



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

BE IT REMEMBERED THAT ON THIS THE 17th day of July 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
Councilmember Sherri Swisher

Staff:
Cynthia Ward, City Secretary
Beatris Sanchez, Deputy City Secretary
Ryan Short, 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

*The prayer was led by Councilmember Nancy Arnold.
The pledge was led by Mayor Pro-Tem Dwayne Hajek.*

ROLL CALL

Mayor Marburger and all Councilmembers present.

PUBLIC HEARING

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 to annex the following:

A 1.877 ACRE TRACT OF LAND SITUATED IN THE JOHN WOODWARD SURVEY, ABSTRACT NUMBER 847, OF HARRIS COUNTY, TEXAS, AND BEING THAT SAME TRACT OF LAND CALLED 1.88 ACRES AS DESCRIBED IN DEED RECORDED IN

CLERK'S FILE NUMBER 20130070654, OF THE REAL PROPERTY RECORDS OF HARRIS COUNTY, TEXAS

A petition by Don Hart to annex the following:

A 5.127 ACRE TRACT OF LAND, MORE OR LESS, IN THE P. SHELBOURNE SURVEY, ABSTRACT 255, WALLER COUNTY, TEXAS SAME BEING OUT OF THE RESIDUE OF A CERTAIN CALLED 884.579 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 523, PAGE 597 OF THE OFFICIAL RECORDS OF WALLER COUNTY, TEXAS

A petition by IGH Real Estate to annex the following:

A 13.226 ACRE TRACT OF LAND SITUATED IN THE HARRIS COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 332, HARRIS COUNTY, TEXAS, BEING OUT OF A CALLED 167.922 ACRE TRACT OF LAND CONVEYED TO IHG REAL ESTATE 2, LLC AS RECORDED UNDER HARRIS COUNTY CLERKS FILE (H.C.C.F.) NO. RP-2019-552507, ALSO BEING OUT OF LOTS 3, 4, 5, AND 6, BLOCK 16 OF HARRIS COUNTY SCHOOL LAND FOUR LEAGUES, MAP OR PLAT THEREOF RECORDED UNDER VOLUME 17, PAGE 221 OF THE HARRIS COUNTY DEED RECORDS (H.C.D.R.)

CLOSE PUBLIC HEARING

The City Attorney, Art Pertile addressed Mayor Marburger and the public to make the record reflect that Councilmember Don Hart did not participate in the discussion and filled out a Conflict-of-Interest Affidavit.

With no public comments, Mayor Marburger closed the public hearing at 6:10pm.

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 June 20, 2023, Regular Meeting.
2. Approval of Quarterly Investment Report ending June 2023.

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

REGULAR AGENDA ITEMS

3. Discussion and possible action regarding **Ordinance #615**, granting a request for the annexation for the following:

A 1.877 ACRE TRACT OF LAND SITUATED IN THE JOHN WOODWARD SURVEY, ABSTRACT NUMBER 847, OF HARRIS COUNTY, TEXAS, AND BEING THAT SAME TRACT OF LAND CALLED 1.88 ACRES AS DESCRIBED IN DEED RECORDED IN CLERK'S FILE NUMBER 20130070654, OF THE REAL PROPERTY RECORDS OF HARRIS COUNTY, TEXAS.

Mayor Marburger addressed the public that the annexation is a petition from Finishes Solutions.

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

4. Discussion and possible action regarding **Ordinance #616**, granting a request for the annexation of the following:

A 5.127 ACRE TRACT OF LAND, MORE OR LESS, IN THE P. SHELBOURNE SURVEY, ABSTRACT 255, WALLER COUNTY, TEXAS SAME BEING OUT OF THE RESIDUE OF A CERTAIN CALLED 884.579 ACRE PARCEL AS DESCRIBED BY DEED RECORDED IN VOLUME 523, PAGE 597 OF THE OFFICIAL RECORDS OF WALLER COUNTY, TEXAS

Mayor Marburger addressed the public that the annexation is a petition by Councilmember Don Hart.

City Attorney, Art Pertile addressed the public that Councilmember Don Hart did not participate in the discussion.

