

**MINUTES OF REGULAR CITY COUNCIL MEETING**

**Call to Order**

The City Council of the City of Katy, Texas, convened in regular session Monday, December 14, 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  
 J. Gary Jones, Councilmember  
 Jimmy Mendez, Councilmember  
 Steve Pierson, Councilmember  
 Byron Hebert, City Administrator  
 Becky Wilkins, City Treasurer  
 Becky L. McGrew, Assistant City Secretary  
 Art Pertile, III, City Attorney  
 David Leyendecker, City Engineer

The following City Official was absent:

Melissa A. Bunch, City Secretary

**Keep Katy Beautiful Board Recognition of Adopt-A-Wreath Participants**

Sandy Schmidt, Chairman for Keep Katy Beautiful Board (KKB) shared a PowerPoint presentation of the 2015 Adopt-A-Wreath participants with their wreaths. The City displayed 114 large wreaths this year, 30 of which were adopted out to various groups and businesses around town and decorated at their expense. The KKB Board and Mayor came forward and recognized those participants in attendance.

**Recognition of City Treasurer Becky Wilkins for Receiving the Certified Government Finance Officer Certificate**

The Mayor recognized Becky Wilkins, City Treasurer, for obtaining her Certified Government Finance Officer Certification. He presented the certificate to Ms. Wilkins.

**Public Hearing for Proposed Special Use Permit for Continued Use of Property for an Institution of a Religious Nature (Northwest Believers Church) in a "C-1" Commercial District, Located in 2070 Square Feet of Office Space within the Building Known as 5423 East Fifth Street, Ray Subdivision, Block 1, Lot 2 and 3, Harris County, Applicants are Pastor Larry and Colette Conner, Owner is Mabel Longhi**

The Mayor opened a Public Hearing at 6:47 p.m. for a Proposed Special Use Permit for Continued Use of Property for an Institution of a Religious Nature (Northwest Believers Church) in a "C-1" Commercial District, Located in 2070 Square Feet of Office Space within the Building Known as 5423 East Fifth Street, Ray Subdivision, Block 1, Lot 2 and 3, Harris County, Applicants are Pastor Larry and Colette Conner, Owner is Mabel Longhi. All were given an opportunity to be heard and there were none. The Mayor closed the Public Hearing at 6:47 p.m.

**Consider an Ordinance (No.2727) Amending the City of Katy Zoning Ordinance No. 621, for a Special Use Permit that Allows A Special Use Property for an Institution of a Religious Nature (Northwest Believers Church) in a “C-1” Commercial District, Located in 2070 Square Feet of Office Space within the Building Known as 5423 East Fifth Street, Ray Subdivision, Block 1, Lot 2 and 3, Harris County, Applicants are Pastor Larry and Colette Conner, Owner is Mabel Longhi**

Motion was made by Mayor Pro Tem Brawner, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (*No. 2727*) Amending the City of Katy Zoning Ordinance No. 621, for a Special Use Permit that Allows A Special Use Property for an Institution of a Religious Nature (Northwest Believers Church) in a “C-1” Commercial District, Located in 2070 Square Feet of Office Space within the Building Known as 5423 East Fifth Street, Ray Subdivision, Block 1, Lot 2 and 3, Harris County, Applicants are Pastor Larry and Colette Conner, Owner is Mabel Longhi. All voted Aye, and the motion carried.

**Public Hearing for Proposed Special Use Permit for a “R-1” Single-Family Residential Use in a “C-2” General Business District, Located at 5833 Roberts Road, 0.999 Acres, Katy Townsite, Fort Bend County, Owner is William Sheffield**

The Mayor opened a Public Hearing at 6:49 p.m. for Proposed Special Use Permit for a “R-1” Single-Family Residential Use in a “C-2” General Business District, Located at 5833 Roberts Road, 0.999 Acres, Katy Townsite, Fort Bend County, Owner is William Sheffield. All were given an opportunity to be heard and there were none. The Mayor closed the Public Hearing at 6:49 p.m.

**Consider an Ordinance (No. 2728) Amending the City of Katy Zoning Ordinance No. 621, by Extending a Special Use Permit for a “R-1” Single-Family Residential Use in a “C-2” General Business District, Located at 5833 Roberts Road, 0.999 Acres, Katy Townsite, Fort Bend County, Owner is William Sheffield**

Motion was made by Councilmember Pierson, seconded by Mayor Pro Tem Brawner, approving as printed and read (*caption*) an Ordinance (*No. 2728*) Amending the City of Katy Zoning Ordinance No. 621, by Extending a Special Use Permit for a “R-1” Single-Family Residential Use in a “C-2” General Business District, Located at 5833 Roberts Road, 0.999 Acres, Katy Townsite, Fort Bend County, Owner is William Sheffield. Councilmember Jones discussed the term length of the Special Use Permit and circumstances for the owner. Art Pertile, III, City Attorney, explained that three years was a recommended term and due the their being five rent houses on the property the City Planning & Zoning Commission only approved and recommended that term. Councilmember Pierson withdrew his motion, second was withdrawn by Mayor Pro Tem Brawner. Councilmember Jones moved the Ordinance (*No. 2728*) be approved with the exception it be extended for five years, seconded by Councilmember Mendez. All voted Aye, and the motion carried.

