

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, June 8, 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 Dowdle, Councilmember
 Jimmy Mendez, Councilmember
 Steve Pierson, Councilmember
 Art Pertile, III, City Attorney
 David Leyendecker, City Engineer
 Byron Hebert, City Administrator
 Melissa A. Bunch, City Secretary

The following Councilmember was absent:

Bill Lawton, Councilmember (*passed away 05-28-2015*)

The Mayor called for a Moment of Silence in Memory of Councilmember Lawton who had passed away on May 28, 2015.

Honoring of Councilmember Bill Lawton

Consider a Resolution (No. 622) in Memory of William M. "Bill" Lawton, III, Councilmember May 2011 – May 2015

The Mayor read a Resolution (*No. 622*) honoring Councilmember Bill Lawton, who had passed away on May 28, 2015, for his service to the City of Katy and presented it to the family of Councilmember Lawton.

Presentation of a Resolution in Memoriam of William M. "Bill" Lawton, III – Mike Schofield, Texas State Representative, District 132

Mike Schofield, Texas State Representative, District 132, presented the family of Councilmember Bill Lawton (*deceased*) with a Texas State Resolution in Memoriam of Lawton's service to his community.

Public Hearing for Proposed Amendment to the Zoning Ordinance for a Special Use Permit that Allows a Private School Use in a C-1 District, Located in Approximately 8,000 Square Feet of Space at 906 Avenue A, Lots 7-10 and North 50 Feet of Lot 11, Block 5, Katy Townsite, for the Benefit of The Mirus Academy. Owner is Alief Baptist Church, Applicant is April Watson (approved by CPZ 05-12-2015)

The Mayor opened a Public Hearing at 6:43 p.m. a Public Hearing for Proposed Amendment to the Zoning Ordinance for a Special Use Permit that Allows a Private School Use in a C-1 District, Located in Approximately 8,000 Square Feet of Space at 906 Avenue A, Lots 7-10 and North 50 Feet of Lot 11, Block 5, Katy Townsite, for the Benefit of The Mirus Academy. Owner is Alief Baptist Church, Applicant is April Watson. All were given an opportunity to be heard and there were none. The Public Hearing was closed at 6:44 p.m.

Consider an Ordinance (No. 2699) for Proposed Amendment to the Zoning Ordinance for a Special Use Permit that Allows a Private School Use in a C-1 District, Located in Approximately 8,000 Square Feet of Space at 906 Avenue A, Lots 7-10 and North 50 Feet of Lot 11, Block 5, Katy Townsite, for the Benefit of The Mirus Academy. Owner is Alief Baptist Church, Applicant is April Watson (approved by CPZ 05-12-2015)

Motion was made by Councilmember Mendez, seconded by Councilmember Brawner, approving as printed and read (*caption*) an Ordinance (No. 2699) for Proposed Amendment to the Zoning Ordinance for a Special Use Permit that Allows a Private School Use in a C-1 District, Located in Approximately 8,000 Square Feet of Space at 906 Avenue A, Lots 7-10 and North 50 Feet of Lot 11, Block 5, Katy Townsite, for the Benefit of The Mirus Academy. Owner is Alief Baptist Church, Applicant is April Watson. All voted Aye, and the motion carried.

Public Hearing for Proposed Amendment to the Zoning Ordinance for Change in Classification from “R-1” Single-Family Residential District to “M” Industrial District, 253.17 Acres West of the City of Katy to Igloo Road, Bounded on the North by Highway 90 and on the South by I-10, Including the Rights-of-Way, Paved and Unpaved, of Brookline (Brooklyn) Road, Igloo Road, Highway 90 and I-10, Excluding the I-10 NE Partners LP & C-2 Pederson West LLC Tracts, Waller County (approved by CPZ 05-26-2015)

The Mayor opened a Public Hearing at 6:46 p.m. a Public Hearing for Proposed Amendment to the Zoning Ordinance for Change in Classification from “R-1” Single-Family Residential District to “M” Industrial District, 253.17 Acres West of the City of Katy to Igloo Road, Bounded on the North by Highway 90 and on the South by I-10, Including the Rights-of-Way, Paved and Unpaved, of Brookline (Brooklyn) Road, Igloo Road, Highway 90 and I-10, Excluding the I-10 NE Partners LP & C-2 Pederson West LLC Tracts, Waller County. All were given an opportunity to be heard and there were none. The Public Hearing was closed at 6:46 p.m.

