

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, February 27, 2012, 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

Proclamation for March 2012 as "Essential Tremor Awareness Month" in Katy

The Mayor read and presented a Proclamation recognizing March 2012 as "Essential Tremor Awareness Month" in Katy, to representatives from Katy Essential Tremor Support Group.

Comments from the Audience

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

Public Hearing for Proposed Amendment to Zoning Map for Change in Classification from "C-1" Commercial District and "C-2" General Business District to "M" Industrial District, 1.498 Acres, Part of Lot 29, Motheral Section Two, Harris County, Property located at 5242 E. Third Street, North Side of E. Third Street, on East Side of Katyland Drive

The Mayor opened a Public Hearing at 6:39 p.m. for a Proposed Amendment to Zoning Map for Change in Classification from "C-1" Commercial District and "C-2" General Business District to "M" Industrial District, 1.498 Acres, Part of Lot 29, Motheral Section Two, Harris County, Property located at 5242 E. Third Street, North Side of E. Third Street, on East Side of Katyland Drive. All were given an opportunity to be heard and there were no comments. The Mayor closed the Public Hearing at 6:40 p.m.

Consider an Ordinance for Proposed Amendment to Zoning Map for Change in Classification from "C-1" Commercial District and "C-2" General Business District to "M" Industrial District, 1.498 Acres, Part of Lot 29, Motheral Section Two, Harris County, Property located at 5242 E. Third Street, North Side of E. Third Street, on East Side of Katyland Drive (Denied)

Motion was made by Councilmember Schmidt, and seconded by Councilmember Adams, denying approval of the Ordinance for a Proposed Amendment to Zoning Map for Change in Classification from "C-1" Commercial District and "C-2" General Business District to "M" Industrial District, 1.498 Acres, Part of Lot 29, Motheral Section Two, Harris County, Property located at 5242 E. Third Street, North Side of E. Third Street, on East Side of Katyland Drive. All voted Aye, and the motion to deny the ordinance carried.

Public Hearing for Proposed Amendment to Zoning Map, Change in Classification from "C-1" Commercial to "R-1" Single Family, Eastern and Partial Southern Area of a Vacant 109.81 Acre Tract, Abstract 196, Waller County and Abstract 1722, Harris County, Property is Bordered by Fawnlakes Subdivision on the North, Avenue D on the East and Franz Road on the South; formerly known as Green Meadows Golf Course, Apparent New Owner and Applicant is Lennar Homes of Texas Land and Construction Ltd., d/b/a Friendswood Development Company

The Mayor opened a Public Hearing at 6:42 p.m. for the purpose of a Proposed Amendment to Zoning Map, Change in Classification from "C-1" Commercial to "R-1" Single Family, Eastern and Partial Southern Area of a Vacant 109.81 Acre Tract, Abstract 196, Waller County and Abstract 1722, Harris County, Property is Bordered by Fawnlakes Subdivision on the North, Avenue D on the East and Franz Road on the South; formerly known as Green Meadows Golf Course, Apparent New Owner and Applicant is Lennar Homes of Texas Land and Construction Ltd., d/b/a Friendswood Development Company. All were given an opportunity to be heard and the following spoke: 1) Anita Kontilis, 2202 Deerfield Drive, identified herself as a resident in Fawnlake Subdivision. She had received a letter of the City's public hearings and had heard about the sale of the referenced property. She questioned what was going to happen to the present way of life, as her property backs up to the beautiful former Green Meadows Golf Course, what about the wildlife, the drainage and the trees. She asked what the vision was for the referenced property. 2) Jeff Anderson, Friendswood Development Company, 550 Greens Parkway, Houston, Texas, explained the proposal is develop the referenced property as a master planned community and anticipates the adjacent property values to be increased. He explained the first phase is to change the zoning of the property from "C-1" commercial to "R-1" residential and then bring back to City Council for approval of the specific plans. Anderson asked Kontilis to meet with him after the meeting to discuss into further detail. City Attorney Pertile explained the proposed developer could not discuss the project at this time, only the zoning issue. The Mayor closed the Public Hearing at 6:46 p.m.

