



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

**BE IT REMEMBERED THAT ON THIS THE 20<sup>th</sup> day of March 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 (**Absent**)  
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  
Charles Williams, City Attorney

*Mayor Marburger called the meeting to order at 6:03 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. Councilmembers Edna Eaton and Mike McCormick absent.*

**PUBLIC HEARING**

A public hearing will be held on Monday, March 20, 2023, at 6:00 p.m., in the City Council Chambers, 1218 Farr Street, Waller, Texas, on the following:

The purpose of the Public Hearing is to receive input from the public, either oral or written, regarding the Field Store Road Sidewalk and Traffic Signal Improvements Project and Associated TxDOT Transportation Alternatives Program Grant Submittal.

**Mayor Marburger opened the public hearing at 6:03 pm. WEDC Director, John Isom and The Goodman Corporation addressed the public on the Field Store Road Sidewalk and Traffic Signal Improvements Project and Associated TxDOT Transportation Alternatives Program Grant Submittal.**

#### **CLOSE PUBLIC HEARING**

**Mayor Marburger closed the public hearing at 6:10 pm.**

#### **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.**

#### **PRESENTATION by Mayor Marburger**

**Mayor Marburger gave a presentation, announcing the retirement of Gene Schmidt, Public Works Director. Mayor awarded Schmidt a plaque honoring his commitment and time to the City of Waller for 31 years.**

#### **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 20, 2023, Regular Meeting.
2. Approval of refund to Dawn Cheek for Tax Year 2021 due to value change per WCAD.
3. Approval of refund to South Central Industrial Prop XIV LP for Tax Year 2022 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 the Field Store Road Sidewalk and Traffic Signal Improvements Project and Associated TxDOT Transportation Alternatives Program Grant submittal.

**Mayor Marburger addressed Council to make a motion to table Agenda Item #4 due to discussion made on this item during the Public Hearing.**

*Mayor Pro-Tem, motioned to table Agenda Item #4. Councilmember Jason Tones seconded the motion. Motion passed.*

5. Discussion and possible action to approve a Waller EDC job grant incentive to Avangard Innovative which will reimburse the company 15% of one year's salary for hiring local area residents.

**EDC Director, John Isom addressed Council on Avangard expanding their location. The Waller EDC job grant incentive will be for the hiring of local area residents. The incentive will be up to \$350,000.**

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

6. Discussion and possible action to approve a proposal from The Goodman Corporation to develop and submit an application for FY24 Community Project Funding for the Field Store Road Sidewalk and Traffic Signal Project as a congressional earmark.

**EDC Director, John Isom addressed Council on approving a proposal from The Goodman Corporation. This agenda item is in relation to the Field Store Sidewalk project.**

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

7. Discussion and possible action to approve a new job description for the Lieutenant of the Waller Police Department.

**City Secretary, Cynthia Ward addressed Council on approving a new job description for the Lieutenant of the Waller Police Department due to the City's ongoing growth. This position has already been placed in the budget.**

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

8. Discussion and possible action to approve a new job description for an Administrative Assistant for the Public Works Department.

**City Secretary, Cynthia Ward addressed Council on approving a new job description for an Administrative Assistant for the Public Works Department due to the City's ongoing**



growth. This position will work with the Public Works Director and perform all the administrative and paperwork for the department. This position will be taking place of the Assistant Public Works Director.

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

9. Discussion and possible action to award the lowest bidder, JD Twilla Enterprises, for the sanitary utility extension to serve Avangard.

City Engineer, Travis Sellers addressed Council on approving awarding JD Twilla Enterprises for the sanitary utility extension to serve Avangard. The sanitary utility extension will be from Old Washington to Mathis.

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

10. Discussion and possible action to award the lowest bidder, ISJ Underground Utilities LLC, for the D Street Sanitary Crossing.

City Engineer, Travis Sellers addressed Council on approving awarding ISJ Underground Utilities LLC for the D Street Sanitary Crossing. This will replace the 8-inch line that will go from Taylor to D Street, South to the Washington Street Lift Station.

