

YOLANDA FORD
Mayor

VASHAUNDRA EDWARDS
Councilmember at Large Position No. 1

CHRIS PRESTON
Mayor Pro Tem
Councilmember at Large Position No. 2



REGINALD PEARSON
Councilmember District A
JEFFREY L. BONEY
Councilmember District B
ANTHONY G. MAROULIS
Councilmember District C
FLOYD EMERY
Councilmember District D

CITY COUNCIL MEETING MINUTES

The City Council of the City of Missouri City, Texas, met in regular session on **Tuesday, September 3, 2019**, at the City Hall, Council Chamber, 2nd Floor, 1522 Texas Parkway, Missouri City, Texas, 77489, at **7:00 p.m.** to consider the following:

1. ROLL CALL

Mayor Ford called the meeting to order at 7:09 p.m.

Those also present: Mayor Pro Tem Preston, Councilmembers Edwards, Pearson, Boney, Maroulis and Emery; City Manager Snipes, City Attorney Iyamu, and City Secretary Jackson.

2. The **PLEDGE OF ALLEGIANCE** was led by Boy Scout Troop 140.

There were no **PRESENTATIONS AND RECOGNITIONS**.

4. PUBLIC COMMENTS

Tom Simon, 414 Harbor Point Drive, addressed the fire station being blocked at certain times of the day.

5. STAFF REPORTS

City Manager Snipes announced September as National Hurricane Preparedness Month. He stated that both Fort Bend ISD and Houston ISD started a new school year and requested that drivers pay close attention while driving. Snipes invited everyone to the following upcoming events: Car seat safety check on September 5; Farmers Market on September 7; Senior Casino Trip on September 10; and, Oktoberfest on September 21.

6. CONSENT AGENDA

- (a) Consider approving the minutes of the special and regular City Council meetings of August 19, 2019.

Councilmember Emery moved to approve the Consent Agenda pursuant to recommendations by City Staff. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

7. PUBLIC HEARINGS AND RELATED ACTIONS

(a) Zoning Public Hearings and Ordinances

- (1) Public hearing to receive comments for or against a request to change the zoning classification of an approximate 14.11 acre tract of land from SD, suburban district to LC-3, retail district; providing for an amendment to the Comprehensive Plan; providing a penalty; and consider the related ordinance on the first of two readings. The subject site is located south of Vicksburg Boulevard and State Highway 6, east of the Oakwick Forest Estates residential subdivision and west of a Firestone Complete Auto Care.

Planning Manager Thomas stated the applicant seeks to zone an approximately 14.11 acres from SD, suburban district to LC-3, retail district. The applicant intended to develop a commercial, retail development

consistent with the development regulations for the LC-3, retail district. The Planning and Zoning Commission and staff recommended approval.

Councilmember Maroulis moved to open the public hearing at 7:16 p.m. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

With no public comments, Councilmember Boney moved to close the public hearing at 7:17 p.m. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Boney moved to approve the ordinance. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

- (2) Public hearing to receive comments for or against a request for a specific use permit authorizing the use of a 14.984 acre tract of land zoned as LC-1 local retail restricted district and R-3 two-family residential district to allow for the development of a worship center; describing said 14.984 acre tract of land; providing limitations, restrictions, and conditions on such specific use; amending the zoning district map of the City of Missouri City; providing a penalty; containing other provisions relating to the subject; and consider the ordinance on the first of two readings. The subject site is located north of East Hampton Circle, south of the Fondren Park subdivision, east of Kathy Avenue, and west of Fondren Road.

Planner II White stated the applicant was proposing to locate an approximate 20,000 square foot worship center, a 16,000 square foot multi-purpose media building and recreational areas. The development was proposed in two phases summarized as follows: Phase 1: Media/multi-purpose building with a maximum occupancy of 500 people to be completed/constructed in 18 months; and, Phase 2: Worship center with a maximum occupancy of 1,000 people to be constructed 5 years after Phase 1 was completed. Staff recommended approval of the SUP with conditions. The Planning and Zoning Commission forward their final report to include staff recommendations and provide for the building square feet as shown on the conceptual site plan, to relocate the trash enclosure area away from the residential areas, to landscape the area surrounding any proposed detention and to provide mitigation for buffering noises.

Councilmember Edwards moved to open the public hearing at 7:20 p.m. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

Allan Soffar, 11734 N. Nottingham Circle, spoke against the request.

Bruce Zaborowski, 7915 Chancel, spoke against the request.

Sheryl Orloff and Jeanette Quimby, 11802 S. Perry Ave, spoke against the request and presented a petition of 176 residents against the proposal.

Kevin Pever, 11839 S. Perry Ave, spoke against the request.

Nkemdi I. Ohalete, the development's engineer, spoke on the misconceptions coming from those against the request.

Councilmember Edwards moved to close the public hearing at 7:40 p.m. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Pearson moved to approve the ordinance. Councilmember Maroulis seconded.

Pastor Jeremiah Asomugha, applicant, spoke about the request and his ministry.

Councilmember Boney asked about the residents in favor of his request and if he walked the property to speak to the neighbors prior to purchasing the property. Pastor Jeremiah stated that before they purchased the property they spoke with City staff about the process. Councilmember Pearson noted they received a petition against the project that 176 residents signed. Pastor Jeremiah stated he met with several residents and the HOA was opposed to meeting with them.

