



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

**BE IT REMEMBERED THAT ON THIS THE 19<sup>th</sup> day of February 2024 at 5:00 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  
Phillip Boedecker, City Attorney

*Mayor Marburger called the meeting to order at 5:01 p.m.*

**PRAYER AND PLEDGE OF ALLEGIANCE**

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

**ROLL CALL**

*Mayor Marburger and all Councilmembers were present.*

**PUBLIC HEARING**

The purpose of the Public Hearing is to receive input from the public, either oral or written, regarding the City of Waller adopting the International Residential Code, 2021 Edition, and the International Building Code, 2021 Edition.

**CLOSE PUBLIC HEARING**

*With no public comments, Mayor Marburger closed the hearing at 5:04 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 the City Council to speak about an item on the agenda. Before the start of the meeting, the person must request such an 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 the City Council for discussion or action. Comments are limited to 3 minutes.

***Sean Whittmore, candidate introduction for Waller County District Attorney.***

***Solomon Loche, candidate introduction running for City of Waller Mayor.***

***Pat Henderson, gave thanks to the Police Chief and Public Works Director for attending the HOA meeting.***

***Carolyn Miedke, candidate introduction running for Waller County Tax Assessor Collector.***

## **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 January 9, 2024, Special Meeting.
2. Approval of Minutes for January 16, 2024, Regular Meeting.

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

## **EXECUTIVE SESSION**

*Convened into executive session at 5:10 PM*

3. Pursuant to Section 551.071 of the Texas Government Code, the City Council will convene into executive session to consult with the City Attorney.

## **RECONVENE IN OPEN SESSION**

*Reconvened into open session at 6:00 PM*

4. Discussion and possible action regarding matters discussed during Executive Session.

5. *No action.*

**PRESENTATION** by Mayor Marburger

**Mayor Marburger gave a presentation on the retirement of Public Works Field Supervisor, Sandy Parker.**

**REGULAR AGENDA ITEMS**

6. Discussion and possible action to approve the FY2022-2023 audit as presented by Belt Harris & Pechacek LLP.

**Mike Brotherton, of Belt Harris & Pechacek LLP addressed the Council on the FY 2022-2023 audit. There were no issues in the audit.**

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

7. Discussion and possible action to approve **Ordinance #622**, an ordinance amending the City's code of ordinances by amending Chapter 14 and adopting the 2021 International Building Code, effective March 1, 2024.

**ORDINANCE NO. 622**

AN ORDINANCE OF THE CITY OF WALLER, TEXAS, AMENDING THE CITY'S CODE OF ORDINANCES BY AMENDING CHAPTER 14 BY ADOPTING THE 2021 INTERNATIONAL BUILDING CODE;; THE 2023 NATIONAL ELECTRIC CODE; THE 2021 INTERNATIONAL MECHANICAL CODE; THE 2021 INTERNATIONAL FUEL CODE; THE 2021 INTERNATIONAL PLUMBING CODE; THE 2021 INTERNATIONAL RESIDENTIAL CODE; THE 2021 INTERNATIONAL FIRE CODE; THE 2021 INTERNATIONAL ENERGY CONSERVATION CODE; THE 2021 INTERNATIONAL PROPERTY MAINTENANCE CODE; THE 2021 INTERNATIONAL EXISTING BUILDING CODE; THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE; THE 2021 NATIONAL FIRE PROTECTION ASSOCIATION 101: LIFE SAFETY CODE; ALL ORDINANCES INCONSISTENT OR IN CONFLICT THEREWITH; PROVIDING FOR PENALTY NOT TO EXCEED \$2,000 EACH DAY OF ANY VIOLATION HEREOF; AND PROVIDING FOR SEVERABILITY.

**Public Works Director, Markus Benoit addressed the Council on approving an ordinance amending the City's code of ordinances. It is the best practice that the city stays within the current code within a 6-year time frame. The last code adopted was the 2018 building code.**

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

8. Discussion and possible action to approve **Resolution #2024-03**, adopting a new schedule of fees, rates, deposits, and other charges for building permits and other related matters; repealing all resolutions in conflict herewith; and other related matters.



