

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

The City Council of the City of Katy, Texas, convened in regular session Monday, November 12, 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  
Johnny Nelson, City Administrator  
David Leyendecker, City Engineer

**Proclamation Recognizing Katy Municipal Court Clerk Sherri Brandt for receiving Texas Court Clerks Association Distinguished Service Award**

The Mayor read and presented Sherri Brandt with a Proclamation recognizing her for receiving the Texas Court Clerks Association Distinguished Service Award. She is one of the sixteen out of 800 to receive this award. She thanked all for the recognition. Municipal Court Clerk Elaine Brown spoke highly about Brandt and expressed gratitude for Brandt and the Municipal Court employees giving Brown piece of mind when her mother passed away and court was able to continue and the office handled properly and ethically during Brown's absence.

Councilmember Adams presented Municipal Court Clerk Elaine Brown with a wooden plaque of the Texas State Seal, which had been handcrafted by Adams, for placement in the entrance hall of Katy Municipal Court. Brown thanked Councilmember Adams.

**Personal Appearance: Jennifer Howard - The Pond at the City of Katy Dog Park**

Jennifer Howard, Katy resident, Katy business owner and City of Katy Parks and Recreation Board Member, explained she had recently heard there was a proposal to fill in the pond at the City of Katy Dog Park and was very upset to hear this. She commented that she had been receiving conflicting information about the pond and decided it was best to discuss the issue with City Council. She feels the dog park is the most used park in the City by both citizens and non-citizens and approximately 40% utilize the pond. She believes as a resident, business owner and dog owner the pond needs to remain; however, she thinks it needs to be improved or modified. She would like to personally see bids from contractors with dog pond/pool experience. The proposed pond/pool needs to have regular maintenance and believes current Parks Department personnel would be able to accomplish this. She understood that Harris County do not have their dog ponds contracted out, they build them with staff members. She commented that the City has Charles Stiles on staff and he is an expert in concrete and Howard has the confidence that he could accomplish the task. She had spoken with former City of Katy Parks and Recreation Director Jennifer Jones about the dog pond. Jones had explained the pond was not to be a permanent fixture, but a temporary pond until the funds were available

**Personal Appearance: Jennifer Howard - The Pond at the City of Katy Dog Park (cont'd)**

to construction a real pond. Howard explained Jones would be willing to speak to City Councilmember about the original thoughts behind the current pond and the bids that were received for the pond during the time of the original opening of the dog park.

John Stanley, 1824 Pine Needle, remembered when the dog park was being opened and all City Councilmembers were smiling and the dog owners were enjoying the park. He commented the dog wash area is like a sewage treatment plant with dog hair on the drains and he commented the entry way should be washed down at least every two weeks or so. He commented he takes his dog every day to the dog park and the dog needs to be able to cool off in the pond.

Councilmembers agreed the problems with the dog pond at the City Dog Park need to be corrected, maintained properly by city employees; however, Councilmember Gore believes a cost estimate should be received and all factors be known prior to making a decision. Councilmember Adams understood the importance of getting good bids, but believes it is important to move forward with the project, since it is a budgeted item, and does not believe it should come back to City Council for approval. The Mayor explained there is \$80,000.00 budgeted for the dog park. Councilmember Gore asked about the proposed restrooms. The Mayor recommended the proposed improvements to the dog pond should be reviewed by the City of Katy Parks and Recreation Board and report back to City Council with their findings at the December 2012 City Council meeting. Motion was made by Councilmember Gore, seconded by Councilmember Hughes, recommending that The Pond at the City of Katy Dog Park be referred to the City of Katy Parks and Recreation Board for review and the study be presented with recommendation to City Council in December 2012. All voted Aye, and the motion carried.

**Comments from the Audience**

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

**Consider Approval of 10-22-2012 Regular Meeting Minutes**

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, approving as printed and presented 10-22-2012 Regular City Council Meeting Minutes. All voted Aye, and the motion carried.