Consider an Ordinance (No. 2700) for Proposed Amendment to the Zoning Ordinance for Change in Classification from “R-1” Single-Family Residential District to “M” Industrial District, 253.17 Acres West of the City of Katy to Igloo Road, Bounded on the North by Highway 90 and on the South by I-10, Including the Rights-of-Way, Paved and Unpaved, of Brookline (Brooklyn) Road, Igloo Road, Highway 90 and I-10, Excluding the I-10 NE Partners LP & C-2 Pederson West LLC Tracts, Waller County (approved by CPZ 05-26-2015)

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and read (*caption*) an Ordinance (No. 2700) for Proposed Amendment to the Zoning Ordinance for Change in Classification from “R-1” Single-Family Residential District to “M” Industrial District, 253.17 Acres West of the City of Katy to Igloo Road, Bounded on the North by Highway 90 and on the South by I-10, Including the Rights-of-Way, Paved and Unpaved, of Brookline (Brooklyn) Road, Igloo Road, Highway 90 and I-10, Excluding the I-10 NE Partners LP & C-2 Pederson West LLC Tracts, Waller County. All voted Aye, and the motion carried.

Public Hearing for Proposed Amendment to the Zoning Ordinance for a Change in Classification from “R-1” Single-Family Residential District to “MPC” Master Planned Community District, 137.12 Acre Tract Located in the F. Eule Survey Abstract No. 37 and H.&T.C. R.R. Co. Survey Abstract No. 203; a 138.11 Acre Tract, Located in the F. Eule Survey Abstract No. 376; and, a 125.32 Acre Tract, Located in the F. Eule Survey No. 376 and H.&T.C. R.R. Co. Survey, Abstract No. 196, Waller County (approved by CPZ 05-26-2015)

The Mayor opened at Public Hearing at 6:48 p.m. for Proposed Amendment to the Zoning Ordinance for a Change in Classification from “R-1” Single-Family Residential District to “MPC” Master Planned Community District, 137.12 Acre Tract Located in the F. Eule Survey Abstract No. 37 and H.&T.C. R.R. Co. Survey Abstract No. 203; a 138.11 Acre Tract, Located in the F. Eule Survey Abstract No. 376; and a 125.32 Acre Tract, Located in the F. Eule Survey No. 376 and H.&T.C. R.R. Co. Survey, Abstract No. 196, Waller County. All were given an opportunity to be heard and there were none. The Public Hearing was closed at 6:48 p.m.

Consider an Ordinance (No. 2701) Proposed Amendment to the Zoning Ordinance for a Change in Classification from “R-1” Single-Family Residential District to “MPC” Master Planned Community District, 137.12 Acre Tract Located in the F. Eule Survey Abstract No. 37 and H.&T.C. R.R. Co. Survey Abstract No. 203; a 138.11 Acre Tract, Located in the F. Eule Survey Abstract No. 376; and, a 125.32 Acre Tract, Located in the F. Eule Survey No. 376 and H.&T.C. R.R. Co. Survey, Abstract No. 196, Waller County (approved by CPZ 05-26-2015)

Motion was made by Councilmember Brawner, seconded by Councilmember Dowdle, approving as printed and read (*caption*) an Ordinance (*No. 2701*) Proposed Amendment to the Zoning Ordinance for a Change in Classification from “R-1” Single-Family Residential District to “MPC” Master Planned Community District, 137.12 Acre Tract Located in the F. Eule Survey Abstract No. 37 and H.&T.C. R.R. Co. Survey Abstract No. 203; a 138.11 Acre Tract, Located in the F. Eule Survey Abstract No. 376; and, a 125.32 Acre Tract, Located in the F. Eule Survey No. 376 and H.&T.C. R.R. Co. Survey, Abstract No. 196, Waller County. All voted Aye, and the motion carried.

Presentation of Katy Proud Business Award to Amegy Bank of Texas at 919 Avenue C

Sharon Rhoads, Keep Katy Beautiful Board Member, presented the “Katy Proud Business” Award to Amegy Bank of Texas located at 919 Avenue C for their part in Keeping Katy Beautiful. Representatives from Amegy Bank of Texas were present to receive the Award.

