

MINUTES OF REGULAR CITY COUNCIL MEETING

Call To Order

The City Council of the City of Katy, Texas, convened in regular session Monday, May 10, 2010, at 6:30 p.m., at Katy Municipal Complex, 910 Avenue C, Katy, Texas. The following City Officials were present:

Don Elder Jr., Mayor
 Hank Schmidt, Mayor Pro Tem
 Carol Adams, Councilmember
 Kenneth Berger, Councilmember
 Larry Gore, Councilmember
 Fabol R. Hughes, Councilmember
 Joe Hegar, City Attorney
 Missy Bunch, City Secretary
 Johnny Nelson, City Administrator

The following City Official was absent:

David Leyendecker, City Engineer

Proclamation for Social Services Department Proclaiming May 2010 as "Older Americans Month" and Recognizing "2010 Senior Citizen of the Year" – Jo Marie Hestilow

The Mayor read a proclamation declaring May 2010, as "Older Americans Month" and presented a plaque to Jo Marie Hestilow as Katy's "2010 Senior Citizen of the Year". The Mayor spoke of Ms. Hestilow's numerous accomplishments and life history. Prior to the City Council meeting, Ms. Hestilow was honored with a reception at the Social Services Building.

Proclamation Recognizing "National Police Week and Peace Officers' Memorial Day", May 9-15, 2010

The Mayor read a proclamation recognizing "National Police Week and Peace Officers' Memorial Day" and presented it to City of Katy Police Department representatives, Police Chief Bill Hastings, Captain Bryon Woytek and Sergeant Rick Samuels.

Public Hearing for a Special Use Permit for an Institution of Religious Nature (Creekside Community Church), 1326 Pin Oak Road, in the Building Known as Pin Oak Crossing Shopping Center, in a "C-2" General Business District, Abstract 292, Tract 12 (Tract 6), Fort Bend County, Owner - Katy Pin Oak Crossing LLP, Agent - Pastor Tim Douglas

The Mayor opened a Public Hearing at 6:46 p.m. for the purpose of a Special Use Permit for an Institution of Religious Nature (Creekside Community Church), 1326 Pin Oak Road, in the Building Known as Pin Oak Crossing Shopping Center, in a "C-2" General Business District, Abstract 292, Tract 12 (Tract 6), Fort Bend County, Owner - Katy Pin Oak Crossing LLP, Agent - Pastor Tim Douglas. All were given an opportunity to be heard and there were no comments. The Mayor closed the Public Hearing at 6:47 p.m.

Consider Authorizing City Attorney to Draft an Ordinance for a Special Use Permit for an Institution of Religious Nature (Creekside Community Church), 1326 Pin Oak Road, in the Building Known as Pin Oak Crossing Shopping Center, in a "C-2" General Business District, Abstract 292, Tract 12 (Tract 6), Fort Bend County, Owner - Katy Pin Oak Crossing LLP, Agent - Pastor Tim Douglas

Motion was made by Councilmember Schmidt, seconded by Councilmember Hughes, authorizing the City Attorney to Draft an Ordinance for a Special Use Permit for an Institution

Consider Authorizing City Attorney to Draft an Ordinance for a Special Use Permit for an Institution of Religious Nature (Creekside Community Church), 1326 Pin Oak Road, in the Building Known as Pin Oak Crossing Shopping Center, in a "C-2" General Business District, Abstract 292, Tract 12 (Tract 6), Fort Bend County, Owner - Katy Pin Oak Crossing LLP, Agent - Pastor Tim Douglas (cont'd)

of Religious Nature (Creekside Community Church), 1326 Pin Oak Road, in the Building Known as Pin Oak Crossing Shopping Center, in a "C-2" General Business District, Abstract 292, Tract 12 (Tract 6), Fort Bend County, Owner - Katy Pin Oak Crossing LLP, Agent - Pastor Tim Douglas. Councilmember Adams asked about the church having a problem with the close proximity of stores selling alcohol. It was explained that the church having no issues with other nearby business selling alcohol could be place in the ordinance to be approved by City Council at the next regular meeting. All voted Aye, and the motion carried.

Comments from the Audience

All were given an opportunity to be heard and there were no comments from the audience.

