

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session on Monday, March 23, 2015, 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 C. Dowdle, Councilmember
 Bill Lawton, Councilmember
 Jimmy Mendez, Councilmember
 Steve Pierson, Councilmember
 Art Pertile, City Attorney
 Byron Hebert, City Administrator
 Linda Vourazeris, Assistant City Secretary

The following were absent:

Melissa A. "Missy" Bunch, City Secretary

Proclamation Recognizing April 2015 as "Jazz Appreciation Month" in Katy

Bob Bryant, Executive Director of Fine Arts, Katy Independent School District, was not able to attend the meeting to receive the proclamation.

Public Hearing – Second of Two (first was held Monday, 03-09-2015) for Proposed Annexation of Certain Territory Located West of the City of Katy to Igloo Road Bounded on the North by Highway 90 and Bounded on the South by U.S. Interstate 10, Including the Rights-of-Way Paved and Unpaved, of Brookline/Brooklyn Road, Igloo Road, Highway 90 and U.S. Interstate 10, but Excluding the I-10 NE Partners LP and C-2 Pederson West LLC Tracts, Waller County, Texas

The Mayor opened a Public Hearing at 6:35 p.m., the second of two public hearings (*the first was held on Monday, 03-09-2015*), for the proposed annexation of certain territory located West of the City of Katy to Igloo Road bounded on the North by Highway 90 and bounded on the South by U.S. Interstate 10, including the rights-of-way paved and unpaved, of Brookline/Brooklyn Road, Igloo Road, Highway 90 and U.S. Interstate 10, but excluding the I-10 NE Partners LP and C-2 Pederson West LLC Tracts, Waller County, Texas. All were given the opportunity to be heard and there were no comments. The Public Hearing closed at 6:35 p.m.

Public Comments

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

Bank Statement and Check Register Thru 02-28-2015 (information items only)

There were no comments about the Bank Statement and Check Register thru 02-28-2015.

Consent Agenda

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

- A) Consider Approval of 03-09-2015 Regular Meeting Minutes
- B) Consider Approval of a Request for 2nd Annual No Label Brewing 5K Run Benefitting Rotaract Club of West Houston/Katy to be Held on Saturday, 06-20-2015 (*start/finish No Label Brewery, 5351 First Street*)

All voted Aye and the motion carried.

Consider Final Plat for Morris Oliver Way and Parkside Street Dedication, Subdivision of 4.7393 Acres, 0 Reserves, 0 Blocks, Thomas Cresop Survey, Abstracts 369 and 405, Fort Bend and Waller Counties

Motion was made by Councilmember Lawton, seconded by Mayor Pro Tem Brawner, approving as printed and presented the Final Plat for Morris Oliver Way and Parkside Street Dedication, a subdivision of 4.7393 Acres, 0 Reserves, 0 Blocks, Thomas Cresop Survey, Abstracts 369 and 405, in Fort Bend and Waller Counties. All voted Aye and the motion carried.

Consider Awarding of Bid for 500,000 Gallon Elevated Water Tank Rehabilitation at Water Plant No. 5, and Paint Repair Inside 1,000,000 Gallon Storage Tank at Water Plant No. 6, to Williams Painting & Sandblasting Company, Flint, Texas, in the Amount of \$308,285.80 (includes Bid Amount, Contingencies, Engineering and Inspections) (bids received 03-11-2015)

Motion was made by Mayor Pro Tem Brawner, seconded by Councilmember Lawton, approving as printed and presented the awarding of bid for the 500,000 gallon elevated water tank rehabilitation at Water Plant No. 5, and paint repair inside 1,000,000 gallon storage tank at Water Plant No. 6, to Williams Painting & Sandblasting Company, Flint, Texas, in the amount of \$308,285.80 (includes bid amount, contingencies, engineering and inspections). City Engineer Leyendecker said the project will be funded out of Enterprise reserve funds and is considerably under budget. All voted Aye and the motion carried.

Consider a Resolution (No. 607) Authorizing the Mayor to Sign a License and Services Agreement with Tyler Technologies, Inc., to Provide New Software and Maintenance to the Parks and Recreation Department Reservation System

Motion was made by Councilmember Pierson, seconded by Mayor Pro Tem Brawner, approving as printed and presented a Resolution (No. 607) authorizing the Mayor to sign a License and Services Agreement with Tyler Technologies, Inc., to provide new software and maintenance to the Parks and Recreation Department reservation system. All voted Aye and the motion carried.

Consider a Resolution (No. 608) Authorizing the Mayor to Sign an Agreement with Burditt Consultants, LLC, Consultant for the Katy Arboretum Project

Motion was made by Mayor Pro Tem Brawner, seconded by Councilmember Dowdle, approving as printed and presented a Resolution (No. 608) authorizing the Mayor to sign an agreement with Burditt Consultants, LLC, for professional services for the Katy Arboretum project. All voted Aye and the motion carried.

