

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, April 9, 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

The following City Official was absent:

David Leyendecker, City Engineer

Proclamation Recognizing April as "Jazz Appreciation Month in Katy"

The Mayor read and presented a Proclamation recognizing April as "Jazz Appreciation Month in Katy" to Bob Bryant, Katy Independent School District, Executive Director of Fine Arts. Bryant announced the West Houston Jazz Festival/Katy Guitar Festival will be held at Katy High School the last weekend of April 2012.

Public Hearing for Amendment to the Zoning Ordinance by Adding Subsection 13.5 to Section 13, "MH" Mobile Home District, to Allow for the Location of a HUD-Code Manufactured Home within a Municipal Utility District for a 12 Month Period to Confirm the Creation of the Municipal Utility District

The Mayor opened a Public Hearing for the purpose of proposed Amendment to the Zoning Ordinance by Adding Subsection 13.5 to Section 13, "MH" Mobile Home District, to Allow for the Location of a HUD-Code Manufactured Home within a Municipal Utility District for a 12 Month Period to Confirm the Creation of the Municipal Utility District at 6:38 p.m. All were given an opportunity to be heard and there were no public comments. The Mayor closed the Public Hearing at 6:39 p.m.

Ordinance No. 2530 for an Amendment to the Zoning Ordinance by Adding Subsection 13.5 to Section 13, "MH" Mobile Home District, to Allow for the Location of a HUD-Code Manufactured Home within a Municipal Utility District for a 12 Month Period to Confirm the Creation of the Municipal Utility District

Motion was made by Councilmember Schmidt, seconded by Councilmember Adams, approving as printed and read (*caption*) an Ordinance (*No. 2530*) Amending the Zoning Ordinance by Adding Subsection 13.5 to Section 13, "MH" Mobile Home District, to Allow for the Location of a HUD-Code Manufactured Home within a Municipal Utility District for a 12 Month Period to Confirm the Creation of the Municipal Utility District. All voted Aye, and the motion carried.

Public Hearing for Proposed Amendment to the Zoning Ordinance to Allow for the Use of Changeable Electronic Variable Message Signs (CEVMS) by Public Schools for Governmental Purposes

The Mayor opened a Public Hearing for the purpose of Proposed Amendment to the Zoning Ordinance to Allow for the Use of Changeable Electronic Variable Message Signs (CEVMS) by Public Schools for Governmental Purposes at 6:41 p.m. All were given an opportunity to be heard the there were no public comments. The Mayor closed the Public Hearing at 6:42 p.m.

Ordinance Failed for Proposed Amendment to the Zoning Ordinance to Allow for the Use of Changeable Electronic Variable Message Signs (CEVMS) by Public Schools for Governmental Purposes

Motion was made by Councilmember Schmidt, seconded by Councilmember Lawton, to deny approval of the Ordinance for the Proposed Amendment to the Zoning Ordinance to allow for the use of changeable electronic variable message signs (CEVMS) by Public Schools for governmental purposes. Councilmember Hughes commented the City currently has this type of sign on F.M. 1463 at the Katy Independent School District Administration Building and he does not see it impeding traffic. Councilmember Gore asked if this type of sign was allowed, would it open the door to others, would it be setting precedence. City Attorney Art Pertile explained it would not necessarily be setting precedence, but it would open the door for others to request. He commented the City has previously said no to banks and other requestors. Councilmember Schmidt commented it has never been allowed in the past. City Attorney Pertile explained this type of signs have not been allowed since they were banned. Votes were as follows: Ayes – Adams, Gore, Lawton, Schmidt; and, Noes – Hughes. The motion to deny approval passed, causing the ordinance to fail.

Comments from the Audience

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

Approval of 03-26-2012 Regular Meeting Minutes

Motion was made by Councilmember Gore, seconded by Councilmember Lawton, approving as printed and presented Minutes of the 03-26-2012 Regular Meeting. All voted Aye, and the motion carried.

Convention and Tourism Bureau Application for Katy Ski Jam – 2011 Katy Ski Jam, Lakes of Katy, Waller County, October 14-15, 2011, Amount Requested - \$11,801.01 (sporting events in which majority of participants are tourists in cities located in a county with a population of one million or less) (approved by Convention and Tourism Bureau 03-28-2012)

Financial Director Byron Hebert reported there were no representatives for the proposed Convention and Tourism Bureau Application for Katy Ski Jam. City Attorney Art Pertile explained City Council had two options; act on the item as printed in the meeting packet or defer until there are representatives present. Motion was made by Councilmember Schmidt, seconded by Councilmember Adams, deferring consideration of the Convention and Tourism Bureau Application for Katy Ski Jam until representatives are present. All voted Aye, and the motion carried.

