

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, October 27, 2014, at 6:30 p.m., at Katy Municipal Complex, 910 Avenue C, Katy, Texas. The following City Officials were present:

Fabol Hughes, Mayor
 Chuck Brawner, Mayor Pro Tem
 Durran Dowdle, Councilmember
 Bill Lawton, Councilmember
 Jimmy Mendez, Councilmember
 Steve Pierson, Councilmember
 Art Pertile, III, City Attorney
 David Leyendecker, City Engineer
 Missy Bunch, City Secretary
 Byron Hebert, City Administrator

Keep Katy Beautiful Board - Presentation of Katy Proud Business Award – Hair Inspirations located at 5702 Second Street, Debbie Boyer, Owner

Jaclyn Warner presented the Keep Katy Beautiful Board “Katy Proud Business Award” to Hair Inspirations located at 5702 Second Street, Debbie (Boyer) McCoy, Owner. Warner explained the recognized business is located within one of the seven oldest building Katy and it is over 100 years old. McCoy was present to receive the award.

Keep Katy Beautiful Board - Presentation by CenterPoint Representative Matt Churches to Recognize the City of Katy for Participation in the “Right Tree, Right Place” Program and by Presenting a Check in the Amount of \$20,000.00 for an Arboretum in Katy

CenterPoint Representative Matt Churches acknowledged the local CenterPoint representatives in the audience and together they presented a check in the amount of \$20,000 to the City for the new arboretum to be located in Katy City Park. It was explained that CenterPoint is committed to the City for an additional \$5,000.00 per year for the next three years of maintenance for the arboretum. Parks and Recreation Director Brad Barnes briefed Councilmembers on the new project, how it came to being and its future.

Public Hearing for Proposed Ordinance Amending the Katy Zoning Ordinance No. 621; Amending the Master Plan Development Standards of the Master Planned Community District (MPC) by Amending Requirement in Several Sections Including Side Yard Interior Setbacks; Height of Buildings; Exterior Materials/Masonry Requirement; Garages; Porches; and Roofs

The Mayor opened a Public Hearing at 6:41 p.m. for the Proposed Ordinance Amending the Katy Zoning Ordinance No. 621; Amending the Master Plan Development Standards of the Master Planned Community District (MPC) by Amending Requirements in Several Sections Including Side Yard Interior Setbacks; Height of Buildings; Exterior Materials/Masonry Requirement; Garages; Porches; and Roofs. All were given an opportunity to be heard and the following spoke: 1) Dan Neff, Rise Development Dan Naef, Rise Development Katy,

Public Hearing for Proposed Ordinance Amending the Katy Zoning Ordinance No. 621; Amending the Master Plan Development Standards of the Master Planned Community District (MPC) by Amending Requirement in Several Sections Including Side Yard Interior Setbacks; Height of Buildings; Exterior Materials/Masonry Requirement; Garages; Porches; and Roofs (cont'd)

814 Avenue C, explained he is proud to be associated with Katy and to live in the development, since he and others will be moving their families from Nevada to Katy, Texas, along with the business. He spoke of being happy with staff and CPZ (*City Planning and Zoning Commission*) Board Members. He referred to proposed changes to the MPC District as best practices in the business. He explained one of the proposals would impact the zero lot line products, which would allow for the wall of a zero lot line property to be the wall of a residence, he displayed exhibits, and allow for the adjacent residence to be ten (10) feet from the property line and allow for the extension of the eave two feet over the lot line and hanging on the other persons yard. He spoke of these lots being geared towards a certain age and would be mostly single story homes, for those wanting to downsize and live near their children. He explained the second proposed change is to the side-loading garage, by allowing the extension into the front setback by ten (10) foot. He commented this will only be allowed in the zero lot line portion of the development, and in good faith, only placed in the gated portions of the community, which is a small target area of the development and that the side loading garage will only be placed on one-third of the lots and the encroachment cannot be on both sides of the street. The Public Hearing was closed at 6:47 p.m.

Consider an Ordinance (No. 2668) Amending the Katy Zoning Ordinance No. 621; Amending the Master Plan Development Standards of the Master Planned Community District (MPC) by Amending Requirement in Several Sections Including Side Yard Interior Setbacks; Height of Buildings; Exterior Materials/Masonry Requirement; Garages; Porches; and Roofs

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and read (*caption*) an Ordinance (*No. 2668*) Amending the Katy Zoning Ordinance No. 621; Amending the Master Plan Development Standards of the Master Planned Community District (*MPC*) by Amending Requirement in Several Sections Including Side Yard Interior Setbacks; Height of Buildings; Exterior Materials/Masonry Requirement; Garages; Porches; and Roofs. Votes were cast as follows: Ayes – Brawner, Dowdle, Lawton, Pierson; Noes – Mendez. The motion to approve the proposed Ordinance passed.

