

**MINUTES OF REGULAR CITY COUNCIL MEETING**

**Call to Order**

The City Council of the City of Katy, Texas, convened in regular session Monday, January 14, 2013, 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

**Public Hearing for Proposed Special Use Permit for Institution of Religious Nature (Iglesia de Dios) in a "C-2" General Business District, Allowed by Section 15.2-5, Katy Zoning Ordinance, Located at 5723 Robert Road, 0.477 Acres, Tract 50 (Tract 15A), Abstract 393, South East Corner of Roberts Road and Danover Road Intersection, Fort Bend County**

The Mayor opened a Public Hearing at 6:33 p.m. for a proposed Special Use Permit for an Institution of a Religious Nature (*Iglesia de Dios*) in a "C-2" General Business District, Allowed by Section 15.2-5, Katy Zoning Ordinance, Located at 5723 Robert Road, 0.477 Acres, Tract 50 (Tract 15A), Abstract 393, South East Corner of Roberts Road and Danover Road Intersection, Fort Bend County. All were given an opportunity to be heard and there were no comments. The Mayor closed the Public Hearing at 6:34 p.m.

**Ordinance No. 2555 for Proposed Special Use Permit for Institution of Religious Nature (Iglesia de Dios) in a "C-2" General Business District, Allowed by Section 15.2-5, Katy Zoning Ordinance, Located at 5723 Robert Road, 0.477 Acres, Tract 50 (Tract 15A), Abstract 393, South East Corner of Roberts Road and Danover Road Intersection, Fort Bend County**

Motion was made by Councilmember Pierson, seconded by Councilmember Hughes, approving as printed and read (*caption*) an Ordinance (*No. 2555*) for a Special Use Permit for Institution of Religious Nature (*Iglesia de Dios*) in a "C-2" General Business District, Allowed by Section 15.2-5, Katy Zoning Ordinance, Located at 5723 Robert Road, 0.477 Acres, Tract 50 (*Tract 15A*), Abstract 393, South East Corner of Roberts Road and Danover Road Intersection, Fort Bend County. All voted Aye, and the motion carried.

**Public Hearing for Proposed Special Use Permit for Institution of Religious Nature (Cornerstone Baptist Church) in a "C-2" General Business District, Allowed by Section 15.2-5, Katy Zoning Ordinance, Located at 121 F.M. 1463, 1880 Square Feet of Commercial Office Space, 0.9291 Acres, Tract 2, Abstract 155, East Side of F.M. 1463 across from Katy High School, South of Tiger Square Retail Center, Fort Bend County**

The Mayor opened a Public Hearing at 6:35 p.m. for a proposed Special Use Permit for an Institution of a Religious Nature (*Cornerstone Baptist Church*) in a "C-2" General Business

**Public Hearing for Proposed Special Use Permit for Institution of Religious Nature (Cornerstone Baptist Church) in a "C-2" General Business District, Allowed by Section 15.2-5, Katy Zoning Ordinance, Located at 121 F.M. 1463, 1880 Square Feet of Commercial Office Space, 0.9291 Acres, Tract 2, Abstract 155, East Side of F.M. 1463 across from Katy High School, South of Tiger Square Retail Center, Fort Bend County (cont'd)**

District, Allowed by Section 15.2-5, Katy Zoning Ordinance, Located at 121 F.M. 1463, 1880 Square Feet of Commercial Office Space, 0.9291 Acres, Tract 2, Abstract 155, East Side of F.M. 1463 across from Katy High School, South of Tiger Square Retail Center, Fort Bend County. The Mayor closed the Public Hearing at 6:36 p.m.

