



**City Council
Regular Meeting Minutes
May 13, 2025**

OPENING AGENDA

1. Call Meeting to Order.

The City Council Regular Meeting of the City of Montgomery was called to order by Mayor Countryman at 6:00 p.m. on May 13, 2025, at City Hall 101 Old Plantersville Rd., Montgomery, TX and live video streaming.

With Council Members present a full quorum was established.

Present:	Mayor	Sara Countryman
	Council Member Place 1	Carol Langley
	Council Member Place 3	Tom Czulewicz
	Mayor Pro-Tem, Place 4	Cheryl Fox
	Council Member Place 5	Stan Donaldson

Absent:	Council Member Place 2	Casey Olson
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2. Invocation.

Council Member Donaldson gave the invocation.

3. Pledges of Allegiance.

Mayor Countryman led the pledges of allegiance.

Council Member Fox arrived to the meeting at 6:04 p.m.

PUBLIC FORUM

Mr. Dave Clemens said I was invited by the Mayor and she helped me present a book to your officers from one of our sponsors. I run a non-profit called Raising a Hand. We try to raise money and awareness for a rare disorder called Rett syndrome that took the life of Clint Black's niece. For the last 20 years, we have been doing everything we can do to raise money and awareness for this disorder. I am a resident of Montgomery County, not of the City. We did golf tournaments, we did concerts, and then we decided that maybe we would have better luck if we expanded nationwide, so we put together this coffee table book. I am a freelancer photographer and I have taken a lot of pictures of people like Willie Nelson, Paul McCartney, Ringo Star, George Strait. We did a book

called Raising a Hand because where I grew up if you were raising a hand, you were raising a hand to help somebody. We did a first book and sold about 10,000 copies. We did a second book and sold almost 4,000 copies, but we decided that things are better than free, so we did a third book and that is the one I am holding here. We had some sponsors that said I already have a book, but I would like to pay it forward to the people that we would like to thank collectively, including the military hospitals, libraries, first responders, police, and Rett families that are brand new. Chief Solomon, I presented to each of your officers a copy of line three of Raising a Hand. I have a copy for you, and I have a copy for the other officers that are on duty tonight. The Mayor helped us arrange that and thank you Mayor for doing that. I am not interested in anything public related to this. This is all a passionate endeavor for me that is not self-centered. Mayor Countryman thanked Mr. Clemens.

Mayor Countryman stated she would like to acknowledge Council Member Fox's birthday today. We will be having cake and refreshments afterwards if you would please stay as we would love to share that with you.

Mayor Countryman said because this is our first meeting of May, the first week of this month is Municipal Clerks Week. We would like to acknowledge our municipal clerks and thank them. Thank you for all of your work in making Montgomery great. I think we are really on a positive and strong path and we want to make sure we keep it that way, and it is due to all the people that work for the City, so thank you for that.

CONSENT AGENDA

City Secretary Beaven said she needs to make an amendment to item #4.

4. Consideration and possible action on the City Council Regular Meeting Minutes of March 25, 2025.

City Secretary Beaven said there is a correction for item #12. I have it listed as Ordinance 2025-09 and the correction is Ordinance 2025-07.

Motion: Council Member Fox made a motion to approve item #4 with the amendment of item #12 on those meeting minutes to change the ordinance that states 2025-09. The change would be Ordinance 2025-07. Council Member Donaldson seconded the motion. Motion carried with all present voting in favor.

5. Consideration and possible action on the City Council Special Meeting Minutes of April 07, 2025.

Motion: Council Member Langley made a motion to approve the Consent Agenda, item #5. Council Member Donaldson seconded the motion. Motion carried with all present voting in favor.

PRESENTATION

6. Presentation of Certificate of Election to newly-elected officials for City Council Place 1, Place 3 and Place 5.

Mayor Countryman stated Miss Carol Langley was unopposed and hereby elected to Council Member Place 1. Congratulations on your reappoint. Mr. Ray Stanley Donaldson was unopposed and hereby elected to Council Member Place 5. Congratulations. Mr. Tom Czulewicz was unopposed and hereby elected to Council Member Place 3. Congratulations.

7. Administration of Statement of Officer and Oath of Office to newly elected officials for City Council Place 1, Place 3 and Place 5.

