

**MINUTES OF REGULAR CITY COUNCIL MEETING**

**Call To Order**

The City Council of the City of Katy, Texas, convened in regular session Monday, November 8, 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  
 Art Pertile, City Attorney  
 Missy Bunch, City Secretary  
 Johnny Nelson, City Administrator  
 David Leyendecker, City Engineer

**Comments from the Audience**

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

**Consent Agenda**

City Attorney Pertile noted the City of Katy should be named as additional insured on the Katy Market Days insurance policy. Elizabeth Proctor, Katy Market Days, assured Pertile this had been done and she would get the City a copy. Motion was made by Councilmember Berger, seconded by Councilmember Adams, approving the Consent Agenda as presented, including the addition of the City of Katy being named as additional insured for Katy Market Days event.

- 5) Approve 10-25-2010 Regular Meeting Minutes
- 6) Consider Request to Close Avenue B between Second and Third Streets for "A Katy Old Fashioned Christmas" on Saturday, December 18, 2010, between the hours of 11:00 a.m. and 6:00 p.m., Katy Market Days
- 7) Consider Cancelling Regular City Council Meetings (*due to Holidays*)
  - A) 11-22-2010 Regular Meeting (*Thanksgiving*)
  - B) 12-27-2010 Regular Meeting (*Christmas*)

All voted aye, and the motion carried

**Consider Chumley Vista Subdivision, 0.3974 Acres, Abstract 155,1 Reserve, 1 Block, known as 5919 George Bush Drive in Harris County**

Motion was made by Councilmember Schmidt, seconded by Councilmember Hughes, approving Chumley Vista Subdivision, 0.3974 Acres, Abstract 155, 1 Reserve, 1 Block, known as 5919 George Bush Drive in Harris County. Councilmember Gore was unsure where the proposed subdivision was located. Councilmember Adams explained it is on George Bush Drive west of Katy Insurance Agency. All voted Aye, and the motion carried.

**Presentation by Katy Area Economic Development Council, Inc., of 2009-2010 City of Katy Report, Detailing Accomplishments and Future Plans**

Lance LaCour, President/CEO, Katy Area Economic Development Council, Inc., recognized attending Board Members. LaCour had presented Councilmembers with copies of their Annual Report. He commented during the membership drive there were approximately 20 new members, including Katy Heritage Society and several Municipal Utility Districts. He spoke of the Katy EDC budget of \$650.00, finishing the year in the black and having been given an unqualified opinion on their annual audit. LaCour reported on several new businesses relocating to the Katy area, job fairs, the new Brazos Valley Schools Credit Union Bank building being built within the city limits and the newly formed bank alliance group. LaCour encouraged Councilmembers to read the report and he thanked the City for their partnership.

**Approve Katy Area Economic Development Council, Inc., 2010-2011 Annual Membership Dues at Board of Governors Level in the Amount of \$15,000.00**

Motion was made by Councilmember Hughes, seconded by Councilmember Adams, approving the 2010-2011 Katy Area Economic Development Council, Inc., Annual Membership Dues at Board of Governor's Level in the amount of \$15,000.00. Councilmember Gore thanked Katy Economic Development Council (Katy EDC) for the great job they perform in Katy and the Katy area; however, he commented the City was unable to increase the over 65 tax exemption this year, there were no raises for employees and the City is spending reserve funds to cover expenses; therefore he is concerned with spending this amount of money for dues. Councilmember Berger understood Councilmember Gore's concerns; however, he believes the City needs to belong to an organization such as Katy EDC in order to draw companies to the area and if the City does not spend the monies, the potential businesses would go somewhere else. Councilmember Adams commented the funds were in the adopted budget. City Administrator Nelson explained the City had been members for approximately five years and it was a budgeted item. Councilmember Hughes agreed with Councilmember Berger's comments about the membership. Councilmember Gore commented on the additional funds being spent out of reserves this year. The Mayor and the City Treasurer concurred this was a budgeted item. The Mayor believes that if EDC is killed then we kill the people coming to the Katy area and would cause people to move out of the area. He suggested that prior to the City Council considering cancelling participation in Katy EDC all areas be considered. The Mayor understood what Councilmember Gore was stating; however, he believes the City needs to promote growth, especially businesses, which would allow for a portion of the burden to be taken off of individual taxpayers. Councilmember Hughes agreed with the Mayor with helping the individual taxpayers. Councilmember Gore does not believe Katy EDC is going away if the City opts not to pay the dues this year, but still believes denying the request at this time to be a good move, since there were no City employee raises and no additional increase to the senior citizens' tax exemption this year. Votes were cast as follows: Ayes – Adams, Berger, Hughes, Schmidt; Noes – Gore. The motion carried.

