

City Council met for a Special Called Council Meeting on June 25, 2018 in the Council Chambers at City Hall, 907 E. Houston, with Mayor Pro-Tem Lee presiding.

COUNCIL MEMBERS PRESENT: Councilmember Mike Penry, Councilmember Marilyn Clay, Councilmember Fred Terrell, Councilmember Danny Lee, City Manager Kelly McDonald, and City Secretary, Angela Smith

ABSENT: Mayor Otis Cohn, Councilmember Jennifer Bergman, David Olson, City Attorney

VISITORS PRESENT: Jonathan White, Levi Love, Nic Houston, Jim Carson

EMPLOYEES: Sean Anderson, Bobby Pennington, Frieda Joyce, Mary Hale

Mayor Pro-Tem Lee called the meeting to order at 12:00 pm and stated there was a quorum. Councilmember Terrell gave the invocation and Councilmember Penry led the pledge to the US and the Texas flag. Mayor Cohn and Councilmember Bergman were absent.

Discussion and Action

- 1. Consider acceptance of general warranty deeds for Wastewater Plant, Water Plant and Water Well Sites for the Cleveland West Industrial Park and authorize the Mayor to sign said documents**

When this was presented at the last council meeting, there were some questions relating to easements and permits, City Manager McDonald provided some answers. The permit for TCEQ for the water sites requires the deeds be in the name of the City and not McKinley. McKinley will still have to receive all of the site approvals and plan approvals from the City and TCEQ during the building process of the water projects. However to start it off, the deeds have to be accepted by the City first. The easement to the property site was explained by Jonathan White with L2.

Councilmember Penry stated he had asked some questions via email to the City Manager and hasn't had a chance to review them fully however he stated that he remembers the agreement with McKinley is that they have to build the water projects first and then the City would accept ownership. When did that change? Mr. White with L2 stated that he could not find that listed in the 380 agreement that was approved and that you can't have two CCNs for the same area so the water permit request has to be in the City's name to start and not McKinley. A question on upgrading the Wastewater Treatment Plant and well was asked and answered as McKinley did upgrade to 100 connections.

Councilmember Penry made a motion to accept general warranty deeds for Wastewater Plant, Water Plant and Water Well Sites for the Cleveland West Industrial Park and authorize the Mayor to sign said documents with a second from Councilmember Clay. All members present voted "AYE". Motion carried.

What happens if there is a need for more than 100 connections in the future was asked? The response is then it would have to be upgraded. The LGI Homes project is not included in these connections as they will have their own MUD district.

2. Consider acceptance of Phase 1 of the Cleveland West Industrial Park and authorize the Mayor to sign said document

Phase 1 is completed and complies with all City regulations per City Manager McDonald. This acceptance will start the one year maintenance period. McKinley will handle stability of areas as needed.

Councilmember Terrell made a motion to accept the Phase 1 of the Cleveland West Industrial Park and authorize the Mayor to sign said document with a second from Councilmember Clay.

Councilmember Penry asked what exactly is Phase 1 approving? Mr. White states that the Phase 1 plat has been approved already by council and is a fairly small section of the project. City Manager McDonald stated that council had approved the plat in a prior meeting and all inspections have been done by prior and current staff.

Voting on the motion occurred – Councilmember Penry voted “NAY” because documents were not provided, Councilmember Lee, Terrell and Clay voted “AYE”. Motion carried.

3. Consider an ordinance calling for joint public hearing for the Zoning Commission and City Council to be scheduled for July 23, 2018 on a proposal to amend the City’s comprehensive zoning ordinance in regards to a property rezone request

City Manager McDonald stated that the area originally known as the Liberty Motorsports Park area has a contract for purchase. It is still owned by Harry Williams and has a June 29th closing date however they can extend the closing date by 30 days. In the last zoning changes that area had been rezoned as Residential Zone 1 (R1) but the buyer has a large commercial development that wish to come in so they need it rezoned as General Commercial (GC). The item today is just to approve the ordinance to call the Joint Public Hearing with the Zoning Commission and City Council on this request.

It was asked what the 800+ acre development was going to be and the response is that is part of the zoning process. There are over 600 acres in Liberty County and over 100 acres in Montgomery County. The part in Montgomery County the City would not receive any sales tax revenue as it falls in the East Montgomery County Improvement District per Assistant City Manager/Finance Director Pennington stated.

Councilmember Clay made a motion to approve the ordinance calling the joint public hearing for the Zoning Commission and the City Council for July 23, 2018 with a second from Councilmember Terrell. All members voted “AYE”. Motion carried.

4. Consider authorizing staff to add to request for qualifications (RFQ): Engineering services to assist (if awarded) on a upcoming Community Development Block Grant – Disaster Recovery

funding from the General Land Office – Community Development & Revitalization (GLO) in addition to a Hurricane Harvey DR-4332 Hazard Mitigation Grant Program (HMGP) for both administration and engineering services

The request for administrative services was approved at the last council meeting; this is for engineering services and the addition of the Hazard Mitigation Grant Program. We can run both grant programs together in the administration. The Request for Qualifications will be back later to council for awarding. The State requires us to hire administration and engineering services for these types of grants. We have been awarded \$323k in grant funding.

Councilmember Penry made a motion to approve the request for RFQ for engineering services for CDBG GLO grant and both administration and engineering services for the HGMP grant with a second from Councilmember Terrell. All members present voted “AYE”. Motion carried.

Adjourn

Councilmember Penry made a motion to adjourn the City Council meeting with a second from Councilmember Clay. All Council members present voted “AYE”. Motion carried. Council meeting adjourned at 12:37 pm.

PASSED AND APPROVED this 17th day of July 2018.

Mayor Otis Cohn

ATTEST:

Angela Smith, City Secretary