**Ordinance No. 2556 for Proposed Special Use Permit for Institution of Religious Nature (Cornerstone Baptist Church) in a "C-2" General Business District, Allowed by Section 15.2-5, Katy Zoning Ordinance, Located at 121 F.M. 1463, 1880 Square Feet of Commercial Office Space, 0.9291 Acres, Tract 2, Abstract 155, East Side of F.M. 1463 across from Katy High School, South of Tiger Square Retail Center, Fort Bend County**

Motion was made by Councilmember Hughes, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (*No. 2556*) for a Special Use Permit for an for Institution of Religious Nature (*Cornerstone Baptist Church*) in a "C-2" General Business District, Allowed by Section 15.2-5, Katy Zoning Ordinance, Located at 121 F.M. 1463, 1880 Square Feet of Commercial Office Space, 0.9291 Acres, Tract 2, Abstract 155, East Side of F.M. 1463 across from Katy High School, South of Tiger Square Retail Center, Fort Bend County. 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.

**Consent Agenda**

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

- 6) Consider Approval of 12-10-2012 Regular Meeting Minutes
- 7) Consider Approval of Events - Ready 2 Roll Cycle Club (*formally Conoco Phillips Bike Club*)
  - A) Saturday, 01-26-2013 (*start finish Katy Mills Mall, Sun & Ski, portion inside the city limits only*)
  - B) Saturday, 04-12-2013 (*start finish Katy Mills Mall, Sun & Ski, portion inside the city limits only*)
- 8) Consider Annual Membership Dues
  - A) Houston-Galveston Area Council (*H-GAC*) 2013 Annual Membership Dues in the Amount of \$564.08
  - B) Katy Area Chamber of Commerce 2013 Chairman Circle Membership Dues in the Amount of \$3,850.00
- 9) Declare Surplus Property
  - A) Vehicles to be Sold at Auction (*5-Ford Crown Victorias - Police Department; and, 1-Ford F250 Truck - Public Works Department*)
  - B) Equipment to be Sold at Auction - Street Department (*1-John Deere 4300 Tractor with 6' Belly Mower; 1-Mower; and, 1-John Deere 310D Loader-Backhoe*)
  - C) Furniture to be Sold at Auction (*4-office chairs*)

All voted Aye, and the motion carried.

**Consider Recommendation for City of Katy Dog Park Pond Renovations from Parks & Recreation Board, including Proposal from City Engineer (tabled at 12-10-2012 meeting)**

Motion was made by Councilmember Gore, seconded by Councilmember Lawton, approving as printed and presented in the City Engineer's letter of recommendation dated 01-10-2013, for

**Consider Recommendation for City of Katy Dog Park Pond Renovations from Parks & Recreation Board, including Proposal from City Engineer (tabled at 12-10-2012 meeting) (cont'd)**  
 the City of Katy Dog Park Pond Renovations. Councilmember Gore thanked the City Engineer for the good proposal, with a lower cost and he now believes the City is getting the best deal. City Engineer David Leyendecker explained the City Parks Department will be doing all the work and the credit should go to them. Councilmember Adams spoke of the maintenance and the scheduling of such. Councilmembers thanked the City Engineer for his recommendation. Votes were cast as follows: Ayes – Hughes, Adams, Gore, Lawton; and, Noes – Pierson. The motion to approve carried.

**Consider Final Plat for Katy Mills Second Partial Replat of Unrestricted Reserve "C", 2.7352 Acres, Abstract 1, 1 Reserve, 1 Block, Fort Bend County, Record Owner is KM Commercial Realty, LP and Applicant is Costello, Inc., Engineering and Surveying**  
 Motion was made by Councilmember Lawton, seconded by Councilmember Adams, approving as printed and presented the Final Plat for Katy Mills Second Partial Replat of Unrestricted Reserve "C", 2.7352 Acres, Abstract 1, 1 Reserve, 1 Block, Fort Bend County, Record Owner is KM Commercial Realty, LP and Applicant is Costello, Inc., Engineering and Surveying. All voted Aye, and the motion carried.