Councilmember Pearson moved to recess the regular City Council meeting at 8:04 p.m. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

At 8:12 p.m., City Council reconvened the regular City Council meeting. Councilmember Edwards arrived at 8:12 p.m.

Councilmember Pearson stated he spoke with the HOA and they agreed to meet with the applicant.

Pastor Jeremiah Asomugha requested to withdraw his request. Nkemdi I. Ohalete also requested to withdraw the request, meet with the neighborhood, and come back on a later date.

7. PUBLIC HEARINGS AND RELATED ACTIONS

(b) Public Hearings and related actions

- (1) Public hearing to receive comments for or against an ordinance providing an interim procedure regarding the administration of plans and platting rules; declaring an emergency; and consider the related ordinance on the first and final reading.

Planning Manger Thomas presented on an ordinance providing for an interim procedure regarding the administration of plans and platting rules.

Councilmember Maroulis moved to open the public hearing at 8:18 p.m. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

With no public comments, Councilmember Pearson moved to close the public hearing at 8:18 p.m. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Boney moved to approve the ordinance. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

- (2) Public hearing to receive comments for or against a resolution electing to participate in tax abatement; and consider the related resolution.

Councilmember Emery moved to open the public hearing at 8:20 p.m. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

With no public comments, Councilmember Pearson moved to close the public hearing at 8:20 p.m. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

Councilmember Boney moved to approve the resolution. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

There were no **APPOINTMENTS.**

9. AUTHORIZATIONS

- (a) Consider authorizing a proposal on a maximum property tax rate and consider setting the dates for public hearings and the adoption of such proposal on a future meeting agenda.

Councilmember Maroulis moved to approve a public hearing on September 16, 2019 and a second hearing on September 23, 2019; and, the placement of a proposed tax rate of no greater than \$0.63000 on the October 7, 2019 regular meeting agenda at 7:00 p.m. at City Hall. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

Ayes: Mayor Ford, Mayor Pro Tem Preston, Councilmembers Edwards, Pearson, Boney, Maroulis, and Emery
Nays None

- (b) Consider authorizing the city manager to execute a professional services contract for city-wide pavement and sidewalk evaluation.

Councilmember Edwards moved to authorize the city manager to execute a professional services contract for city-wide pavement and sidewalk evaluation with Fugro USA Land, Inc. for an amount not to exceed \$285,100.00. Councilmember Pearson seconded. **MOTION PASSED UNANIMOUSLY.**

- (c) Consider authorizing the city manager to execute an agreement with the Texas Department of Transportation for participation in the Off System Bridge Replacement Program.

Councilmember Boney moved to authorize the city manager to execute an agreement with the Texas Department of Transportation for participation in the Off System Bridge Replacement Program. Councilmember Emery seconded. **MOTION PASSED UNANIMOUSLY.**

10. ORDINANCES

- (a) Consider an ordinance amending Chapter 2, Administration, of the Missouri City Code, amending regulations regarding tagging final action on agenda items; and consider the ordinance on the second and final reading.

Mayor Ford stated that Councilmember Emery referenced this change was necessary for transparency; therefore, she also requested that special City Council meetings be filmed. City Council expressed support of filming special City Council meetings. Mayor Pro Tem Preston requested Council committee meetings being audio recorded. City Attorney Iyamu stated staff could have the requested item placed before City Council for further discussion.

Councilmember Emery moved to approve the ordinance. Councilmember Pearson seconded. **MOTION PASSED.**

Ayes: Councilmembers Pearson, Boney, Maroulis, and Emery
Nays: Mayor Ford, Mayor Pro Tem Preston, and Councilmember Edwards

- (b) Consider an ordinance amending the personnel policy of the City of Missouri City; and consider the ordinance on the first of two readings.

Director of Human Resources Russell presented the amendment to the personnel policy on vacation accruals.

Councilmember Edwards stepped away at 8:34 p.m. and returned at 8:37 p.m.

Councilmember Emery discussed additional requests Gallagher recommended. Mayor Ford requested the maximum accrual numbers from all cities surveyed to see where the City stands.

Councilmember Emery moved to adopt the ordinance. Councilmember Maroulis seconded. **MOTION PASSED UNANIMOUSLY.**

11. RESOLUTIONS

- (a) Consider a resolution authorizing the Mayor to execute and the City Secretary to attest to the assignment and assumption of a tax abatement agreement from TDC Southwest CC Partners I L.L.C., formerly known as Ridge Southwest CC Partners I L.L.C. to TPP SW Commerce, L.L.C.

Councilmember Emery moved to approve the resolution. Councilmember Boney seconded. **MOTION PASSED UNANIMOUSLY.**

12. CITY COUNCIL ANNOUNCEMENTS

Councilmember Boney thanked staff for a successful MCTX Symposium. Boney recognized Missouri City resident Jarren Small who participated at the Battle of the Bands. Councilmember Maroulis thanked the Finance Department for their work on the budget. Councilmember Pearson thanked staff for their good work. He also attended the Thurgood Marshall State of the School, the MCTX Symposium, and several HOA meetings, which all were very informative.

13. ADJOURN

The regular City Council meeting adjourned at 8:49 p.m.

Minutes PASSED AND APPROVED this the _____ day of _____ 2019.

Maria Jackson, City Secretary