Mayor Countryman officiated the swearing in of the newly elected officials for City Council Place 1, Place 3 and Place 5.

8. Proclamation by Mayor Sara Countryman designating the week of May 18-24, 2025, as "National Public Works Week".

Mayor Countryman proclaimed and presented the proclamation National Public Works Week of May 18-24, 2025 to Public Works Director Mike Muckleroy.

REGULAR AGENDA

9. Consideration and possible action regarding the appointment of Mayor Pro-Tem.

Motion: Council Member Donaldson made a motion to appoint Council Member Fox as Mayor Pro-Tem. Council Member Czulewicz seconded the motion. Motion carried with all present voting in favor.

10. Consideration and possible action on a resolution calling for a public hearing, for May 27, 2025, at 6:00 p.m., on an application by TriPointe Homes to grant an exception to place a manufactured home outside a manufactured home park for the establishment of voter residency by residential occupancy in a temporary manufactured home within the proposed MUD 255 for TriPointe Homes.

Code Enforcement Officer and Planning/Zoning Administrator Tilley said this is to call for the required public hearing in order to have a mobile home, even though it is temporary outside of a mobile home park. Mayor Countryman said this is a standard procedure reminder, correct? Code Enforcement Officer and Planning/Zoning Administrator Tilley said it is according to the ordinance because even though it is temporary, it is outside of the mobile home park and people will actually reside in this mobile home. Mayor Countryman asked for no longer than six months or a year? What does the ordinance say? Code Enforcement Officer and Planning/Zoning Administrator Tilley said that is

temporary. City Attorney Petrov said the ordinance does not have a timeline. You can set the timeline and normally you would set it for no longer than a year. City Engineer Katherine Vue, WGA said to help clarify, this is the temporary trailer for Tri-Pointe Homes. This is part of the beginning process of their MUD creation. They have to have a resident living within the boundary of the district, so this is the temporary residence for what will be their voters. This is included in their development agreement they recently amended, to where the mobile home can stay on site for no longer than 12 months after the day that it is placed on site. Council Member Langley asked can you remind me where this is located? City Engineer Vu said this is the property not directly across the street, but between Midsouth and Napa. It goes from SH-105 all the way up to Lone Star Parkway.

Motion: Council Member Czulewicz made a motion to approve Resolution 2025-11 to call for a public hearing for May 27, 2025, at 6:00 p.m., at City Hall. Mayor Pro-Tem Fox seconded the motion. Motion carried with all present voting in favor.

11. Consideration and possible action on a resolution calling for a public hearing, for June 10, 2025, at 6:00 p.m., on an application to grant a Special Use Permit to K. Hovnanian of Houston II, LLC for a proposed temporary construction/sales trailer on a vacant residential lot at 235 South Rose Marie Lane, Montgomery, Texas.

Code Enforcement Officer and Planning/Zoning Administrator Tilley said this is a to call a public hearing required for a special use permit. The difference between this trailer and the trailer we had just talked about before this is, this is a special use permit because they are not residing in this trailer. It will be a construction trailer or an office-like use that will be located in a residentially zoned lot. It is temporary, possibly for a year. Planning and Zoning Commission had set an expiration date 12 months after the installation at that location. This will be the call for a public hearing for the special use permit. Council Member Donaldson asked did they happen to mention why they are not using a home as a sales office? Code Enforcement Officer and Planning/Zoning Administrator Tilley said this will not be a sales office. It was going to be a sales office, but apparently the home is going to be built before the approval of this special use permit for a sales office. The model will be used as a sales office, but this will be used as a construction trailer for their contractors that are on site. Council Member Donaldson asked are they going to have to move a home as a construction trailer? It is just for construction correct? Code Enforcement Officer and Planning/Zoning Administrator Tilley said yes, just for construction. It was going to be used as a sales trailer also, but the model home will be built in time for the sales office to use the model home. City Engineer Katherine Vu, WGA said just to be abundantly clear, this is in Hills of Town Creek Section 5 and you might not recognize the road name because it is brand new, but it is in Hills 5. A trailer like this is not uncommon for new subdivisions as they are getting started. Council Member Donaldson asked if they do not have all their homes built out after a year, what is the situation then? Do they have to get a new permit? City Engineer said they would have two choices. They could either remove the trailer and

