

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, March 14, 2016, 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
 Art Pertile, III, City Attorney
 David Leyendecker, City Engineer
 Byron Hebert, City Administrator
 Melissa A. Bunch, City Secretary

Public Hearing for Proposed Ordinance Amending Chapter 10, Subdivision Regulation to Allow for Trench Drainage in the Old Katy Zoning District

The Mayor opened at 6:32 p.m. a Public Hearing for Proposed Ordinance Amending Chapter 10, Subdivision Regulation to Allow for Trench Drainage in the Old Katy Zoning District. All were given an opportunity to be heard and there were none.

Consider an Ordinance (No. 2736) Amending Chapter 10, Subdivision Regulation to Allow for Trench Drainage in the Old Katy Zoning District

Motion was made by Councilmember Mendez, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (*No. 2736*) Amending Chapter 10, Subdivision Regulation to Allow for Trench Drainage in the Old Katy Zoning District. All voted Aye, and the motion carried.

Public Comments

All were given an opportunity to be heard during public comments and the following spoke: 1) Kathy Alt, Executive Director of Cinco Charities, spoke of The Ballard House and explained it is a mission field in Katy to house families and patients, who are receiving treatment for cancer, a transplant or other medical reasons, at no charge. She explained the facility is on Mason Road and has over 17,000 nights served, those served have become part of the community. She spoke of several groups and several churches, who have served meals, love and issued support. She explained The Ballard House is a not-for profit organization that relies on various fundraising events, such as the Sporting Clays Tournament to be held at Westside Sporting Grounds. 2) David Brown, 5806 Lilac Street, asked that City Councilmember consider a city ordinance prohibiting U-turns on Pin Oak Road, north of I-10. He is concerned the people turning right onto Pin Oak Road then making a U-turn, trying to beat the light, have caused some really close calls and he believes someone will get hurt.

Bank Statement and Check Register Thru 01-31-2016 (information items only)

There were no comments on the Bank Statement and Check Register Thru 01-31-2016.

Consent Agenda

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

- Consider Approval Minutes
 - 02-11-2016 Regular Meeting Minutes
 - 02-22-2016 Regular Meeting Minutes
- Consider Approval of Ready2Roll Cycle Club Training Ride Saturday, 03-19-16 (*start/finish Rhodes Stadium)(portion inside city limits only) (approved by Katy Police Dept.)*)
- Consider Street Closure Request from Y.M.C.A. for Groundbreaking Ceremony to be held Friday, 04-01-2016, 7:00 a.m. to 12:00 p.m., on Main Street from Kingsland Boulevard to the Rear Entrance of H-E-B (*approved by Katy Police Dept.*)

Councilmember Jones asked if a current Councilmember, who is on the Y.M.C.A. Board can vote on the Y.M.C.A. requested item. The City Attorney replied yes. All voted Aye, and the motion carried.

Consider Street Light Layout for The Reserve At Katy, Section Two

Motion was made by Councilmember Dowdle, seconded by Councilmember Mendez, approving as printed and presented the Street Light Layout for The Reserve At Katy, Section Two. All voted Aye, and the motion carried.

Consider Final Plat for Jordan Ranch Boulevard Waller County Street Dedication Number One, Subdivision of 1.248 Acres, J. G. Bennett Survey, Section 10, Abstract 292, Waller County (Extra-Territorial Jurisdiction Plat)

Motion was made by Councilmember Pierson, seconded by Councilmember Mendez, approving as printed and presented the Final Plat for Jordan Ranch Boulevard Waller County Street Dedication Number One, Subdivision of 1.248 Acres, J. G. Bennett Survey, Section 10, Abstract 292, Waller County (*Extra-Territorial Jurisdiction Plat*). All voted Aye, and the motion carried.

Consider Final Plat of West Ten Business Park, Commercial Reserves I, J, K and L, Subdivision of 6.6284 Acres, Robert T. Van Slyke Survey, Abstract 395, Thomas Cresop Survey, Abstract 405, 4 Reserves, 1 Block, Waller County

Motion was made by Councilmember Mendez, seconded by Councilmember Brawner, approving as printed and presented the Final Plat of West Ten Business Park, Commercial Reserves I, J, K and L, Subdivision of 6.6284 Acres, Robert T. Van Slyke Survey, Abstract 395, Thomas Cresop Survey, Abstract 405, 4 Reserves, 1 Block, Waller County. All voted Aye, and the motion carried.

