



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

BE IT REMEMBERED THAT ON THIS THE 15th day of May 2023 at 6:00 p.m. the City Council of the City of Waller, Texas held a meeting in Regular Session at 1218 Farr St. with the following present:

Mayor Danny Marburger
Mayor Pro Tem Dwayne Hajek
Councilmember Nancy Arnold
Councilmember Don Hart
Councilmember Jason Tones

Staff:
Cynthia Ward, City Secretary
Beatris Sanchez, Deputy City Secretary
Maryann Carl, Finance Officer
Markus Benoit, Public Works Director
Michael Lopez, Police Chief
Art Pertile, City Attorney

Mayor Marburger called the meeting to order at 6:01 p.m.

PRAYER AND PLEDGE OF ALLEGIANCE

Prayer by Councilmember Nancy Arnold

Pledge led by Mayor Pro Tem Dwayne Hajek

ROLL CALL

Mayor Marburger and Councilmembers present.

PUBLIC HEARING

Mayor Marburger opened the public hearing at 6:03pm.

The purpose of the Public Hearing is to receive input from the public, either oral or written, regarding the following annexations:

A petition by Finishes, LLC/FM 362 to annex the following:

25.01 ACRE OF LAND BEING SITUATED IN THE JOHN L. BOATRIGHT SURVEY, ABSTRACT NO. 81 & JACOB HALL SURVEY ABSTRACT NO. 351 & HAMILTON STUART SURVEY NO. 723, IN HARRIS COUNTY, TEXAS, SAME BEING A TRACT OF LAND CONVEYED TO STACEY VANCE KISER BY DEED RECORDED IN INSTRUMENT RP-2019-170794 OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY INTO THE CITY OF

WALLER; PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF WALLER, TEXAS; PROVIDING FOR SEVERABILITY; AND MAKING FINDINGS AND PROVISIONS RELATIVE TO THE SUBJECT.

CLOSE PUBLIC HEARING

With no public comments, Mayor Marburger closed the public hearing at 6:05pm.

RECOGNITION OF WALLER COUNTY SESQUICENTENNIAL COURT

Recognizing Sesquicentennial Queen, Princess, and Duchess.

Mayor Marburger gave recognition of the Waller County Sesquicentennial Court.

SPECIAL CANVASSING SESSION

1. Discussion and possible action in regard to **Ordinance #611** of the City of Waller, Texas, canvassing and declaring the results of the May 6, 2023, General Election, for the purpose of electing three Councilmembers At-Large.
2. Swearing in Councilmembers.

City Secretary, Cynthia Ward addressed Council in the special canvassing session. Jason Tones had 66 votes, Dwayne Hajek had 67 votes, Sherri Swisher had 40 votes, Don't Hart had 80. The three members appointed for Council were Jason Tones, Dwayne Hajek, and Don Hart.

City Secretary, Cynthia Ward sworn in Councilmember Jason Tones, Dwayne Hajek, and Don Hart.

Councilmember Nancy Arnold motioned to approve. Councilmember Dwayne Hajek seconded the motion. Motion passed.

COMMUNICATIONS FROM THE PUBLIC

Please fill out a "Citizen Registration Card" form in order to address the Council. Turn in the form prior to Communications from the Public to the City Secretary. Speakers are limited to three minutes. The purpose of this item is to allow the public an opportunity to address the Mayor and City Council on issues that are not on the agenda. The Council cannot take action but may refer this item to a department head or direct that this item be placed on a future regular Council agenda.

Any interested person may appear before City Council to speak on an item on the agenda. Before the start of the meeting, the person must request such appearance in writing and identify the agenda item on which he/she wishes to speak. The person will be called to speak when the agenda item comes before City Council for discussion or action. Comments are limited to 3 minutes.

No communications from the public.

CONSENT AGENDA ITEMS

This agenda consists of non-controversial, or "housekeeping" items required by law. Items may be removed from the Consent Agenda by any Councilmember making such a request prior to a motion and vote on the Consent Agenda.

3. Approval of Minutes for April 17, 2023, Regular Meeting.

4. Approval of June's Regular Council Meeting to be held on Tuesday, June 20, 2023, due to Juneteenth Holiday on Monday.
5. Approval of (2) refunds to PPI Mechanical Testing Services, LLC for Tax Year 2020 and 2021 due per HCAD.
6. Approval of refund to Novel Hospitality Group, LLC for Tax Year 2021 due per HCAD.
7. Approval of refund to Millennium Industries for Tax Year 2022 due per WCAD.
8. Approval of (2) refunds to Stokes 290 Partnership, LP for Tax Year 2022 due per HCAD.

Councilmember Nancy Arnold motioned to approve. Mayor Pro-Tem, Dwayne Hajek seconded the motion. Motion passed.

REGULAR AGENDA ITEMS

9. Finishes, LLC property:
 - a. Discussion and possible action to approve **Ordinance #612**, granting the request for annexation of a 25.01 acre of land being situated in the John L. Boatright Survey, Abstract No. 81 & Jacob Hall Survey Abstract No. 351 & Hamilton Stuart Survey No. 723, in Harris County, Texas, same being a tract of land conveyed to Stacey Vance Kiser by deed recorded in instrument RP-2019-170794 official public records of Harris County into the City of Waller; providing for the extension of certain boundary limits of the City of Waller, Texas; providing for severability; and making findings and provisions relative to the subject.

Mayor Pro-Tem, Dwayne Hajek motioned to approve. Councilmember Jason Tones seconded the motion. Motion passed.

- b. Discussion and possible action to approve Finishes Solutions granting the City of Waller an easement and/ or right of way for a water line to extend from FM 362 to the east end of the property where it adjoins with Oakwood Estates.