Consider a Resolution (No. 609) Authorizing the Mayor to Sign an Agreement with LJA Engineering, Inc., for Professional Engineering Services for Katy Town Square Phases 1 and 2

Motion was made by Councilmember Pierson, seconded by Mayor Pro Tem Brawner, approving as printed and presented a Resolution (No. 609) authorizing the Mayor to sign an agreement with LJA Engineering, Inc., for professional engineering services for Katy Town Square Phases 1 and 2. All voted Aye and the motion carried.

Presentation from National Junior Honor Society Marquee Committee, Katy Junior High School, Regarding City of Katy Sign Ordinance – Councilmember Bill Lawton (no action to be taken)

Dr. Jacob LeBlanc, Principal at Katy Junior High School, said students from Katy Junior High, Katy Elementary, and Hutsell Elementary were presenting their proposals for a digital marquee sign at each school. Ryan George, representing Katy Elementary, said an electronic marquee sign at Katy Elementary would eliminate the need to have a PTO volunteer climb a tall ladder every few weeks to replace letters on the existing sign, which is a safety risk. George said an electronic sign would allow the input of information from inside the building and the message would almost instantly appear on the marquee. Emily Adams, representing Katy Elementary, said her school should also have an

Presentation from National Junior Honor Society Marquee Committee, Katy Junior High School, Regarding City of Katy Sign Ordinance – Councilmember Bill Lawton (no action to be taken) (cont'd)

electronic sign. Emily has noticed in her outings around town that First National Bank and First Baptist Church have electronic marquee signs, and both are located in the city limits of Katy. She said the signs are low in height, look nice and are not overly bright. Emily said Katy Elementary has always believed in high standards, such as setting a good example and maintaining a nice appearance, and she believes that having an electronic sign would help the school continue to maintain a tradition of excellence in representing the school, the district, and the City of Katy. Laynie Wierzbicki, Student Council president, represented Hutsell Elementary.

Chandler Scott, President of the National Junior Honor Society at Katy Junior High, shared a Power Point presentation showing the current state of the message board at Katy Junior High, as well as showing existing electronic marquees at several schools. He said the KISD complex at Rhodes Stadium has a marquee sign that is not overly flashy and is static in color, and which displays several messages on a left to right transition. Katy High School has a marquee sign that has one to a few transitions, and does not appear to be distracting to those driving by the school. Chandler showed a picture of the existing message board at Katy Junior High with a key jammed and broken in the lock, which made the sign hard to open and change out. Chandler said students from Katy Junior High, Hutsell Elementary and Katy Elementary would like to consult with Council about the passing of the 2012 ordinance regarding the use of digital marquee boards in the City of Katy. He said the students understand the reasons for begrudging the idea of having a digital marquee for the schools, but they have ideas that may convince Council and City staff to give this particular advancement in technology a chance. Chandler said he knows the City wants the appearance of marquees to resemble Old Katy in its historical splendor and while it is a wise decision, the current design of the marquees creates many problems for students, employees and parents at the schools. Specifically, letters, numbers and a full-time employee are needed to manually maintain the sign messages. Chandler said a digital marquee would allow an individual changing the message to remain inside the building and swiftly add or remove messages as needed. This would also eliminate the need for actual letters and numbers which are easily damaged or lost, and oftentimes are replaced with numbers or other letters in lieu of having the correct ones. Another benefit of a digital marquee is the quantity of information that can be displayed at any given time. Chandler said only extremely important events are currently displayed on the school's message board due to its size and capacity. With a digital marquee, information can be displayed that is helpful to parents needing additional information about upcoming extracurricular school events, and not just the current emphasis on sports-related events. He said with the few required messages on the board due to limited space, even the sports and staff events are spelled out in abbreviations, which can be confusing especially for the young students who cannot properly decipher the messages.

Chandler said there are many factors that come into play when dealing with the transition between a digital marquee and a standard marquee sign, and while some problems are removed, new problems appear. He said the schools would have to deal with electrical requirements, power outages, funding, careless drivers, and maintaining the previous style and appearance of Old Katy. Chandler said dealing with the appearance is simple enough. While changing the inside of the marquee board to a more digital format, the exterior of the board can maintain the traditional design. Furthermore, the transition from one side to the other can be done in one generic style, shifting from message to message as a simple left to right transition. He said distracted or careless drivers are another reason often cited for not allowing digital marquees. A digital marquee would help passing drivers see upcoming events because of the normal style, font, and color, and it should not be overly distracting. Chandler also noted that according to the NTSB, less than 100 accidents occurred last year in the United States due to electronic marquee boards. A digital sign would be a good improvement in

