

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, April 25, 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
 Steve Pierson, Councilmember
 Art Pertile, III, City Attorney
 David Leyendecker, City Engineer
 Byron Hebert, City Administrator
 Melissa A. Bunch, City Secretary

The following City Councilmember was absent:

Jimmy Mendez, Councilmember

Public Hearing for Proposed Amendment to City of Katy Zoning Ordinance No. 621; Amending Ordinance No. 1199 “Katy Mills” Planned Development District for a Special Use Permit for the Construction and Operation of a Public High School within 5,100 Square Feet of Space at 5000 Katy Mills Circle, Katy, Texas, Fort Bend County

The Mayor opened a Public Hearing at 6:34 p.m. for Proposed Amendment to City of Katy Zoning Ordinance No. 621; Amending Ordinance No. 1199 “Katy Mills” Planned Development District for a Special Use Permit for the Construction and Operation of a Public High School within 5,100 Square Feet of Space at 5000 Katy Mills Circle, Katy, Texas, Fort Bend County. All were given an opportunity to be heard and the following spoke: 1) Don Massey, General Manager, Simon – Katy Mills Mall, explained that Simon Youth Foundation has 26 Simon Youth Academies in 12 states to help at-risk students who are on the verge of dropping out of high school to stay in school. He spoke of giving them the space and the tools to be successful and there is an average of 90% graduation. The program is a partnership with local public schools. The Mayor closed the Public Hearing at 6:39 p.m.

Consider an Ordinance (No. 2744) for an Amendment to City of Katy Zoning Ordinance No. 621; Amending Ordinance No. 1199 “Katy Mills” Planned Development District for a Special Use Permit for the Construction and Operation of a Public High School within 5,100 Square Feet of Space at 5000 Katy Mills Circle, Katy, Texas, Fort Bend County

Motion was made by Councilmember Pierson, seconded by Councilmember Jones, approving as printed and read (*caption*) an Ordinance (No. 2744) for an Amendment to City of Katy Zoning Ordinance No. 621; Amending Ordinance No. 1199 “Katy Mills” Planned Development District for a Special Use Permit for the Construction and Operation of a Public High School within 5,100 Square Feet of Space at 5000 Katy Mills Circle, Katy, Texas, Fort Bend County. All voted Aye, and the motion carried.

Public Hearing for Proposed Amendment to City of Katy Zoning Ordinance No. 621; Amending Ordinance No. 2445 “West Ten Business Park” Planned Development District, Amending Certain Sign Requirements and Restrictions for Development within the “West Ten Business Park” Planned Development District

The Mayor opened a Public Hearing at 6:41 p.m for a Proposed Amendment to the City of Katy Zoning Ordinance No. 621; Amending Ordinance No. 2445 “West Ten Business Park” Planned Development District, Amending Certain Sign Requirements and Restrictions for Development within the “West Ten Business Park” Planned Development District. All were given an opportunity to be heard and there were none. The Mayor closed the Public Hearing at 6:41 p.m.

Consider an Ordinance (No. 2745) for an Amendment to City of Katy Zoning Ordinance No. 621; Amending Ordinance No. 2445 “West Ten Business Park” Planned Development District, Amending Certain Sign Requirements and Restrictions for Development within the “West Ten Business Park” Planned Development District

Motion was made by Councilmember Jones, seconded by Councilmember Dowdle, approving as printed and read (*caption*) an Ordinance (No. 2745) for an Amendment to City of Katy Zoning Ordinance No. 621; Amending Ordinance No. 2445 “West Ten Business Park” Planned Development District, Amending Certain Sign Requirements and Restrictions for Development within the “West Ten Business Park” Planned Development District. All voted Aye, and the motion carried.

Flood Status Report

City Administrator Byron Hebert explained a Flood Status Report would be given by the City of Katy Office of Emergency Management Maria Galvez and the City Engineer David Leyendecker. Galvez spoke of planning for this type of situation; however, the flood waters were at historic levels. She explained there were several Mutual Aid Agreement that went into effect. She reported the Mayor had signed a Declaration of Disaster and flood damage needs to be reported on the City’s website. City Engineer Leyendecker commented he had lived in Katy for 40 years and never seen flooding as damaging as the recent flooding. He reported on the flow of the various creek and bayous that pass through Katy and their effects on property in Katy and north of Katy. It was noted that the majority of flood occurred to property in close proximity to the bayou. City Administrator Hebert reported the City’s Public Works Department are picking up and removing debris and this could take up to three weeks.

Public Comments

All were given an opportunity to speak during Public Comments and the following spoke:

1) Fran Clark-Fielder, 2803 Cottonwood Drive, Katy, Texas, expressed concern of gawkers picking thru their personal debris, various vehicles blocking the streets and would like to see more on the City’s website in such an event. 2) Margaret Marksteiner, 6446 Sweetgum, expressed concern with the water flow coming through Pine Forest Subdivision and the cars on the streets that were making waves into peoples’ homes. She suggested a committee be formed to address various flood issues to avoid a reoccurrence in the future. 3) Michael Mestrangelo, VFW Post 9182, commented there were no human lives lost in Katy, due to the recent floods. He spoke of the VFW Museum and the large amount of loss they had. He explained the members and ladies were trying to salvage as much as they could. He thanked the City again for their generosity with the museum.