**Ordinance No. 2557 Designating School Zones for WoodCreek Elementary and WoodCreek Junior High Schools (on Kingsland Boulevard and WoodCreek Bend)**  
 Motion was made by Councilmember Lawton, seconded by Pierson, approving as printed and read (*caption*) an Ordinance (No. 2557) Designating School Zones for WoodCreek Elementary and WoodCreek Junior High Schools (*on Kingsland Boulevard and WoodCreek Bend*). City Attorney Pertile explained the proposed Ordinance has presented as a result of distance in the school zones. All voted Aye, and the motion carried.

**Ordinance No. 2558 Amending the City of Katy Investment Policy**  
 Motion was made by Councilmember Pierson, seconded by Councilmember Gore, approving as printed and read (*caption*) an Ordinance (No. 2558) Amending the City of Katy Investment Policy. All voted Aye, and the motion carried.

**Ordinance No. 2559 Amending the Employee Classification and Compensation Plan by Adding Human Resources Manager**  
 Motion was made by Councilmember Adams, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (No. 2559) Amending the Employee Classification and Compensation Plan by Adding Human Resources Manager. The Mayor explained with the City's growth, the need for a Human Resources Manager has become necessary. He commented that with the rapid change in personnel laws, there is a need for the proposed position full time position. Councilmember Hughes asked how close Administration was to filling the proposed position. The Mayor explained over 130 applications had been received and Administration was just waiting on the proposed ordinance to be approved. All voted Aye, and the motion carried.

**Councilmembers' Report**

Councilmember Pierson spoke of the great event for the City that happened in Dallas Cowboys Football Stadium, the winning of the State Championship by Katy High School Varsity Football Team. He spoke of the Katy Football Team as being listed as No. 2 in the nation. He

**Councilmembers' Report (cont'd)**

referenced several Katy High School football players that went on to play in the NFL. He commented that the City of Katy's Tax Assessor Collector Charlie Shafer was a large portion of the Katy High School football team winning the 1959 State Championship. He believes Katy High School is a home of champions and which also is in the City employees, the church families and the citizens. He thanked Katy High School for putting Katy on the map and for teaching good ethics and good behavior. He commented that the work on Katyland Drive is long overdue and that he saw that the construction barrels and signs are being put in place. He thanked Fire Chief Marc Jordan for the quick response from his EMS personnel, to what a potential tragedy at City Hall, by saving someone's' life. Councilmember Hughes echoed Councilmember Pierson's comments and thanked all for attending the meeting and for those who are involved. He expressed hope that the City would get some sunshine in the next few days and hoped all had a Merry Christmas and a Happy New Year. Councilmember Lawton echoed Councilmember Pierson's comments and expressed how proud he was of Katy High School Tigers and the entire school district. He thanked them for keeping Katy in the lime light. Lawton thanked the City Engineer for the solution to the dog pond and thanked the Boy Scouts for their attendance. Councilmember Gore echoed all the previous comments and expressed amazement to the Katy Tigers for their football team and their many State Championships. He spoke of his son being on the Katy High School Baseball team and he is able to see how the entire sports program works towards success. He thanked the football team for putting Katy on the map, along with duck and geese hunting.. He spoke of the upcoming filming of Katy. Councilmember Adams believes Katy is on the map for a lot of reasons. She also echoed previous Councilmembers' reports and spoke of how proud she was of the Katy Tigers. She also thanked the EMS for their quick response at City Hall. She wished everyone a Happy New Year and is looking forward to 2013.

**Mayor's Reports**

The Mayor thanked all City employees and individuals who have helped to fill in various positions and believes that is what makes the City of Katy was it is. He expressed appreciation to the EMS personnel for their quick action at City Hall last week. He thanked those involved for working with Harris County to find a solution to the dog park pond issue and he is looking forward the project being completed. The Mayor thanked all the Boy Scouts in the audience for their attendance. He recognized former Katy High School twirlers in the audience and spoke of the recent State Championship won by Katy High School Varsity Football team. He believes that Katy has the best mindset in the State and that is why Katy is the best. He expressed how proud he was of all schools in the Katy Independent School District with the various academics and athletics.

**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 7:03 p.m.

  
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 Mayor

ATTEST:

  
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 City Secretary