continue to build the homes just without the use of a construction trailer which could also be done. It is not ideal for the contractor and it does reduce their efficiency, or they could come back and ask for a renewal of the special use permit to finish off that contract time. Council Member Czulewicz asked would we have to have another public hearing in order to extend it? City Engineer Vu said to renew the special use permit, I believe is my understanding, yes, you have another public hearing. City Attorney Petrov said yes, you would. Council Member Langley asked if you send out notices to property owners within so many feet of this property? Code Enforcement Officer and Planning/Zoning Administrator Tilley said this is a publication in the Conroe Courier. Council Member Langley asked only? Code Enforcement Officer and Planning/Zoning Administrator Tilley said yes. Council Member Langley asked no letters go out to property owners? Code Enforcement Officer and Planning/Zoning Administrator Tilley said correct. The notification is the publication in the newspaper.

Motion: Mayor Pro-Tem Fox made a motion to approve Resolution 2025-12 to call for a public hearing for June 10, 2025, at 6:00 p.m., at City Hall. Council Member Czulewicz seconded the motion. Motion carried with all present voting in favor.

12. Consideration and possible action on a petition by Treaty Oak Developers, LLC for certain private property to be released from the City's Extraterritorial Jurisdiction.

Council Member Langley said I would like to know where it actually is. City Engineer Katherine Vu, WGA said it is on FM 149 south of the City. This is the property that if you remember if you drive down south on FM 149, it looks like they are going in with very small lots. We were informed they are within the City's ETJ and their intentions were not in line with city code. They are now requesting to be removed from the City's ETJ. This is very similar to other requests that you have had. The reasons may be different, but the request itself is similar to what you have done recently. I will defer to City Attorney Petrov on the recommended action to take in line with the recent attorney general.

Motion: Mayor Pro-Tem Fox made a motion to table item #12.

Discussion: City Attorney Petrov recommended to take no action. According to the law, it becomes effective automatically 30 days after.

Amended Motion: Mayor Pro-Tem Fox amended a motion to take no action on item #12. Council Member Czulewicz seconded the motion.

Discussion: Mayor Countryman said there has already been a movement of dirt and there is a waterway you can see from FM 149 that has been tampered/moved, a lot of activity in there. If we remove it from the ETJ, does that hurt our ETJ to the north of it? City Attorney Petrov said it does not change the rest of your ETJ. Mayor Countryman asked will the water flow affect it? I guess taking no action means no action, however, there has been a lot of

movement over there and a lot of dirt turning. City Attorney Petrov said if this affects the flow of water beyond the property either way coming this way or that way, then that is separately a violation of certain water code provisions that prohibit your changing the natural course of water. Mayor Countryman said I just wanted that on the record thank you.

Motion carried with all present voting in favor.

13. Consideration and possible action on a petition by Steven Havens and Lisa Havens for certain private property to be released from the City's Extraterritorial Jurisdiction.

City Engineer Katherine Vu, WGA said very similar to item #12, this property is located along Spring Branch Road. This borders the southern boundary of Redbird Meadows. They are requesting to be removed from the City's ETJ as well. I believe the recommendation is the same action. City Attorney Petrov said it is the same recommendation.

Council Member Czulewicz asked do we have any idea what they are planning on doing that is outside of our ordinances? City Engineer Vu said they are planning on doing small lot, single family developments. They had approached the City for a pre-development meeting. I believe knowing what the City's process would be, they are facing the choice of annexation or removal from the ETJ. They are choosing to be removed from the City's ETJ.

Motion: Council Member Donaldson made a motion to take no action. Mayor Pro-Tem Olson seconded the motion. Motion carried with all present voting in favor.

Discussion: Mayor Countryman asked is that one of the 40-foot lots? City Engineer Vu said yes.