**Consider Final Plat for CLS Technology, 3.811 Acres, Motheral Second Addition, Lots 34 and 35, One Block, Two Reserves, Harris County, Record Owner is Darmar Corporation and Applicant is Weisser Engineer Company**

Motion was made by Councilmember Pierson, seconded by Councilmember Hughes, approving as printed and presented the Final Plat for CLS Technology, 3.811 Acres, Motheral Second Addition, Lots 34 and 35, One Block, Two Reserves, Harris County, Record Owner is Darmar Corporation and Applicant is Weisser Engineer Company. All voted Aye, and the motion carried.

**Presentation by Katy Area Economic Development Council, Inc. - 2011-2012 City of Katy Report, Detailing Accomplishments and Future Plans**

Lance LaCour, President/CEO, Katy Economic Development Council, Inc., recognized attending Board Members and Frank Lombard, Vice President, Katy EDC. LaCour had

**Presentation by Katy Area Economic Development Council, Inc. - 2011-2012 City of Katy Report, Detailing Accomplishments and Future Plans (cont'd)**

presented Councilmember with copies of their Annual Report. LaCour proceeded with a brief overview of proposed projects that will be coming into the City of Katy or greater Katy area, including the Medline distribution center, West Ten Business park and Brazos Valley Schools Credit Union new building to name a few. LaCour announced the Katy EDC had relocated to the old Brazos Valley Schools Credit Union building located on F.M. 1463, a development map had been published and the creation of a new brand.

**Approval of 2012-2013 Annual Membership Dues for Katy Area Economic Development Council, Inc., at the Board of Governors Level in the Amount of \$15,000.00**

Councilmember Gore commended Katy EDC on promoting the City of Katy; however, as in past years he has looked for various ways to save the citizens money and believes that \$15,000.00 is an excessive amount. He believes that businesses will continue to come to Katy, even with the paying of a lesser amount of dues. He commented that staff is recommending the payment be half. LaCour spoke of Katy Independent School District and Harris County paying like amounts. Councilmember Adams commented she is active with Katy EDC and understands the value of the membership and promoting they do for the City of Katy. She believes the membership should be renewed at the proposed \$15,000.00. Councilmember Lawton explained he endorses Councilmember Gore's comments; however, he believes in the old adage "to make money, you have to spend money", so he thinks it is important that the City continue to grow the business base with Katy EDC as a partner. The Mayor explained he is on the Board of Governors and thinks the City of Katy is a major player on the Katy EDC and put pressure on them to remain within the city limits. He commended Lombard and LaCour for their work. The Mayor commented the funds are budgeted and believes in paying the full \$15,000.00 and continue to have representation on the Board of Governors. Motion was made by Councilmember Adams, seconded by Councilmember Pierson, approving as printed and presented the 2012-2013 Annual Membership Dues for Katy Area Economic Development Council, Inc., at the Board of Governors Level in the Amount of \$15,000.00. Votes were cast as follows: Ayes – Hughes, Adams, Lawton, Pierson; and, Noes – Gore. The motion carried.

**Consider Authorizing City Planning and Zoning Commission to Review and Prepare a Recommendation to City Council for a Proposed Amendment to Sign Regulations for Digital Outdoor Signs – Presentation by Clear Channel Digital Outdoor**

Lee Vela, Clear-Channel Outdoor, gave a brief presentation on the four structures currently in the Katy area, which are traditional vinyl billboards. He explained this type of billboard requires manpower to change out; however, with the digital units they have static messages that change every eight seconds and are programmed by remote. He explained Clear Channel builds and maintains the units at no cost to the city or any governmental agency and they provide time on the units for emergency management. He commented there are currently 15 units in the Houston area. Vela understood that cities have to decide if electronic displays are right for their community. He explained the Texas Department of Transportation has electronic/digital sign rules for State highways and these units cannot be placed on rural roads outside cities. Vela spoke of various uses for the proposed digital billboard, such as crime fighting units, Amber Alerts, Stop Houston Gangs program, FBI Regional Alerts and unlimited opportunities for Katy area events and promotions. He explained the proposal is to convert one structure on IH-10 west of Pin Oak Road with new technology and the will look into removing three structures on Highway 90. Councilmember Lawton asked how the billboard