Presentation of 2015 Katy Jazz Festival Commemorative Poster - Bob Bryant, Executive Director of Fine Arts, Katy Independent School District

Bob Bryant, Executive Director of Fine Arts, Katy Independent School District, thanked the City of Katy for their partnership of the 2015 Katy Jazz Festival and presented the City of Katy with a 2015 Katy Jazz Festival Commemorative Poster signed by the artists and even Grammy nominees. He thanked the City for their support over the past four years. Bryant explained that the University of Houston Moores School of Music has a scholarship for participation in their institute which is funded by Katy Jazz Association through the newly established “Councilman Bill Lawton Endowed Chair”. This allows one student who has auditioned and earned a position in the Jazz Institute to attend/participate at no cost. The Katy Jazz Association is committed to maintaining this honor/remembrance of Councilmember Lawton over a minimum of the next 10 years and hopefully well into the next 10 after that.

Public Comments

All were given an opportunity to be heard and the following public comments were made:

- 1) Robert Williams, 5330 Town Park Boulevard, explained Town Park Subdivision does not want a detention pond next to their subdivision for the following reasons, standing water breeds mosquitos, stagnant water, which will bring the value of the homes down because of the environmental impact. He spoke of his love for birds that call the trees in the area their home, his concern for the concrete slab running from Lilac Street and the proposed project from the City's Parks Department.
- 2) Carla Williams, 5330 Town Park Boulevard, commented she has 76 names and addresses on a petition against the building of a skateboard park and hopes this park will not be built, since it is going to bring crime, drugs and is overall bad for the community and not a good thing for the children. She wants to keep Katy beautiful and wholesome.
- 3) Janet Shaner, 26235 Wooded Hollow Lane, explained her biggest issue is not allowing residents to park in front of their homes on her street, since they have done nothing wrong, which has caused a burden and believes the "No Parking" signs should be removed.
- 4) Valaree Carter, 26219 Wooded Hollow Lane, commented she did not want the "No Parking" signs. She commented that cars do not and have never parked in front of her house. She spoke of moving to Katy to get away from Houston and apartments. She asked the City of Katy to stop issuing building permits for apartments and let Katy Independent School District catch up. The City Attorney explained the City of Katy has not issued any apartment building permits. He commented the current apartments being built are not located in the city limits of Katy.

Consent Agenda

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

- A) Consider Approval of Meeting Minutes
 - i) 04-10-2015 Workshop Meeting
 - ii) 05-11-2015 Regular Meeting
 - iii) 05-18-2015 Special Meeting
- B) Consider an Event for Northwest Cycling Club's Katy Flatland Ride, Sunday, July 19, 2015 (*portion inside city limits approved by Katy PD 05-15-2015; start/finish is outside city limits*)

All voted Aye, and the motion carried.

Consider Final Plat of Young Ranch Street Dedication Number One, Subdivision of 12.902 Acres, Situated in the Jesse Thompson Survey, Abstracts 414 and 394, Robert T. Vanslyke Survey, Abstract 395, Fort Bend and Waller Counties (approved by CPZ 05-12-2015)

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented a Final Plat of Young Ranch Street Dedication Number One, Subdivision of 12.902 Acres, Situated in the Jesse Thompson Survey, Abstracts 414 and 394, Robert T. Vanslyke Survey, Abstract 395, Fort Bend and Waller Counties (*approved by CPZ 05-12-2015*). All voted Aye, and the motion carried.

Consider a Street Light Request in the area of 5300 Block of Marian Street for One (1) Street Light (adjacent to Katyland Community Center property), Requested by Michael Creed, President, Katyland Community Improvement Association

Motion was made by Councilmember Mendez, approving as printed and presented a Street Light Request in the area of 5300 Block of Marian Street for One (1) Street Light (*adjacent to Katyland Community Center property*), Requested by Michael Creed, President, Katyland Community Improvement Association. All voted Aye, and the motion carried.