14. Consideration and Possible Action on the Legacy Grove Section 1 WSD&P Plans (Dev. No. 2409).

City Engineer Katherine Vu, WGA said what is in front of you tonight are the final plans ready for approval for section one of Legacy Grove. This subdivision was previously known as Heritage Grove. This is the truck point property that we just discussed for the voter trailer. Again, it is between MidSouth and Napa and it goes from SH-105 up to Lone Star Parkway. Section one is starting on Lone Star Parkway and coming south and then section two will come from SH-105 so they are starting from the north side. We have reviewed these plans and they are in line with your ordinance and the terms of their development agreement. They did not receive any separate variances for this project, so they are in line with all of the applicable ordinances. One thing to note on here is that their drainage, their detention pond specifically, will be maintained privately, so that will not become property of the City. The storm sewer, the water, the sanitary, and the paving will ultimately be accepted by the City after construction is complete. Mayor Countryman said that detention pond is budding up against the Parkside Capital. Do they have two over there

on that west side as well? City Engineer Vu said they do. This property shares that other property line with Parkside Capital. Legacy Grove is putting their detention pond on the east side along the creek, kind of in line with the creek, taking up the area that is in the flood plain over there. On the other side of the property line is Parkside Capital. Mayor Countryman said as Google map looks, it will have three different detentions. One by this development, two by the other development. Is that correct? City Engineer Vu said yes.

Motion: Council Member Donaldson made a motion to accept the Legacy Grove Section 1 WSD&P Plans (Dev. No. 2409) as presented. Mayor Pro-Tem Fox seconded the motion. Motion carried with all present voting in favor.

15. Consideration and Possible Action on ending releasing the maintenance bond on the Buffalo Springs Signal Improvements project.

City Engineer Katherin Vu, WGA said this item is in front of you a little bit earlier than you may have originally expected. This is to end the maintenance period and release the maintenance bond held for the signal at SH-105 and Buffalo Springs. If you remember, this project was recently completed with the Home Depot development. We have been holding a maintenance bond with the contractor Traf-Tex which is standard procedure on all of your projects. The difference with this project is that the signal was taken over in its entirety ownership and maintenance by TxDOT and we have been informed by TxDOT that they do not plan on calling the bond on our contractor Traf-Tex. They do not need that maintenance bond. They do not need the warranty period, they are not interested in it at all, so we are bringing this to you to return the maintenance bond to Traf-Tex and end the one-year warranty period that is held between the City and Traf-Tex itself. There is no disadvantage to necessarily maintaining this, but there is no advantage to maintain either. This does give Traf-Tex a little bit of bonding capacity back so that they can go and do other projects. We have no need for the bond anymore.

Motion: Council Member Donaldson made a motion to accept ending releasing the maintenance bond on the Buffalo Springs signal improvements project. Council Member Langley seconded the motion. Motion carried with all present voting in favor.

16. Consideration and Possible Action on the Briarley PH 1B WSD&P Plans (Dev. No. 2006).

City Engineer Katherine Vu, WGA said very similar to the previous item that you had, this is a plan approval in front of you. This is the second phase of Briarley, formerly known as Red Bird Meadows. This covers sections four, five, and six of their development. Phase 1A captured sections one, two, and three. Construction of phase 1A is just about complete. We will be having our final walk soon, but this is the next three sections in front of you for approval. We have reviewed these plans in accordance with the terms of their development agreement. Some of those did include variances for lot width, some building lines, and side

yard setback variances that were granted. What is in front of you is in accordance with our development agreement and we do recommend approval. One thing that I do want to point out that was not explicitly mentioned in our letter, but just to make sure that we are all on the same page, part of that development agreement was allowing very short, select areas of 24-foot width pavement. Part of that is identified in this plan set on Houndstone Hollow and Setter Trail and only on a very small portion of Houndstone Hollow, not the entire width of the road. Just to point out that you all are aware that that is in here, but the rest of it is 28 pavement width. Mayor Countryman asked why does it go down to 24 there? City Engineer Vu said the developer had requested that for really the back end of all of their small streets. They start a very small number of homes and they had requested to go down to 24. At the time of the request, they had provided an exhibit of the places that they knew so far and where the 24-foot portions would be. That was presented as well. This is in line with that exhibit that they provided, so we have no objections to the plans as they sit in front of you. Council Member Czulewicz said it does constrain emergency vehicle access though. City Engineer Vu said that was something that was discussed when the variance was brought up. I think if I remember correctly, the consensus was that the portion of it was small, but that concern did come up. Council Member Czulewicz asked is it not small and then there are houses beyond it? City Engineer Vu said there are no houses beyond it. This is at the end of the street. Houndstone Hollow itself is a loop and coming from the point of entry, it goes around. The 24-foot is only at the back of that loop. It is 28 all the way around to a very small neck of 24-feet. Council Member Czulewicz asked is that loop a through loop? City Engineer Vu said it is through all the way around, so it is 28 this way, 28 the other way, and then 24. Council Member Czulewicz said it does constrain emergency vehicle access. Council Member Donaldson said it is a loop. The emergency vehicle can come either direction. It is like a steering wheel. Mayor Countryman said it is on page 125. City Engineer Vu said the plans that are in front of you may have some residual comments still shown on them. There should have been a clean copy emailed out to all of you today. All the plans and all the comments that are included in your packet have since been addressed. Mayor Pro-Tem Fox said to me, it is really just a cul-de-sac right? City Engineer Vu said yes. Setter Trail is a cul-de-sac. It has an island in it and then Houndstone Hollow is part of the loop. Council Member Donaldson asked is this going to complete their plans for all the property that they purchased? City Engineer Vu said this does not include their plans. Council Member Donaldson said because there was some section that they did not purchase that they have an option to buy because this is not the whole development. City Engineer Vu said I do not believe they will be purchasing more property. They purchased the entire 383 acres all at once, but this is just the next phase of the development so that they will have a phase 1A, phase 1B, section seven, so they switch from phases to sections after this because remember, phase 1B is sections four, five, and six. That is how they chose to group it, so then we will have a section seven, eight, and