Public Comments

All were given an opportunity to be heard and there were no public comments.

FY 2013-2014 Fourth Quarter Investment Report and Check Register Thru 09-30-2014 (information items only)

There were no comments on the 2013-2014 Fourth Quarter Investment Report and Check Register thru 09-30-2014.

Consider Approval of 10-13-2014 Special Meeting Minutes

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, approving as printed and presented the 10-13-2014 Special Meeting Minutes. All voted Aye, and the motion carried.

Consider Final Plat for Meyers Meadows, a Subdivision of One Acre Located in the H&TCRR Company Survey, Section 80, Block 2, Oswald Huskey, Abstract 1477, One Block, One Lot in Harris County (approved by CPZ 10-14-2014)

Motion was made by Councilmember Dowdle, seconded by Councilmember Brawner, approving the Final Plat for Meyers Meadows, a Subdivision of One Acre Located in the H&TCRR Company Survey, Section 80, Block 2, Oswald Huskey, Abstract 1477, One Block, One Lot in Harris County (approved by CPZ 10-14-2014). All voted Aye, and the motion carried.

Consider Convention and Tourism Bureau Hotel Occupancy Tax Grant Application for Cherish our Children International – Katy Half Marathon, Saturday, February 7, 2015, Katy Mills Mall (start/finish) – Amount Requested is \$21,200.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity; Sporting Event in which Majority of Participants are Tourists in Cities Located in County with Population of One Million or Less) (approved by CTB 10-22-2014)

Motion was made by Councilmember Brawner, seconded by Councilmember Mendez, approving as printed and presented the Convention and Tourism Bureau Hotel Occupancy Tax Grant Application for Cherish our Children International – Katy Half Marathon, Saturday, February 7, 2015, Katy Mills Mall (start/finish) – Amount Requested is \$21,200.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity; Sporting Event in which Majority of Participants are Tourists in Cities Located in County with Population of One Million or Less) (approved by CTB 10-22-2014). Councilmember Pierson suggested that future applicants be required to report back to City Council on the success of their event. All voted Aye, and the motion carried.

Consider Convention and Tourism Bureau Hotel Occupancy Tax Grant Application for Katy Jazz Association – Katy Jazz Festival, April 24-25, 2015, Katy High School Campus – Amount Requested is \$59,700.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity; Funding Programs that Enhance the Arts) (approved by CTB 10-22-2014)

Motion was made by Councilmember Pierson, seconded by Councilmember Dowdle, approving as printed and presented the Convention and Tourism Bureau Hotel Occupancy Tax Grant Application for Katy Jazz Association – Katy Jazz Festival, April 24-25, 2015, Katy High School Campus – Amount Requested is \$59,700.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity; Funding Programs that Enhance the Arts) (approved by CTB 10-22-2014). All voted Aye, and the motion carried.

Consider Convention and Tourism Bureau Hotel Occupancy Tax Grant Application for City of Katy – Television Advertising, The KUBE Channel 57, November 3, 2014 to September 27, 2015 (188 30-sec spots) – Amount Requested is \$11,750.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity) (approved by CTB 10-22-2014)

Motion was made by Councilmember Lawton, seconded by Councilmember Dowdle, approving as printed and presented the Convention and Tourism Bureau Hotel Occupancy Tax Grant Application for City of Katy – Television Advertising, The KUBE Channel 57, November 3, 2014 to September 27, 2015 (188 30-sec spots) – Amount Requested is \$11,750.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity) (approved by CTB 10-22-2014). All voted Aye, and the motion carried.

Electronic Payment Options Overview – Becky Wilkins, City Finance Director

City Administrator Byron Hebert explained that over a year staff began to look into electronic payments and when Becky Wilkins, City Treasurer/Financial Director was hired earlier this year, she came up with the proposed solution, which includes credit card payments. Wilkins explained she has presented three different agreements and that each one is a piece of the puzzle and will allow credit card services for Parks Department, Permits/Inspections, Utility Billing and will enhance the overall interaction and offer more choices on how to pay for various services provided by the City.

Consider a Resolution (No. 589) Authorizing the Mayor to Execute an Agreement with LexisNexis VitalChek Network Inc. for the Hardware and/or Software System to Expedite the Processing of Consumer Electronic Payments

Motion was made by Councilmember Pierson, seconded by Councilmember Dowdle, approving as printed and presented a Resolution (No. 589) Authorizing the Mayor to Execute an Agreement with LexisNexis VitalChek Network Inc. for the Hardware and/or Software System to Expedite the Processing of Consumer Electronic Payments. City Administrator Hebert explained Utility Billing will be within 30-45 days for implementation and possibly as long as January for Permits/Inspection and he plans for the word to get out by way of inserts in the Utility Bills and with media coverage. All voted Aye, and the motion carried.