City Engineer, Travis Sellers addressed Council that the easement meets the City's requirements.

Councilmember Jason Tones motioned to approve. Councilmember Don Hart seconded the motion. Motion passed.

10. Discussion and possible action to approve **Resolution #2023-05**, authorizing members of the City Council to serve as members of the Waller Volunteer Fire Department.

City Attorney, Art Pertile addressed Council on approving Resolution #2023-05. The law requires that Council should approve by Resolution, for members of a governmental body to be part of the Volunteer Fire Department to avoid illegal conflict of interest.

Councilmember Don Hart motion to approve. Councilmember Jason Tones seconded the motion. Motion passed.

11. Discussion and possible action to approve **Resolution #2023-06**, and a contract agreement with Larson and Weisinger, Attorneys at Law for the collection of delinquent taxes.

City Secretary, Cynthia Ward addressed Council on approving Resolution #2023-06, renewing a contract agreement with Larson and Weisinger.

Councilmember Nancy Arnold motioned to approve. Mayor Pro-Tem, Dwayne Hajek seconded the motion. Motion passed.

12. Discussion and possible action to approve a new Detective job description for the Waller Police Department.

City Secretary, Cynthia Ward addressed Council on approving a new Detective job description.

Councilmember Jason Tones motioned to approve. Councilmember Don Hart seconded the motion. Motion passed.

13. Discussion and possible action to approve **Resolution #2023-07**, a change order with
✓ 5T utilities in the amount of -\$297,367.23.

Public Works Director, Markus Benoit addressed Council on approving Resolution #2023-07. The City will be saving on the sewer extension that went across the highway on Business 290 from Pine Street to lift station. The City will be getting back \$297,367.23, which is money left over from project not used.

Mayor Pro-Tem, Dwayne Hajek motioned to approve. Councilmember Jason Tones seconded the motion. Motion passed.

14. Discussion and possible action to approve **Resolution #2023-08**, a change order with AAA Asphalt in the amount of -\$33,225.09.

City Engineer, Travis Sellers addressed Council on approving Resolution #2023-08, a change order. The change order is in the amount of \$33,225.09. This money will be refunded to the City.

Mayor Pro-Tem, Dwayne Hajek motioned to approve. Councilmember Don Hart seconded the motion. Motion passed.

15. Discussion and possible action to declare the following items as surplus and to be taken to auction:

- a. 2002 RWT Detroit Diesel Series 60 Generator
- b. 1990 John Deere "Woodchuck" Woodchipper

Public Works Director, Markus Benoit addressed Council on approving to declare a generator and woodchipper as surplus and to be taken to auction. The items are no longer safe to use due to aging.

Councilmember Jason Tones motioned to approve. Councilmember Don Hart seconded the motion. Motion passed.

16. Discussion and possible action to approve WEX Fuel Services for fuel cards.

Public Works Director, Markus Benoit addressed Council on approving WEX Fuel Services for fuel cards. WEX Fuel Services would save the City money on fuel cards.

Mayor Pro-Tem, Dwayne Hajek motioned to approve. Councilmember Jason Tones seconded the motion. Motion passed.

17. Discussion and possible action to approve **Ordinance #613**, authorizing “No Thru Trucks” along the road corridors between Penick Street and Washington Street.

Public Works Director, Markus Benoit addressed Council on approving Ordinance #613. There will be about 19 No Thru Trucks signs between Penick and Washington Street. The truck drivers have gotten stuck in the neighborhoods and has caused dangerous situations.

Councilmember Jason Tones motioned to approve. Mayor Pro-Tem, Dwayne Hajek seconded the motion. Motion passed.

18. Discussion and possible action to approve **Resolution #2023-09**, supporting the City of Waller’s detailed application for a TxDOT’s Transportation Alternatives for the Fieldstore Rd. sidewalk project.

EDC Director, John Isom addressed Council on approving Resolution #2023-09. The resolution does not bind the City with an agreement. The resolution will be a step in the application process.

Councilmember Nancy Arnold motioned to approve. Councilmember Jason Tones seconded the motion. Motion passed.

19. Discussion and possible action to approve The Goodman Corporation to issue an RFQ for design services for the Taylor St. & Waller-Tomball Rd. sidewalk project.

EDC Director, John Isom addressed Council on approving The Goodman Corporation to issue an RFQ for design services. The project is ready for the City to advertise for RFQ’s and select a designer for the sidewalk project.

Councilmember Don Hart motioned to approve. Councilmember Nancy Arnold seconded the motion. Motion passed.

MAYOR-COUNCIL REPORTS

- *Mayor Pro-Tem, Dwayne Hajek*
 - *Congratulated the Waller Police Department on National Police Week*

STAFF REPORTS

- *Cynthia Ward, City Secretary*
- Addressed Council and the public on the Councilmember position for Edna Eaton. The application has been posted on City website. The deadline for submitting an application will be June 2. Individuals who are interested will need to turn in an application and resume.
- *Markus Benoit, Public Works Director*
- Presented new Code Enforcement Officer, Tommy Albert.
- *Michael Lopez, Police Chief*
- No report
- *John Isom, WEDC Director*
- Reminder on Networking breakfast 5/16 with CEO from Resolute Oil
- *Travis Sellers, City Engineer*
- No report

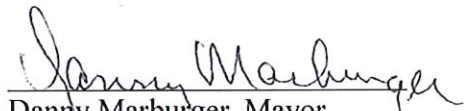
ELECTED OFFICIAL REPORTS

Not present, no report

ADJOURNMENT

With no other business, Mayor adjourned at 7:02 pm.

APPROVED BY:



Danny Marburger, Mayor

ATTEST:



Cynthia Ward, City Secretary