



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

**BE IT REMEMBERED THAT ON THIS THE 21st day of March 2022 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 Edna Eaton  
Councilmember Mike McCormick (*Absent*)  
Councilmember Jason Tones

Cynthia Ward, City Secretary  
Kim Dickey, Deputy City Secretary  
Maryann Carl, Finance Officer  
Gene Schmidt, Public Works Director  
Michael Lopez, Acting Police Chief  
Art Pertile, City Attorney

*Mayor called the Meeting to order at 6:00 p.m.*

**Call to order  
Roll Call**

**PUBLIC HEARING**  
*Mayor opened public hearing 6:02 p.m.*

**NOTICE IS HEREBY GIVEN TO ALL INTERESTED PERSONS, THAT:**

A public hearing was held on Monday, March 21, 2022, at 6:00 p.m., in the City Council Chambers, 1218 Farr Street, Waller, Texas, on the following:

**PROPOSES TO ADOPT THE FOLLOWING CODE VERSIONS AND AMEND THE CODE OF ORDINANCES TO REFLECT THE SAME:**

THE INTERNATIONAL BUILDING CODE, 2018 EDITION  
THE NATIONAL ELECTRIC CODE, 2020 EDITION  
THE INTERNATIONAL MECHANICAL CODE, 2018 EDITION  
THE INTERNATIONAL FUEL GAS CODE, 2018 EDITION  
THE INTERNATIONAL PLUMBING CODE, 2018 EDITION  
THE INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION  
THE INTERNATIONAL ENERGY CODE, 2018 EDITION  
THE INTERNATIONAL PROPERTY MAINTENANCE CODE, 2018 EDITION  
THE INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION  
THE INTERNATIONAL SWIMMING POOL & SPA CODE, 2018 EDITION  
THE NATIONAL FIRE PROTECTION ASSOCIATION 101: LIFE SAFETY CODE, 2018 EDITION

## **CLOSE PUBLIC HEARING**

*Mayor closed public hearing at 6:06 p.m.*

## **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.

*Pat Henderson – addressed Mayor and Council regarding development in and around Briartree Subdivision. They are concerned because 3 new houses are planned for the entrance to the subdivision and impedes the drainage in the area. She stated it is her understanding, there is a plan for a warehouse and duplexes on the Northside of the Subdivision.*

*Mayor asked she and Public Works Director Gene Schmidt continue to meet and address the questions she has moving forward.*

**PRESENTATION – A moment of silence for the loss of James "Herman" Peters by Mayor Marburger**

## **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.

1. Approval of Minutes for February 21, 2022, Regular Meeting.
2. Approval of Minutes for February 28, 2022, Special Meeting.
3. Approval of Tax Refund to Lonnie & Michelle Collins for Tax Year 2021.

*Motion to approve the consent agenda items by Councilmember Arnold. Motion seconded by Councilmember Eaton. Motion passed.*

## **REGULAR AGENDA ITEMS**

4. Discussion and possible action regarding **Ordinance # 590**, declaring unopposed candidates in the May 7, 2022, General Election, elected to office; canceling the election; providing a severability clause; and providing an effective date.

*Motion to approve the Ordinance # 590, declaring unopposed candidates in the May 7, 2022, General Election by Mayor Pro Tem Hajek. Motion seconded by Councilmember Tones. Motion passed.*

5. Discussion and possible action to approve the City of Waller's participation in the upcoming Easter Egg Hunt with the Waller FFA Club and the Waller Chamber of Commerce.

*Deputy City Secretary Kim Dickey addressed the Council for approval of the city's participation in the Easter Egg Hunt put on in cooperation with the Waller FFA Club and the Waller Area Chamber of Commerce.*

*Motion to approve the City of Waller's participation in the upcoming Easter Egg Hunt with the Waller FFA Club and Waller Chamber of Commerce by Mayor Pro Tem Hajek. Motion seconded by Councilmember Arnold. Motion passed.*

6. Discussion and possible action regarding the purchase of training tables for City Hall Council Chambers with funding left over from City Hall building funds.

*City Secretary Cynthia Ward addressed the Council requesting 5 more tables needed for the Council Room. Currently tables are being moved back and forth from the Jury Room to the Council Room.*

*Motion by Councilmember Arnold to purchase of training tables for City Hall Council Chambers with funding left over from City Hall building funds. Motion seconded by Councilmember Eaton. Motion passed.*

7. Discussion and possible action for approval of **RESOLUTION # 2022-09** for a Resolution by the City Council of the City of Waller, Texas, authorizing publication of the Notice of Intention to issue Certificates of Obligation; and approving other matters incidental thereto.