Ordinance No. 2528 for Proposed Amendment to Zoning Map, Change in Classification from "C-1" Commercial to "R-1" Single Family, Eastern and Partial Southern Area of a Vacant 109.81 Acre Tract, Abstract 196, Waller County and Abstract 1722, Harris County, Property is Bordered by Fawnlakes Subdivision on the North, Avenue D on the East and Franz Road on the South; formerly known as Green Meadows Golf Course, Apparent New Owner and Applicant is Lennar Homes of Texas Land and Construction Ltd., d/b/a Friendswood Development Company

Motion was made by Councilmember Hughes, seconded by Councilmember Gore, approving as printed and read (caption) an Ordinance (No. 2528) for a Proposed Amendment to Zoning Map, Change in Classification from "C-1" Commercial to "R-1" Single Family, Eastern and Partial Southern Area of a Vacant 109.81 Acre Tract, Abstract 196, Waller County and Abstract 1722, Harris County, Property is Bordered by Fawnlakes Subdivision on the North, Avenue D on the East and Franz Road on the South; formerly known as Green Meadows Golf Course, Apparent New Owner and Applicant is Lennar Homes of Texas Land and Construction Ltd., d/b/a Friendswood Development Company. All voted Aye, and the motion carried.

Bank Statement and Check Register thru 01-31-2012

Councilmember were given an opportunity to ask questions or make comments about the bank statement and check register thru 01-1-2012 and there were none.

Consent Agenda

Motion was made by Councilmember Lawton, seconded by Councilmember Adams, approving as printed and presented the Consent Agenda as follows:

- 9) Consider Approval of 02-13-2012 Regular Meeting Minutes
- 10) Consider Approval of Mayde Creek High School Ram Band Boosters 10th Annual Cycling Event, Katy Ram Challenge, Saturday, April 14, 2012 (*start/finish Sun & Ski Sports*) (*portion inside city limits only*)

All voted Aye, and the motion carried.

Consider Final Plat for Katy Mills Sixth Partial Replat of Unrestricted Reserve "H", 2.5341 Acres, Abstract 292, 1 Reserve, 1 Block, Fort Bend County, Property is located on east side of Pin Oak Road and north side of Kingsland Boulevard, Record Owner is Global New Millennium Partners, Ltd. and Applicant is Costello, Inc.

Motion was made by Councilmember Schmidt, seconded by Councilmember Lawton, approving as printed and presented the Final Plat for Katy Mills Sixth Partial Replat of Unrestricted Reserve "H", 2.5341 Acres, Abstract 292, 1 Reserve, 1 Block, Fort Bend County, Property is located on east side of Pin Oak Road and north side of Kingsland Boulevard, Record Owner is Global New Millennium Partners, Ltd. and Applicant is Costello, Inc. All voted Aye, and the motion carried.

Acknowledge Receipt of the Annual State Mandated Tier I Racial Profiling Data Report for 2011 by the Katy Police Department (for information only, no action required)

City Council acknowledged receipt of the Annual State Mandated Tier I Racial Profiling Data Report for 2011 presented by the Katy Police Department.

Consider Convention and Tourism Bureau Application Katy Culture & Arts Alliance – FotoFest Katy 2012, March 16 - April 29, 2012, Amount Requested \$6,059.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity; Funding Programs that Enhance the Arts) (approved by CTB February 22, 2012)

Motion was made by Councilmember Lawton, seconded by Councilmember Adams, approving as printed and presented the Convention and Tourism Bureau Application Katy Culture & Arts Alliance – FotoFest Katy 2012, March 16 - April 29, 2012, Amount Requested \$6,059.00 (*Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity; Funding Programs that Enhance the Arts*). All voted Aye, and the motion carried.

