

MINUTES OF SPECIAL CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in special session Monday, June 17, 2019, at 6:30 p.m., at Katy City Hall, 901 Avenue C, Katy, Texas. The following City Officials were present:

Bill Hastings, Mayor
 Durran Dowdle, Mayor Pro Tem
 Frank O. Carroll, III, Councilmember
 Janet Corte, Councilmember
 Chris Harris, Councilmember
 Jenifer Stockdick, Councilmember
 Art Pertile, III, City Attorney
 David Leyendecker, City Engineer
 Byron Hebert, City Administrator
 Melissa A. Bunch, City Secretary

Proclamation Recognizing Katy High School Varsity Softball Team UIL Class 6A 2019 State Champions

The Mayor read a Proclamation Recognizing Katy High School Varsity Softball Team UIL, Class 6A 2019 State Champions. He presented the Proclamation to various representatives including the Coaches, softball team and parents of the softball team members.

Keep Katy Beautiful Board - Presentation of Katy Proud Business Award to Old Town Katy Floral, 5725 Second Street

Jennifer Stence, Keep Katy Beautiful Board Member, presented the Katy Proud Business Award to Old Town Katy Floral owner Vicki Williams.

Keep Katy Beautiful Board - Recognition of Katy's First Baptist Church as an "Outstanding Community Partner"

Kay Callender, Vice Chairman, Keep Katy Beautiful Board, presented the recognition of Katy's First Baptist Church as an "Outstanding Community Partner" to Coleman Philly and his children for their continued support and generosity to various Keep Katy Beautiful Board events. She explained they have opened their building, allowed use of their parking lot, allowing for tons of recycling collection of electronics, document shredding, along with road litter and bulk trash.

Public Hearing for Proposed Ordinance Amending Zoning Ordinance No. 621, Special Use Permit Allowing a Bed & Breakfast at 2650 Avenue D (denied by City Planning & Zoning Commission 05-28-2019)

The Mayor opened a Public Hearing at 6:49 p.m. for Proposed Ordinance Amending Zoning Ordinance No. 621, Special Use Permit Allowing a Bed & Breakfast at 2650 Avenue D. All were given an opportunity to be heard and the following spoke: 1) Sandra Farris, 6102 Morton Road, commented she had moved to Katy because it was a wonderful city, she loved the beauty and the generosity of the people. She explained she would have to see it change and would hate to see commercial businesses moving into residential neighborhoods. She stated CPZ voted to keep this type of business out of the area and she agreed with this decision.

Public Hearing for Proposed Ordinance Amending Zoning Ordinance No. 621, Special Use Permit Allowing a Bed & Breakfast at 2650 Avenue D (denied by City Planning & Zoning Commission 05-28-2019) (cont'd)

2) Kathleen Wedemeyer, 2706 Avenue D, explained she was the next door neighbor to the referenced property and believes this business has directly impacted her life. She commented as of this day, the property is still being advertised as a bed and breakfast, with the whole house being rented and not just a bedroom and they continued to rent the property after the City notified them of the business was not allowed. She reported the business did not cover their windows and she could see into the house. She believes they have a completed disregard for neighbors, they do not abide by the laws in place and they bought the property as residential and they knew that. 3) Allison Ormond, 2213 Deerfield, Fawnlake Subdivision, expressed several concerns she had and not just being an event venue, but the safety and the complete disregard for the neighbors. She spoke of the property being sold to an out of town investor and there being no regard for disturbing neighbors, with traffic and car alarms. She understood the Special Use Permit belongs to the property and not the owner, should the property change hands and since there is no Home Owners' Association, that is why the City has Zoning. The Mayor closed the Public Hearing at 6:57 p.m.

