

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

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

The following City Official was absent:

Johnny Nelson, City Administrator

Proclamation Recognizing Friday, July 13, 2012 as "Cow Appreciation Day" for Chick-fil-A

The Mayor had prepared a Proclamation recognizing Friday, July 13, 2012 as "Cow Appreciation Day" for Chick-fil-A. Representatives were unable to attend; therefore, the Proclamation will be delivered to Chick-fil-A representatives.

Keep Katy Beautiful Board Presentation of Katy Proud Business Award to Amazing Grace Hospice located at 5502 Fourth Street

Sharon Rhoads, Keep Katy Beautiful Board Member, read a letter from Amazing Grace Hospice explaining the benefits of their facility, after which she presented the Keep Katy Beautiful Board "Katy Proud Business Award". Amazing Grace Hospice is located at 5502 Fourth Street.

Public Hearing for Proposed Special Use Permit for Institution of Religious Nature (Iglesia Bautista Hispana Emanuel) in a "C-1" Commercial District, as Allowed by Section 15.2-5, Katy Zoning Ordinance, Property Requesting Special Use Permit is Located at 5024 E. Fifth Street, Tract 24C, Motheral Section 2, Harris County, and Situated on the North Side of E. Fifth Street and Being the Fifth Lot West of Katy Fort Bend County Road

The Mayor opened a Public Hearing at 6:39 p.m. for Proposed Special Use Permit for Institution of Religious Nature (Iglesia Bautista Hispana Emanuel) in a "C-1" Commercial District, as allowed by Section 15.2-5, Katy Zoning Ordinance, the property requesting the Special Use Permit is located at 5024 E. Fifth Street, Tract 24C, Motheral Section 2, Harris County, and situated on the north side of E. Fifth Street and the fifth lot west of Katy Fort Bend County Road. All were given an opportunity to be heard and there were no public comments. The Mayor closed the Public Hearing at 6:40 p.m.

Denied - Ordinance for Proposed Special Use Permit for Institution of Religious Nature (Iglesia Bautista Hispana Emanuel) in a "C-1" Commercial District, as Allowed by Section 15.2-5, Katy Zoning Ordinance, Property Requesting Special Use Permit is Located at 5024 E. Fifth Street, Tract 24C, Motheral Section 2, Harris County, and Situated on the North Side of E. Fifth Street and Being the Fifth Lot West of Katy Fort Bend County Road

Motion was made by Councilmember Pierson, seconded by Councilmember Hughes to approve the proposed Ordinance for a proposed Special Use Permit for an Institution of Religious Nature (Iglesia Bautista Hispana Emanuel) in a "C-1" Commercial District, the property is located at 5024 E. Fifth Street, Tract 24C, Motheral Section 2, Harris County. Councilmembers expressed concern for inadequate parking, shared parking possible parking on the street and the proposed institute of religious nature not owning adequate property to meet the required parking spaces. City Attorney Pertile explained that prior to opening the facility would have to comply with the required number of parking spaces and they would have to be paved and not a grassy area. Votes were cast as follows: Ayes – Lawton; Noes – Adams, Gore, Hughes, Pierson. The motion failed; therefore, the Ordinance is denied.

Comments from the Audience

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

Consider 2012 Membership Dues for Texas Downtown Association in the Amount of \$95.00

Motion was made by Councilmember Pierson, seconded by Councilmember Adams, approving as printed and presented 2012 Membership Dues for Texas Downtown Association in the amount of \$95.00. All voted Aye, and the motion carried.

Convention and Tourism Application for City of Katy – Visitor Information Center/The Depot - Restoration and Maintenance, Fiscal Year 2011-2012 (Funding the Establishment, Improvement or Maintenance of Visitor Information Center) – Amount Requested: \$40,684.00 (approved by CTB 06-28-2012)

Financial Director Byron Hebert explained the proposed Convention and Tourism Application for City of Katy – Visitor Information Center/The Depot - Restoration and Maintenance, Fiscal Year 2011-2012 in the amount requested of \$40,684.00 is to redo the roof to its original design. He explained since the quotes received were under \$50,000.00 the bidding process was not required. He gave a brief description of the proposed product which is a plastic product made to look like wood and it has a 50 year warranty. Motion was made by Councilmember Adams, seconded by Councilmember Pierson, approving the Convention and Tourism Application for City of Katy – Visitor Information Center/The Depot - Restoration and Maintenance, for Fiscal Year 2011-2012 (Funding the Establishment, Improvement or Maintenance of Visitor Information Center) – Amount Requested: \$40,684.00. All voted Aye, and the motion carried.