**Consider Use of Reserve Funds for Fire Equipment to be Purchased from Metro Fire in the Amount of \$27,110.25 for placement on New Fire Department Pumper Truck**

Motion was made by Councilmember Schmidt, seconded by Councilmember Berger, approving the use of Reserve Funds for the fire equipment to be purchased from Metro Fire in the amount of \$27,110.25, for placement on the new Fire Department pumper truck. All voted Aye, and the motion carried.

**Resolution No. 442 Authorizing Mayor to Execute an Agreement with Tyler Technologies, Inc., for Use of Orion Tax Solutions Software System for Tax Collection**

Motion was made by Councilmember Hughes, seconded by Councilmember Schmidt approving as printed and presented a Resolution (No. 442) authorizing the Mayor to execute an agreement with Tyler Technologies, Inc., for the use of Orion Tax Solutions Software System for Tax Collection. City Treasurer Hebert explained this request is the tax software that was previously discussed and approved in the Budget. He commented City Attorney Pertile had reviewed the contract, made a few corrections and approved it for consideration by City Council. Councilmember Gore understood the new software will allow the City tax collection to be easier. Hebert explained the City is currently using DOS software and this will bring the City up to date. All voted Aye, and the motion carried

**Consider Convention and Tourism Bureau Applications from City of Katy - Katy Veterans of Foreign Wars Memorial Museum – Interior Remodel of Existing Museum located at 6206 George Bush Drive (Funding Historical Restoration or Preservation Programs), Amount Requested \$34,433.30 (approved by Convention & Tourism Bureau 10-27-2010)**

Motion was made by Councilmember Schmidt, seconded by Councilmember Gore approving the convention and Tourism Bureau Application from the City of Katy for the Katy Veterans of Foreign Wars Memorial Museum, Interior Remodel of the Existing Museum located at 6206 George Bush Drive (Funding Historical Restoration or Preservation Programs), in the Amount Requested of \$34,433.30. Councilmember Berger questioned the total amount requested or received in the past, \$203,780.05 as being incorrect for V.F.W. Post 9182. City Treasurer Hebert explained the application was from the City of Katy, since the facility is owned by the city; therefore, the total dollar received is for all the applications from the City. He explained the City will be acquiring the monies and the City is the applicant, not the V.F.W. The Mayor believed the current agreement between the City and the V.F.W. should be revised, because it had not been revised since 1975. Councilmember Schmidt asked if the motion should be subject to the signing of an updated Agreement with V.F.W. Post 9182. City Attorney Pertile replied, no. Councilmember Adams asked when the opening of the remodeled museum was planned for. Lumpkin anticipates February 2011. All voted aye, and the motion carried.

**Consider Convention and Tourism Bureau Application from the City of Katy for the Promotion Video Update for Fall 2010 (Tourism-Related Advertising and Promotion of City), Amount Requested \$2,000.00 (approved by Convention & Tourism Bureau 10-27-2010)**

City Treasurer Byron Hebert presented the new 30 second promotion video. He explained the recently opened hotels had been added and commented the video is given to Southland Conference to use for advertising Katy. Motion was made by Councilmember Berger, seconded by Councilmember Hughes, approving the Convention and Tourism Bureau Application from the City of Katy for the Promotion Video Update for Fall 2010 (Tourism-Related Advertising and Promotion of City), in the Amount Requested of \$2,000.00. All voted Aye, and the motion carried.

**Ordinance No. 2486 Adopting Amendment No. 1 to the 2009-2010 Budget by Providing for Changes**

City Treasurer Hebert explained this ordinance is more of an accounting function and the 2009-2010 Budget is closed out at the end of three months after the fiscal year end. Motion was made by Councilmember Schmidt, seconded by Councilmember Berger, approving as printed and read (*caption*) an Ordinance (No. 2486) Adopting Amendment No. 1 to the 2009-2010 Budget by providing for changes. All voted Aye, and the motion carried.

**Councilmembers' Reports**

Councilmember Schmidt stated "Go Katy Tigers" and "Go Aggies" on their upcoming football games.

**Mayor's Reports**

The Mayor thanked all who had worked on recent projects.

**Adjourn**

Motion was made by Councilmember Hughes, seconded by Councilmember Berger to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:02 p.m.

  
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Mayor

ATTEST:

  
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City Secretary