

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, January 22, 2018, at 6:30 p.m., at Katy City Hall, 901 Avenue C, Katy, Texas. The following City Officials were present:

Chuck Brawner, Mayor
 Durran Dowdle, Mayor Pro Tem
 Ray Boothe, Councilmember
 J. Gary Jones, Councilmember
 Jimmy Mendez, Councilmember
 Steve Pierson, Councilmember
 Art Pertile, III, City Attorney
 David Leyendecker, City Engineer
 Byron Hebert, City Administrator
 Becky L. McGrew, Assistant City Secretary

The following City Officials were absent:

Melissa A. "Missy" Bunch, City Secretary

Public Comments

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

Consent Agenda

Motion was made by Councilmember Jones, seconded by Councilmember Boothe, approving as printed the Consent Agenda:

- Consider Street Closure Request for Katy Market Days Events, Closing Avenue B Between Second and Third Street and the Use of Katy Harvest Plaza (*Third Saturday of Each Month from march Through November of 2018 from 10 a.m. to 4 p.m.*) (*Approved by Katy Police Department*)
- Consider Acceptance of Donation in the Amount of \$250.00 to Keep Katy Beautiful Board from Rhett Butler Charitable Foundations
- Consider Approval of Convention & Tourism Bureau (CTB) Hotel Occupancy Tax Grant Application: Southland Conference – Basketball Tournament, March 7-11, 2018, Leonard E. Merrell Center, Fort Bend County, Amount Requested \$150,000.00 (*Tourism-Related Advertising & Promotion of City of Katy & Local Hotels; Sporting Event in Which Majority of Participants are Tourist in Cities Located in a County with Population of One Million or Less*)

All voted Aye, and the motion carried.

Consider a Resolution (No. 846) Declaring Vehicles as Surplus Items for Auction (Parks – Vehicle (Explorer) & Public Works Department – Dump Truck)

Motion was made by Councilmember Pierson, seconded by Councilmember Mendez approving as printed and presented a Resolution (No. 846) Declaring Vehicles as Surplus and Authorizing the Sale and Disposal (Parks Vehicle (Explorer) & Public Works – Dump Truck). Councilmember Boothe clarified the 2016 Explorer was hung up in the flood and we were selling because we were no longer able to use. Finance Director, Becky Wilkins, confirmed and stated the dump truck was also flooded and not on the insurance or repair value. All voted Aye, and the motion carried.

Consider a Resolution (No. 847) Authorizing the City Administrator to Enter Into a Financing Agreement with Government Capital Corporation to Procure a Vehicle and Related Equipment

Motion was may Councilmember Jones, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 847) Authorizing the City Administrator to Enter Into a Financing Agreement with Government Capital Corporation to Procure a Vehicle and Related Equipment. All voted Aye, and the motion carried.

Consider a Resolution (No. 848) Authorizing the Use of Reserve Enterprise Funds in an Amount up to \$495,000.00 for 27-Inch Sewer Main Line Extension (Falls at Green Meadows & Cane Island Subdivisions)

Motion was may Councilmember Pierson, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 848) Authorizing the Use of Reserve Enterprise Funds in an Amount up to \$495,000.00 for 27-Inch Sewer Main Line Extension (Falls at Green Meadows & Cane Island Subdivisions). Councilmember Pierson asked for clarification on why this needed to be done. City Engineer, David Leyendecker, explained that this has been part of the Comprehensive Plan since 1983 and it was part of the major sewer line that serves the western and northern portions of the City. He said this has been done a piece at a time over the years and that both subdivisions needed this sewer line to tie in and that it would connect with a line Morton Road. He explained how it would help with rain issues and there would be one more, short, piece required after this one and the long term financial impact when we were able to phase out some lift stations. He explained how for this portion the subdivisions would assume eight to ten percent of this project cost. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2831) Calling 2018 Regular Officers' Election in the City of Katy, Texas, for the 5th day of May, 2018, for the Purpose of Electing One Councilmember At Large, One Councilmember from Ward A and One Councilmember from Ward B

Motion was made by Councilmember Pierson, seconded by Councilmember Mendez, approving as printed and read (*caption*) an Ordinance (No. 2831) Calling 2018 Regular Officers' Election in the City of Katy, Texas, for the 5th day of May, 2018, for the Purpose of Electing One Councilmember At Large, One Councilmember from Ward A and One Councilmember from Ward B. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2832) Amending Section 12.03.005 "Collection Standards" of the City of Katy Code of Ordinances, Providing for Solid Waste Containers; and Providing a Penalty for Violation in an Amount Up to \$2,000.00

