

# CITY OF TODD MISSION REGULAR COUNCIL MEETING

## Meeting Minutes

July 8, 2021

- Call to Order

City Manager Neal Wendele called to order the meeting of the Todd Mission City Council at 2:03 pm on July 8, 2021 at City Hall 21718 FM 1774, Todd Mission, TX.

Meeting was open to the public & via zoom.

- Roll Call

The following people were present:

Mayor George Coulam

Council Member Heather Moon- Whinnery

Council Member Mike Eubank

Council Member Brett Bratcher

Council Member Stephen Mensing-via Zoom

City Attorney Art Pertile

City Manager Neal Wendele

City Secretary Julie Lunsford

Certification of a Quorum:

Three Council Members were present. Quorum was certified.

- New Business
  - Neal Wendele called meeting to order
  - Pledge –
- -Public Comments –
- -Closed public comments
  - Presentations/ Public Announcements –
    - None

1. CONSENT AGENDA

- a. **CONSIDERATION – APPROVAL OF MINUTES** Consideration and possible action to approve the minutes of the meeting held on June 24, 2021. Council Member Heather Moon-Whinnery asks the reason awards and classes the TMVFD mentioned last meeting was not included in the minutes. Neal Wendele responded that the posted agenda specifically requested the calls for service information and the minutes reflected that information but could revise to add this information in this section of the minutes if requested. Council Member Moon-Whinnery makes a motion to revise meeting minutes for June 24, 2021. Council Member Stephen Mensing 2<sup>nd</sup>. Unanimous.

- **Police Report-** Chief Winford lets council know road construction has traffic slowed down a lot. Winford updates that the PD has been mowing and doing vegetation control as well as overhead tree branch removal. Winford updates he is monitoring several building permits as code enforcement. Winford also lets council know he has made contact with every resident with loose animals and advised them of the city ordinance and will take further action if needed.

**- Fire Department Report-** TMVFD Tom Godfrey let council know Chief Malone is not in attendance because she is at specialized rescue training. Godfrey updates council that the VFD has had one call since the last meeting and was not in the city limits.

**Administration Report – City Manager-Neal Wendele**

- a. Financial Update: \$190,000 investments, \$17,000 Operating Fund. Wendele lets council know that the city should see the sales tax from the Buckle Down South event and Sale of The Century tomorrow.
- b. Building Permits- Wendele reports that building has slowed down since the price of material costs so high right now. Wendele lets council know he will be meeting with an engineer on possibilities for Greenway such as terminating it to two circles or preparing it for a thru street.
- c. CDBG Projects- Invitation for bids on the Renfaire project was published yesterday and will be read on the 22<sup>nd</sup>. Wendele updates that this project is still projected to be completed by the county in 90 days. The master planning grant application will go to the state in August. 2021-2022 Grant application CDBG grant application is in and just waiting to hear back on this one. Council member Moon-Whinnery asks if the master planning grant has a timeline for the public meetings to begin. Wendele responds he looks for this to be late fall/ early winter as it takes 60-90 days to hear back for grant award after being applied for.

2. **FOR CONSIDERATION AND POSSIBLE ACTION -**

Discussion and approval of a development agreement between the City of Todd Mission and MGW Development Company. City Attorney Art Pertile lets council know there will be seven motions that they will need to approve.

1. Motion to approve the ETJ Development Agreement- Council Member Bratcher makes a motion to approve. Council member Eubank 2<sup>nd</sup>. Unanimous.
2. Motion to approve ETJ Strip Development Agreement. Council member Bratcher makes a motion a motion to approve. Council member Moon-Whinnery 2<sup>nd</sup>. Unanimous.
3. Motion to approve city Ordinance Disannexing portion of property the city owns and will go back to ETJ. Council member Bratcher makes a motion to approve. Council member Eubank 2<sup>nd</sup>.  
Unanimous
4. Motion on Developers Petition to expand the ETJ. Council member Moon-Whinnery makes a motion to approve. Council member Bratcher 2<sup>nd</sup>. Unanimous.
5. Motion on City's Resolution expanding the ETJ. Council member Moon-Whinnery makes a motion to approve. Council member Bratcher 2<sup>nd</sup>. Unanimous.
6. Motion on City Resolution Consenting to the creation of the municipal utility district inside the ETJ. Council member Bratcher makes a motion to approve. Council member Eubank 2<sup>nd</sup>. Unanimous.

7. Motion to approve overall development agreement which includes all the sub-agreements just described. Council member Bratcher makes a motion to approve. Council member – Moon-Whinnery 2<sup>nd</sup>. Unanimous.

8. **FOR CONSIDERATION AND POSSIBLE ACTION-**

Discussion and approval of entering into a retail development agreement with HDL company. HDL representative gives presentation (See attached). Representative lets council know that the cost of this service is \$2500 on an annual basis. Council member Moon-Whinnery asks if there is a certain number of years the city has to commit to. HDL representative responds there is not a lock on the number of years committed to. Council member Moon-Whinnery asks if there are any surrounding communities using this service. HDL responds many in the Houston area as well as Navasota, Lake Conroe and Tomball. Wendele adds this is a great tool to be proactive with retail recruitments and have some influence on our specific area. Council member Stephen Mensing asks about sales tax recovery audit fee. Neal explains that that information is separate from this new contract. The new contract is an add-on to the current HDL contract. Mensing asks if the current contract is similar to collections. Wendele response that is correct. Council Member Bratcher makes a motion to approve. Council member Eubank 2<sup>nd</sup>. Unanimous.