Consider an Ordinance Amending Zoning Ordinance No. 621, Special Use Permit Allowing a Bed & Breakfast at 2650 Avenue D (denied by City Planning & Zoning Commission 05-28-2019)

Motion was made by Councilmember Harris, seconded by Councilmember Carroll, to deny the proposed Ordinance Amending Zoning Ordinance No. 621, Special Use Permit Allowing a Bed & Breakfast at 2650 Avenue D (denied by City Planning & Zoning Commission 05-28-2019). Councilmember Carroll referenced the City's Zoning Ordinance and the various factors to be considered in approving or denying the proposed request. Councilmember Corte stated that during her run for office, she vowed to keep commercial out of residential areas. Councilmember Dowdle agrees the location is not the place for this type of venue. Councilmember Harris spoke of the overflow parking from the venue being on the streets in Pine Lakes Subdivision and is definitely a nuisance to the neighborhood. All voted Aye to deny the request, and the motion carried.

Bank Statement and Check Register Thru 04-30-2019 (information items only)

There were no comments on the Bank Statement and Check Register Thru 04-30-2019.

Public Comments

All were given an opportunity to be heard and the following spoke during public comments: 1) Noe Diaz, Katy Police Chief, introduced a newly hired Katy Police Officer Eddie Garza. Garza explained he had been raised in Katy, was a 2003 graduate of Katy High School and was glad to working for the City of Katy. 2) Cindy Wiederhold, 1611 Chilton Lane, she really appreciates the City honoring the Katy High School Soft Ball Team. She encouraged all to be more aware citizens, be willing to be a witness, be willing to report and be willing to follow thru. She spoke of a recent noise event that had been resolved and she was pleased the noise was gone. She understands the Police and Fire Departments are stressed with Typhoon Texas and Katy Mills, but she encouraged to be aware and report. Wiederhold stated she plans on being a reporting citizen. 3) Sandra Farris, 6102 Morton Road, explained she has lived in Katy for 15 years and expects the City to hire good contractors and none with bad credentials. She expressed concern that contractors lowball a bid, then ask for additional monies, take a year to complete a three week project and have no respect for property owners. She believes there

Public Comments (cont'd)

needs to be more checks and balances for the engineers, the surveyors and the overall supervision of a project. She stated it is not ok to say a project is complete, when there are still materials not used laying around. Ms. Farris thanked Public Works Director Elaine Lutringer for all she has done to make a certain project right, by going above and beyond. She encouraged the City to not let this happen again.

Consent Agenda

Motion was made by Councilmember Harris, seconded by Councilmember Corte, approving as printed and presented the Consent Agenda as listed below:

- Consider Cancelling 06-24-2019 Regular City Council Meeting *(due to lack of a quorum)*
- Consider Approval of Event, 2020 Annual Reign Over Cancer Walk & 5K Run, Saturday, February 22, 2020, 6:00 a.m. until 11:00 a.m. at Cane Island Subdivision *(start/finish Cane Island Subdivision) (approved by Katy PD)*
- Consider Street Closure Requests for City of Katy Freedom Celebration
 - Closing Star Lane Between Katy-Fort Bend Road and Katy Mills Circle from 6:00 a.m. until 11:00 p.m., Thursday, July 4, 2019 for the Fireworks Display
 - Closing George Bush Drive from Avenue D West to the Katy Heritage Museum from 7:00 a.m. until 3:00 p.m., Thursday, July 4, 2019 for the Event
- Consider Hotel Occupancy Tax Grant Applications *(approved by Convention & Tourism Bureau 05-22-2019)*
 - Houston MG Car Club – The Texas MG Register Gathering of the Faithful, October 17-19, 2019, Downtown Katy & Katy Mills Mall, Amount Approved \$2,000.00 *(Tourism Related Advertising, Promotion of the City of Katy & Local Hotels; Funding Programs that Enhance the Arts)*
 - UIL Athletics – UIL State Soccer Tournament, April 15-18, 2020, Legacy Stadium, Amount Approved \$50,000.00 *(Sporting Events in which Majority of Participants are Tourists in Cities Located in a County with a Population of One Million or Less)*
- Consider Acceptance of Donations to Keep Katy Beautiful Board
 - \$100.00 for the Dorothy Bing Memorial Bench *(donated by Wolman Family) (Katy Branch Library, 5414 Franz Rd)*
 - \$125.00 for the Memorial of Grant Carroll *(donations by Homer Allen & Paula Taylor) (Katy Boardwalk)*
 - \$5,000.00 from Katy Rotary Club
- Consider Membership Dues
 - Texas Municipal League for 07-01-2019 to 06-30-2019 - \$3,300.00
 - West I-10 Chamber of Commerce for 2019 - \$1,000.00
- Consider Acceptance of Public Improvements *(Water, Wastewater Collection, Storm Water Facilities & Paving)*
 - Cane Island, Section 40
 - Cane Island, Section 41
 - Young Ranch, Section 12
 - Lilac Bend, Section 1
 - Lilac Bend, Section 2
- Consider Acceptance of Final Plat for Shops at Avalon, 4.209 Acres, James Conner Survey, Abstract 157, 1 Reserve, 1 Block, Fort Bend County