**Consider Authorizing City Planning and Zoning Commission to Review and Prepare a Recommendation to City Council for a Proposed Amendment to Sign Regulations for Digital Outdoor Signs – Presentation by Clear Channel Digital Outdoor (cont'd)**

would be modified. Vela explained the proposal is for both east and west traffic. Councilmember Lawton expressed concerned with light intensity and is against this type of sign. He commented that other businesses have approached the City and have been denied. He asked about control for the lumens. It was suggested Councilmembers visit existing signs in other areas. Councilmember Pierson explained he has a problem with the sign on I-10 West around Barker Cypress, because it is distracting. He commented the intensity is a problem and other similar requests have been denied. Vela commented that studies have shown there is no correlation between this type of sign and accidents and would provide a video to show how this type of sign looks. Councilmember Adams stated she had read a report where it had been determined the technology is too new to assess safety on this type of sign and traffic and she is interested in knowing about the light intensity put out by these signs and she does not agree with Vela's statement that there is no correlation between these signs and accidents. Councilmember Adams stated she does not support the proposal. Councilmember Gore asked if an existing sign would be used. Vela responded, yes and they would take down their signs on Highway 90. Councilmember Gore expressed concern about the light pollution from the bright lights, and thinks there are too many unknowns to make a decision. Councilmember Hughes expressed concern with the content of the advertising on the signs. The Mayor expressed concern with the signs advertising gun shows, but believes the City needs some form of advertising means, but was unsure the proposal would be right for the community. Vela explained that Clear Channel monitors the content placed on the signs and believes this would be a good partnership for City. Motion was made by Councilmember Pierson, seconded by Councilmember Adams, that the request **not** be sent to the City Planning and Zoning Commission for review and not prepare a recommendation to City Council for a proposed amend to the sign regulation for digital outdoor signs. Votes were cast as follows: Ayes – Hughes, Adams, Gore, Pierson; Noes – Lawton. The motion to deny the request carried.

**Consider Convention and Tourism Bureau Application – City of Katy, 2012 Katy Mills Coupon Book, Amount Requested is \$3,500.00 (tourism-related advertising and promotion) (approved by CTB 10-24-2012)**

Motion was made by Councilmember Adams, seconded by Councilmember Pierson, approving as printed and presented the Convention and Tourism Bureau Application for the City of Katy, 2012 Katy Mills Coupon Book in the amount requested of \$3,500.00 (tourism-related advertising and promotion). All voted Aye, and the motion carried.

**Councilmembers' Report**

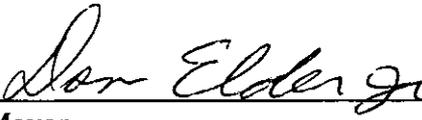
Councilmember Lawton thanked the citizens for their input for the dog park and stated it was a special day for our nation, Veterans Day. Councilmember Gore thanked the veterans for their service to our country and asked that they be kept in our prayers. Councilmember Adams also thanked the veterans for their service. She spoke of the recent work on the depot and how it resembles it original design. She thanked Jamie Wolman for coordinating the work. Councilmember Hughes explained he had attended the Katy Junior High program for the veterans along with the Mayor and Councilmember Adams and believes the veterans need top dollar assistance. Councilmember Pierson thanked the citizens for attending and for their comments. He thanked Katy EDC for the work they do in the community. He commented the service and the valor that veterans give to our nation.

Mayor's Reports

The Mayor announced the City wide garage sale to be held on Saturday, 11-17-2012, including the electronics recycling the same day at City Hall. He announced the Annual Holiday in the Plaza to be held on Thursday, 11-29-2012, from 5:30 to 7:30 p.m. The Mayor congratulated Sherri Brandt on her accomplishment and Elaine Brown for her plaque. He commended veterans for services to our nation and he read a poem thanking them.

Adjourn

Motion was made by Councilmember Pierson, seconded by Councilmember Adams, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 8:03 p.m.

  
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Mayor

ATTEST:

  
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City Secretary