*Finance Officer Maryann Carl addressed the Council regarding the Certificate of Obligations. The Resolution presented tonight complies with the legal requirements for notification of the City's intent to issue debt required for completion of the above outlined projects. Issuance of \$8M of Certificates of Obligation will allow the city to proceed with the following projects approved by Council in February 2022:*

- 1. Water Plant at Beacon Hill – \$3,366,000 est.*
- 2. D Street Sanitary Sewer Improvements - \$1,207,280 est.*
- 3. Cyrus Road Street Rehabilitation - \$369,500 est.*
- 4. Street Improvements to Penick, Washington, Walnut - \$901,000 est.*
- 5. Additional Street Improvements to be identified - \$2,000,000 est.*

*Motion by Councilmember Tones to approve RESOLUTION # 2022-09 for Certificate of Obligations. Motion seconded by Councilmember Eaton. Motion passed.*

8. Discussion and possible action regarding **Ordinance # 591**, adopting Building Codes that govern construction in the City of Waller, Texas.

*Assistant Public Works Director Markus Benoit addressed the Council with some changes by Ordinance to the city's Building Codes. Currently the city is operating under the Building Codes for 2012, IBCC code for 2015, and the national electrical codes are under 2011. Looking at our codes we are under the 6-year period, Bureaus Veritas has recommended that we adopt the 2018 code versions, and the 2018 codes are complete. This will help the city's ISO rating. This change would become effective October 1<sup>st</sup> 2022.*

***Motion by Councilmember Tones to adopt Ordinance # 591, Building Codes that govern construction in the City of Waller, Texas. Motion seconded by Councilmember Arnold. Motion passed.***

9. Discussion and possible action to approve Waller Penick Properties, LLC final plat on Waller Penick Properties Development for Finishes Solutions.

***Public Works Director Gene Schmidt spoke to let Council know this is on Penick and Waller Mayer and Travis Sellers has approved the final plat.***

***Motion by Mayor Pro Tem Hajeck to approve this final plat for Waller Penick Properties Development. Seconded by Councilmember Eaton. Motion passed.***

10. Discussion and possible action to approve Waller Office Center final plat for Finishes Solutions.

***Public Works Director Gene Schmidt addressed Council regarding this final plat on Business 290 and Travis Sellers has approved this final plat.***

***Motion by Councilmember Arnold to approve the final plat for Waller Office Center for Finishes Solutions. Motion seconded by Councilmember Eaton. Motion passed.***

11. Discussion and possible action to approve two locations, one on FM 2920 and one on Business Highway 290, proposed by Finishes Solutions for installation of signs measuring, 9 feet by 19 ½ feet, and 30 feet tall, full color, double-face outdoor LED display billboards.

***Public Works Director Gene Schmidt addressed the Council regarding the locations of the two signs that Finishes Solutions is proposing. He also addressed the advertising that would be on the sign.***

***City Attorney Art Pertile addressed some concerns about the brightness of the signs and the distance between. He stated they could always look at changing the Ordinances to include standards to be set forth.***

***Motion by Councilmember Tones to approve the two locations of the signs. Motion seconded by Councilmember Eaton. Motion passed.***

12. Discussion and possible action to approve a six-month extension on the preliminary plat for Woodmere Development Co. LTD, on Beacon Hill Section 4.

***Public Works Director Gene Schmidt addressed Council stating there are no changes with this, it is just an extension on time for the project.***

***Motion by Councilmember Arnold to approve a six-month extension on the preliminary plat for Woodmere Development Co. LTD, on Beacon Hill Section 4. Motion seconded by Mayor Por Tem Hajeck. Motion passed.***

13. Discussion and possible action to approve a six-month extension on the preliminary plat for Woodmere Development Co. LTD, on the Beacon Hill Boulevard Street Dedication Section 2 final plat.

***Public Works Director Gene Schmidt addressed Council stating they are going to have to put a drain across the roadway and it set this project back, this is why they are requesting an extension.***

*Motion by Councilmember Arnold to approve a six-month extension on the preliminary plat for Woodmere Development Co. LTD, on Beacon Hill Boulevard Street Dedication Section 2. Motion seconded by Mayor Pro Tem Hajek. Motion passed.*

14. Discussion and possible action to approve preliminary plat for Oakwood Estates Section 1 by Field Store Development LLC.

