



City of Pattison

P.O. Box 223

Pattison, TX 77466

281-934-3715

Website: www.pattison.texas.gov

City Council Meeting Minutes: March 3, 2020

I. Call Meeting to Order

A regular meeting of the Pattison City Council was called to order by Mayor Joe Garcia at 7:00 p.m. in the Royal ISD Administration Building, located at 3714 FM 359, Pattison, Texas 77466.

Members Present:

Mayor Joe Garcia, Councilmember: Seth Stokes, Wayne Kircher, Robert MacCallum, Frank Cobio and Fred Branch

Also, Present: City Attorney, Lora Lenzsch; City Secretary, Christa Molloy; Planning Commission Chair Rick MacDonald, Stacy Hurst and Sharif Charolia

II. Pledge of Allegiance

Mayor Garcia asked Councilmember MacCallum to lead the pledges.

III. Citizens Comments – No action can be taken:

None

IV. Council to approve agenda

Mayor Garcia asked for a motion for the Council to approve the agenda as presented. Councilmember MacCallum made a motion that the agenda be approved as presented, seconded by Councilmember Kircher. The motion passed unanimously.

V. Declare Conflicts of Interest

None declared.

VI. Consent Agenda

Items listed under the consent agenda are considered routine and are generally enacted in one motion. There will be no separate discussion of these items unless a councilmember requests one or more items to be removed from consent agenda for a separate discussion and action.

- A.** Consent and approval of Minutes from the February 4, 2020 regular meeting
- B.** Consent and approval of the finance report for March 2020.
- C.** Consider and approval of checks paid and payables.

Mayor Garcia sought a motion to approve the Consent Agenda. Councilmember Branch made the motion that the Consent Agenda be approved as presented. The motion was seconded by Councilmember Kircher. The motion passed unanimously.



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VII. Business

1. Council to discuss and take action on variance sign request for FuelMaxx building signs

Mayor Garcia asked Stacy Hurst with Empire Canopy, Sign & Construction to address the Council on the variance request. Ms. Hurst indicated that her company was not responsible for putting up the signs on the building but as that company was out of town she would serve as the representative to address the variance request. Ms. Hurst indicated that there are three signs already up on the building, one for each tenant in the building. 1) The FuelMaxx convenience store, 2) a taco place and 3) a pizza place. The company feels that all three should be advertised on the building to drive customers in so that they know what is in the building to stop in and get food. The signs are illuminated so that they can be seen at night.

Mayor Garcia asked if they had been aware of the City's sign ordinance. Stacy Hurst stated that she has been in the business for 18 years and as a part of their business they do their due diligence to become knowledgeable of local sign ordinances. Speaking on behalf of the other company, she indicated that they looked at the City of Pattison ordinance and map and thought that because the building is located outside the city limits the ordinance did not apply. She indicated that when they approached the city to get building permits, they were told to go to Waller County, so at that time they assumed that only a building permit was required by Waller County. The City Secretary shared that no one had approached her about building permits for the FuelMaxx.

Councilmember Stokes asked about the provided diagram that showed an additional fourth sign. Stacy Hurst indicated that this would be an additional sign needed for a future tenant. It was confirmed that the drawings did not reflect the accurate location of the three signs that are now on the building.

Mayor Garcia shared that one other item for future discussion about this facility deals with the brightness of all the lights. He indicated that he has received citizen complaints about their brightness.

The Mayor asked if there was a motion to approve the variance request. Councilmember Kircher moved that the variance request be approved as presented. It was seconded by Councilmember MacCallum. Additional discussion followed with input from the City Attorney reiterating that a fourth sign would require a permit and variance request and that the lighting for the station would need to be addressed. The City Attorney also indicated this is the time to put any restrictions associated with the facility lighting in the variance with the approval. Discussion continued about the number of lights and lumens for the whole facility that will be a 24-hour business. Stacy Hurst stated that she would speak with the owner about if the lights on the canopy could be dimmed or shielded. The City Attorney recommended that before the variance is approved that the company be directed to provide us the volume of illumination of the lights with additional options so that it can be addressed as part of the variance approval.



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Councilmember Kircher asked if the ordinance addresses illumination. The City Attorney did confirm that the ordinance has broad language associated with the illumination of the lights. Mayor Garcia asked Councilmember Kircher to consider withdrawing his motion so that more information and discussion could be had before approving the variance. Councilmember Kircher withdrew his motion to approve the variance with understanding that he was doing so not because of the number of signs for the business but the illumination. Councilmember MacCallum withdrew his second.

Councilmember MacCallum moved that the Council table this item, seconded by Councilmember Stokes. The motion passed unanimously.

Mayor Garcia asked that the company come back to the April 7th meeting to further review the variance request.

