



City of Pflugerville

Minutes - Final City Council

Tuesday, September 22, 2015

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

1. Call to order

Mayor Jeff Coleman called the regular meeting to order at 7:03 p.m. Councilmembers Wayne Cooper, Brad Marshall, Omar Peña and Starlet Sattler were in attendance. Councilmember Victor Gonzales was absent. City employees attending: Brandon Wade, City Manager; George Hyde, City Attorney; Karen Thompson, City Secretary; Lauri Gillam, Assistant City Manager; Trey Fletcher, Assistant City Manager; Blake Overmyer, Building Official; Emily Barron, Planning Director; Dan Franz, City Engineer; Tom Word, Assistant City Manager; James Hemenes, Parks Director; Jennifer Coffey, Library Director; Amy Good, Finance Director; Chuck Hooker, Police Chief; Terri Toledo, Public Information Officer; Patricia Rinehart, Water Conservation Education Specialist; Darrell Winslett, Water Conservation Manager; Pam Cosel, Marketing & Special Events; Dan Griffith, Police Corporal.

2. Opening

A. Pledge of Allegiance to the Flag of the United States of America: I pledge allegiance to the flag of the United States of America, and to the republic for which it stands: one nation under God, indivisible, with liberty and justice for all.

Girl Scout Troop 1479 led those in attendance in reciting the Pledge of Allegiance to the Flag of the United States of America.

B. Pledge of Allegiance to the Texas State Flag: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

Girl Scout Troop 1479 led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

3. Presentations

3A. [2015-4205](#) Presentation of a Mayor's proclamation declaring Pflugerville Pink Pfridays during October 2015 in observation of Breast Cancer Awareness Month.

Mayor Coleman read the proclamation and presented it to Kimberly and Khala Hansen. He encouraged all citizens to participate.

3B. [2015-4268](#) Proclamation declaring October 6, 2015 as National Night Out in the City of Pflugerville.

Mayor Coleman read the proclamation and presented it to Officer Dan Griffith. Officer Griffith provided information on the October 6, 2015 National Night Out event.

3C. [2015-4270](#)

Presentation of the City-County Communications and Marketing Association (3CMA) National Savvy Awards.

Ms. Toledo announced that the City of Pflugerville was recognized with three national communications awards on Thursday, September 10, 2015. The Pflugerville tourism video "Join in the Pfun" took a Savvy award while the www.pfuntx.com tourism website earned a third place Award of Excellence and Pflugerville's 2014 Bond Video took a Silver Circle award.

3D. [2015-4186](#)

Presentation on the partnership between City of Pflugerville water conservation staff and the Girl Scouts of Central Texas to encourage water conservation.

Mr. Wills provided information. Mayor Coleman, Leslie Hay, Scout Leader; and Jessica Noelke, Outdoor Program Specialist of Girl Scouts of Central Texas presented the following members of Troop 1479 with a Water Conservation Patch for completion of the program: Savanna Flores, Alexis Gomez, Triniti Gray, Maya Hay, Lauren Ivy, Jillian Larson, Gwendolyn Mills, Mia Perez, Campbell Wright, Annie Wylly, Daniela Wanker.

4. Public Hearing

4A. [ORD-0268](#)

Conduct the second of two public hearings on an ordinance with the caption reading: TAX LEVY ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS.

Douglas Bennett, 409 Suzzane Road, voiced concerns for taxes going up. He stated that he does not want to see taxes go up again. He stated that he has considered selling and going somewhere else, but that it is a good city and the people are nice. He stated that it is the best place he could have moved to, but he could live somewhere else that is cheaper. Mayor Coleman explained that the Council has lowered the city property tax rate the past eleven years but appraisals have gone up which has caused taxes to increase.

Ms. (name unknown), stated that she closed on her house in December of 2013 and after moving from Minnesota, she is happy to live in a warmer place. She stated that the purchase price was less than \$280,000 but the property taxes came out at \$10,000. She stated that she contested and they honored the purchase price the first year but now are at \$9,600. She stated that the overall taxes were lower in Minnesota even with the state income tax. She asked why they don't have lower taxes. She stated that she would also like to know when Kelly Lane will be complete as well as the bridge on Jakes Hill Road that collapsed. She stated that she lives in Avalon. Mayor Coleman explained that she lives outside the city limits and the City is therefore unable to affect her tax rate.

Mr. Bennett asked if he could address the Council again. Mr. Bennett polled the audience members asking if they were okay with the tax increase. Two attendees raised their hands in favor of a tax increase. None raised their

hands as opposed. Mayor Coleman let Mr. Bennett know that many of the audience members are actually City staff and they will not raise their hands for or against.

There were no additional requests to speak at the public hearing. Mr. Peña made a motion to close the public hearing. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

5. Public Comment

Gloria Wuthrich, Heritage House Partners, thanked the Council and staff for the recent improvements to the Heritage House Museum. She thanked Lauri Gillam, Sheila Wiora and Jennifer Coffey for their support of the museum. She announced that they would be having a German festival at the museum on Sunday, October 4, 2015 from 1:00 p.m. to 4:00 p.m.

Enrique Perez, 304 South 1st Street, stated that his vehicles were hit on the street by a drunk driver and he has not had any luck with getting in touch with the Police Department. Mayor Coleman stated that he is in luck, that the Police Chief is in attendance.

