



City of Pflugerville

Minutes - Final City Council

Tuesday, October 11, 2011

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

1. Call to order

Mayor Jeff Coleman called the meeting to order at 7:05 p.m. Councilmembers Wayne Cooper, Brad Marshall and Starlet Sattler were in attendance. Councilmembers Darelle White and Victor Gonzales were absent. City employees attending: Brandon Wade, City Manager; George Hyde, Interim City Attorney; Lauri Gillam, Assistant City Manager; Trey Fletcher, Assistant City Manager; Christa Deamer, Deputy City Secretary; Beth Davis, Finance Director; Amy Good, Assistant Finance Director; Blake Overmyer, Building Official; Darren Strozewski, City Engineer; Terri Waggoner, Public Information Officer; Jose Madrigal, Interim Parks Director; Lisa Charbonnet, Library Director; Wayne Granger, Streets Superintendent; Patricia Davis, Engineer; Jeremy Frazzell, Senior Planner; Shawn Brown, Police Lieutenant .

Items were addressed in the order as recorded in the minutes.

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 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.

Mayor Coleman led those in attendance in reciting the Pledge of Allegiance to the Texas State Flag.

3. Presentations

- 3A. 2011-0829 Presentation of certificates of appreciation for organizers of the Pflugerville Remembers 9-11 event.

Mayor Coleman recognized and presented certificates of appreciation to the Pflugerville Remembers 9/11 Committee.

- 3B. 2011-0848 Proclamation designating October 2011 as International Walk to School Month.
- Mayor Coleman read the proclamation designating October 2011 as International Walk to School Month in the City of Pflugerville and presented it to Vernagene Mott, Pflugerville Independent School District Trustee.
- 3C. 2011-0645 Proclamation declaring October 2011 as Community Planning Month in the City of Pflugerville, Texas.
- Mayor Coleman read the proclamation declaring October 2011 as Community Planning Month in the City of Pflugerville and presented it to Trey Fletcher and Jeremy Frazzell.
- 3D. 2011-0788 Certificate of Achievement for Planning Excellence presentation to the City of Pflugerville Planning Department for 2011.
- Mayor Coleman presented a Certificate of Achievement for Planning Excellence to Trey Fletcher and Jeremy Frazzell.

5. Public Comment

Robert Spoonemore, 1005 Pecan Creek - Mr. Spoonemore commented on the length of time between when the new library was approved by voters and when construction will begin. He stated that he would like to see any extra bond money spent on books and furnishings and wants to be sure that all of the bond money goes to library needs and projects. He stated that he would like an off-leash dog park. He concluded by saying that he thinks that his taxes are a bargain, that he has no complaints and thinks that he is getting his money's worth.

Mr. Wade responded to Mr. Spoonemore's comments by assuring him that all of the money voted on to go to the library will go to the library. He informed Mr. Spoonemore that there is currently a dog park under construction at Murchison Ridge Trail.

Kim Waters, 17508 Kessler Dr. - Ms. Waters identified herself as a volunteer at the animal shelter and thanked everyone who participated in volunteer day at the animal shelter. She asked people to show up for the open house in support of the animal shelter which will be held October 22 from 10:00 a.m. to 12:00 p.m. She also commented that there will be animals available for adoption at the Chamber Expo on October 15.

Brent Hurta, 3104 Murrelet Way - Did not wish to speak but requested that the Mayor announce for the record his support for the addition of a skate spot or skate park facility to the park amenities in Pflugerville.

4. Public Hearing and Ordinance First Readings

- 4A. **ORD-0073** Hold a public hearing and consider an ordinance on first reading with the caption reading: AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE AMENDING SUBCHAPTER 5 ESTABLISHMENT OF OVERLAYS AND SPECIAL DISTRICTS, SECTION (B) SH 130 AND SH 45 CORRIDOR DISTRICTS, TABLE 1: PERMITTED USES (WHOLESALE, MANUFACTURING AND INDUSTRIAL USES); REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE. (CA1109-01)

Mr. Fletcher gave information on the item. There were no requests to speak at the public hearing. Mr. Cooper made a motion to close the public hearing. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

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

- 4B. **ORD-0074** Hold a public hearing and consider 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, BY APPROVING A SPECIAL DISTRICT FOR LIGHT INDUSTRIAL USES FOR APPROXIMATELY 15 ACRES OUT OF THE W. CALDWELL SURVEY NO. 66, ABSTRACT 162, PFLUGERVILLE, TX, GENERALLY LOCATED NEAR THE SOUTHWEST CORNER OF SH130 AND E. PECAN STREET, TO BE KNOWN AS THE PROJECT JERSEY SPECIAL DISTRICT (SD 1108-01), AND PROVIDING AN EFFECTIVE DATE.