RESOLUTION NO. 2024-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WALLER, TEXAS, ADOPTING A SCHEDULE OF FEES, RATES, DEPOSITS, AND OTHER CHARGES FOR BUILDING PERMIT AND OTHER RELATED MATTERS; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND OTHER RELATED MATTERS.

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

9. Discussion and possible action to approve Oakwood Estates Section 4 Preliminary Plat.

*Councilmember Arnold motioned to table Agenda Item #8. Mayor Pro-Tem Hajek seconded the motion. Motion passed.*

10. Discussion and possible action to approve **Ordinance #623**, an ordinance establishing a stop at the northwest intersection of Waller St. and Farr St.

ORDINANCE NO. 623

AN ORDINANCE OF THE CITY OF WALLER, TEXAS, ESTABLISHING A STOP AT THE NORTHWEST INTERSECTION OF WALLER STREET AND FARR STREET; PLACING ALL NECESSARY TRAFFIC CONTROL DEVICES AT THE INTERSECTION OF WALLER STREET AND FARR STREET; PROVIDING A PENALTY OF AN AMOUNT OF NOT LESS THAN ONE DOLLAR (\$1.00) OR MORE THAN TWO HUNDRED DOLLARS (\$200.00) FOR VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.

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

11. Discussion and possible action to approve **Ordinance #624**, an ordinance amending Section 78-108 specific speed limits on Field Store Rd.

ORDINANCE NO. 624

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WALLER, TEXAS, AMENDING SECTION 78-108 SPECIFIC SPEED LIMITS, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTIONS 545.356 OF THE TEXAS TRANSPORTATION CODE WITHIN THE CORPORATE LIMITS OF THE CITY OF WALLER ON FIELDSTORE ROAD; PROVIDING A PENALTY NOT TO EXCEED \$500.00 FOR THE VIOLATION OF THIS ORDINANCE; REPEALING ALL ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT, PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.

*Councilmember Tones motioned to approve. Councilmember Swisher seconded the motion. Motion passed.*

12. Discussion and possible action to approve **Ordinance #625**, an ordinance establishing the following:

- a. The speed limit for 45 mph on Owens Rd. from FM 362 to the end of Beacon Hills subdivision, all of which reside within City limits.
- b. The installation of eight speed limit signs and two city limit signs within referenced jurisdiction.

ORDNANCE NO. 625

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WALLER, TEXAS, AMENDING SECTION 78-108 SPECIFIC SPEED LIMITS, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTIONS 545.356 OF THE TEXAS TRANSPORTATION CODE WITHIN THE CORPORATE LIMITS OF THE CITY OF WALLER ON OWENS ROAD; PROVIDING A PENALTY NOT TO EXCEED \$500.00 FOR THE VIOLATION OF THIS ORDINANCE; REPEALING ALL ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND AN EFFECTIVE DATE.

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

13. Discussion and possible action to approve change order no.1 for the D Street Sanitary Crossing.

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

14. Discussion and possible action to approve Tim Wolff and Bleyl Engineering to advertise GH Bettis Water Tower Repair and Paint Bids.

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

15. Discussion and possible action to authorize Travis Seller with IDS Engineering to solicit bids for the Field Store Rd. ditch improvements.

The City will utilize 2017 TX Capital Funds the remaining (Balance \$222,852.47) for the project.

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

16. Discussion and possible action to approve the final plat for Beacon Hill Section 7.

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

## MAYOR-COUNCIL 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

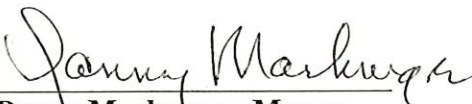
#### **ELECTED OFFICIAL REPORTS**

Not present, no report.

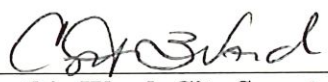
#### **ADJOURNMENT**

With no other business, Mayor Marburger adjourned at 6:54 PM.

**APPROVED BY:**

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

**ATTEST:**

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