nine, and then we will be done. Mayor Countryman asked was this already approved on the development agreement? City Engineer Vu said it was.

Motion: Council Member Donaldson made a motion to approve the Briarley PH 1B WSD&P Plans Dev. No. 2006. Mayor Pro-Tem Fox seconded the motion. Motion carried with 4-Ayes and 1-Nay vote by Council Member Czulewicz.

COUNCIL INQUIRY

Council Member Czulewicz said I would like to announce that I am officially resigning from the Planning & Zoning Commission. I do not think it is appropriate to vote on something in Planning & Zoning and then come here and vote on it again.

City Secretary Beaven said you have asked for me to post a workshop for next week and there was going to be three council members out. I will not be able to have a quorum for that meeting. Would you like to consider another date or discuss it at the next Council meeting? Mayor Countryman said it would be better if you send out an email so they can look at their schedule because I do not want to settle on another date and then it gets changed. City Secretary Beaven said I will send them out individually. Mayor Countryman said perfect. I think that would probably be the quickest way to get a response than us trying to figure it out tonight. It might make sense to have it on Monday night.

Mayor Countryman said we had the Antiques Festival since last time we have been together and it was extremely successful with the City. A lot of new faces, a lot of new people coming in, and great feedback. Good job to MEDC for approving Kambra Drummond to do that. Everybody wants to come back, so it is going to get bigger, and better every year.

Mayor Countryman said I do not know if this is for council inquiry or for future agendas, but Mike, for Memory Park I would like to talk about funds and funding mechanisms and help financially with them. If we can get together even after this meeting or tomorrow and talk about that. I think that is going to be more of an MEDC led initiative.

Mayor Countryman said I do not know if you all are aware, but on FM 1097 I was doing some research where Summit Business Park is across from the Shell station. That business park ends. There is some property there that has kind of got a panhandle and then it goes up, and right outside of that Taylor Morrison who is a developer here in the City on Lone Star Parkway, has purchased land from FM 1097 that wraps around or is going to wrap around the north side of the ballpark, so another neighborhood coming this way. I have not seen anything. I did hear that there was a MUD beginning. They probably will not need our help, but just in the event that they come, I thought that was interesting. So again, to our conversation today with TxDOT, lots of traffic coming on that little road that we did not have a whole lot of help with, that hopefully there will be some mitigation coming.

Mayor Countryman said Mr. Bill Cassidy, a resident here had written me again about the width of the roads. In Montgomery County, it is at least 28-feet in the Montgomery County ordinance. Our city ordinance is 28-feet. I do know that our roads have been the emergency services. Chief Solomon, I do not know if you did, but in other development agreements we did have emergency services sign off on the development agreements and I think that is you and Chief Edwards over at ESD so with that, is that to assume that emergency vehicles can make it on that road or should we consider making it larger? He did include a photo for our visual. Chief Solomon said 28 is good. A lot of times they started asking for variance to make them smaller, but 28 is fine. Mayor Countryman asked with cars parked on the side, you are confident that is okay? Chief Solomon said yes.