Consider a Street Light Request in the area of City Hall Complex including Harvest Plaza, for Six (6) Additional Street Lights and Conversion of One (1) Existing Light, Requested by Brad Barnes, City of Katy Parks and Recreation Director

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented a Street Light Request in the area of City Hall Complex including Harvest Plaza, for Six (6) Additional Street Lights and Conversion of One (1) Existing Light, Requested by Brad Barnes, City of Katy Parks and Recreation Director. All voted Aye, and the motion carried.

Consider a Resolution (No. 623) Authorizing the Mayor to Sign the Auditors' Engagement Letter for Fiscal Year Ending 09-30-2015, with Whitley Penn, LLP, Certified Public Accountants

Motion was made by Councilmember Brawner, seconded by Councilmember Dowdle, approving as printed and presented a Resolution (No. 623) Authorizing the Mayor to Sign the Auditors' Engagement Letter for Fiscal Year Ending 09-30-2015, with Whitley Penn, LLP, Certified Public Accountants. All voted Aye, and the motion carried.

Consider a Resolution (No. 624) Appointing Mayor Pro Tem Chuck Brawner to Serve as the City of Katy's Representative to the Governing Board of the Waller County Sub-Regional Planning Commission

Motion was made by Councilmember Pierson, seconded by Councilmember Dowdle, approving as printed and presented a Resolution (No. 624) Appointing Mayor Pro Tem Chuck Brawner to serve as the City of Katy's Representative to the Governing Board of the Waller County Sub-Regional Planning Commission. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2702) Amending City of Katy Ordinance No. 2399 Consenting To and Granting a Petition for the Creation of Fort Bend-Waller Counties Municipal Utility District No. 2, a Municipal Utility District within the Boundaries of the City of Katy, Fort Bend County, Texas, and Waller County, Texas

Motion was made by Councilmember Dowdle, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (No. 2702) Amending City of Katy Ordinance No. 2399 Consenting To and Granting a Petition for the Creation of Fort Bend-Waller Counties Municipal Utility District No. 2, a Municipal Utility District within the Boundaries of the City of Katy, Fort Bend County, Texas, and Waller County, Texas. All voted Aye, and the motion carried.

CLOSED MEETING

Executive Session as Authorized by Texas Government Code, Section 551.072, the Purchase, Exchange, Lease or Value of Real Property (South of I-10 and West of Pin Oak Road)

The Mayor, Councilmembers, City Attorney and City Administrator convened in Executive Session at 7:15 p.m., as authorized by the Texas Government Code, Section 551.072, for the Purchase, Exchange, Lease or Value of Real Property (*South of I-10 and West of Pin Oak Road*).

OPEN MEETING

The Mayor reopened the meeting to the public at 7:26 p.m.

Consider Any Action Deemed Necessary as a Result of the Executive Session

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

Councilmembers' Reports

Councilmember Pierson spoke of working and knowing Councilmember Lawton and his wife, Margaret, who live near him. He spoke of past times when they had great conversation while eating cake when Margaret was out of town. He commented he had worked for four years with Lawton on City Council and blessed the Lawton family. He congratulated Katy High School girls' softball team for winning the State Championship. Councilmember Brawner explained he had only known Councilmember Lawton for a short time, but got to know him after the Mayor assigned them to several projects that they worked on together and how Lawton gave excellent guidance, he was level-headed, an analyzer and a wonderful asset to the City. He commented he will miss his sitting beside him during City Council meetings. He spoke of Katy High School has numerous champions and a lot of winners. Councilmember Mendez thanked the former Mayors and Mike Schofield, Texas State Representative, District 132 for showing their support of Councilmember Lawton. He spoke of attending a couple of the concerts at the Katy Jazz Festival, listening to jazz in his car and cannot believe the performers are kids. He congratulated the Katy High School Lady Tigers on their accomplishment. Mendez spoke of Councilmember Lawton being the first person to call him after he was elected and gave his helpful advice. Councilmember Dowdle explained he first met Lawton at church and participated in a men's group which met on Saturdays and prayed for someone in need. He read a verse from Matthew 6:21 from the Bible in honor of Councilmember Lawton.

Mayor's Reports

The Mayor commented he first met Councilmember Lawton at church. He spoke of Lawton being awarded the Methodist Man of the Year.

Adjourn

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, adjourning the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:20 p.m.

Farrell Hughes
Mayor

ATTEST:

Melissa C. Burch
City Secretary