Consider a Resolution (No. 590) Authorizing the Mayor to Execute an Agreement with Electronic Transaction Systems (ETS) Corporation for Support Services for the Processing of Consumer Electronic Payments

Motion was made by Councilmember Dowdle, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 590) Authorizing the Mayor to Execute an Agreement with Electronic Transaction Systems (ETS) Corporation for Support Services for the Processing of Consumer Electronic Payments. All voted Aye, and the motion carried.

Consider a Resolution (No. 591) Authorizing the Mayor to Execute an Addendum to System Agreement No. 2004-0245 with Tyler Technologies, Inc., for Internet Services and Products

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, approving as printed and presented a Resolution (No. 591) Authorizing the Mayor to Execute an Addendum to System Agreement No. 2004-0245 with Tyler Technologies, Inc., for Internet Services and Products. All voted Aye, and the motion carried.

Consider a Resolution (No. 592) Amending Authorized Representatives for TexPool/TexPool Prime

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, approving as printed and presented a Resolution (No. 592) Amending Authorized Representatives for TexPool/TexPool Prime. City Administrator Hebert explained the proposed Resolution is allowing for the addition of the new City Treasurer/Finance Director Becky Wilkins to be added. All voted Aye, and the motion carried.

Consider a Resolution (No. 593) Declaring the Intention of the City of Katy, Texas, to Annex a 79.42 Acre Tract of Land West of the City of Katy and North of U. S. Hwy 90, Including the Rights-of-Way, Paved and Unpaved, to a Point Near F.M. 2855 in Waller County

City Attorney Pertile explained the proposed Resolution is for Annexation Phase 2B continuing to move west along Highway 90. He commented it is a long narrow area of land. Motion was made

Consider a Resolution (No. 593) Declaring the Intention of the City of Katy, Texas, to Annex a 79.42 Acre Tract of Land West of the City of Katy and North of U. S. Hwy 90, Including the Rights-of-Way, Paved and Unpaved, to a Point Near F.M. 2855 in Waller County (cont'd)

by Councilmember Dowdle, seconded by Councilmember Brawner, approving as printed and presented a Resolution (No. 593) Declaring the Intention of the City of Katy, Texas, to Annex a 79.42 Acre Tract of Land West of the City of Katy and North of U. S. Hwy 90, Including the Rights-of-Way, Paved and Unpaved, to a Point Near F.M. 2855 in Waller County. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2669) Amending the Katy Code of Ordinances Section 1.701(A), by Determining the Salary of the Mayor and Fixing the Salary of the Katy City Council

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and read (*caption*) an Ordinance (No. 2669) Amending the Katy Code of Ordinances Section 1.701(A), by Determining the Salary of the Mayor and Fixing the Salary of the Katy City Council. Motion to amend the main motion was made by Councilmember Dowdle, seconded by Councilmember Brawner, recommended the proposed dollar amounts be rounded up to the next whole dollar. All voted Aye, and the amended motion carried.

Councilmembers' Report

Councilmember Lawton spoke of a lot of citizens of the City of Katy who have a great heart and an outpouring of love in so many circumstances and him included. Councilmember Brawner commented he feels the same way as Councilmember Lawton about the citizens of Katy. He reported the Fire Department had a successful fundraiser last week and he commented it was a privilege to watch those coming in and a good time for fellowship. He thanked the new media for their support of the event. He encouraged all to go out front after the meeting to look at the new fire truck. He thanked the Boy Scouts for their attendance. Councilmember Mendez thanked Maria Galvez, Emergency Management Coordinator, for educating him on Ebola and keeping ahead of the situation. He thanked Fire Chief Summers for all he does and complimented how wonderful the food was at the fundraiser. He encouraged all to visit the Katy Contemporary Arts Museum on November 30th for pictures with Santa and visit other businesses in the downtown area. He commented that he is always glad to see the Cub Scouts and Boys Scouts attending City Council Meeting and asking questions. He thanked CenterPoint for helping Katy remain beautiful. Councilmember Dowdle thanked Bob Bryant for continuing with the Katy Jazz Festival and commented it is a really nice event with very fine jazz musicians. He remembers doing the pledge early in life and how nervous he was and complimented the Boy Scouts for a successful pledge. He commented he was glad to see Councilmember Lawton in attendance, thanked CenterPoint for their generous donation and commented the Fire Department fundraiser chicken fried steak was delicious and he included Kenneth Redding's buttermilk pie.

Mayor's Reports

The Mayor echoed Councilmember Lawton's comments and that there are a great deal of caring people in Katy and they are with him. He encouraged all to view the new fire truck out front after the meeting.

Adjourn

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:08 p.m.



Mayor

ATTEST:



City Secretary