Council Member Langley asked how do we keep up with Airbnb's? Mayor Countryman said they have to come and get a permit and apply right Ms. Tilley? I know that there was one that just asked me. Code Enforcement Officer and Planning/Zoning Administrator Tilley said there is no actual permit. We have the requirement that they register through our tax collection through local gov so we can collect the hot taxes. Council Member Langley asked if I am a bed and breakfast and I call it that, we have an ordinance that tells you what you can and cannot do for the bed and breakfast, but if I am just short-term renting a room, I do not have to do anything? Code Enforcement Officer and Planning/Zoning Administrator Tilley said it is short-term renting a single family dwelling. Council Member Langley said we do the whole thing, not just the room out of it. Code Enforcement Officer and Planning/Zoning Administrator Tilley said right. I do not know if we are tracking just a single room. We would have to go through a certificate of occupancy on a single room, especially if they lock that door of that single room. There is a lot of things that we would have to look at. Sometimes those single room rentals can apply under that bed and breakfast rule because a single room rental, the homeowner, is usually living there and they are renting out the single room which would seem like, or operate like a bed and breakfast. For a single room, and they are not renting the whole house, I do not know how we are tracking that other than we go online and start checking on single rentals, but it does affect their certificate of occupancy. Mayor Countryman said I thought at one point, Rick, did we not pass an ordinance for short-term rentals? Was that more an Airbnb line, but I know we had talked about Airbnb's at one point and I do not know if it is before you were here. I am thinking it might have been. Code Enforcement Officer and Planning/Zoning Administrator Tilley said I know right now I give them a statement that states here is my address, this is what I am going to do at this home, I am going to continue to operate it as a single family dwelling. I give them the ordinance regarding our noise regulations. I give them the ordinance regarding rubbish and debris, keep maintaining the property, the parking requirements of a single family dwelling so that it stays as a single family dwelling. It is not to be rented for events because of course that requires a different type of occupancy when it comes to just events. I do have them looking at a specific list of here are the requirements and then added at the bottom is the requirement to register for the hot taxes

and that is how we would regulate it. Mayor Countryman said so when they do that, we do not capture any of those taxes, or is it to say too that those taxes are not being paid? Code Enforcement Officer and Planning/Zoning Administrator Tilley said we are capturing those taxes as long as I am able to hand them that document that states here is the registration information for capturing that, but I guess if they do not register, then we do not capture, but there is a requirement with the state where the Airbnb's, the big organizations, they have not come yet in the requirement in order to be with those big organizations to check with the state. Finance Director Maryann Carl said right, so that is kind of our fail safe in this particular instance. When a homeowner or short-term rental provider registers with a service like Airbnb or BBRO, those platforms are set up such that in the state of Texas, they have to collect and remit state taxes. They do not always know of every individual taxing entity, so that is something that is on our radar to let those short-term rental providers know that, but we do pull on a regular basis. Actually Miss Tilly and I just pulled about two weeks ago the information from the state comptroller that shows us all of the entities that have remitted hot tax to the state in the last couple of months and the last first quarter of 2025 to see if there is anything in our jurisdiction. We do not have anything extra in our jurisdiction that we should be collecting on, so that is kind of like I say, our fail safe. If they are registered with one of those rental entities, they are required and do submit that state tax and so they show up in that report and that is how we would find them. That is how we would find them on the back side. Now, if it is something you know of, different story. Remember though, short-term rental is anything less than 30 days. If it is 30 consecutive days or more, it falls outside of short-term rental. Mayor Pro-Tem Fox said say hypothetically that they just at random advertised it on Facebook. There is no way that you can track that is there? Finance Director Carl said there is not because they are not with a reputable rental. Mayor Pro-Tem Fox asked are you aware that we have some here in town like that? Finance Director Carl said I am not. Mayor Countryman asked should we get you addresses? I am looking at one right here on Vrbo that is just a couple blocks away. Finance Director Carl said yes. Mayor Countryman said but on Vrbo it should be going through the states and we should be collecting correct? Finance Director Carl said please, send us that information. Mayor Countryman said Facebook is different too, so is it hard to capture? Finance Director Carl said yes, I think on the Facebook side we might be looking at something that falls under Miss Tilly as far as the use of the property, but anything that you come across that you are aware of, send our way and we will do some extra digging and see where things are at.