All voted Aye, and the motion carried.

Consider a Resolution (No. 959) Declaring Certain Property as Surplus and Authorizing the Sale or Disposal (Fire, Finance and Parks & Recreation Department) (miscellaneous equipment, parts and a dump truck)

Motion was made by Councilmember Dowdle, seconded by Councilmember Corte, approving as printed and presented a Resolution (No. 959) Declaring Certain Property as Surplus and Authorizing the Sale or Disposal (Fire, Finance and Parks & Recreation Department) (miscellaneous equipment, parts and a dump truck). All voted Aye, and the motion carried.

Consider a Resolution (No. 960) Authorizing the Mayor to Sign Change Order No. 1, in the Amount of \$47,622.62, Reconciling all Bid Items for Brant Drive Storm Sewer Extension with G.W. Phillips Concrete Construction Company (Original Bid Awarded 01-09-2017) (Tabled on 03-25-2019)

Motion was made by Councilmember Corte, seconded by Councilmember Dowdle, approving as printed and presented a Resolution (No. 960) Authorizing the Mayor to Sign Change Order No. 1, in the Amount of \$47,622.62, Reconciling all Bid Items for Brant Drive Storm Sewer Extension with G.W. Phillips Concrete Construction Company (Original Bid Awarded 01-09-2017) (Tabled on 03-25-2019). City Engineer Leyendecker explained the project had been held up for six months waiting for the Morton Road project to be completed and being able to tie into services and this is a common problem with paving projects, the contractor claimed several rain days and those days do not count towards the required completion days. He agreed the project carried on longer than it should have, but there were numerous conflicts. Leyendecker explained he had resolved the issue with the laminated mats, which were used to cause the least amount of damage to property. Leyendecker believes the contractor has met all that was required of him and does not believe any penalties could be collected. He assured Councilmembers that he had reviewed all change orders and they were all reasonable. He also, confirmed the contractor's equipment was stored on the City's easement or the right-of-way as much as was possible. Leyendecker confirmed all items had been removed and the City still has a Maintenance Bond. The City Attorney explained the Maintenance Bond is accessible after the project is accepted by the City. All voted Aye, and the motion carried.

Consider a Resolution (No. 961) Authorizing the Mayor to Sign an Amendment to the Landscaping Contract with Metropolitan Landscape Management (adding services for Katy Fire Station No. 2; amount \$695.00/month for period of 07-01-2019 thru 09-30-2019)

Motion was made by Councilmember Dowdle, seconded by Councilmember Corte, approving as printed and presented a Resolution (No. 961) Authorizing the Mayor to Sign an Amendment to the Landscaping Contract with Metropolitan Landscape Management (adding services for Katy Fire Station No. 2; amount \$695.00/month for period of 07-01-2019 thru 09-30-2019). City Administrator Hebert explained the proposal is just the addition of the Katy Fire Station No. 2 to the current contract and the contract is scheduled to be rebid later this year. All voted Aye, and the motion carried.