Consider Final Plat of Katy Shopping Center, Unrestricted Reserve "A", 0.5004 Acres, Fort Bend County

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented the Final Plat of Katy Shopping Center, Unrestricted Reserve "A", 0.5004 Acres, Fort Bend County. All voted Aye, and the motion carried.

Consider Final Plat for Morris Oliver Way, Parkside Street and Buc-ee's Boulevard Street Dedication Plat, Subdivision of 5.2834 Acres, Thomas Cresop Survey, Abstracts 369 and 405, Fort Bend and Waller Counties

Motion was made by Councilmember Jones, seconded by Councilmember Mendez, approving as printed and presented the Final Plat for Morris Oliver Way, Parkside Street and Buc-ee's Boulevard Street Dedication Plat, Subdivision of 5.2834 Acres, Thomas Cresop Survey, Abstracts 369 and 405, Fort Bend and Waller Counties. All voted Aye, and the motion carried.

Consider a Resolution (No. 675) Authorizing the Issuance of Unlimited Tax Bonds, Series 2016, by Harris-Waller Counties M.U.D. No. 2, Not to Exceed \$2,060,000

Motion was made by Councilmember Dowdle, seconded by Councilmember Pierson, approving as printed and presented a Resolution (No. 675) Authorizing the Issuance of Unlimited Tax Bonds, Series 2016, by Harris-Waller Counties M.U.D. No. 2, Not to Exceed \$2,060,000. All voted Aye, and the motion carried.

Consider a Resolution (No. 676) Authorizing the Issuance of Unlimited Tax Bonds, Series 2016A, by WoodCreek Reserve M.U.D., Not to Exceed \$3,000,000

Motion was made by Councilmember Dowdle, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 676) Authorizing the Issuance of Unlimited Tax Bonds, Series 2016A, by WoodCreek Reserve M.U.D., Not to Exceed \$3,000,000. All voted Aye, and the motion carried.

Consider a Resolution (No. 677) Authorizing the Katy Development Authority to Enter into an Economic Development Agreement with Buc-ee's Ltd.

Motion was made by Councilmember Pierson, seconded by Councilmember Jones, approving as printed and presented a Resolution (No. 677) Authorizing the Katy Development Authority to Enter into an Economic Development Agreement with Buc-ee's Ltd. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2737) Declaring J. Gary Jones, Candidate for Councilmember Ward A, Unopposed for Election to Office; the May 7, 2016, Special City Officers' Election is Cancelled; and, Said Candidate is Declared Elected for the Unexpired Term (May 2015 – May 2017)

Motion was made by Councilmember Dowdle, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (No. 2737) Declaring J. Gary Jones, Candidate for Councilmember Ward A, Unopposed for Election to Office; the May 7, 2016, Special City Officers' Election is Cancelled; and, Said Candidate is Declared Elected for the Unexpired Term (May 2015 – May 2017). All voted Aye, and the motion carried.

Consider an Ordinance (No. 2738) Appointing a City Officer – Fire Chief – Russell W. Wilson

Motion was made by Councilmember Dowdle, seconded by Councilmember Jones, approving as printed and read (*caption*) an Ordinance (No. 2738) Appointing a City Officer – Fire Chief – Russell W. Wilson. It was explained Wilson is currently an Assistant Fire Chief in Irving, Texas and he along with his wife will be moving to Katy. Wilson comes with a long list of accomplishments and accolades. Councilmembers welcomed Fire Chief Wilson and his wife to Katy. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2739) Amending Katy Code of Ordinances, Chapter 1, General Provisions; Article 1.11 Parks and Recreations by Establishing Policies, Establishing Fees and Reservation Procedures for Use of City of Katy Buildings, Parks and Recreational Facilities; Providing for Forfeiture of Fees and Deposits of Any Person or Organization for Failure to Abide By the Policies, Repealing All Ordinances, Rules, Regulations and Fees in Conflict with Such Policies, Specifically Repealing Ordinance No. 2471