Council Member Langley asked Code Enforcement Officer and Planning/Zoning Administrator Tilley on parking, do you remember for a single family resident how many parking places I am allowed to have? Code Enforcement Officer and Planning/Zoning Administrator Tilley said two. Council Member Langley asked what if there are 10 vehicles? Code Enforcement Officer and Planning/Zoning Administrator Tilley said we just have to be careful with that because as a single family owner, you have to be able to

treat it as a single family residence. So, if you have your family from out of town who happens to be visiting and they are staying over, you are going to have a few more vehicles. I cannot tell them that they are not their family that is staying over for a short time, so all I can go with is if they tell me that this is family that is staying for a short time, then that is the way that I have to take it. Council Member Langley said they are in the street so you can call the police department. Code Enforcement Officer and Planning/Zoning Administrator Tilley said they can park in the street. If it is unsafe, if there is a sign that says no parking on this side of the street, or something like that, but otherwise, the street is public right-of-way. I guess you can call the police to have it investigated to have them take a look at it. There could be a violation for obstructing a right-of-way if they are unable to get by.

Mayor Countryman said there is a new coffee shop to be opening down here on Heritage 2. Have they put in their permits? Rick, have you gone to do your CO? Building Inspector Rick Hanna asked where is it? Mayor Countryman said between Bride and Bloom and The Highland Pine Company. Code Enforcement Officer and Planning/Zoning Administrator Tilley said I will check on that. Mayor Countryman said I was asked to ask about that thanks. My understanding is they have been waiting a year from the City to get permits and that does not sound right to me. Council Member Donaldson said I thought the gift shop was opening the coffee shop. Mayor Countryman said right, but those are two different entities and so there would still need to be a permit or a CO from Building Inspector Hanna. Building Inspector Hanna said that is correct. The coffee shop next door, a different entity, would still need to get a CO.

EXECUTIVE SESSION

17. Closed Session

City Council will meet in Closed Session pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with the authority contained in:

- A. Section 551.074 Personnel Matters for the purpose of discussion and deliberations regarding the appointment, employment, evaluation and duties of a City Administrator.**
- B. Section 551.072 Deliberations about Real Property for potential sale of land.**

At 6:59 p.m. Mayor Countryman convened the Montgomery City Council into closed session pursuant to provision of Chapter 551 of the Texas Government Code, in accordance with the authority contained in Section 551.074 Personnel Matters for the purpose of discussion and deliberations regarding the appointment, employment,

evaluation and duties of a City Administrator and Section 551.072 Deliberations about Real Property for potential sale of land.

18. Open Session

City Council will reconvene in Open Session at which time action on the matter(s) discussed in Closed Session may be considered.

A. Section 551.074 Personnel Matters for the purpose of discussion and deliberations regarding the appointment, employment, evaluation and duties of a City Administrator.

B. Section 551.072 Deliberations about Real Property for potential sale of land.

At 8:05 p.m. Mayor Countryman reconvened the Montgomery City Council into an open session pursuant to provision of Chapter 551 of the Texas Government Code to take any action necessary related to the executive session noted herein, or regular agenda items, noted above, and/or related items.

Item A: Motion: Mayor Pro-Tem Fox made a motion to authorize Chief Solomon to make an offer from executive session tonight. Council Member Donaldson seconded the motion. Motion carried with all present voting in favor.

Item B: No action taken.

Discussion: City Secretary Beaven asked for clarification. Will this be for item A or B? Mayor Countryman said item A.

CLOSING AGENDA

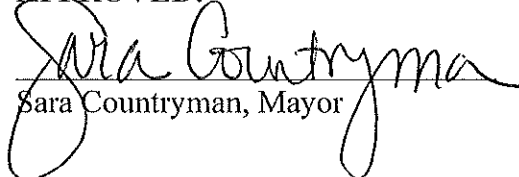
19. Items to consider for placement on future agendas.

No items to consider for placement on future agendas.

20. Adjourn.

Motion: Council Member Langley made a motion to adjourn the Regular Meeting of the City of Montgomery at 8:07 p.m. Mayor Pro-Tem Fox seconded the motion. Motion carried with all present voting in favor.

APPROVED:


Sara Countryman, Mayor

ATTEST:


Ruby Beaven, City Secretary