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

5. Discussion and possible action regarding **Ordinance #617**, granting a request for the annexation of the following:

A 13.226 ACRE TRACT OF LAND SITUATED IN THE HARRIS COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 332, HARRIS COUNTY, TEXAS, BEING OUT OF A CALLED 167.922 ACRE TRACT OF LAND CONVEYED TO IHG REAL ESTATE 2, LLC AS RECORDED UNDER HARRIS COUNTY CLERKS

FILE (H.C.C.F.) NO. RP-2019-552507, ALSO BEING OUT OF LOTS 3, 4, 5, AND 6, BLOCK 16 OF HARRIS COUNTY SCHOOL LAND FOUR LEAGUES, MAP OR PLAT THEREOF RECORDED UNDER VOLUME 17, PAGE 221 OF THE HARRIS COUNTY DEED RECORDS (H.C.D.R).

Mayor Marburger addressed the public that the property is a request from IHG Real Estate.

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

6. Discussion and possible action to approve a new agreement for tax assessment and collection services with Waller ISD.

City Secretary, Cynthia Ward addressed Council that this agenda item is a "housekeeping item." The City will be paying more money to Waller ISD under this new agreement due to the City's development and growth. The prior agreement will end July 31, 2023.

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

7. Discussion and possible action to approve a change order for American Parking Control.

Director of Public Works, Markus Benoit addressed Council on the street rehab from Washington Penick and Orange Street. In the Penick and Orange intersection there is a manhole that was not covered underneath the pavement. The change order would be to correct to identify the use of the money. The change order is for \$0.

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

8. Discussion and possible action to approve a preliminary plat for the Binford Road Office Park sec. 1 replat no.1.

Director of Public Works, Markus Benoit addressed Council on a portion of Binford Road Office Park being replated with the changes on the utility easement. The City Engineer has approved the replat to fulfill the City's requirements.

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

9. Discussion and possible action to approve a vehicle take home policy for the Waller Police Department.

Chief of Police, Michael Lopez addressed Council on approving a vehicle take home policy for the Waller Police Department. The policy will provide criteria and specifications for the Police Department taking home a vehicle.

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

10. Discussion and possible action to approve the second in command at the Waller Police Department a take home vehicle.

Chief of Police, Michael Lopez addressed Council on second in command being the Lieutenant, Thomas Santellana. The Chief of Police requested Council to approve Santellana a take home vehicle. The policy states that they must live within a 35-mile radius.

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

11. Discussion and possible action to approve **Resolution # 2023-11**, a Chapter 380 agreement for a Waller EDC job grant incentive to Natura PCR which will reimburse the company 15% of one year's salary for hiring local area residents up to a maximum of \$350,000.

WEDC Director, John Isom addressed Council on approving an incentive to Natura PCR for hiring local area residents from Hempstead, Prairie View, Waller, and Hockley up to \$350,000. The qualification for reimbursement would be after an employee is there for a year.

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

12. Discussion and possible action to approve **Resolution # 2023-12**, a Chapter 380 agreement to reimburse Closner Equipment 50% of City taxes paid on their new facility in Waller Industrial Park and to reimburse the company for a portion of their detention costs.

WEDC Director, John Isom addressed Council on approving a Chapter 380 agreement to reimburse Closner Equipment.

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

13. Discussion and possible action on the WEDC board's request for approval of an office leasing contract with Main Street Plaza Waller, LLC for the current WEDC space in the 2313 Main St. building with a sublease for part of the space to the Waller Chamber of Commerce.

WEDC Director, John Isom addressed Council on approving a month-to-month

lease for a building owned by Finishes Solutions.

Councilmember Don Hart motioned to approve. Councilmember Sherri Swisher seconded the motion. Motion passed.

MAYOR-COUNCIL REPORTS

No reports.

STAFF REPORTS

Cynthia Ward, City Secretary,

- No report

Markus Benoit, Public Works Director

- No report

Michael Lopez, Police Chief

- No report

John Isom, WEDC Director

- No report

Travis Sellers, City Engineer

- No report

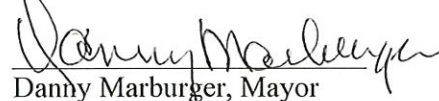
ELECTED OFFICIAL REPORTS

Not present, no report

ADJOURNMENT

With no other business, Mayor adjourned at 6:37 pm.

APPROVED BY:



Danny Marburger, Mayor

ATTEST:



Cynthia Ward, City Secretary