

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, February 25, 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
 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 Sunday, March 3, 2013, as "Lone Star Symphonic Band Day"

The Mayor read a Proclamation recognizing Sunday, March 3, 2013, as "Lone Star Symphonic Band Day" in Katy. Katy I.S.D. representatives including Bob Bryant, Executive Director of Fine Arts; Board Members - Beverly Emery, President; Karen Robertson, Board Member; and, Steven Johnson, Treasurer were present to accept the Proclamation. Bryant announced there was a concert to be held at CrossPoint Community Church in Katy this weekend.

Keep Katy Beautiful Board - Presentation of "Katy Proud Business" Award to Brazos Valley Schools Credit Union, located at 437 F.M. 1463

Dixie McDonald, Keep Katy Beautiful Board Member, presented representatives from Brazos Valley Schools Credit Union with the "Katy Proud Business" Award for their location at 437 F.M. 1463. McDonald gave a brief history of the Credit Union and thanked the representatives and their landscaping company for the excellent job done in maintain the landscaping.

Keep Katy Beautiful Board - Report on City Information Signs

The Mayor pulled from this item from the Agenda until additional information could be provided.

Comments from the Audience

Comments from the Audience included the following: 1) Cara Bonin 5409 E. Fourth Street, who thanked Councilmember Adams, Humane Officer David Brown and Police Chief Bill Hastings for their efforts in launching the new Katy Animal Control website. She believes this site would essential help the Humane Officers and those in the community. She requested that the animals be separate from the private flyers and that profiles on the Animal Control Officers be included, so citizens can be more familiar with them. She expressed concern about the Avenue B and Second Street intersection, since cross traffic does not stop east and west and others have to pull out well past the stop sign to see.

Bank Statement and Check Register thru 01-31-2013 (information items only)

There were no comments on the bank statement and check register thru 01-31-2013.

Consider Approval of 02-11-2013 Regular Meeting Minutes

Motion was made by Councilmember Lawton, seconded by Councilmember Adams, approving as printed and presented the 02-11-2013 Regular City Council Meeting Minutes. All voted Aye, and the motion carried.

Consider Final Plat for Katy Mills, Reserve H, Sixth Partial Replat (BlueWave Car Wash) 2.5341 Acres, 3 Reserves, 1 Block, Fort Bend County, Property is Located on the Northeast Corner of Kingsland Boulevard and Pin Oak Road

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and presented the Final Plat for Katy Mills, Reserve H, Sixth Partial Replat (BlueWave Car Wash) 2.5341 Acres, 3 Reserves, 1 Block, Fort Bend County, the property is located on the northeast corner of Kingsland Boulevard and Pin Oak Road. All voted Aye, and the motion carried.

Consider Extension of Preliminary Plat Approval for Falls at Green Meadows through the Month of August 2013 (approved by City Planning and Zoning Commission 08-28-2012, Preliminary Plat Approval to Expire 02-28-2013)

Motion was made by Councilmember Lawton, seconded by Councilmember Adams, approving as printed and presented an extension of the Preliminary Plat Approval for Falls at Green Meadows through the month of August 2013 (approved by City Planning and Zoning Commission 08-28-2012, Preliminary Plat Approval to Expire 02-28-2013). All voted Aye, and the motion carried.

Acknowledge Receipt of Updated Annual State Mandated Tier I Racial Profiling Data Report for 2012 by the Katy Police Department (for information only, no action required)

There were no comments on acknowledging the receipt of the Updated Annual State Mandated Tier I Racial Profiling Data Report for 2012 by the Katy Police Department.

Accept Final Report from the 2012-2013 Charter Review Commission

Motion was made by Councilmember Gore, seconded by Councilmember Pierson, accepting the Final Report from the 2012-2013 Charter Review Commission. All voted Aye, and the motion carried.

Proposed Improvement Plan to ISO (Insurance Services Office, Inc.) for City of Katy's Public Protection Classification - Presentation on Proposed Improvement Plan by Fire Chief Marc Jordan

Marc Jordan, Fire/EMS Administrative Director, explained an ISO (Insurance Services Office, Inc.) inspection had been completed recently and he had received notification that the City of Katy's Public Protection Classification that is currently at a 2 would be dropping to a 3. He explained the Fire Department side of the inspection fell short; however, they are allowing the City to submit an improvement plan to maintain the Public Protection Classification of 2. Jordan gave a brief PowerPoint presentation on manpower, apparatus, distribution of apparatus, training and dispatch capabilities. He explained the last analysis had been performed ten years ago. He spoke of how the City has grown and the Fire Department has not grown, unlike the Water Department came thru with flying colors. Jordan explained the homeowners insurance rates will go up, but not tremendously; however, the commercial businesses will. He explained the bigger issue is the Fire Department and safety issues. Jordan spoke of the current manpower consisting of twelve firefighters per shift and believes a short term fix is to hire six