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

11. Discussion and possible action to begin the initial acceptance and one-year warranty period for the Cyrus Lane Asphalt Rehabilitation project.

City Engineer, Travis Sellers addressed Council on approving the beginning of the initial acceptance and one-year warranty period for the Cyrus Lane Asphalt Rehabilitation project. The contractor has completed all the punch list items and is ready to go into a one-year warranty.

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

12. Discussion and possible action to award the lowest bidder, American Parking Control, for the Asphalt Roadway Rehabilitation Project (Washington St., Penick St., and Walnut St.).

City Engineer, Travis Sellers addressed Council on approving awarding American Parking Control for the Asphalt Roadway Rehabilitation Project. This project is for a mill of overlay for FM 362 all the way to the East City limits. The contractor will be responsible for notifying the appropriate businesses on the project due to route modifications that may be needed.

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

13. Discussion and possible action to approve a new Engineering Fee Schedule.

**Assistant Public Works Director, Markus Benoit addressed Council on approving a new Engineering Fee Schedule. The current fee schedule has not matched the engineering fees. These fees were created by the evaluation of 2 years average fees and work from the City Engineer. Fees will be good for 2 reviews.**

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

14. Discussion and possible action to approve Tim Wolff with Bleyl Engineering to advertise Waller Street Water Tower Repair and Paint Bids.

**Assistant Public Works Director, Markus Benoit addressed Council on approving Tim Wolff to advertise Waller Street Tower Repair and Paint Bids.**

**Tim Wolff of Bleyl also Engineering addressed Council on the recoating and repainting for the Waller Street Tower. The projected cost of this project is \$260,000-\$300,000.**

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

#### **EXECUTIVE SESSION**

15. Pursuant to Chapter 551 of the Texas Government Code, the City Council will convene in Executive Session pursuant of Section 551.074 Personnel Matters, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee- Public Works Director.

**Mayor Marburger called for an Executive Session at 7:09 pm to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee- Public Works Director, Gene Schmidt.**

#### **RECONVENE IN OPEN SESSION**

16. Discussion and possible action regarding matters discussed in Executive Session.

**Mayor Marburger Reconvened in Open Session at 7:09 pm to discussed matters from Executive Session.**

*Mayor Pro-Tem motioned to approve the resignation of Gene Schmidt as the Director of Public Works and made a motion to appoint Markus Benoit as the Director of Public Works being effective as of April 1. Councilmember Jason Tones seconded the motion. Motion passed.*

## MAYOR-COUNCIL REPORTS

- *Councilmember Nancy Arnold*
  - 867 bills were filed and 700 of them have been referred to the committee as of Friday. Eighteen of these bills were involved broadband, funding, and grants, 36 were criminal justice bills, 10 disaster recovery bills. All of these bills could affect the City of Waller and surrounding areas.
- *Councilmember Jason Tones*
  - *On Friday Councilmember Tones did a ride with the Police Department. Police Department doing an excellent job, the department works good together. Citizens are recognizing them.*

## STAFF REPORTS

- *Cynthia Ward, City Secretary*
  - No report
- *Gene Schmidt, Public Works Director*
  - No report
- *Michael Lopez, Police Chief*
  - No report
- *John Isom, WEDC Director*
  - No report
- *Travis Sellers, City Engineer*
  - No report

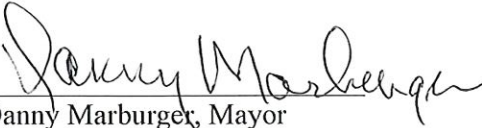
## ELECTED OFFICIAL REPORTS

Not present, no report

## ADJOURNMENT

With no other business, Mayor adjourned at 7:14 pm.

APPROVED BY:

  
\_\_\_\_\_  
Danny Marburger, Mayor

ATTEST:

  
\_\_\_\_\_  
Cynthia Ward, City Secretary