

MINUTES OF REGULAR CITY COUNCIL MEETING

Call To Order

The City Council of the City of Katy, Texas, convened in regular session Monday, May 24, 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
 David Leyendecker, City Engineer

Keep Katy Beautiful Board - Presentation of "Katy Proud Business Award" – B & W Pipe, Inc., 1421 Avenue C, Charles Boatright, Owner

Jacalyn Warner, Keep Katy Beautiful Board Member, presented the "Katy Proud Business Award" to B & W Pipe, Inc., located at 1421 Avenue C. She spoke of the beautiful building and landscaping, which includes mature trees. She thanked Owner Charles Boatright for his contribution to the community. Boatright thanked the City for this honor. The Mayor thanked Boatright for his contribution to the City

Comments from the Audience

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

Bank Statement and Check Register for 04-30-2010 (information items only)

There were no comments or questions asked in reference to the Bank Statement and Check Register for 04-30-2010.

Consider Membership Dues for Texas Downtown Association (in the amount of \$95.00)

Motion was made by Councilmember Schmidt, seconded by Councilmember Adams, authorizing payment of Membership Dues for Texas Downtown Association, in the amount of \$95.00. All voted Aye, and the motion carried.

Consider Final Plat for American Tower CenterPoint Energy Subdivision, 0.4527 Acres, 1 Block, Abstract 452, Known as 3488 Katy-Hockley Road, Harris County

Motion was made by Councilmember Adams, seconded by Councilmember Berger, approving the Final Plat for American Tower CenterPoint Energy Subdivision, 0.4527 Acres, 1 Block, Abstract 452, known as 3488 Katy-Hockley Road in Harris County. Councilmember Gore understood the tract where the tower is located is being divided. City Engineer David Leyendecker explained CenterPoint was selling the tower and subdividing the tract into two tracts. Councilmember Gore asked if CenterPoint still owns the property. It was explained yes, prior to the subdividing. All voted aye, and the motion carried.

Consider Resolution Authorizing the Mayor to Enter into a Memorandum of Understanding with the Harris County Flood Control District for the City of Katy to Provide Floodplain Map Information to the Harris County Flood Control District

The Mayor removed consideration of a Resolution authorizing the Mayor to enter into a Memorandum of Understanding with the Harris County Flood Control District for the City of Katy to provide Floodplain Map information the Harris County Flood Control District, from the agenda, due to representatives being unable to attend the meeting; instead consideration will be at the next Regular City Council meeting to be held on 6-14-2010.

Award Bid for 2010 Waterline Replacement to D. L. Elliott Enterprises, Inc., Sugar Land, Texas, in the Amount of \$89,297.00 (bids received 05-20-2010)

Motion was made by Councilmember Schmidt, seconded by Councilmember Hughes, awarding the Bid for 2010 Waterline Replacement to D. L. Elliott Enterprises, Inc., Sugar Land, Texas, in the amount of \$89,297.00, as recommended by City Engineer David Leyendecker. Councilmember Gore asked if the proposed contractor had done work in the City. Leyendecker explained they had not done work in the City; however, they have a good reputation. All voted aye, and the motion carried.

Ordinance No. 2473 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 (authorized preparation 05-10-2010)

Motion was made by Councilmember Adams, seconded by Councilmember Berger, approving as printed and read (*caption*) an Ordinance (*No. 2473*) 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*), in Fort Bend County, Owner being Katy Pin Oak Crossing LLP, Agent being Pastor Tim Douglas

Ordinance No. 2474 Appointing Arthur L. Pertile, III, of Olson & Olson, LLP, as City Attorney of the City of Katy, Texas, Effective June 1, 2010

Motion was made by Councilmember Schmidt, seconded by Councilmember Adams, approving as printed and read (*caption*) an Ordinance (*No. 2474*) appointing Arthur L. Pertile, III, of Olson & Olson, LLP, as City Attorney of the City of Katy, Texas, effective June 1, 2010. All voted Aye, and the motion carried.

Presentations to Retiring City Attorney Joe Hegar

The Mayor spoke of the three decades in which Joe Hegar had been City Attorney and the support Hegar had shown his family and the City during this time. The Mayor asked Councilmembers to say a few words. Councilmember Hughes spoke of the first time he saw him at the Post Office, Hegar's distinctive voice and knowing him for years as the voice of God in First Methodist Church performances. Councilmember Schmidt spoke of the vast amount of knowledge Hegar had given to him over the years as the City's Fire Chief, Councilmember and the Mayor. He spoke of Hegar always being available and thanked him for all his contribution to the City over the past 30 years. Councilmember Adams explained she had worked with

Presentations to Retiring City Attorney Joe Hegar (cont'd)

Hegar prior to her being on City Council and she appreciated the advice he had given her. She spoke of Hegar as a true gentleman and considered it an honor to work with he and his wife Marilyn. Councilmember Gore spoke of a business deal Hegar has assisted with and he considered him to be a straight shooter and an honest man. He commented it had been an honor to work with Hegar as City Attorney and wished him the best in retirement. Councilmember Berger explained he considered Hegar as a pillar of the community and was always willing to put City business first. He thanked Hegar for his contribution to the community and wished him well with his retirement. City Administrator Nelson commented he had known Hegar for approximately 40 years and approximately 21 years in association with City business. He explained it had been a pleasure working with Hegar and he always found time to help with questions, he would come over at any given time and assist with various projects or concerns. The Mayor spoke of many personal experiences he had with Hegar and the outstanding job he had done over the years as City Attorney. The Mayor presented Hegar with a money clip which at the City seal on and a specially engraved travel journal for his upcoming travels. Sandy Schmidt, Chairman, Keep Katy Beautiful Board, presented on behalf of the Board a plaque that would be place beside a tree being planted in Honor of Hegar and being an avid supporter of the Board and the City. Hegar introduced his wife Marilyn, children and grandchildren in attendance. He express thanks to all. He thanked the City for allowing him to have a ring side seat during the past 30 years watching the City grow and commented he had grown old with it and believes it is time to move on to the next phase of his life. Councilmember Schmidt recognized several officials and retirees in the audience, including Former Mayor Ward Stanberry, Former City Secretary Virginia Herrington, Former City Secretary Betty Murray, City's Financial Advisor Gene Shepherd, Attorney Steve Robinson, Brookshire City Judge Karl Micklitz, Former Waller County District Attorney Oliver Kitzman, Katy Economic Development Council President Lance LaCour and Attorney David Frishman. Former Mayor Ward Stanberry remembered being sworn in as Mayor several years ago and recalled the expert advice he had received from Hegar.

Councilmembers' Reports

There were no Councilmembers' Reports.

Mayor's Reports

There were no Mayor's Reports.

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 7:05 p.m.

Reception Honoring Retiring City Attorney Joe Hegar

Immediately following the Regular City Council Meeting a reception was held



 Mayor

ATTEST:



 City Secretary