Presentation from National Junior Honor Society Marquee Committee, Katy Junior High School, Regarding City of Katy Sign Ordinance – Councilmember Bill Lawton (no action to be taken) (cont'd)

running the schools smoothly and efficiently, and it would broadcast events without the worry of confusion or misunderstandings. Chandler said it would display information in a respectful manner to the historical nature of Old Katy, better communicate information about school events, and could even help increase participation at displayed events. A digital marquee could also be used to display information about the weather, time, temperature, date and other vital community information. Chandler said the existing message boards at the schools, although marginally proficient, simply do not meet the current needs of the schools. By allowing digital marquees at the schools, information could be disseminated to the public in a more efficient manner, while still maintaining the appearance of historic Katy. Chandler thanked Council for allowing the students to present their proposals for potential approval of digital marquee signs at Hutsell Elementary, Katy Elementary and Katy Junior High.

Dr. LeBlanc said the volunteer who changes the messages on the sign was in the audience and added that he, Dr. LeBlanc, was able to break into the sign to change the messages. He said the lock has now been fixed by the district's Maintenance Department and the key removed. Dr. LeBlanc said breaking into the signs is another hazard of the standard old style of marquee boards and schools are constantly having to buy new letters and numbers to replace missing ones.

CLOSED MEETING

Executive Session as Authorized by Texas Government Code, Section 551.072, the Purchase, Exchange, Lease or Value of Real Property (North of Franz Road and West of Avenue D; North of Franz Road and East of East Avenue; and South of Kingsland Boulevard and West of Pin Oak Road

The Mayor, Councilmembers, City Attorney and City Administrator convened in Executive Session at 6:50 p.m. as authorized by the Texas Government Code., Section 551.072, for the purchase, exchange, lease or value of real property, specifically North of Franz Road and West of Avenue D; North of Franz Road and East of East Avenue; and South of Kingsland Boulevard and West of Pin Oak Road.

OPEN MEETING

The Mayor reopened the meeting to the public at 7:01 p.m.

Authorize the Mayor to Enter Into a Contract for the Purchase of Real Property Located North of Franz Road and West of Avenue D

Motion was made by Mayor Pro Tem Brawner, seconded by Councilmember Dowdle, authorizing the Mayor to enter into a contract for the purchase of real property located North of Franz Road and West of Avenue D. All voted Aye and the motion carried.

Authorize the Mayor to Enter Into a Contract for the Purchase of Real Property Located North of Franz Road and East of East Avenue

Motion was made by Councilmember Dowdle, seconded by Councilmember Mendez, authorizing the Mayor to enter into a contract for the purchase of real property located North of Franz Road and East of East Avenue. All voted Aye and the motion carried.

Purchase, Exchange, Lease or Value of Real Property Located South of Kingsland Boulevard and West of Pin Oak

No action was deemed necessary as a result of the Executive Session.

Councilmembers' Reports

Councilmember Dowdle said he recently traveled through the New Orleans airport and the FBI, TSA and airport security handled an incident with an individual in such a manner that he never felt he was in any danger. He said the training these agencies receive is put into practice when needed and he thanked our Fire and Police Departments for the excellent jobs they do when called upon to serve the citizens.

Councilmember Lawton thanked the National Junior Honor Society students for attending the meeting and for stepping up and addressing issues that are important to them. He said these youngsters are the leaders of tomorrow and thanked them for participating in the process. Lawton acknowledged his granddaughter Emily Adams, representing Katy Elementary, for making him proud.

Mayor Pro Tem Brawner thanked the students for participating in the Council meeting. He said there were two recent situations involving the Fire Department and said that part of what we do in the City, and through our public safety, is to serve the public regardless of where help is needed. The first incident was a house fire in the Falcon Point subdivision, which is serviced by another fire department, but where our Fire Department was asked to provide mutual aide. Brawner said City firefighters responded quickly and were able to put out the house fire before the other fire department arrived. Brawner said this is one example of the many benefits of having a full-time fire department that is ready to go at a moment's notice. The second incident occurred on March 21st, which caused traffic to come to a standstill on Highway Boulevard and on the service roads, and to barely move on the service road on the south side of the freeway. He said an 18-wheeler lost control near Pederson Road, ran up on the concrete barriers and turned over spilling cargo and fuel. Both sides of the freeway were closed from about 2:30 p.m. until after 9:00 p.m. Brawner said two engines were called out, as well as an ambulance, and for more than six hours our Fire and Police Departments were out there assisting and making sure there were no further incidents—all in messy weather conditions. Brawner thanked Fire Chief Summers and Police Chief Hastings for their personnel and the excellent work they do for the public.

Mayor's Reports

The Mayor thanked the students for addressing Council about the sign ordinance and said their requests would be taken under consideration.

Adjourn

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

Mayor

Fabell Hughes

ATTEST:

Linda Vourazeris

Linda Vourazeris, Assistant City Secretary