



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

BE IT REMEMBERED THAT ON THIS THE 17th day of January 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 Edna Eaton
Councilmember Mike McCormick (**Absent**)
Councilmember Jason Tones

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

Mayor Marburger called the meeting to order at 6:00 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. Councilmember Mike McCormick absent.

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 /20413 Stokes Rd. to annex the following:

29.19 ACRE TRACT OF LAND BEING SITUATED IN THE WILLIAM SORSBY SURVEY, ABSTRACT NO. 958, IN HARRIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT CALLED 14.1256 ACRES CONVEYED TO WALLER CITY APARTMENTS ONE, LLC, RECORDED IN HARRIS COUNTY CLERK'S FILE NO. RP2022-19936 OF THE OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT CALLED 14.12 ACRES ALSO CONVEYED TO WALLER CITY APARTMENTS ONE, LLC, RECORDED IN HARRIS COUNTY CLERK'S FILE NO. RP-2022-19965 OF THE OFFICIAL PUBLIC RECORDS OF HARRIS COUNTY, TEXAS, AND ALL OF THE ADJACENT RIGHT-OF-WAY OF STOKES ROAD (CALLED 60 FEET WIDE), NO RECORD DEDICATION FOUND, SAID 29.19 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF WALLER, TEXAS TO INCLUDE THE DESCRIBED LAND; 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.

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.

1. Approval of Minutes for December 19, 2022, Regular Meeting.
2. Approval of the Quarterly Investment Report ending December 2022.
3. Approval of refund to Oxford Ranch Apartments LLC for Tax Year 2021 due to value change per HCAD.

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

REGULAR AGENDA ITEMS

4. Discussion and possible action regarding **Ordinance #606** granting a request for the annexation of a 29.19 acre tract of land being situated in the William Sorsby survey, abstract no. 958, in Harris County, Texas, and being all of that certain tract called 14.1256 acres conveyed to Waller City Apartments One, LLC, recorded in Harris county clerk's file No. RP-2022-19936 of the official public records of Harris County, Texas, and being all of that certain tract called 14.12 acres also conveyed to Waller City Apartments One, LLC, recorded in Harris County clerk's file no. Rp-2022-19965 of the official public records of Harris County, Texas, and all of the adjacent right-of-way of Stokes Road (called 60 feet wide), no record dedication found, said 29.19 acre tract being more particularly described by metes and bounds providing for the extension of certain boundary limits of the city of Waller, Texas to include the described land; providing for severability; and making findings and provisions relative to the subject.

City Secretary, Cynthia Ward addressed Council on Ordinance #606, a request for annexation of a 29.19 acre tract received from Finishes Solutions LLC.

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

5. Discussion and possible action to approve Binford Center Preliminary Plat.

Public Works Director, Gene Schmidt addressed Council on approving the Binford Center preliminary plat, which is located at Binford and 2920.

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

6. Discussion and possible action to approve appointing, Dwayne Hajek as the Fire Chief of the City of Waller Volunteer Fire Department.

Mayor Marburger addressed Council on the current's Fire Chief, Gene Schmidt retiring and resigning as Fire Chief. Bobby, from the Volunteer Fire Department also addressed Council on the Fire Department's voting on appointing Dwayne as Fire Chief.

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

7. Discussion and possible action on Discussion and possible action to approve **Ordinance # 607**, of the City of Waller providing for the holding of a General Election on May 6, 2023, for the purpose of electing three (3) at large council members; designating the entire City as one election precinct; and approve contracting with Waller County for a joint election.

City Secretary, Cynthia Ward addressed Council on approving Ordinance # 607, providing the holding for the General Election. The election would be for the 3 at large Council members.

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

8. Discussion and possible action regarding **Resolution #2023-01**, approving the execution of a contract between Waller I.S.D. and the City of Waller to conduct the early voting and election day and to accept the appointment of election judges.

City Secretary, Cynthia Ward addressed Council on approving Resolution #2023-01, a contract with the City and Waller ISD to conduct the early voting and to accept the appointment judges. This is a housekeeping item.

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

9. Discussion and possible action regarding **Resolution # 2023-02**, approving the execution of a contract with Waller County Elections Administrator for a joint election relating to the May 6, 2023, election.

City Secretary, Cynthia Ward addressed Council on Resolution # 2023-02, which is an agreement with the Waller County Elections Administrator to allow the County to conduct the City's election.

Councilmember Jason Tones motioned to approve. Councilmember Edna Eaton seconded the motion. Motion passed.

10. Discussion and possible action regarding **Resolution # 2023-03**, to authorize the execution of an Advance Funding Agreement (AFA) with TxDot for engineering and construction of the Taylor Street and Waller-Tomball sidewalks under a TxDot Safe Routes to School grant where the City will receive a \$1,221,320 project with no local match required.

EDC Director, John Isom addressed Council on the TxDot Safe Routes to School contract to construct a sidewalk on Taylor Street and Waller-Tomball at no cost to the City. The sidewalk will be constructed on the South side of the street.

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

11. Discussion and possible action to re-appoint Anthony Edmonds to a new three (3) year term on the EDC board for the years 2023-2025.

EDC Director, John Isom addressed Council on approving the recommendation of the EDC board on re-appointing Anthony Edmunds to a new 3-year term on the EDC board for the years 2023-2025.

Councilmember Edna Eaton motioned to approve. Councilmember Nancy Arnold seconded the motion. Motion passed.

MAYOR-COUNCIL REPORTS

- **Mayor Marburger**
 - Addressed the public on Waller County's 150th Celebration. The City of Waller will be attending the Waller County Sequential and will host a celebration at City Hall on May 2, 2023, from 1:00pm-5:00pm. The celebration will be followed with a Proclamation.

STAFF REPORTS

- **Cynthia Ward, City Secretary**
 - No report
- **Markus Benoit, Assistant Public Works Director**
 - No report
- **Michael Lopez, Police Chief**
 - Introduced a new officer, Andre Saulter
- **John Isom, WEDC Director**
 - Surveying easements on Field Store sidewalks
- **Travis Sellers, City Engineer**
 - No report

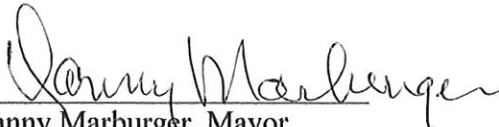
ELECTED OFFICIAL REPORTS

Not present, no report

ADJOURNMENT

With no other business, Mayor adjourned at 6:28 p.m.

APPROVED BY:



Danny Marburger, Mayor

ATTEST:



Cynthia Ward, City Secretary