Consent Agenda

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

- Consider Approval of 04-11-2016 Regular Meeting Minutes
- Consider Approval of a Request for the 3rd Annual No Label Brewing 5K Run benefiting Rotaract Club of West Houston/Katy, to be held Saturday, June 18, 2016 (*start/finish No Label Brewery, 5351 First Street*) (*approved by Katy Police Department*)
- Consider Street Closure Request for Katy Contemporary Arts Museum for The Katy Jazz Festival Event to be held on Sunday, May 1, 2016 from 5:00 p.m. to 7:00 p.m., Avenue B between First Street and the Railroad Tracks (*recommendation from Katy Police Department for closure between First Street and Highway Blvd.*)

All voted Aye, and the motion carried.

Consider Acceptance of Public Improvements for Young Ranch, Sections 4 & 5, Paving and Appurtenances

Motion was made by Councilmember Dowdle, seconded by Councilmember Pierson, approving as printed and presented the Acceptance of Public Improvements for Young Ranch, Sections 4 & 5, Paving and Appurtenances. All voted Aye, and the motion carried.

Consider Acceptance of Public Improvements for Young Ranch, Sections 4 & 5, Water, Sanitary Sewer and Storm Sewer System

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented the Acceptance of Public Improvements for Young Ranch, Sections 4 & 5, Water, Sanitary Sewer and Storm Sewer System. All voted Aye, and the motion carried.

Consider Acceptance of Public Improvements for Cane Island, Section 16, Water, Sanitary Sewer, Storm Sewer System and Paving

Motion was made by Councilmember Brawner, seconded by Councilmember Jones, approving as printed, presented and amended by the City Engineer, the Acceptance of Public Improvements for Cane Island, Section 16, Water and Sanitary Sewer. City Engineer David Leyendecker had explained the acceptance was for the water and sanitary sewer only, since, the paving and storm sewer system were private. All voted Aye, and the motion carried.

Consider Final Plat of Woodcreek Reserve, FM 1463 Commercial Reserves South Replat of Reserve A, Subdivision of 6.33 Acres Located in the E. P. Everett Survey, Abstract 385, 2 Reserves, 1 Block, Fort-Bend County (approved by CPZ 4-12-2016)

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented the Final Plat of Woodcreek Reserve, FM 1463 Commercial Reserves South Replat of Reserve A, Subdivision of 6.33 Acres Located in the E. P. Everett Survey, Abstract 385, 2 Reserves, 1 Block, Fort-Bend County (*approved by CPZ 4-12-2016*). All voted Aye, and the motion carried.

Consider Final Plat of Cane Island Parkway, Phase 3, Subdivision of 4.779 Acres Out of the H.&T.C.R.R Company Survey, Abstract 203 and the F. Eule Survey, Abstract 376, Waller County (approved by CPZ 04-12-2016)

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, approving as printed and presented the Final Plat of Cane Island Parkway, Phase 3, Subdivision of 4.779 Acres Out of the H.&T.C.R.R Company Survey, Abstract 203 and the F. Eule Survey, A-376, Waller County (approved by CPZ 04-12-2016). All voted Aye, and the motion carried.

Consider Awarding Bid for First Street Sanitary Sewer Relocation to Trans-Tex Construction, Pattison, Texas, in the Amount of \$61,040.00 for a Total Project Cost of \$74,468.00 (total project cost includes contingencies, engineering & surveying and inspection)(bids received 04-20-2016)

Motion was made by Councilmember Brawner, seconded by Councilmember Jones, approving as printed and presented Awarding Bid for First Street Sanitary Sewer Relocation to Trans-Tex Construction, Pattison, Texas, in the Amount of \$61,040.00 for a Total Project Cost of \$74,468.00 (total project cost includes contingencies, engineering & surveying and inspection)(bids received 04-20-2016). All voted Aye, and the motion carried.

Consider an Ordinance (No. 2746) Removing Donald P. Cox as Central Counting Station Presiding Judge and Appointing Eric T. Paulsen As Central Counting Station Presiding Judge for City of Katy Election, May 07, 2016

Motion was made by Councilmember Dowdle, seconded by Councilmember Brawner, approving as printed and read (caption) an Ordinance (No. 2746) Removing Donald P. Cox as Central Counting Station Presiding Judge and Appointing Eric T. Paulsen as Central Counting Station Presiding Judge for City of Katy Election, May 07, 2016. All voted Aye, and the motion carried.

Councilmembers' Reports

Councilmember Dowdle reported he had visited with several of the citizens affected by the recent flooding and he feels sorry for all who suffered thru it. He commented he has lived here for over 30 years and had never seen the water so high. He thanked the Police, Fire, EMS, Public Works and all others involved with responding to those in need during the flood. On a brighter side, the news of Simon working with the School District is a hope for success. Councilmember Pierson reiterated that city employees went the extra mile during the flooding, which took them from their families. He thanked Katy I.S.D. for partnering with the City and for the assistance from Waller and Harris Counties, along with the Texas Game Warden, various churches and Brookshire-Katy Drainage District. Councilmember Jones thanked the Veterans and Boy Scouts for the Pledges to the American and Texas Flags. He spoke of KCAM and Katy Brewfest. Councilmember Brawner reported the Brewfest was a great success and hope and pray we can recover from the recent floods.

Mayor's Reports

The Mayor thanked the first responders and he thanked City Administrator Hebert for ramrodding that whole day and all employees for what they did in response efforts for the recent flooding. He reported he had attended on Saturday the fishing event at Mary Jo Peckham Park, there were a lot of people and it was a great success. He also, spoke of the Brewfest Event and all of the monies go to those in need. The Mayor commented he also has had gawkers going thru garbage in his neighborhood.

Adjourn

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, adjourning the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:33 p.m.



Mayor

ATTEST:



City Secretary