

MINUTES OF REGULAR CITY COUNCIL MEETING**Call to Order**

The City Council of the City of Katy, Texas, convened in regular session Monday, June 11, 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
Carol Adams, Councilmember
Larry Gore, Councilmember
Fabol R. Hughes, Councilmember
Bill Lawton, Councilmember
Steve Pierson, Councilmember
Art Pertile, III, City Attorney
Missy Bunch, City Secretary
Johnny Nelson, City Administrator
David Leyendecker, City Engineer

Keep Katy Beautiful Board - Announce 2012 Legacy Trees

Sandy Schmidt, Keep Katy Beautiful Board Chairman announced the 2012 Legacy Trees had been selected. She explained that she, Julia Barta, Board Member and Mickey Merritt, Staff Forester III, Texas Forest Service, had inspected numerous trees and considered recognition of Katy's iconic, historic and outstanding trees based on age, size, species, quality, historic association and/or landmark importance. Schmidt gave a brief presentation of the 2012 Legacy Trees and reported a list of the trees will be placed on the City's website. The Mayor thanked the owners of the trees for their attendance at the meeting.

Public Hearing for Proposed Amendment for Private Street Subdivisions, Including Reducing the Minimum Lot Size from 11,500 Square Feet and Reducing the Minimum Lot Width from 75 Foot on Rectangular Lot

The Mayor opened a Public Hearing at 6:45 p.m. for Proposed Amendment for Private Street Subdivisions, Including Reducing the Minimum Lot Size from 11,500 Square Feet and Reducing the Minimum Lot Width from 75 Foot on Rectangular Lot. The following spoke: 1) Grant Grimes, Vice President-Land Investments, Taylor Morrison, 9802 St. Romain, Katy Texas, spoke in favor of the proposed amendment and believes to be good for the City. The Mayor closed the Public Hearing at 6:47 p.m.

Proposed Ordinance (tabled) for Proposed Amendment for Private Street Subdivisions, Including Reducing the Minimum Lot Size from 11,500 Square Feet and Reducing the Minimum Lot Width from 75 Foot on Rectangular Lot

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance for a proposed Amendment for Private Street Subdivisions, Including Reducing the Minimum Lot Size from 11,500 Square Feet and Reducing the Minimum Lot Width from 75 Foot on Rectangular Lot. Motion was made by Councilmember Adams, seconded by Councilmember Pierson, tabling the proposed ordinance for an Amendment for Private Street Subdivisions, Including Reducing the Minimum Lot Size from 11,500 Square Feet and Reducing the Minimum Lot Width from 75 Foot on Rectangular

Proposed Ordinance (tabled) for Proposed Amendment for Private Street Subdivisions, Including Reducing the Minimum Lot Size from 11,500 Square Feet and Reducing the Minimum Lot Width from 75 Foot on Rectangular Lot (cont'd)

Lot, until a committee is appointed to review and study the proposed lot size change. Councilmember Adams explained she wants fairness to all future developers and believes by appointing a committee the related issues for the proposed change could be done at one time, instead of resolving the issue for this one development and then returning at a later date to resolve the next similarly related issue. Councilmember Gore understood Councilmember Adams concerns; however, he believes the proposed ordinance should not be tabled; it should be approved allowing the developer to move forward. Councilmember Lawton withdrew his motion for approval of the proposed Ordinance. Votes were cast as follows for the motion to table: Ayes – Adams, Lawton, Pierson; Noes – Gore, Hughes. Motion to table was approved. The Mayor spoke of appointing a committee.

Comments from the Audience

The Mayor announced there would be a three minute limit and only three speakers per topic could speak. The following were heard: 1) Kay Callender, 906 Carnation, thanked the Mayor and City Council for negotiating a wonderful contract with Republic Waste for recycling at a cost of an additional \$.59 per month or less than \$.30 per pickup. She explained that over 14.7 metric tons of recycling that had been diverted from landfill, which had been retrieved with the first recycling pickup for the City.

Consent Agenda

Motion was made by Councilmember Pierson, seconded by Councilmember Adams, to approve the Consent Agenda as printed and presented as follows:

- 7) Consider Approval of Meeting Minutes
 - A) 04-09-2012 Regular Meeting
 - B) 04-23-2012 Regular Meeting
- 8) Consider Approval of 19th Annual Jeff & Brede's Intergalactic Triathlon, to be held Sunday, 07-08-2012, Houston Racing Triathlon Club (*start/finish Mary Jo Peckham Park*)

All voted Aye, and the motion carried.

Proposed Resolution (failed) Setting Rates for Non-Consent Tows of Vehicles

Motion was made by Councilmember Pierson. The motion for the proposed Resolution setting rates for Non-Consent Tows of vehicles, died for the lack of a second.

Resolution No. 486 Authorizing the Mayor to sign an Interlocal Agreement with Harris County for Harris County to Administer a Regional Public Education Services Program in the Amount of \$7,474.06 for a Term of One Year (tabled 5-14-2012)

Motion was made by Councilmember Gore, seconded by Councilmember Adams, approving as printed and presented a Resolution (No. 486) Authorizing the Mayor to sign an Interlocal Agreement with Harris County for Harris County to Administer a Regional Public Education Services Program in the Amount of \$7,474.06 for a Term of One Year. Councilmember Gore understood this is a Federally mandated rule and it a lot cheaper for Harris County by Interlocal Agreement to provide this service, rather than the City handling it. All voted Aye, and the motion carried.