Convention and Tourism Bureau Application for Southland Conference – 2013 Basketball Tournament, Merrell Center, Fort Bend County, March 12-16, 2013, Amount Requested - \$110,000.00 (tourism-related advertising and promotion of the City of Katy and its vicinity' sporting events in which majority of participants are tourists in cities located in a county with a population of one million or less) (approved by Convention and Tourism Bureau 03-28-2012)

Tom Burnett, Southland Conference, reported on another successful basketball event and commented on the increasing attendance. He spoke of the additional hotels located within the city limits and complimented the City on their hospitality. He gave a brief presentation on the recent Southland Conference 2012 Basketball Tournament held on March 6-10, 2011, at the Merrell Center. He reported the tournament involved 16 teams and over 12,000 fans throughout the event and over 100 media members in attendance from national and expanded television stations. Burnett reported the event accounted for approximately 1100 hotel room nights. He believes an additional 500-700 rooms were occupied during the event. He spoke of the winning teams, the various types of advertising throughout the Southland Conference area, the City's promotional video being run on various broadcast stations and the numerous vouchers presented to students in the local schools. He spoke of the great relationship the City has with Southland Conference personnel. Burnett explained the Merrell Center has reserved the dates for the 2013 event to be held March 12-16. He asked for Council's approval of the requested funds. Motion was made by Councilmember Adams, seconded by Councilmember Lawton, approving the Convention and Tourism Bureau Application for Southland Conference, 2013 Basketball Tournament, Amount Requested \$110,000.00 (tourism-related advertising and promotion of the City of Katy and its vicinity' sporting events in which majority of participants are tourists in cities located in a county with a population of one million or less). All voted Aye, and the motion carried.

Resolution No. 482 Increasing the Number of Members of the Hazard Mitigation Committee to Thirteen and Appointing Three New Members

Motion was made by Councilmember Hughes, seconded by Councilmember Gore, approving as printed and presented a Resolution (No. 482) increasing the number of members of the Hazard Mitigation Committee to thirteen and appointing three new members. All voted Aye, and the motion carried.

Resolution No. 483 Increasing the Number of Members of the Local Emergency Planning Committee to Thirteen and Appointing One New Member

Motion was made by Councilmember Hughes, seconded by Councilmember Gore, approving as printed and presented a Resolution (No. 483) increasing the number of members of the Local Emergency Planning committee to thirteen and appointing one new member. All voted Aye, and the motion carried.

Ordinance Failed for Proposed Amendment to Section 8.303 of Katy Code Of Ordinances to Provide for a Membership Fee for Non-Katy Residents to Participate in Activities and Programs Provided at the Social Services Building

Motion was made by Councilmember Hughes, seconded by Councilmember Gore, to deny the proposed Ordinance Amending Section 8.303 of Katy Code of Ordinances to provide for a Membership Fee for Non-Katy Residents to Participate in Activities and Programs provided at the Social Services Building. Councilmember Schmidt understood that by denying the fee, it would be placing the financial burden on the residents and tax payers of the City. City Administrator Nelson replied yes. Councilmember Schmidt asked City Attorney Pertile if this type of fee is being charged in other cities. City Attorney Pertile explained it is not uncommon

Ordinance Failed for Proposed Amendment to Section 8.303 of Katy Code Of Ordinances to Provide for a Membership Fee for Non-Katy Residents to Participate in Activities and Programs Provided at the Social Services Building (cont'd)

and for there to be a residents fee and a non-resident fee. He commented the City is currently charging a resident and non-resident fee in the Parks and Recreation Department. Councilmember Lawton expressed he very appreciate of the fact that City Administrator Nelson and City staff find ways to save monies; however, his feelings are for the senior citizens, by allowing them to participate without charge and be able to have their friends go without charge. Councilmember Gore explained he had talked to citizens and had received an overwhelming response to not charge the seniors the fee. Councilmember Hughes believes this is a great way to give back to the seniors, since a lot on fixed incomes. Councilmember Schmidt it is not the honor and respect that is the issue, it is how to finance the project. Votes were cast as follows: Ayes – Gore, Hughes, Lawton; Noes – Adams, Schmidt. The motion to deny approval passed, causing the ordinance to fail.

Ordinance No. 2531 Amending the "Fee Schedule" of the Katy Code of Ordinances to Increase Ambulance Service Charges

Motion was made by Councilmember Schmidt, seconded by Councilmember Adams, to approve Amending the "Fee Schedule" of the Katy Code of Ordinances to Increase Ambulance Service Charges. All voted Aye, and the motion carried.

Councilmembers' Report

Councilmember Hughes thanked all in attendance and commented it was nice to see senior citizens in attendance. Councilmember Gore thanked all for attending to let their voices be heard. Councilmember Lawton commented it always does his heart good to see individuals who are interested. He thanked the representatives from Southland conference and Katy Jazz Festival.

Mayor's Reports

The Mayor also thanked those in attendance for and supporting the City. He commented he is looking forward to the Katy Police Officers' Association Annual Fish Fry to be held on Tuesday, April 10, 2012, at the L. D. Robinson Pavilion. He announced that the grand opening for the Fussell Senior Citizen Center would be within the month.

Adjourn

Motion was made by Councilmember Schmidt, seconded by Councilmember Lawton, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:13 p.m.



Mayor

ATTEST:



City Secretary