Consider Convention and Tourism Bureau Application City of Katy – TXP, Inc., Phase I (Stakeholder Interviews and Existing Market Demand Assessment), Amount Requested \$9,110.60 (Funding the Establishment, Improvement or Maintenance of Convention Center or Visitor Information Center) (approved by CTB February 22, 2012)

Motion was made by Councilmember Lawton, seconded by Councilmember Adams, approving as printed and presented the Convention and Tourism Bureau Application City of Katy – TXP, Inc., Phase I (*Stakeholder Interviews and Existing Market Demand Assessment*), Amount Requested \$9,110.60 (*Funding the Establishment, Improvement or Maintenance of Convention Center or Visitor Information Center*). All voted Aye, and the motion carried.

Consider Convention and Tourism Bureau Application City of Katy – TXP, Inc., Phase II (Consulting Services), Amount Requested \$29,750.00 (Funding the Establishment, Improvement or Maintenance of Convention Center or Visitor Information Center) (approved by CTB February 22, 2012)

Motion was made by Councilmember Adams, seconded by Councilmember Schmidt, approving as printed and presented the Convention and Tourism Bureau Application City of Katy – TXP, Inc., Phase II (Consulting Services), Amount Requested \$29,750.00 (Funding the Establishment, Improvement or Maintenance of Convention Center or Visitor Information Center). All voted Aye, and the motion carried.

Consider Convention and Tourism Bureau Application Kramer Sports Co., LLC, dba Houston Stallions Football – 2012 Regular Season Home Games, Leonard E. Merrell Center (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity; Sporting Event in Which Majority of Participants are Tourists in Cities Located in a County with a Population of One Million or Less), Amount Approved \$33,431.84 (Amount Requested \$34,666.84) (approved by CTB February 22, 2012)

Motion was made by Councilmember Adams, seconded by Councilmember Lawton, approving as printed and presented the Consider Convention and Tourism Bureau Application Kramer Sports Co., LLC, dba Houston Stallions Football – 2012 Regular Season Home Games, Leonard E. Merrell Center (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity; Sporting Event in Which Majority of Participants are Tourists in Cities Located in a County with a Population of One Million or Less), Amount Approved \$33,431.84 (Amount Requested \$34,666.84). Councilmember Schmidt would like to see to requests prioritized to keep these funds in the City and for a portion of the revenue to be kept back to assist in paying for a city owned convention center. He believes the Stallions football team is a great asset to the City; however, he wants to leave behind something. The Mayor explained staff would be putting that into form in the near future. Councilmember Gore echoed Councilmember Schmidt's comments. All voted Aye, and the motion carried.

Consider Convention and Tourism Bureau Application City of Katy – 2012 Katy Area Chamber of Commerce Official Community Resources and Relocation Guide (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity), Amount Requested \$2,199.00 (approved by CTB February 22, 2012)

Councilmember Schmidt, seconded by Councilmember Hughes, approving as printed and presented the Convention and Tourism Bureau Application City of Katy – 2012 Katy Area Chamber of Commerce Official Community Resources and Relocation Guide (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity), Amount Requested \$2,199.00. All voted Aye, and the motion carried.

Councilmembers' Report

Councilmember Schmidt thanked David Aguilar, Republic Services for their cleanup efforts after the recent Katy F.F.A. Rodeo Parade; he believes they went above and beyond. Councilmember Adams congratulations to Keep Katy Beautiful Board and Chairman Sandy Schmidt for their recent recognition by The Arbor Day Foundation as being named a Tree City USA® community for 2011, and expressed thanks for their accomplishment. Councilmember Gore thanked the Mayor for the proclamation recognizing those with essential tremors and explained his father-in-law suffered from tremors, he was glad the Mayor made the community aware of this. Councilmember Hughes expressed concern for those veterans that return home from the war and he believes the government treats them as second class. He spoke of the recent event which recognized the two heroes from Cinco Ranch.

Mayor's Reports

The Mayor commented on the Chamber and Art Galas as being excellent events. He spoke of the previous auction amounts being broken at the Katy F.F.A. event, the emotional extreme house makeover event for the young military woman who had served in Afghanistan and had lost both legs. He encouraged all to remember those returning from the war.

Adjourn

Motion was made by Councilmember Hughes, seconded by Councilmember Lawton, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:05 p.m.



Mayor

ATTEST:



City Secretary