Consider a Resolution (No. 962) Waiving Penalties, Interest, and Collection Fees in the Amount of \$248.14 for 2017 Tax Year as Recommended by Fort Bend County Tax Assessor (#WC14-18-5)

Motion was made by Councilmember Harris, seconded by Councilmember Dowdle, approving as printed and presented a Resolution (No. 962) Waiving Penalties, Interest, and Collection Fees in the Amount of \$248.14 for 2017 Tax Year as Recommended by Fort Bend County Tax Assessor (#WC14-18-5). All voted Aye, and the motion carried.

Consider a Resolution (No. 963) Authorizing the Mayor to Sign an Amendment to Production Agreement with DataProse, LLC for Utility Billing Printing Services

Motion was made by Councilmember Corte seconded by Councilmember Stockdick approving as printed and presented a Resolution (No. 963) Authorizing the Mayor to Sign an Amendment to Production Agreement with DataProse, LLC for Utility Billing Printing Services. All voted Aye, and the motion carried.

Consider a Resolution (No. 964) Authorizing the Mayor to Sign a Street Light Request Agreement with CenterPoint Energy for 14 Street Lights on Spring Green Boulevard between Morgan Parkway and South Firethorne Road

Motion was made by Councilmember Harris, seconded by Councilmember Corte, approving as printed and presented a Resolution (No. 964) Authorizing the Mayor to Sign a Street Light Request Agreement with CenterPoint Energy for 14 Street Lights on Spring Green Boulevard between Morgan Parkway and South Firethorne Road. Councilmember Dowdle asked what High Pressure Sodium lights and not LED lights. It was explained that the lights are provided by CenterPoint and their recommendation is to use HPS lights on major thoroughfares. All voted Aye, and the motion carried.

Consider a Resolution (No. 965) Accepting a Grant Award of \$2,500 from Keep America Beautiful 2019 Cigarette Litter Prevention Program (CLPP) to Keep Katy Beautiful Board

Motion was made by Councilmember Stockdick, seconded by Councilmember Corte, approving as printed and presented a Resolution (No. 965) Accepting a Grant Award of \$2,500 from Keep America Beautiful 2019 Cigarette Litter Prevention Program (CLPP) to Keep Katy Beautiful Board. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2907) Emergency Repairs to Water Well No. 7 at Water Plant No. 5 in the Amount Up to \$200,000 (Emergency Repairs to Pull Well Pump \$20,100; Bid Estimate \$164,700 & Contingencies-\$35,300)

Motion was made by Councilmember Harris, seconded by Councilmember Dowdle, approving as printed and presented an Ordinance (No. 2907) Emergency Repairs to Water Well No. 7 at Water Plant No. 5 in the Amount Up to \$200,000 (Emergency Repairs to Pull Well Pump \$20,100; Bid Estimate \$164,700 & Contingencies-\$35,300). City Administrator Hebert thanked City Council for their assistance with the emergency repairs. City Engineer Leyendecker explained the project includes repairs as well as going 50 feet deeper allowing for better suction on the well. He anticipates the well to be out of commission for two weeks, if all goes well. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2908) Amending Employee Classification & Compensation Plan by Adding the Job Descriptions of Building Service Coordinator, Equipment Operator III and Maintenance Worker II; and by Amending the Job Descriptions of Equipment Operator II, Fire Marshal and Wastewater Utility Worker; and by Amending the Pay Range and Wage-Hour Exemption Schedule

Motion was made by Councilmember Dowdle, seconded by Councilmember Corte, approving as printed and presented an Ordinance (No. 2908) Amending Employee Classification & Compensation Plan by Adding the Job Descriptions of Building Service Coordinator, Equipment Operator III and Maintenance Worker II; and by Amending the Job Descriptions of Equipment Operator II, Fire Marshal and Wastewater Utility Worker; and by Amending the Pay Range and Wage-Hour Exemption Schedule. All voted Aye, and the motion carried.

Update on Discussion on Plan for Addition of Four New Police Officers (Requested by Councilmember Carroll on 04-22-2019 City Council Meeting)

City Administrator Hebert gave a brief update on the plan for the addition of four new Police Officers as discussed at the April 22, 2019 City Council Meeting. Hebert explained he and Finance Director Andy Vasquez sharpened their pencils and located funds in the current budget for two new Police Officers to start in July, along with one new vehicle. He explained there is an ongoing discussion about Katy Management District No. 1, providing funds for two officers and one vehicle. He anticipated bringing an agreement to City Council at their July 22, 2019 regular meeting, allowing for them to start in August. Hebert believes Police Chief Diaz can start interviewing, but he will need the funds to move forward. He understands they have five quality candidates at this time.

