bring properties into the city limits. The Ortega property; approximately 1200 acres, south of town is

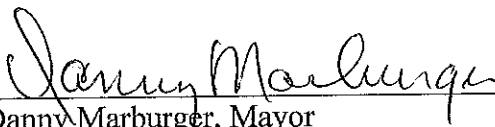
still in the works for getting into the ETJ. Attorney Paula Alexander is researching to see if EDC could pay the \$1,800 platting fee.

Ms. London reported the Freedom Fest was a success with approximately 6,500 people attending; this was 1,000 more than last year and has heard good comments from the public. Ms. London reminded everyone of the Electronic Re-cycling on August 2, 2014 from 8-12 Noon at the Sewer Plant. The TML Conference is being held from Sept 29, to Oct 3 in Houston this year and reminded Council to let her know if they are interested in attending. The new teacher luncheon, sponsored by the Waller Area Chamber of Commerce, is being held on Aug 12 at the Waller Baptist and Mayor and Council are invited to attend. Ms. London suggested July 31<sup>st</sup> for the Budget Workshop, she asked they each send her an email if this date is good, and she will work from there.


## 12. ADJOURNMENT

There being no further business to discuss Mayor Marburger adjourned the meeting at 8:03 p.m.

APPROVED BY:

  
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Danny Marburger, Mayor

ATTEST:

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