*Public Works Director Gene Schmidt addressed Council stating Section 1 just past the High School and has been approved by City Engineer Travis Sellers.*

*Motion by Councilmember Tones to approve preliminary plat for Oakwood Estates Section 1 by Field Store Development LLC. Motion seconded by Mayor Pro Tem Hajek. Motion passed.*

15. Discussion and possible action for approval of preliminary plat of Oakwood Estates Section 2 for Field Store Development LLC.

*Public Works Director Gene Schmidt addressed the Council with consideration of this section 2 for Field Store Development. Travis Sellers has already approved the plat.*

*Motion by Councilmember Tones to approve preliminary plat for Oakwood Estates Section 2 by Field Store Development LLC. Motion seconded by Mayor Pro Tem Hajek. Motion passed.*

16. Discussion and possible action on WEDC Board recommendation to use ROI Lead Generation Services at a cost of \$5000 for one year collaboration with Waller County Economic Development Partnership.

*Economic Director John Isom addressed the Council and stated the EDC Board had approved this recommendation.*

*The total ROI cost is \$15,000 for 10 pre-qualified leads. WCEDP, WEDC, and Prairie View EDC are collaborating to share the ROI cost 3 ways for \$5000 each. WCEDP will be the named client of ROI and coordinate the information flow. WEDC and PVEDC will each pay \$5000 to WCEDP as our parts of the collaboration.*

*ROI will work with all of us to determine the assets/strengths of our area that would be attractive to each industry sector. Our community priorities will also be considered. ROI will then use its business intelligence process to identify target companies that fit our local profiles and are likely to be ready to initiate new expansion projects. ROI will then contact those companies and market our local communities to them. All information on leads from ROI will be shared among the 3 entities. As a group, we will be able to evaluate the leads and decide if we want to pursue them. If we decide not to pursue a lead, it will not count against our 10 guaranteed leads per the contract.*

*Motion by Councilmember Arnold to use ROI Lead Generation Services at a cost of \$5000 for one year collaboration with Waller County Economic Development Partnership. Motion seconded by Councilmember Eaton. Motion passed.*

17. Discussion and possible action on **RESOLUTION # 2022-10** regarding a request by Aliantgroup for the City of Waller to allocate the 179D Energy Efficient Commercial Building Tax Deduction to their client, Lighting Associates, Inc.

*City Attorney Art Pertile addressed the Council stating contractors can apply for a tax deduction on work that they do for the city.*

*Motion by Councilmember Arnold to approve RESOLUTION # 2022-10 regarding a request by Aliantgroup for the City of Waller to allocate the 179D Energy Efficient Commercial Building Tax Deduction to their client, Lighting Associates, Inc. Motion seconded by Mayor Pro Tem Hajek. Motion passed.*

#### **MAYOR-COUNCIL REPORTS**

*Mayor stated that we have started to get items moved into the City Museum. There are some model tractors, old billing machine, and some of the items from the City Hall Building. He asked anyone who would like to donate items to help preserve the history of Waller, please to let us know.*

#### **STAFF REPORTS**

- Cynthia Ward, City Secretary
- Gene Schmidt, Public Works Director
- Michael Lopez, Police Captain, and Acting Chief of Police
  - *Introduction of new team members Kelsey Knebel and Laurie Filippini*
- John Isom, WEDC Director
- Travis Sellers, City Engineer
  - *Update on FM 2920 utility extension bid date pushed back*
  - *D Street sanitary sewer extension moving forward with Union Pacific RR*
  - *Cyrus Road field survey is complete for reconstruction project*
  - *Expansion joints in Allegacy Park a Cost Sharing Agreement*
  - *Proposal for the City of Waller Street Assessment*

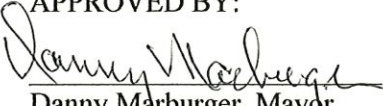
#### **ELECTED OFFICIAL REPORTS**

*None*

#### **ADJOURNMENT**

*With no other business, Mayor adjourned at 7:13 pm.*

APPROVED BY:

  
Danny Marburger, Mayor

ATTEST:

  
Cynthia Ward, City Secretary