Approve Minutes of 04-26-2010 Regular Meeting

Motion was made by Councilmember Adams, seconded by Councilmember Berger, approving as printed Minutes of 04-26-2010 Regular Meeting. All voted Aye, and the motion carried.

Approve Ambulance-EMS Billing Service Agreement with K & P Association, Inc., d/b/a Specialized Billing and Collection Systems of Texas (tabled 04-26-2010)

Motion was made by Councilmember Adams, seconded by Councilmember Berger, approving Ambulance-EMS Billing Service Agreement with K & P Association, Inc., d/b/a Specialized Billing and Collection Systems of Texas. All voted Aye, and the motion carried.

Withdrawal of Awarded Bid to Furnish and Install Bullet Proof Glass at the Police Station, 5454 Franz Road, to ACFS Security, LLC, Katy, Texas on 04-26-2010

Motion was made by Councilmember Schmidt, seconded by Councilmember Gore, approving the withdrawal of the Awarded Bid to Furnish and Install Bullet Proof Glass at the Police Station, 5454 Franz Road, to ACFS Security, LLC, Katy, Texas on 04-26-2010. All voted Aye, and the motion carried.

Authorize Rebid to Furnish and Install Bullet Proof Glass at the Police Station, 5454 Franz Road

Motion was made by Councilmember Hughes, seconded by Councilmember Berger, authorizing the rebid to Furnish and Install Bullet Proof Glass at the Police Station, 5454 Franz Road. All voted aye, and the motion carried.

Consider Award Bid for Pin Oak Road Water Line Relocation and Pavement Repair to Matula & Matula Construction, Lake Jackson, Texas, in the Amount of \$146,130.70 (bids received 05-06-2010)

Motion was made by Councilmember Schmidt, seconded by Councilmember Hughes, awarding bid for Pin Oak Road Water Line Relocation and Pavement Repair to Matula & Matula Construction, Lake Jackson, Texas, in the amount of \$146,130.70. All voted Aye, and the motion carried.

Consider Convention and Tourism Bureau Application Request for Southland Conference for Tourism-Related Advertising (Outdoor, Printing, Radio and Television), Rental and Operating Costs (Merrell Center) for 2011 Basketball Tournament, Amount Requested \$110,000.00 (Approved by Convention and Tourism Bureau 04-21-2010)

Tom Burnett, Southland Conference, thanked City Council for their support of the recent 2010 Southland Conference Basketball Tournament held in March and gave a brief presentation. Burnett explained the recent event was the third tournament plans and has planned for the fourth in 2011. He spoke of larger fan turnout, the City's commercial, the games, the teams and the fantastic support of the City. Burnett explained the previous monies had been used for advertising in the Houston Chronicle, website, printed paper, radio and billboards on Katy Freeway, which promoted the event in Katy. He commented the amount requested for 2010 was \$65,000.00 and the total amount being requested for the 2011 event is \$110,000.00. He explained the additional amount of \$45,000.00 was to assist in the rental and daily operation fees at the Merrell Center. He assured Councilmembers the event would still be held in Katy even if the additional funds were not approved. Burnett announced the event for 2011 will be held March 8th – 12th. Councilmember Berger asked how participants are steered to the inside city limits hotels. Burnett explained participants are not given a choice; they must stay at an in city limits hotel. He has no control over the fans. He is looking forward to there being a larger number of in-city hotels for future events. Burnett explained the participants have no choice of hotels, since the rooms are booked and paid for thru the conference; therefore, he was comfortable in giving an in-city hotel rooms during the 2010 event being an estimate of 1100. He explained the conference pays for the rooms and bills each school accordingly. Burnett spoke of the academic fair held in conjunction with the event. He believed there to have been good response; therefore, they plan to continue this fair next year with even an larger number of nationwide schools participating. Councilmember Adams asked if State Farm was committed to sponsor the event. Burnett replied, yes. City Treasurer Byron Hebert commented there will be two additional hotels up and running at the time of the 2011 event. He spoke of the approximate \$280,000.00 currently in Hotel Tax Increment Funds to date that are unclaimed and with another year with an estimated \$320,000.00, there could be approximately \$500,000.00, at the same time next year. Councilmember Schmidt believes the tournament to be a class act and appreciated the tournament being televised. Councilmember Gore understood the previous year's request and approval was for \$65,000.00; however, the request for 2011 includes an additional \$45,000.00 and understands per Scott Joslove, President, Texas Hotel and Lodging Association, agrees the use of the additional funds is allowed. Hebert explained the additional funds request has always been an option; however, they had not made the request because the City must have hotels to support the event. Councilmember Gore asked there being admission to the event. Burnett explained there was a fee charged at the door, with there being several locations tickets could be purchased. The Mayor spoke of the large number of Katy Independent School District Employees, including Police and some City Employees that work the event, which he considers putting some of the monies back into the community. Burnett also spoke of the support of local retail and local restaurants. Councilmember Schmidt expressed concern for the additional requested amount of \$45,000.00; and, does not believe anyone has objection to the previous amount of \$65,000.00. He believed this to be a large increase. Motion was made by Councilmember Hughes, seconded by Councilmember Berger, approving the Convention and Tourism Bureau Application Request for the Southland Conference Tourism-Related Advertising (*Outdoor, Printing, Radio and Television*), Rental and Operating Costs (*Merrell Center*) for the 2011 Basketball Tournament for the total amount requested of \$110,000.00. All voted aye, and the motion carried.