Resolution No. 487 Approving the Issuance of Refunding of 2002 Bonds by Katy Development Authority

Motion was made by Councilmember Gore, seconded by Councilmember Hughes, approving as printed and presented a Resolution (No. 487) Approving the Issuance of Refunding of 2002 Bonds by Katy Development Authority. City Financial Advisor, Eugene B. Shepherd, RBC Capital Markets, Houston, Texas, explained the purpose of the proposed resolution is for refinancing of the Series 2002 Bonds, issued by Katy Development Authority and approved by the City of Katy to finance the Merrell Center on behalf of the Katy Independent School District. The initial interest rates ranged from 2 ¼ to 6 1/8 percent. He explained a buyer had found for a refunding portion and will be privately placed with Regions Bank. A portion of the debt services reserve funds which had been set aside for that issue. The amount outstanding of the 25.590 million is 18.8 million. It is planned to refinance the 18.8 million with issue of bonds in the amount of approximately 17.360 million. Shepherd explained this will reduce the debt amount by approximately 7.4 million, which is very attractive for the City of Katy and the Katy Independent School District. Bond Counsel Steve Robinson, Attorney, Allen Boone Humphries Robinson, commented that there were no City funds involved in this transaction. It was explained that Katy Independent School District had already approved the transaction. All voted Aye, and the motion carried.

Resolution No. 488 Authorizing the Mayor to Send a Letter to the City of Houston Requesting Release of Katy Elks Lodge Property so it may be Annexed into the City of Katy

Motion was made by Councilmember Pierson, seconded by Councilmember Hughes, approving as printed and presented a Resolution (No. 488) Authorizing the Mayor to Send a Letter to the City of Houston Requesting Release of Katy Elks Lodge Property so it may be annexed into the City of Katy. All voted aye, and the motion carried.

Consider Use of Reserve Funds to Purchase Radios/Pagers/Accessories for the Fire Department as part of the FCC P25 Upgrade Mandate, in the Amount of \$208,004.89, to be Purchased in Accordance with City Purchasing Procedures

Motion was made by Councilmember Hughes, seconded by Councilmember Adams, approving a printed and presented the Use of Reserve Funds to Purchase Radios/Pagers/Accessories for the Fire Department as part of the FCC P25 Upgrade Mandate, in the Amount of \$208,004.89, to be purchased in Accordance with City Purchasing Procedures. It was explained the compliance date is January 2013. All voted Aye, and the motion carried.

Convention and Tourism Bureau Application for City of Katy – Television Advertising, The KUBE Channel 57 (tourism-related advertising & promotion of the City of Katy and its vicinity) Amount Requested is \$4,500.00 (approved by CTB 05-23-2012)

City's Finance Director Byron Hebert explained the proposed request for television advertising on The KUBE Channel 57, is one way for the City to utilize Hotel Occupancy Tax funds. The advertising is a 30 second commercial to air at different times of the day. Motion was made by Councilmember Lawton, seconded by Councilmember Hughes, approving the Convention and Tourism Bureau Application for City of Katy – Television Advertising, The KUBE Channel 57 (tourism-related advertising & promotion of the City of Katy and its vicinity) Amount Requested is \$4,500.00. All voted Aye, and the motion carried.

Convention and Tourism Bureau Application for City of Katy – Re-Edit Standard Print Ad (Nov 2011); Video Vignette & Print Ad Updates (Apr 2012) (tourism-related advertising & promotion of the City of Katy and its vicinity) Amount Requested is \$5,300.00 (approved by CTB on 05-23-2012)

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, approving the Convention and Tourism Bureau Application for City of Katy – Re-Edit Standard Print Ad (Nov 2011); Video Vignette & Print Ad Updates (Apr 2012) (tourism-related advertising & promotion of the City of Katy and its vicinity) Amount Requested is \$5,300.00. All voted Aye, and the motion carried.

Consider Demolition of Social Services Building Located at 905 Avenue C

Motion was made by Councilmember Lawton, seconded by Councilmember Hughes, approving the consideration of demolition of the Social Services building located at 905 Avenue C. Councilmembers asked about future plans for the shrubs, possible use of building, future use of the site and the possible cost to demolish the building. The Mayor explained that bids will be received and be brought back to City Council for consideration. All voted aye, and the motion carried.

Councilmembers' Report

Councilmember Pierson thanked City employees and the public for their attendance and witnessing the business at hand at this meeting. He believes it take all to make Katy what it is. Councilmember Adams thanked Keep Katy Beautiful Board for the 1896 Welcome to the Heart of Katy sign. She wished City Engineer David Leyendecker a Happy Birthday. Councilmember Gore welcomed Councilmember Pierson to his first meeting and commented that Councilmember Lawton is no longer the rookie. He thanked those for comments from the audience. Councilmember Lawton welcomed Councilmember Pierson and stated he was thrilled not to be the rookie on Council any longer.

Mayor's Reports

The Mayor had no report.

Adjourn

Motion was made by Councilmember Hughes, seconded by Councilmember Pierson, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:12 p.m.



Mayor

ATTEST:



City Secretary