

**MINUTES OF REGULAR CITY COUNCIL MEETING**

**Call to Order**

The City Council of the City of Katy, Texas, convened in regular session Monday, May 23, 2011, 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  
 Larry Gore, Councilmember  
 Fabol R. Hughes, Councilmember  
 Bill Lawton, Councilmember  
 Art Pertile, III, City Attorney  
 Missy Bunch, City Secretary  
 Johnny Nelson, City Administrator  
 David Leyendecker, City Engineer

**Public Hearing for Regulating of Inflatable Signs; Amending Appendix "A" Fee Schedule of the City of Katy Code of Ordinances to set a Permit Fee for Inflatable Signs; Providing a Penalty in an Amount Not to Exceed \$200.00 for Each Day of Violation**

The Mayor opened a Public Hearing at 6:33 p.m., for the Regulating of Inflatable Signs; Amending Appendix "A" Fee Schedule of the City of Katy Code of Ordinances to set a Permit Fee for Inflatable Signs; Providing a Penalty in an Amount Not to Exceed \$200.00 for Each Day of Violation. All were given an opportunity to be heard and there were no comments. The Mayor closed the Public Hearing at 6:34 p.m.

**Ordinance No. 2499 Amending the City of Katy Zoning Ordinance No. 621; Amending Section 21 "Sign Regulations" to Prohibit Inflatable Signs; Providing a Penalty in an Amount Not to Exceed \$200.00 for Each Day of Violation**

City Attorney Art Pertile explained the recommendation before City Council is from the City Planning and Zoning Commission to prohibit inflatable signs within the city limits of Katy. Motion was made by Councilmember Schmidt, seconded by Councilmember Hughes, approving as printed and read (caption) an Ordinance (No. 2499) Amending the City of Katy Zoning Ordinance No. 621; Amending Section 21 "Sign Regulations" to Prohibit Inflatable Signs; Providing a Penalty in an Amount Not to Exceed \$200.00 for Each Day of Violation. Councilmember Gore spoke of concerns as placement next to residential areas. Councilmembers agreed if need in the future, such as placement in the Katy Mills Mall area, this could be looked at. Councilmember Adams asked if the car dealership or other commercial businesses would be grandfathered since they currently have an inflatable sign. Pertile spoke of the possibility of City Council requiring the businesses to amortize the potential amount of income, with possible consideration allowing the sign for a year. Councilmember Gore asked who the concerns had been received from. Pertile explained the concern was not from citizens, but from staff. Several concerns included regulating, possible placements in residential areas and the various heights of these signs. All voted Aye, and the motion carried.

**Public Hearing to Amend Chapter 9 “Subdivisions” of the City of Katy Code of Ordinances; Defining Terms; Requiring Development Plats within the City of Katy and its Extraterritorial Jurisdiction; Requiring Certification that Adequate Groundwater Exists for Subdivisions that will rely on Groundwater Providing for the Administrative Approval of Minor Plats, Minor Replats and Amending Plats; Amending Appendix “A Fee Schedule of the City of Katy Code of Ordinances to set a Development Plat Fee; Providing a Penalty in an Amount not to Exceed \$200.00 for Each Day of Violation**

The Mayor opened a Public Hearing at 6: 40 p.m., for proposed Amendment to Chapter 9 “Subdivisions” of the City of Katy Code of Ordinances; Defining Terms; Requiring Development Plats within the City of Katy and its Extraterritorial Jurisdiction; Requiring Certification that Adequate Groundwater Exists for Subdivisions that would rely on Groundwater Providing for the Administrative Approval of Minor Plats, Minor Replats and Amending Plats; Amending Appendix “A Fee Schedule of the City of Katy Code of Ordinances to set a Development Plat Fee; Providing a Penalty in an Amount not to Exceed \$200.00 for Each Day of Violation. All were given an opportunity to be heard and the following spoke: 1) David Minze, Brookshire-Katy Drainage District Representative, asked for clarification on the notice posted, that pertained to a proposed City Ordinance amendment to the Subdivision Rules, Chapter that understood that developers would be required to show an Engineer’s Certification that groundwater was available for any new development in the city limits or in the extra-territorial jurisdiction. City Attorney Pertile explained the proposal did not move forward from the City Planning and Zoning Commission and the notice was published and posted prior to their meeting; therefore, it is not being considered by City Council at this time. The Mayor closed the Public Hearing at 6:41 p.m.

**Ordinance No. 2500 Amending Chapter 9 “Subdivisions” Katy Code of Ordinances; Providing for Administrative Approval of Minor Plats, Minor Replats & Amending Plats**

Motion was made by Councilmember Schmidt, seconded by Councilmember Lawton, approving as printed and read (*caption*) an Ordinance (*No. 2500*) Amending Chapter “Subdivisions” Katy Code of Ordinances; Providing for Administrative Approval of Minor Plats, Minor Replats and Amending Plats. City Attorney Pertile explained the proposed approval process is an administrative approval that is strictly for the subdivision of four lots or less that would not require extension of services such as, water, sewer and/or streets. Councilmember Adams asked if this process would amend the Fee Schedule. Pertile explained the fees are not being considered at this meeting. Councilmember Hughes asked about an Extra-territorial Jurisdiction (E.T.J.) map. City Engineer Leyendecker explained the E.T.J. map is on the City’s website. All voted Aye, and the motion carried

**Comments from the Audience**

All were given an opportunity to be heard and the following spoke: 1) Ralph Weller, Texas Disposal Systems, explained his company also has a rewards program for recycled materials. He spoke of not having the opportunity to bid the refuge contract two years ago, but hopes to bid this upcoming year.

**Bank Statement and Check Register thru 04-30-2011 (information items only)**

There were no comments or questions in reference to the Bank Statement and Check Register thru 04-30-2011.

**Councilmembers' Reports**

Councilmember Hughes commented that the recycling program has been a hot topic and believes the consensus is the citizens want recycling; the next step is to determine how to fund the program. Councilmember Adams welcomed Councilmember Lawton to his first meeting. Councilmember Gore spoke briefly about increasing the over 65 tax exemption and want to see the City move forward on the topic. Gore also welcomed Lawton to the meeting. Councilmember Lawton commented he was just about to complete his first meeting and wanted to thank those who supported him and thanked City Councilmembers for the warm reception to the table.

**Mayor's Reports**

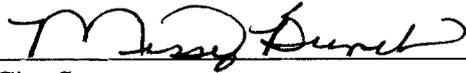
The Mayor reminded those present of the upcoming Memorial Day Holiday and encouraged all to tell any military personnel thank you for their service.

**Adjourn**

Motion was made by Councilmember Gore, seconded by Councilmember Hughes, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 6:53 p.m.

  
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Mayor

ATTEST:

  
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City Secretary