Motion was made by Councilmember Mendez, seconded by Councilmember Dowdle, approving as printed and read (*caption*) an Ordinance (No. 2739) Amending Katy Code of Ordinances, Chapter 1, General Provisions; Article 1.11 Parks and Recreations by Establishing Policies, Establishing Fees and Reservation Procedures for Use of City of Katy Buildings, Parks and Recreational Facilities; Providing for Forfeiture of Fees and Deposits of Any Person or Organization for Failure to Abide By the Policies, Repealing All Ordinances, Rules, Regulations and Fees in Conflict with Such Policies, Specifically Repealing Ordinance No. 2471. Councilmember Jones expressed his objection to the proposed user fees of Parks and Recreation facilities; since, citizens have already paid, by paying their taxes. City Attorney Pertile explained the facilities are not solely for the citizens on Katy, since anyone can rent the facilities and currently the citizens are receiving a discounted rate. Parks and Recreation Director Brad Barnes explained everyone pays the same cleaning fee and it is passed on to the contractor. He believes the fees are minimal, such as the Katy City Park Pavilion rents for \$60.00 per day. Barnes explained the current fees are deposited into the City's General Fund and not specifically the Parks Department. Jones explained he had no problems with the regulations and policies, just the user fees. Hebert explained the lack of park user fees for citizens will cause a deficiency in revenues and he was concerned about the shortage. Motion to amend the main motion was made by Councilmember Jones, seconded by Councilmember Dowdle, amending the ordinance to state that citizens of Katy are exempt from paying user fees for the Parks and Recreation facilities, but they will have to pay cleaning fees. Councilmember Mendez asked how many citizens use these facilities. City Attorney Pertile explained there is no current means of tracking at this time. All voted Aye and the Amendment to the main motion carried. All voted Aye, and the main motion carried.

Consider an Ordinance (No. 2740) Amending Katy Code of Ordinances, Chapter 2 Animal Control, Sections 2.03.048, 2.03.049, 2.03.050 and 2.03.051; Providing for the Transfer of Dogs and Cats Impounded by The City to Rescue Organizations; Amending Chapter 8 Offenses And Nuisances, Adding Section 8.04.003 Unreasonably Noisy Animals

Motion was made by Councilmember Jones, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (No. 2740) Amending Katy Code of Ordinances, Chapter 2 Animal Control, Sections 2.03.048, 2.03.049, 2.03.050 and 2.03.051; Providing for the Transfer of Dogs and Cats Impounded by The City to Rescue Organizations; Amending Chapter 8 Offenses And Nuisances, Adding Section 8.04.003 Unreasonably Noisy Animals. All voted Aye, and the motion carried.

Consider an Ordinance Appointing Larry Gore as Alternate Member to the Zoning Board of Adjustment

Councilmember Jones pulled Consider an Ordinance Appointing Larry Gore as Alternate Member to the Zoning Board of Adjustment at the City Attorney's request, until he can research the proposed appointment, since Gore currently in on the City Planning and Zoning Commission.

Councilmembers' Reports

Councilmember Pierson encouraged all to go visit The Ballard House and the YMCA Facility. He welcomed Buc-ee's to the City. Pierson gave a hats off to Chief Summers for his dynamic service to the Fire Department. He welcomed Wilson to the City and expressed this is the best place to live, work and play. Councilmember Jones also thanked Chief Summers for all his hard work and welcomed Wilson as the new incoming Fire Chief. He spoke highly of The Ballard House and their encouragement to those families who are fighting severe illness. Jones welcomed Buc-ee's. Jones encouraged all to attend the upcoming Katy Police Officers Associations' Annual Fish Fry to be held on April 12, 2016. Councilmember Mendez echoed all comments about The Ballard Housed, welcoming Buc-ee's, welcoming Wilson and thanked Chief Summers. He encouraged all to attend the upcoming Katy Market Days on Saturday, March 19, 2016, including the baskets, bunny pictures, crafts and ice cream. Mendez also, encouraged all to attend upcoming Fish Fry. Councilmember Dowdle commented The Ballard House was great. He thanked Buc-ee's from coming to the City and expressed it was nice to meet Mr. Bieber. He thanked Chief Summers, welcomed Wilson and he hopes the new dog ordinance works well. Councilmember Brawner spoke highly of The Ballard House.

Mayor's Reports

The Mayor thanked The Ballard House for their comments, welcomed Buc-ee's, welcomed incoming Fire Chief Wilson and thanked Summers for his service.

Adjourn

Motion was made by Councilmember Pierson, seconded by Councilmember Dowdle, adjourning the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:12 p.m.



 Mayor

ATTEST:



 City Secretary