



# City of Pflugerville

## Minutes - Final City Council

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Tuesday, December 14, 2010

7:00 PM

100 East Main Street, Suite 500

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### Regular Meeting

#### 1. Call to order

*Mayor Jeff Coleman called the meeting to order at 7:02 p.m.*

Councilmembers Darelle White, Starlet Sattler and Victor Gonzales were in attendance. Councilmembers Wayne Cooper and Mike Marsh were absent. City staff attending: Brandon Wade, City Manager; Lauri Gillam, Assistant City Manager; Felix Benavides, City Engineer; Blake Overmyer, Building Official; Susan Word, Human Resources Director; James Wills, Public Works Director; Trey Fletcher, Managing Director of Operations; Patricia Rinehart, Public Works Admin Tech; Chuck Hooker, Police Chief, Karen Thompson, City Secretary.

#### 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.**

Mayor Coleman led those in attendance in reciting the Pledge of Allegiance to the flag of the United States.

**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.**

Mayor Coleman led those in attendanc in reciting the Pledge of Allegiance to the Texas state flag.

#### 4. Public Hearing and Ordinance First Reading

2010-0350

Conduct a public hearing and consider approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS AMENDING ORDINANCE NO. 874-07-04-10 OF THE CITY OF PFLUGERVILLE, TEXAS, AS AMENDED, TO APPLY ZONING TO THE GREENRIDGE SUBDIVISION ASSOCIATED WITH THE 2010 3-YEAR ANNEXATION PLAN AS FOLLOWS: THE SINGLE-FAMILY SUBURBAN (SF-S) ZONING DISTRICT IS PROPOSED FOR ALL LOTS WITHIN GREENRIDGE SUBDIVISION PHASES 1-6, LESS AND EXCEPT THAT THE AGRICULTURE/CONSERVATION (A) ZONING DISTRICT IS PROPOSED FOR DRAINAGE LOTS, A WATER FACILITY LOT, AND A PRIVATE PARK ALL IDENTIFIED AS: LOT 90 BLOCK B, PHASE 1; LOT 47 BLOCK I, PHASE 4; LOTS 27A AND 27B BLOCK L, PHASE 6 CORRECTION PLAT; LOT 2 BLOCK G, PHASE 2; LOTS 32 AND 33 BLOCK G, PHASE 5; AND LOT 1 BLOCK G, PHASE 6; ALL FOR A TOTAL OF APPROXIMATELY 159 ACRES GENERALLY LOCATED ALONG CHEYENNE VALLEY DR., BETWEEN N. HEATHERWILDE BLVD., AND GATTIS SCHOOL RD WITHIN PFLUGERVILLE, TX; TO BE KNOWN AS THE 2010 GREENRIDGE ANNEXATION ZONING (REZ1011-01); AND PROVIDING AN EFFECTIVE DATE.

*Mayor Coleman read the item along with the caption of the ordinance under consideration. Mr. Fletcher provided information. The public hearing was held.*

**Kirsty Hammand, 513 Seed Cove, stated that she is a Greenridge resident and was on the annexation committee. She voiced concerns regarding the condition of Heatherwilde Boulevard and lack of access to her neighborhood. She stated that they were told that a two-phase plan for improvements to Heatherwilde was underway and now three years later, the road has not been improved and is deteriorating. Mayor Coleman verified the status with Mr. Benavides who stated that the engineering is underway and currently around 60% complete. Mayor Coleman explained that the road is one of the City's top three priorities on the Capital Improvement Plan but the constricted economy has provided budget constraints. He stated that it is a significant job with a cost of \$8 million. Ms. Sattler explained that a developer was going to construct phase one of the project and is no longer there.**

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

*The ordinance was approved on first reading.*

**Mr. White made a motion to approve the ordinance on first reading. Ms. Sattler seconded the motion. All voted in favor. The motion carried.**

### **3. Presentation**

2010-0357 HEB grant presentation to the Keep Pflugerville Beautiful Committee.

Leticia and Vasi of HEB were in attendance. Leticia stated that 5 cents from the sale of each green bag goes to Keep Texas Beautiful to provide these local community recycling grants. Melissa Trahan of Keep Texas Beautiful thanked HEB for their continued partnership. A ceremonial check representing the award of a \$3,000 grant was presented to Mary Esther Garza and Julia Ruiz of the Keep Pflugerville Beautiful Committee.

## 5. Public Comment

Dana Leary, President of the Friends of Pflugerville Community Library, stated that they have accepted the challenge to raise \$40,000 to assist in equipping the new expanded Library. She announced that they are selling an etched glass ornament for \$10 which is available at the Library or through their website by emailing the Friends of the Library.

Brent Hurta, 3104 Murrelet Way, stated that he had provided a packet of information on skate parks to the Council. He spoke regarding the information provided. He stated his second concern is for safety of pedestrians crossing the bridge on Kennemer Drive. Mr. Wade asked Mr. Hurta to speak to Chief Hooker. He stated that the City is looking at a few different possible solutions which should be implemented soon.

There were no additional requests to speak under the public comment item.

## Reading of the Consent Agenda

Item 2010-0362 was removed from the consent agenda.

Ron Cooper, 303 Meadow Creek Drive, and Joan Zahornacky, 303 Meadow Creek Drive, requested to speak on item Ord-0029. Mr. Cooper stated to defer to his wife, Ms. Zahornacky. Ms. Zahornacky stated to express appreciation for the ordinance in general. She stated that she has volunteered in shelters in the past and has seen with aggressive animal ordinances that they need to be enforced. She stated that it goes toward keeping neighbors and animals safe, and owners responsible. She stated that her experience is that people would complain about aggressive animals and nothing would get done. She stated that the City should focus on the enforcement after the ordinance is passed. She asked questions regarding who the Director of Animal Control would be, stating that that person has a lot of leeway. She asked if the person would have the appropriate training. Chief Hooker explained that the person serving as Director of Animal Control would be a Police Lieutenant and would be certified by the State.