Proposed Improvement Plan to ISO (Insurance Services Office, Inc.) for City of Katy's Public Protection Classification - Presentation on Proposed Improvement Plan by Fire Chief Marc Jordan (cont'd)

more firefighters per shift at an approximate cost of \$451,584.00 for the remainder of 2012-2013 Budget. He proposed an additional 50 part-time personnel, their required bunker gear at a cost of \$3,000.00 each for a total of \$150,000.00, and \$85.00 dues to Texas Commission on Fire Protection, for each totaling \$4,250.00. The total cost for these employees for fiscal year 2012-2013 is approximately \$623,834.00. Jordan spoke of apparatus and the required basic fire flow and the necessity of additional apparatus to meet the increased fire loads. He spoke of the necessity of additional fire trucks. Jordan explained there is a need for additional fire station facilities, allowing for the proper distribution of apparatus. It was explained the proper distribution of apparatus should be 1.5 miles for a fire engine and 2.5 miles for a ladder engine. Jordan believes with the growth to the west a third fire station will be necessary by the next ISO inspection. Jordan spoke of the various mutual aid agreements with other entities, in which Katy has been called upon to assist. He explained that additional training will be required and there is currently a training office in place in this budget year, with the necessity of props and training aids to be purchased. Jordan explained that ISO identified deficiencies in dispatching, where is a need for five dispatchers, currently there are two. He briefly spoke of Computer Aided Dispatch (CAD) system and adding of MDT's. Jordan explained he has asked for a letter from ISO that the proposed plan will keep the rating at a 2. Mayor Elder spoke of a consultant that was used approximately ten years ago; who assisted with getting the City's current rating. Jordan commented he was not against a consultant. Councilmember Adams understood Jordan himself was a consultant. Hebert spoke of the increased monthly billing that was generated by the ambulances, which he had calculated at \$270,000.00 for the current budget. Councilmember Adams understood this revenue is coming into the general fund. Motion was made by Councilmember Adams, seconded by Councilmember Lawton, approving as printed and presented the request for \$623,834.00 to fund the proposed current manpower shortage. Councilmember Gore asked if the monies would be taken out of reserve funds. Hebert explained the funding is not the issued, but the letter being sent to ISO. City Attorney Pertile explained forwarding the letter for the proposed plan as noted in the proposed Resolution, then come back and determine how to fund the plan. Mayor Elder suggested waiting for the response from the proposed plan to be presented to ISO, hiring a consultant and then bring back to City Council for consideration of what funds to spend. Councilmember Lawton believes the City needs to see where it needs to go, he does not see other options and believes the important issue is to protect the citizens. Councilmember Gore agreed with Lawton on protecting the citizens and agrees this is a major expense and the City needs to make sure they are doing the right thing.

Resolution No. 513 Authorizing the Fire Chief to Submit a Proposed Improvement Plan to ISO for Consideration in Reviewing the City of Katy's Public Protection Classification

Motion was made by Councilmember Pierson, seconded by Councilmember Adams, approving as printed and presented a Resolution (No. 513) Authorizing the Fire Chief to Submit a Proposed Improvement Plan to ISO for Consideration in Reviewing the City of Katy's Public Protection Classification. All voted Aye, and the motion carried.

Closed Session

The Mayor announced City Council would hold an Executive Session in Accordance with Chapter 551 of the Texas Local Government Code: Section 551. Section 551.074 Deliberate the Appointment of a Public Officer (*Councilmember Ward B*) as Authorized by Texas Government Code. The Mayor, City Councilmembers and City Attorney went into Executive Session at 7:25 p.m.

Open Session

The Mayor announced the Executive Session was closed and the City Council Meeting was reopened at 7:33 p.m.

Ordinance No. 2563 Appointing a Councilmember Ward B to Fill a Vacancy

The Mayor recommended Dusty Thiele to fill the vacancy in the Councilmember Ward B position created by the resignation of Councilmember Fabol Hughes at the 02-11-2013 Regular City Council Meeting. Motion was made by Councilmember Pierson, seconded by Councilmember Adams, approving as printed and read (*caption*) an Ordinance (*No. 2563*) Appointing a Councilmember Ward B to fill a vacancy. All voted Aye, and the motion carried.

Nomination and Confirmation of Mayor Pro Tem as Authorized by the Home Rule Charter, Article III, Section 2

The Mayor nominated Councilmember Lawton to fill the vacancy of the Mayor Pro Tem for the new few months. Motion was made by Councilmember Adams, seconded by Councilmember Gore, confirming the Mayor's nomination of Councilmember Bill Lawton as Mayor Pro Tem. Councilmember Gore asked the City Attorney if a Mayor Pro Tem had to be appointed. City Attorney Pertile replied yes. Councilmember Gore expressed concern with appointing a Mayor Pro Tem with the election being so close, since the new Mayor could possibly nominate a different person. All voted Aye, and the motion carried.

Councilmembers' Report

Councilmember Lawton expressed how well the city government works how proud he was of the Fire Chief being able to make such a presentation to City Council, in asking for over \$600 grand. Councilmember Gore thanked the Charter Review Commission for their report and how he appreciated the work they do. He congratulated Councilmember Lawton on his appointment as Mayor Pro Tem and thanked Councilmember Thiele for coming and filling in and looks forward to working with him. Councilmember Adams welcomed Councilmember Thiele to the bench for the next few months. She thanked the Charter Review Commission for their report and the Fire Department for their report. She commented that she definitely loves Katy and believe it is a wonderful place to live. She explained this would be her last meeting, since she plans to file for the Mayor's office. She thanked all department heads for all their work, thanks to City Council and her husband. She spoke of the wonderful experience she has had during the years on City Council, which have been interesting and sometimes not gratifying; however, she has loved and will always treasure these years and hopes to do more for the City. Councilmember Pierson thanked Cara Bonin for her comments about the animal control. He thanked Chief Jordan for his great presentation and congratulated Councilmember Lawton as being named Mayor Pro Tem.

Mayor's Reports

The Mayor expressed appreciation to all for their attendance. He welcomed Councilmember Thiele and thanked Councilmember Lawton for agreeing to serve as Mayor Pro Tem. He thanked all employees for their dedication.

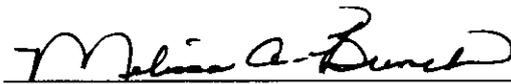
Adjourn

Motion was made by Councilmember Adams, seconded by Councilmember Lawton, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:42 p.m.



Mayor

ATTEST:



City Secretary