Convention and Tourism Application for City of Katy – Radio Advertising, Texas Sports Radio Network (TSRN) – Fiscal Years 2011-2012 and 2012-2013 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity) – Amount Requested: \$7,200.00 (approved by CTB 06-28-2012)

Finance Director Byron Hebert explained the proposed Convention and Tourism Application for City of Katy – Radio Advertising, Texas Sports Radio Network (TSRN) – Fiscal Years 2011-2012 and 2012-2013 in the amount requested of \$7,200.00, is the annual advertising. Motion was made by Councilmember Lawton, seconded by Councilmember Hughes, approving as printed and presented the Convention and Tourism Application for City of Katy –

Convention and Tourism Application for City of Katy – Radio Advertising, Texas Sports Radio Network (TSRN) – Fiscal Years 2011-2012 and 2012-2013 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity) – Amount Requested: \$7,200.00 (approved by CTB 06-28-2012) (cont'd)

Radio Advertising, Texas Sports Radio Network (TSRN) – Fiscal Years 2011-2012 and 2012-2013 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity) – Amount Requested: \$7,200.00. All voted Aye, and the motion carried.

Discuss and Consider Previously Approved Convention and Tourism Grant Application for Kramer Sports Co., LLC, dba Houston Stallions Football – 2012 Regular Season Home Games, Leonard E. Merrell Center – Amount Approved: \$33,431.84; Reimbursed to Date: \$10,252.63 (approved by CTB 02-22-2012 and Council 02-27-2012)

Finance Director Byron Hebert recommended that the previously approved Convention and Tourism Grant Application for Kramer Sports Co., LLC, dba Houston Stallions Football – 2012 Regular Season Home Games, Leonard E. Merrell Center in the amount approved of \$33,431.84; with reimbursements to date for \$10,252.63, be reconsidered since it appears the football league was dissolved. He requested that City Council consider paying any invoices prior to June 5, 2012, the date dissolved. He believes if any invoices came forward they would be for advertising only. Motion was made by Councilmember Lawton, seconded by Councilmember Gore, approving the recommendation to not pay for any invoices dated after June 5, 2012 for the previously approved Convention and Tourism Grant Application for Kramer Sports Co., LLC, dba Houston Stallions Football – 2012 Regular Season Home Games, Leonard E. Merrell Center. All voted Aye, and the motion carried.

Ordinance No. 2539 Amending Section 1.2818(d) “Eligibility” of Article 1.2800 “Parks and Recreation” of Katy City Code to Allow Use of City Parks by Retail Businesses at City Sponsored Events

City Attorney Art Pertile explained the proposed Ordinance Amending Section 1.2818(d) “Eligibility” of Article 1.2800 “Parks and Recreation” of Katy City Code to allow use of City Parks by retail businesses at City sponsored events was brought before City Council for consideration as a result of numerous events in which vendors want to sell items at various events. He explained the proposal is for vendors to be allowed in city parks only if the event is sponsored by the City of Katy. All events in which this could occur would be considered by the City Parks and Recreation Board. Motion was made by Councilmember Gore, seconded by Councilmember Adams, approving as printed and read (*caption*) an Ordinance (*No. 2539*) Amending Section 1.2818(d) “Eligibility” of Article 1.2800 “Parks and Recreation” of Katy City Code to allow for the use of City Parks by retail businesses at City sponsored events. All voted Aye, and the motion carried.

Councilmembers’ Report

Councilmember Lawton complimented the V.F.W. Post 9182 for their successful July 4th annual event. He complimented the great job done on the fireworks and was thankful for the rain which help to contain the fire problems. Councilmember Adams thanked Jamie Wolman for working this past year to improve the depot, since it is in bad need of repair.

Mayor’s Reports

The Mayor announced he had also attended the V.F.W. July 4th celebration and that it was a great success. He thanked all involved for the successful fireworks event.

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 7:11 p.m.



Mayor

ATTEST:



City Secretary