Ordinance No. 2469 Exempting from Taxation by the City Of Katy, Texas, Twenty Percent (20%) of the Appraised Value of a Residence Homestead; the Exemption shall be Effective for the 2010 Tax Year; and Repealing Ordinance No. 2468 (Ord. No. 2468 approved 04-26-2010)

Motion was made by Councilmember Schmidt, seconded by Councilmember Adams, approving as printed and read (*caption*) an Ordinance (*No. 2469*) Exempting from Taxation by the City Of Katy, Texas, Twenty Percent (20%) of the Appraised Value of a Residence Homestead; the Exemption shall be Effective for the 2010 Tax Year; and Repealing Ordinance No. 2468. Councilmember Gore asked why Ordinance No. 2468 was being repealed, since it was just approved at the 04-26-2010 City Council meeting. It was explained there was a scrivener error. All voted Aye, and the motion carried.

Ordinance No. 2470 Establishing Policies, Establishing Fees and Reservation Procedures for Use of City of Katy Buildings, Parks and Recreational Facilities and Repealing all Ordinances, Rules, Regulations and Fees in Conflict with Such Policies (authorized preparation 04-26-2010)

Motion was made by Councilmember Schmidt, seconded by Councilmember Hughes, approving as printed and read (*caption*) an Ordinance (*No. 2470*) Establishing Policies, Establishing Fees and Reservation Procedures for Use of City of Katy Buildings, Parks and Recreational Facilities and Repealing all Ordinances, Rules, Regulations and Fees in Conflict with such Policies. All voted Aye, and the motion carried.

Presentation of New City of Katy Website

Byron Hebert, City Treasurer, briefed Councilmembers on the City's new website. He spoke of a team of city employees from various departments who had assisted in the final product. Hebert spoke of utilizing the newest technology and creating a new presence for the site. He explained the new site will allow the various department liaisons to place current or updated information on the site in a more expeditious manner. Hebert logged into the new website and browsed through several pages. He spoke of the tour which includes several photos of the City; "How Do I" button, which is anticipated to better assist those who visit the site and have questions such as how do I pay my water bill. Hebert commented there a still a few item being complete. He hopes to apply for a graphics award. The Mayor complimented the team and Hebert on the great improvement to the website. Councilmember Gore was impressed with the placement of various forms on line. Councilmember Adams complimented the site and its improvement.

Councilmembers' Reports

Councilmember Schmidt spoke of his strong support of the City's Public Safety employees and believes what they provide for the citizens to be a great service. He expressed great appreciation.

Mayor's Reports

The Mayor echoed Councilmember Schmidt's comments about the City's Public Safety employees. He spoke of the EMS/Fire and Police Departments laying their lives on the line each day for the City. He believes there is more protection offering the ability for it to be safer to live inside the city limits.

Adjourn

Motion was made by Councilmember Adams, seconded by Councilmember Hughes, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:23 p.m.



Mayor

ATTEST:



City Secretary