Ms. Thompson read the items to be acted upon under the consent agenda along with the captions of the ordinances under consideration.

## 6. Approval of Minutes

2010-0358 Approval of the minutes of the November 16, 2010, Special Meeting; and November 23, 2010, Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

## 7. Ordinances Second Reading

2010-0243 Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DESIGNATING A CERTAIN AREA AS REINVESTMENT ZONE NO. ONE, CITY OF PFLUGERVILLE, TEXAS; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

The ordinance was approved on second and final reading on the consent agenda.

ORD-0031 Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, CHAPTER 150, REGARDING THE ADOPTION OF THE INTERNATIONAL BUILDING CODES, 2009 EDITION; REPEALING ARCHAIC SECTIONS; PROVIDING FOR SEVERABILITY; ESTABLISHING PENALTIES NOT TO EXCEED \$2,000.00 PER OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was approved on second and final reading on the consent agenda.

ORD-0033 Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ANNEXING FOR FULL PURPOSES, APPROXIMATELY 159 ACRES OF LAND GENERALLY LOCATED EAST OF HEATHERWILDE BLVD., NORTH OF SH 45, AND SOUTH OF GATTIS SCHOOL ROAD, IN TRAVIS COUNTY TO INCLUDE THE GREENRIDGE SUBDIVISION PHASES 1-6; TO BE KNOWN AS THE GREENRIDGE 2010 ANNEXATION; EXTENDING THE BOUNDARIES OF THE CITY TO INCLUDE THE LAND; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS AND REGULATIONS OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was approved on second and final reading on the consent agenda.

**ORD-0029** Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AMENDING THE CITY OF PFLUGERVILLE, TEXAS CODE OF ORDINANCES, CHAPTER 90, REGARDING ANIMALS, PROVIDING FOR THE REGULATION OF AGGRESSIVE DOGS, REQUIRING THE OWNERS OF AGGRESSIVE DOGS TO OBTAIN LIABILITY INSURANCE AND ADEQUATELY RETRAIN AGGRESSIVE DOGS, PROVIDING A HEARING FOR THE OWNER OF AN AGGRESSIVE DOG, PROVIDING FOR A PENALTY NOT TO EXCEED \$500.00 AND PROVIDING AN EFFECTIVE DATE

**The ordinance was approved on second and final reading on the consent agenda.**

## **8. Resolution**

**2010-0363** Approving a resolution to participate in the Hutto Regional Wastewater Facility Planning Study and committing in-kind contributions not to exceed \$5,000 toward the regional study.

**The resolution was approved on the consent agenda.**

## **9. Other Actions**

**2010-0360** Receive report on Council, Commission, Board and Committee expenditures for November 2010.

**The item was approved on the consent agenda.**

**2010-0359** Approving a reimbursement request in the amount of \$55.95 by City Councilmember Starlet Sattler for Deutschen Pfest Steering Committee meeting food expenses.

**The item was approved on the consent agenda.**

**2010-0353** Appointing Rex King, Melody Ryan and Nicole Ward to the Finance and Budget Committee for two-year terms beginning January 1, 2011.

**The item was approved on the consent agenda.**

**2010-0348** Authorize the City Manager to execute a Public Utility Easement Agreement between Continental Homes of Texas, L.P. and the City of Pflugerville for a Public Utility Easement to be located along the east side of Kingston Lacy Blvd. in the Highland Park subdivision. The proposed easement is located within an unplatted portion of the subdivision and is needed for electrical service.

**The item was approved on the consent agenda.**

## Action on the Consent Agenda

*The consent agenda was adopted.*

**Mr. Gonzales made a motion to approve the consent agenda. Ms. Sattler seconded the motion. All voted in favor. The motion carried.**

- 2010-0362** Authorizing the City Manager to enter into an agreement with DCS Engineering, LLC not to exceed \$25,000 for the preparation of the City's application to the Texas Water Development Board (TWDB) for the State Fiscal Year (SFY) 2011 Clean Water State Revolving Fund. This action will continue the application process for a loan to construct a segment of the Phase I Wastewater Interceptor between SH 130 and Weiss Lane.

**The item was removed from the consent agenda. There was no discussion or action on the item.**

## 10. Discuss and consider action

- 2010-0361** Discuss and consider action regarding future agenda items.

**No items were noted as future agenda items.**

## Executive Session

**Mayor Coleman announced that the Council was retiring to Executive Session for deliberation regarding economic development negotiations under item 2010-0337. The time was 7:34 p.m.**

## 11. Discuss only

- 2010-0337** 1.) Executive Session Item: Deliberation regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code regarding the First Supplement and Addendum to the Economic Development Agreement for the Stone Hill Town Center in Pflugerville, Texas.

**Discussion on the item was to take place in Executive Session. No action was taken.**

- 2010-0314** 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code to discuss procedures related to the evaluation of the City Manager and City Attorney.

**Discussion on the item took place during the earlier worksession. No discussion or action on the item took place during the regular meeting.**

2010-0356      1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code for performance evaluation of the City Manager.

Discussion on the item took place during the earlier worksession. No discussion or action on the item took place during the regular meeting.

**Executive Session**

Mayor Coleman reconvened in open session at 7:58 p.m. No action was taken.

**12. Adjourn**

*The meeting was adjourned at 7:58 p.m.*

Ms. Sattler made a motion to adjourn. Mr. White seconded the motion. All voted in favor. The motion carried.

Respectfully submitted,

Karen Thompson  
City Secretary

Approved as \_\_\_\_\_ on January 11, 2011.