Reading of the Consent Agenda

Item 7A was removed from the consent agenda. Ms. Thompson read the items under consideration.

6. Approval of Minutes

- 6A. [2015-4248](#) Approval of the minutes of the September 1, 2015 Worksession and September 8, 2015 Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

8. Other Actions

- 8A. [2015-4222](#) Authorizing the City Manager to execute a warranty deed, as an executory interest holder, accepting the conveyance of real property to the City of Pflugerville dedicated as public parkland legally described as Lot 31, Block F; Lot 1, Block G; Lot 1, Block H Penley Park Phase 1 Subdivision.

The item was approved on the consent agenda.

- 8B. [2015-4239](#) Authorizing the City Manager to execute a conditional purchase agreement, special warranty deed and easement purchase agreement between HPN Development Inc. and the City of Pflugerville for utility and roadway construction associated with the Heatherwilde Widening Project.

The item was approved on the consent agenda.

- 8C. [2015-4238](#) Approving and authorizing the City Manager to execute a Third

Amendment to NPWIS Construction and Participation Agreement associated with the payment of wastewater impact fees for the Avalon Subdivision.

The item was approved on the consent agenda.

- 8D. [2015-4265](#) Approving and authorizing the City Manager to execute Amendment No. 1 to Professional Services Agreement between Kelly Lane Water Control and Improvement District (WCID) No. 1 (Avalon) and the City of Pflugerville concerning the operation, maintenance and management of water and wastewater facilities and municipal solid waste services within Kelly Lane WCID No. 1 related to the collection of wastewater impact fees and concurrence with the district's stormwater management program.

The item was approved on the consent agenda.

- 8E. [2015-4266](#) Approving and authorizing the City Manager to execute Amendment No. 1 to Professional and Utility Services Agreement for Kelly Lane Water Control and Improvement District (WCID) No. 2 related to the collection of wastewater impact fees.

The item was approved on the consent agenda.

- 8F. [2015-4269](#) Appointing Ms. Lisa Ely as a regular member of the Parks and Recreation Commission for an unexpired term ending December 31, 2016.

The item was approved on the consent agenda.

Approval of the Consent Agenda

Mr. Peña made a motion to approve the consent agenda. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

7. Ordinances First Reading

- 7A. [ORD-0265](#) Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, CHAPTER 72 REGARDING SPEED LIMITS ON CITY STREETS (GRAND AVENUE PKWY, PFENNIG LN, AND PICADILLY DR), SUBJECT TO THE MISDEMEANOR OF SPEEDING AND THE IMPOSITION OF PENALTIES OF UP TO \$200, ESTABLISH PRIMA FACIE MAXIMUM SPEEDS, AND PROVIDING AN EFFECTIVE DATE.

Mayor Coleman asked for clarification. Mr. Word provided information. Mr. Marshall made a motion to approve the ordinance on first reading. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

9. Discuss only

- 9A.** [2015-4273](#) Discussion regarding the composition and appointment of a Sports Complex Advisory Committee.
- The item was addressed in the worksession. There was no discussion on the item during the regular meeting.**
- 9B.** [2015-4244](#) Annual update regarding the status of Reinvestment Zone Number One, also known as the Falcon Pointe TIRZ.
- The item was addressed in the worksession. There was no discussion on the item during the regular meeting.**
- 9C.** [2015-4250](#) Discussion regarding the Fiscal Year 2016 budget and City Council Fiscal Year 2016 goals.
- There was no discussion on the item.**

10. Discuss and consider action

- 10A.** [2015-4247](#) Discuss and consider action regarding future agenda items.
- Mayor Coleman asked for an item to be brought forward in six to eight weeks on how to reduce the number of accidents at FM 685 and Town Center Drive.**
- 10B.** [2015-4255](#) 1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code and consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding Amendment, Partial Termination and Release Agreement between DPS Megacenter 2000, Ltd and the City of Pflugerville, Texas. 2.) Open Session Item: Discuss and consider action to approve Amendment, Partial Termination and Release Agreement between DPS Megacenter 2000, Ltd and the City of Pflugerville, Texas.
- Mr. Hyde provided information and stated that staff recommends approval. Mr. Peña made a motion to approve the Amendment, Partial Termination and Release Agreement between DPS Megacenter 2000, Ltd and the City of Pflugerville, Texas. Ms. Sattler seconded the motion. All voted in favor. The motion carried.**

11. Discuss only - Executive Session

- 11A.** [2015-4272](#) 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding performance evaluation of the City Manager for discussion regarding performance goals.

There was no discussion on the item.

11B. [2015-4245](#)

1.) Executive Session Item: Discussions regarding deliberations on economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code and consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning economic development negotiations.

Discussion on the item took place in executive session during the worksession. There was no discussion on the item during the regular meeting.

11C. [2015-4246](#)

1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice regarding the provision of public utilities within the City of Pflugerville.

There was no discussion on the item.

11D. [2015-4275](#)

1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning the status of the Wildflower / Carmel Development Agreement.

Discussion on the item took place in executive session during the worksession. There was no discussion on the item during the regular meeting.

12. Adjourn

Mr. Peña made a motion to adjourn. Mr. Cooper seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 7:44 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as presented on October 13, 2015.