**Public Hearing for Proposed Amendment to Chapter 10, Subdivision Regulation, Katy Code of Ordinances, Amending Section 10.04.003(M) Curbs and Gutters, Article 10.04 Development Standards and Specifications, to Allow Roll Over Curbs in Subdivisions**

The Mayor opened a Public Hearing at 6:53 p.m. Proposed Amendment to Chapter 10, Subdivision Regulation, Katy Code of Ordinances, Amending Section 10.04.003(M) Curbs and Gutters, Article 10.04 Development Standards and Specifications, to Allow Roll Over Curbs in Subdivisions. All were given an opportunity to be heard and there were none. The Mayor closed the Public Hearing at 6:53 p.m.

**Consider an Ordinance (No. 2729) Amending Chapter 10, Subdivision Regulation, Katy Code of Ordinances, Amending Section 10.04.003(M) Curbs and Gutters, Article 10.04 Development Standards and Specifications, to Allow Roll Over Curbs in Subdivisions**

Motion was made by Councilmember Pierson, seconded by Councilmember Jones, approving as printed and read (*caption*) an Ordinance (*No. 2729*) Amending Chapter 10, Subdivision Regulation, Katy Code of Ordinances, Amending Section 10.04.003(M) Curbs and Gutters, Article 10.04 Development Standards and Specifications, to Allow Roll Over Curbs in Subdivisions. Council discussed purpose of ordinance and David Leyendecker, City Engineer, explained the last two large subdivisions which have developed in Katy obtained an agreement to use rollover curbs. This ordinance will allow all other incoming subdivisions to do so as well. All voted Aye, and the motion carried.

**Public Comments**

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

**Consent Agenda**

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

- Consider a Convention and Tourism Bureau Hotel Occupancy Tax Grant Application
  - Consider a Convention and Tourism Bureau Hotel Occupancy Tax Grant Application for The Wild West Brewfest - The Wild West Brewfest, April 22-23, 2016, Katy Mills Mall, Amount Requested is \$105,600.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity; Funding Programs that Enhance the Arts) (Approved by CTB 11-19-2015 to be funded as follows: \$72,300.00 from 2014-2015 Arts Reserves Budget and \$33,300.00 from 2015-2016 Annual Arts Budget)
  - Consider a Convention and Tourism Bureau Hotel Occupancy Tax Grant Application for Greater Houston Football Coaches Association – Bayou Bowl All-Star Football Game, June 11, 2016, Jack Rhodes Memorial Stadium, Amount Requested is \$45,000.00 (Tourism-Related Advertising and Promotion of the City of Katy & its Vicinity; Sporting Event in which Majority of Participants are Tourists in Cities Located in a County with Population of One Million or Less) (Approved by CTB 11-19-2015)

All voted Aye, and the motion carried.

**Consider Acceptance of Public Utilities at Avalon at Spring Green, Section Three (Water System and Sanitary Sewer System)**

Motion was made by Councilmember Mendez, seconded by Mayor Pro Tem Brawner, approving the acceptance of Public Utilities of Avalon at Spring Green, Section Three (*Water System and Sanitary Sewer System*). All voted Aye, and the motion carried.

**Consider a Resolution (No. 659) Authorizing the Mayor to Sign an Interlocal Project Agreement with Katy Development Authority for Reimbursement of Funds Used to Purchase 6.841 Acres of Real Property in Katy Boardwalk District**

Motion was made by Councilmember Dowdle, seconded by Mayor Pro Tem Brawner, approving as printed and presented a Resolution (No. 659) Authorizing the Mayor to Sign an Interlocal Project Agreement with Katy Development Authority for Reimbursement of Funds Used to Purchase 6.841 Acres of Real Property in Katy Boardwalk District. All voted Aye and the motion carried.

**Consider a Resolution (No. 660) Approving an Agreement with the State of Texas Department of Transportation (TXDOT) for Temporary Closure of Portions of State Right-of-Way (Highway 90 and F.M. 1463) and City of Katy Right-of-Way (Katyland Drive) for the Annual Katy I.S.D. Future Farmers of America (FFA) Parade, Saturday, 02-20-2016, 9:00 a.m. to 12:00 noon**

Motion was made by Councilmember Dowdle, seconded by Councilmember Jones, approving as printed and presented a Resolution (No. 660) Approving an Agreement with the State of Texas Department of Transportation (TXDOT) for Temporary Closure of Portions of State Right-of-Way (Highway 90 and F.M. 1463) and City of Katy Right-of-Way (Katyland Drive) for the Annual Katy I.S.D. Future Farmers of America (FFA) Parade, Saturday, 02-20-2016, 9:00 a.m. to 12:00 noon. All voted Aye and the motion carried.