9. **FOR CONSIDERATION AND POSSIBLE ACTION-**

Discussion and approval of allowing recreational vehicles to be used as residences. Wendele ask Council member Mensing to speak on this. Mensing explains his concern for the difficulty of building homes and additions to homes because of the current prices of lumber. Mensing lets council know he would

like council to consider solutions such as allowing citizens to use a single RV as extra guest room. City Attorney Art Pertile asks what solutions would there be for sewer for RV's? Council Moon-Whinnery adds there is a service that comes to pump black /grey water. Pertile responses he is understanding that Mensing would like this to be a permanent option. Moon-Whinnery asks Mensing if he proposing a time limit or permanent? Mensing responds this is for evaluation for council. Pertile adds that most RV Parks have rules for a standard amount of time as they are not designed for permanent residency. Mensing asks if an additional ordinance allowing a single RV occupancy would be needed? Pertile answers yes, that is correct because you will need some sort of regulations. Winford adds that as the person who will be responsible for enforcing regulations, this allowance would likely tie up his hands. Bratcher also adds that in his experience an RV shows up and at first may get all the correct services/pumping etc., but before you know it services are disconnected and grey/black water are released in the ditches. Mensing notes that he feels only that all of the bad what-ifs are being addressed. Wendele responses as an administrator that the challenges of making sure residents are doing things the right way, he is not sure the city has the staffing level at this time without bringing on environmental personnel. Wendele adds that when these ordinances are created, they unfortunately have to be for the worst-case scenario and they have to be strong enough to be able to address issues when bad things happen. Council member Bratcher asks if we could do a variance when they have a building permit. Pertile answers that there would need to be an ordinance to allow for that but you will still need to decide what standards will be used to inspect. Council member Moon-Whinnery adds that RVs are not meant to be lived in permanently and break down quickly as they are not meant to be lived in full time. Council member Mensing asks for clarity that we would need to establish criteria to make it safe for someone to reside within an RV. Pertile asks if he is referring to a single lot with an RV

or an RV in addition to another single-family home on the lot? Council member Mensing responds with an example of a barndominium. People to save money they will get a rv to live in while the barndominium is being built. Council member Moon-Whinnery responds that in that scenario, that is allowed with in our ordinance but with a time limit. Council member Mensing asks what would happen if there were complications that go beyond that time limit. Pertile answers that you will still want to set some time frames. Pertile mentions again RVs are not designed to be lived in and mentions the formaldehyde levels in a lot of new RVs which was found out with the FEMA trailers. Council member Mensing responds we are not talking about FEMA trailers. Wendele ask if Mensing has a motion. Mensing makes a motion for the ability for residents to utilize an RV for occupancy for a limited amount of time for up to one year. Wendele ask for a second. Moon-Whinnery adds she feels one year is a lot of time but may be ok with six months. Motion fails due to lack of votes. Mensing responds that we can table this motion. Council decides to allow the city attorney to craft a draft ordinance for council decide on by next meeting.

10. **FOR CONSIDERATION AND POSSIBLE ACTION-**

Discussion and approval of date and time of City Council meetings. Council member Mensing discusses the need for a more accessible city council meeting time for those who have jobs. Moon-Whinnery adds that she can do a Monday or Tuesday evening, but not weekends. Bratcher also adds weekends are not an option as well as Thursday evenings. Mensing adds a 7:00 pm weekday would be ideal. Bratcher responds he prefers the current meeting time as is. Moon-Whinnery adds an evening meeting would make the meetings more accessible. Mayor Coulam responds that Neal will come up with a plan with suggestions and present to council next meeting. Wendele asks Eubank if he has a preference. Eubank responds during the day works best for him. Mensing adds that people have been coming up to him to asking why

the meetings can't be held in the evenings. Mensing also adds that there is a conspiracy theory that the meetings are held during the day to prevent citizens and residents from attending. Wendele responds that meeting times have been addressed annually but council has not made a change. He also notes that he has not had one resident reach out to him regarding the time of city council meetings. Wendele asks if there is a motion or we can table this and bring a few options for next meeting. Mayor makes a suggestion for Wendele to bring a few options for the next meeting. Council member Mensing clarifies the motion to accept the change of time to 7:00pm the second Tuesday of the month. Council member Moon-Whinnery 2<sup>nd</sup>. Wendele asks all in favor. Bratcher and Eubank not in favor. Mayor Coulam not in favor. Motion voted down.

11. **ADJOURN-** Council member Bratcher make a motion to adjourn. Council member Mensing 2<sup>nd</sup>. Unanimous. Meeting ended at 2:54pm.