2. Council to discuss and take action on variance sign request for FuelMaxx pylon sign

Discussion then turned to a pylon sign. Stacy Hurst indicated that the pylon sign had already been fabricated. The City Attorney confirmed that the current ordinance prohibits pylon signs and states that monument signs are required. The City Attorney made the recommendation that the Council deny the variance for the pylon sign and that the company put forth a permit request for a monument sign.

Mayor Garcia sought a motion on this matter. Councilmember Stokes motioned that pylon variance request be denied. Seconded by Councilmember MacCallum, the motion passed unanimously.

3. Council to discuss and take action on Chepes Meat Market #3 On-Premise Qualification Packet for the Texas Alcoholic and Beverage Commission

Mayor Garcia shared that the previous occupants of this facility have had a liquor license and sought a motion on this item. Councilmember Branch made a motion that the City Secretary complete application to approve the On-Premise request for Chepes Meat Market, seconded by Councilmember MacCallum, the motion passed unanimously.

4. Council to discuss and take action on Ordinance #130 Prohibiting Manufactured Homes repealing Ordinance 123 Prohibiting Manufactured Homes.

Mayor Garcia asked Planning Commission Chair Rick MacDonald for his comments on the ordinance. Rick MacDonald shared that he had forwarded his comments/concerns to the City Secretary early this afternoon. These are additional items that had not been previously brought forward as concerns.

Mayor Garcia asked that this item be tabled so that the City Attorney would have an opportunity to review his comments/concerns.



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Mayor Garcia sought a motion on this item. Councilmember Stokes moved that the item be tabled and brought back at the next City Council meeting. Seconded by Councilmember MacCallum. The motion passed unanimously.

5. Council to discuss and take action on Resolution 2020-03 Authorizing Participation in the H-GAC Energy Purchasing Corporation

The City Secretary indicated that this resolution was a follow up to the H-GACBuy program which will allow the City to participate in the electricity buy opportunities.

Mayor Garcia sought a motion on this item. Councilmember Cobio made a motion that the Resolution be approved as presented. Councilmember Branch seconded the motion. The motion passed unanimously.

6. Council to discuss and take action on Resolution 2020-04 Cancelling the regular city council election scheduled to be held on the May 2, 2020

The City Secretary notified the Council that the only individuals who applied for office where the current incumbents for Mayor, and Council positions 1 and 2 (Kircher and Cobio). Notifications about the election are posted on the website.

Mayor Garcia sought a motion on this item. Councilmember Stokes made a motion that the Resolution be approved as presented. Councilmember MacCallum seconded the motion. The motion passed unanimously.

7. Council to discuss and take action on a Resolution 2020-05 Supporting the 2020 Census

Mayor Garcia shared with Council that he had been notified that the Pattison area is in an area that is considered a hard to count area for the census. Mayor Garcia stressed how important the census is to the City in order that we can participate and receive state and federal grants based up on the data from the census. The City Secretary shared information from the Census site showing that only 66.1% of the households in the tract that Pattison is a part of responded to the 2010 questionnaire. Additionally, another problem identified for our area is that 36.4% of the tract's houses had either no home internet subscription or dial-up only, making it difficult to complete the census online. The City Secretary shared that a link to the Census page has been placed on the City webpage.

Councilmember Branch shared his concerns from the last census in that citizen's were concerned about strangers coming into their homes. Councilmember Kircher asked about Waller County as a whole. The City Secretary indicated that the tract included Waller County and that she is participating in a Complete Count program for the County. One of the areas that the County will focus on is the schools and as the census data will also affect funding for school districts as well.



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Mayor Garcia sought a motion on this item. Councilmember Kircher made a motion that the Resolution be approved as presented. Councilmember MacCallum seconded the motion. The motion passed unanimously.

8. Council to discuss and take action on approving the creation of a second bank account at Allegiance Bank for non-operational funds and participate in the CDARS program.

The City Secretary shared that currently there is only one bank account for the City. Due to a recent unexpected annual charge from Norton Anti-Virus, she recommended to the Mayor that an additional bank account be created that would be an account to hold funds not in use and that the current account be used as an operational account. Doing so would protect the city's funds should there be some fraudulent activity. Additionally, as the City has more than \$620,000 in the one bank account and was expecting the additional funding coming from the Morgan Stanley account, that the City should consider participating in the CDARS network program. The CDARS program participation would allow the City to use Allegiance bank to place funds into CDs issued by other banks in increments less than the standard FDIC insurance maximum so that both principal and interest are eligible for FDIC protection. The CDARS program provides one statement for all accounts.

The City Secretary recommended that signature authority for the new checking account and CDARS accounts follow the current account structure - Mayor Pro-Tem Seth Stokes and Councilmembers Cobio and Kircher are those individuals who have the current signature authority.

Mayor Garcia asked for a motion on this item. Councilmember MacCallum moved that the City establish a new bank account to hold non-operational funds and begin participation in the CDARS program for City funds to ensure that all funds are below the FDIC protection requirements. Councilmember Kircher seconded the motion. The motion passed unanimously.