Discussion and Authorization of Administration & Bid Processes for Implementation of Video Camera System in Council Chambers (Requested by Councilmember Carroll & Mayor Pro Tem Dowdle)

Councilmember Carroll believes his request for discussion and authorization of administration and bid processes for implementation of video camera system in Council Chambers is self-explanatory. He stated there are various reasons why citizens cannot attend Council Meetings, such as family, work, etc. He wants people to be able to watch Council meetings via livestream and believes the City is behind the eight ball on this and they need to catch up. Carroll commented several citizens have contacted him requesting the meetings be videoed. He asked the City Administrator Hebert and his staff to determine what is needed to accomplish this request and bring it back to City Council. Hebert asked if Councilmember Carroll could narrow down his request, since there are numerous variables associated with recording and/or livestreaming meetings. Councilmember Harris suggested that City Council start with a Workshop to discuss the project with staff, to narrow down what is exactly being requested and to address the various concerns. Councilmember Corte agrees with a Workshop, to review the pros and cons; if volunteer boards need to also be videoed, will volunteers want to continue serving, what are the costs, what are other cities doing, what about server space and she commented that she has numerous other questions. She believes the Workshop is the first step of a journey of a thousand miles. Motion was made by Councilmember Harris, seconded by Councilmember Corte, directing the City Administrator to research the various aspects of the project and then call a Workshop for City Council to discuss the options. The Mayor said he appreciated the idea of a workshop, since this project has such a broad spectrum and he wants to make sure all of the issues are addressed. All voted Aye, and the motion carried.

Councilmembers' Reports

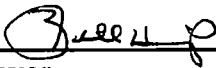
Councilmember Harris reported on the Elks Lodge Shrimp Boil held to benefit Katy Police Association and enough monies were raised to purchase two bike, with additional pledges coming in from community members. Harris complimented the Parks Department on the great job done on the Movie in the Park event. Councilmember Stockdick congratulated Katy High School Softball Team on their State Championship. She hoped all had a great Father's Day and she is glad to be on Council. Councilmember Dowdle thanked all department for the monthly departmental reports. He congratulated Katy High School Softball Team, hoped all had a great Father's Day and he celebrated his 60th birthday along with Father's Day. Councilmember Corte reminded all that the City is on voluntary water restriction, the upcoming Fourth of July events and encouraged all to enjoy the holiday; however, no fireworks are allowed within the City Limits.

Mayor's Reports

The Mayor reported his first month had been wonderful, he had been meeting with staff members and commented they are a great bunch of people. He reported he had been to so many different places, been to so many event, but the best so far had been getting a one hour nap and getting up to attend the 12:30 a.m. arrival of the Katy Softball Team coming back to town after winning the State Championship. He hoped all had a great Father's Day and thanked all in attendance. The Mayor recognized Former Councilmembers Boothe and Gore and how he appreciated their continued interest.

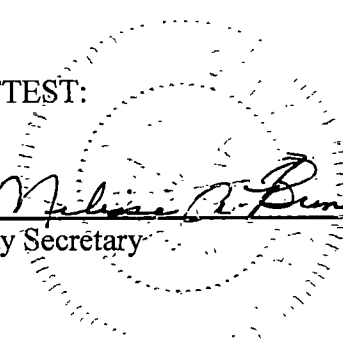
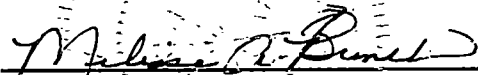
Adjourn

Motion was made by Councilmember Dowdle, seconded by Councilmember Harris, to adjourn. All voted Aye, and the motion carried. The meeting was adjourned at 8:00 p.m.



Mayor

ATTEST:

City Secretary