City Attorney, Art Pertile explained how in the years since we have contracted for solid waste the times and delivery manner of these services have changed. He advised that the collected standards should follow the contract instead of being set by Ordinance, as done in the past. Councilmember Jones clarified that solid waste means trash, debris, etc. Council, staff and David Aguilar, Representative from Republic Services had an in depth discussion about changes in services, cost and implementation of same. The largest of these issues being yard debris and leaf disposal. Moreover, Councilmember Jones spoke out against the \$2,000.00 fine listed in the Ordinance. City Attorney Pertile explained this is statutory and we do not have to enforce or apply the penalty if we chose not to do so. Councilmember Mendez

discussed that there has been a disconnect between what services we are paying for and receiving. The cost no longer justifies the means and people will need to pay for the services they receive. Marketing & Tourism Director, Kayce Reina gave a presentation outlining the changes and some options for disposal of yard debris and leaves, which was free and ecofriendly – unlike throwing leaves into trash and ultimately the landfill. Councilmember Boothe expressed his concern about how much notice we've given citizens for these changes, moreover, we are a tree city and leaves are prominent issue for many citizens. He did clarify that he doesn't believe the extra cost for additional carts was unreasonable. Councilmember Jones discussed the issue was storing several bins year round, when they were only needed seasonally. The following citizens spoke about their concerns with the new garbage contract and leaf removal services: Gary Miller (Spoonbill); Jane Gray (2714 Patna); Mel (Pine Forest); and Frank Manion (Hunters Terrace). All opposed the rate increase and loss of ability to dispose of large quantities of leaves. Shari Boothe (5923 Franz Court) proposed the City do once a month leaf pickup and disposal at no cost to the citizens to alleviate this issue. Council discussed this or alternatives of outsourcing same. City Attorney Pertile advised that in order to clean up our current Ordinance and operate under the current contract we needed to address this Ordinance. Motion was made by Councilmember Jones, seconded by Councilmember Mendez, approving an Ordinance (*No. 2832*) Amending Section 13.02.005 "Collection Standards" of the City of Katy Code of Ordinances, Providing for Solid Waste Containers in Accordance with City of Katy Contract Provisions or City Regulations; Authorizing the City Secretary to Publish Only the Caption of this Ordinance; Repealing all Ordinances or Parts of Ordinances in Conflict Herewith; and Providing Severability *with no penalty*. All vote Aye, and the motion carried.

Consider an Ordinance (No. 2833) Increasing the Groundwater Reduction User Fees Charged Each Single-Family Residential Multi-Family Residential and Commercial Structure and Unit, Payable to the West Harris County Regional Water Authority, to \$1.75 Per One Thousand (Effective 02-01-2018)

Motion was made by Mayor Pro Tem Dowdle, seconded by Councilmember Mendez, approving as printed and read (*caption*) an Ordinance (*No. 2833*) Increasing the Groundwater Reduction User Fees Charged Each Single-Family Residential Multi-Family Residential and Commercial Structure and Unit, Payable to the West Harris County Regional Water Authority, to \$1.75 Per One Thousand (*Effective 02-01-2018*). City Attorney Art Pertile explained that this fee would continue to rise as a State mandated effort to force cities towards the use of surface water, in an attempt to conserve groundwater. Mayor Brawner discussed the issue and his awareness of the subsidence issue, moreover, the current projection is the pipelines required to move to surface water would not be done in this area until 2022 – making the projected change for us estimated at 2025. Councilmember Jones expressed his dislike of the fee on the record. All voted Aye, and the motion carried.

Councilmembers' Reports

Councilmember Jones thanked all who serve the City – Police and Fire Department. He grieved for the loss of a great man yesterday, Johnny Nelson. He requested prayers for his family. Councilmember Boothe thanked the Scouts for attending. He recanted his nightmares about trash services, since he has started receiving all the complaint emails. He expressed appreciation for all those in the community who spoke and for their ideas to alleviate the

situation. He closed by requesting grace and prayer for Paulette Nelson. He spoke fondly of Mr. Nelson and how he always had something with the City of Katy Logo on, moreover, how he shaped the path this City is on with his conscientious mind. Councilmember Pierson echoed thanks. He recanted a funny story from the first time he met Johnny Nelson at the scene of an accident and echoed requests for prayer. Councilmember Mendez thanked the citizens for the mean emails, because it let Council know what and who to fight for. He sent blessings out for the Nelson family. Mayor Pro Tem Dowdle expressed how much he would miss Johnny and how he was glad he helped him celebrate his 79th Birthday at Snappy's. He spoke fondly of seeing Johnny drive around town with his dogs. He echoed the prayer request and ended the reports by letting the Scouts race to the front to capture an Astros World Series cap he was giving away.

Mayor's Reports

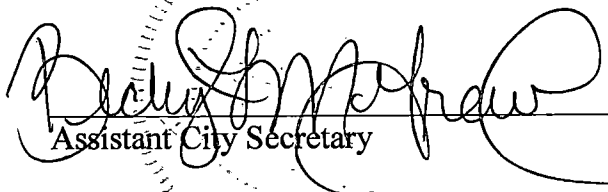
Mayor Brawner informed all of the service dates and times for Johnny's funeral. He echoed prayers and appreciation for all Mr. Nelson accomplished for this City, which he loved so much. He apologized for the mix-ups with the ice storms and meeting changes that resulted from same. He closed by thanking all in attendance.

Adjourn

Motion was made by Councilmember Pierson, seconded by Councilmember Jones, to adjourn. All voted Aye, and the motion carried. The meeting was adjourned at 7:58 p.m.



Mayor

ATTEST:


Assistant City Secretary