9. Council to discuss and take action, if any, on a proposed ordinance regulating truck traffic and designating no through truck streets.

Mayor Garcia shared that he had received citizen complaints about large 18-wheeler trucks driving down city streets and parking in the city right of way. Mayor Garcia shared that this ordinance would be a start to addressing some of these complaints and should include Ave E, F, G, H and I from Second Street to Seventh Street for regulating truck traffic. Mayor Garcia indicated that this has been a problem that was brought to previously to the Councils attention.

Mayor Garcia sought a motion on this item. Councilmember Cobio made a motion to accept the ordinance with changes to Section 4 adding the following streets: Ave E, F, G, H and I, Second Street and south to Seventh Street. The motion was seconded by Councilmember Branch. The motion passed unanimously.



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- 10. Council to discuss status of interlocal agreement with Waller County regarding Durkin Road project**

Mayor Garcia shared that he and the City Secretary recently met with the Waller County Engineers about this interlocal agreement. The Waller County Commissioners approved this action for work later this year. Citizen's will first see some action by the County dealing with the drainage ditches followed by street paving during the summer months. In addition, the Mayor is seeking to work on an interlocal agreement to repair Morton Road between FM 362 and Royal Road. A wider easement would be needed for this to occur. The Mayor has begun discussing with the City Attorney about seeking a request for the two property owners to provide for that wide easement to include the need to survey the road to determine the current easements. The Mayor had no action at this time but wanted to make the Council aware of his actions thus far.

- 11. Council to discuss and take action on developing a stop sign ordinance.**

Mayor Garcia stated that the City needed to address the Stop Signs by having one ordinance that addressed the issue. The City Secretary stated that she did not find an ordinance and the last action take on stop signs was on July 11, 2017 as an agenda item that added a stop sign on Ave J and North Street and remove two stop signs on Sterling street. The City Attorney indicated that she would need a list of all the stop signs to prepare the ordinance.

- 12. Council to discuss submitting a grant proposal to the Houston-Galveston Area Council for Solid Waste Disposal.**

Mayor Garcia shared that H-GAC is calling for proposals for Solid Waste Applications and the deadline to submit the application is April 16th. The City Secretary shared that she had received copies of the grants that have already approved and received the highest marks. These include applications for tire disposal and household hazardous waste. An application will be submitted for the City Council approval at the next City Council meeting scheduled on April 7th. Councilmember Stokes and Planning Commission Chair Rick MacDonald asked to see the copy of the grant applications from Colorado and Austin County grants.

- 13. Report from the City Secretary on permits, website updates, Pothole Project; and Speed Limit Changes.**

- 364 potholes have been repaired by Sealy Paving since 2018.
- Speed Limit signs have been put up by TXDOT and that many individuals in the community have commented on social media about the new speed limits.
- Received call from new owner of 71 acres recently sold off Clemons Switch Road in our ETJ. The owner wanted to verify if any permits or requirements were required by the City. The owner intends to split this property into 10 acre or larger lots, which means the City does not have platting jurisdiction. The owner does not plan any mobile home park or subdivisions or roads.



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- Drainage project – Jared Biermann’s indicated in an email today that the contractor is addressing the asphaltting and will be seeding the ditches weather permitting.
- Public Information request from Denise Maddox on the candidates for the May 2, 2020 election
- All election information is posted to the website.

14. Request from council for future agenda items and upcoming community events.

- a. 6th Annual Just Ride, March 21, 2020
- b. Pattison Clean Up Day, March 21, 2020 (rainy day March 28, 2020)
- c. Royal FFA Parade, March 28, 2020
- d. H-GAC Solid Waste Proposal Grant Deadline, April 16, 2020

Mayor Garcia asked to secure a vehicle and have Council members participate in the Royal FFA parade.

Councilmember Kircher asked about the Illegal Dumping signs for Morton Road. The City Secretary indicated that she is awaiting the publishing of the ordinance in The Katy Times.

Councilmember Stokes asked about the overlapping ETJ issues with the City of Brookshire. Mayor Garcia stated that it is on his list of things to address.

VIII. Executive Session

City Council will meet in Executive Session authorized by Texas Government Code Chapter 418 Disclosure of Certain Confidential information and Texas Government Code, Chapter 551.

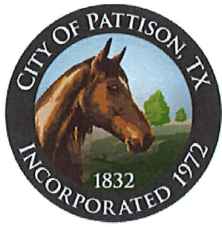
1. City Council to deliberate the purchase, exchange, lease or value of real property pursuant to Chapter 551, Section 551.072 of the Texas Government Code.

City Council convened to Executives Session at 8:30 p.m.

IX. Reconvene

City Council reconvened from Executive Session at 9:04 p.m.

No action taken from Executive Session.



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X. Adjourn meeting

The meeting was adjourned at 9:05 p.m.

Mayor, Joe Garcia

Attest:

City Secretary, Christa M. Molloy