**Consider a Resolution (No. 661) Authorizing the Mayor to Sign an Amendment to the License and Services Agreement with Tyler Technologies, Inc., to Provide New Software and Maintenance to the Permits/Inspections Department Permitting System**

Motion was made by Mayor Pro Tem Brawner, seconded by Councilmember Pierson, approving as printed and presented a Resolution (No. 661) Authorizing the Mayor to Sign an Amendment to the License and Services Agreement with Tyler Technologies, Inc., to Provide New Software and Maintenance to the Permits/Inspections Department Permitting System. All voted Aye and the motion carried.

**Consider a Resolution (No. 662) Designating South Firethorne Road Drainage and Paving Improvement Project as a Katy Development Authority Project, Approving Construction Plans and Authorizing the Katy Development Authority to Fund the Project**

Motion was made by Councilmember Pierson, seconded by Councilmember Dowdle, approving as printed and presented a Resolution (No. 662) Designating South Firethorne Road Drainage and Paving Improvement Project as a Katy Development Authority Project, Approving Construction Plans and Authorizing the Katy Development Authority to Fund the Project. All voted Aye and the motion carried.

**Consider an Ordinance (No. 2730) Appointing Board Members (Christopher Harris to Katy Development Authority and Reinvestment Zone Number One; and, Carol E. Adams to Katy Heritage Park Board, Katy Heritage Society Representative)**

Motion was made by Councilmember Mendez, seconded by Mayor Pro Tem Brawner, approving as printed and read (*caption*) an Ordinance (No. 2730) Appointing Board Members (Christopher Harris to Katy Development Authority and Reinvestment Zone Number One; and, Carol E. Adams to Katy Heritage Park Board, Katy Heritage Society Representative). All voted Aye, and the motion carried.

**Consider an Ordinance (No. 2731) Increasing Groundwater Reduction User Fee Charged Each Single Family Residential, Multi-Family Residential, Commercial Structure and Unit from \$1.11 to \$1.23 Per One Thousand Gallons Effective January 1, 2016**

Motion was made by Mayor Pro Tem Brawner, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (*No. 2731*) Increasing Groundwater Reduction User Fee Charged Each Single Family Residential, Multi-Family Residential, Commercial Structure and Unit from \$1.11 to \$1.23 Per One Thousand Gallons Effective January 1, 2016. Councilmember Jones stated his opposition to the increase as he believes it is unwarranted. Councilmember Mendez and City Treasurer Becky Wilkins discussed that we are absorbing some of the 36 cent increase for the 3,000 galloon use and how we are still in the lowest percentile for the Texas Municipal League. City Administrator Byron Hebert discussed how the City is not in a position to absorb all of this increase and future plans to build another water plant, which will impact our water use through Harris County Water Authority. Votes were cast as follows: Ayes – Brawner, Dowdle, Mendez, Pierson; Noes – Jones. The motion carried.

**Councilmembers' Reports**

Councilmember Pierson congratulated Becky Wilkins on her certification, talked about how well decorated the City was for Christmas with beautiful wreaths all over town, and he thanked the Mayor for placing “In God We Trust” on our vehicles. Councilmember Jones congratulated Becky, urged attendance for the Katy Tiger’s game at NRG, he spoke fondly of playing Santa for the Fire Department and congratulated them for the success of the event. Councilmember Mendez echoed his comments and discussed how placing “In God We Trust” on our city vehicles was a good step and how nice it is to hear Merry Christmas, as it is an official holiday. Councilmember Dowdle said we are the second city in Texas to place “In God We Trust” on vehicles. He expressed gratitude to Police Chief William B. Hastings for encouraging the Mayor and he thanked the Mayor for standing up and doing it. He cheered on the Katy Tigers, thanked the Rotary Club for their years of involvement with the City, congratulated both Becky Wilkins and Chris Harris for their achievements, and shared his joy in also volunteering to play Santa for the Fire Department with his wife. Councilmember Brawner thanked Damon Archer for his attendance and the contributions that have been made to the Katy Independent School District Arts. He also thanked Fire Chief Rufus Summers for his service, talked about his pending retirement, and discussed how much they have achieved in the Fire Department since the summer of 2013 when he recruited him. He read the letter Congressman Michael McCaul sent to Chief Summers honoring his service.

**Mayor's Reports**

The Mayor congratulated Chris Harris on his new appointment and Becky Wilkins for her certification. He stated that when “In God We Trust” came across his desk he did not hesitate to move forward and how proud we are to display them. He expressed gratitude to Chief Hastings and Chief Summers for all their assistance. He said other counties and cities are following suit and he has received hundreds, if not thousands, of positive comments. The Mayor wished the Katy Tigers football team the best this weekend and closed with Merry Christmas!

**Adjourn**

Motion was made by Councilmember Pierson, seconded by Councilmember Jones, adjourning the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:23 p.m.

  
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Mayor

ATTEST:

  
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Assistant City Secretary