Mr. Fletcher gave information. Mr. Fletcher and PCDC Director Floyd Akers answered questions from Council. There were no requests to speak at the public hearing. Mr. Cooper motioned to close the public hearing. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

Mr. Cooper motioned to approve the ordinance on first reading. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

Reading of the Consent Agenda

Ms. Deamer read the items to be considered on the consent agenda.

6. Approval of Minutes

- 6A. **2011-0844** Approval of the minutes of the September 27, 2011 Regular Meeting and October 4, 2011 Special Meeting.

The minutes were approved on the consent agenda.

7. Other Actions

- 7A. 2011-0795 Approving a license agreement with Pflugerville Walgreens to feature Pflugerville PF logo and city images.
The item was approved on the consent agenda.
- 7B. 2011-0822 Approving a Professional Services Agreement for City of Pflugerville Engineering Services for City Engineer Services to Darren Strozewski, PE & DCS Engineering not to exceed \$49,500.
The item was approved on the consent agenda.
- 7C. 2011-0842 Receive report on City Council, Commission, Board and Committee expenditures for September 2011.
The item was approved on the consent agenda.
- 7D. 2011-0845 Approving an engagement letter for Reinvestment Zone No. One of the City of Pflugerville (Falcon Pointe TIRZ) with Denton, Navarro, Rocha & Bernal P.C. for general counsel services and authorizing the City Manager to pay invoices for these legal services in anticipation of reimbursement to the City by Reinvestment Zone No. One (Falcon Pointe TIRZ) in the future.
The item was approved on the consent agenda.
- 7E. 2011-0853 Approving Association of Hispanic Municipal Officials (AHMO) membership dues in the amount of \$50.00 for Mayor Pro Tem Victor Gonzales.
The item was approved on the consent agenda.
- 7F. 2011-0854 Approving a reimbursement request in the amount of \$178.43 by City Councilmember Victor Gonzales for business meeting mileage and expenses.
The item was approved on the consent agenda.
- 7G. 2011-0847 Authorizing the City Manager to enter into an Access Easement Agreement by and between A-S 93 SH 130-SH 45, L.P. (NewQuest) and the City of Pflugerville.
The item was approved on the consent agenda.

Action on the Consent Agenda

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

8. Discuss only

- 8A. 2011-0818 Discuss the City of Pflugerville's role in the Municipal Separate Storm Sewer System (MS4) Phase II requirements and the draft Storm Water Pollution Control Ordinance.

Mr. Fletcher gave information on the item and presented Rex Hunt with Alan Plummer Associates, Jeremy Frazzell, Patricia Davis, Wayne Granger, Blake Overmyer, and Terri Waggoner as available to answer questions. There was discussion on the item. Mr. Fletcher answered questions from Council.

9. Discuss and consider action

- 9A. 2011-0821 Authorize the City Manager to enter into negotiations with Lee Lewis Construction, LLC, Dallas, TX or one of the other qualified offers in the Competitive Sealed Proposal process for the Pflugerville Community Library Renovation and Expansion project plus desired alternates. This project is funded by General Obligation Bonds approved by Pflugerville voters in May 2008.

Mr. Fletcher gave information and staff recommendation on the item. Mr. Wade reiterated the item was only authorization to negotiate, not enter into a contract. Mr. Cooper stated that after meeting with staff he approved of the process. Mr. Cooper made a motion to authorize the City Manager to enter into negotiations with Lee Lewis Construction, LLC, Dallas, TX or one of the other qualified offers in the Competitive Sealed Proposal process for the Pflugerville Community Library Renovation and Expansion project plus desired alternates. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

- 9B. 2011-0843 Discuss and consider action regarding future agenda items.

Mr. Cooper stated that he would like to have a worksession in the near future with the Manville Water Supply Co. Board of Directors.

Executive Session

Mayor Coleman announced that the City Council was retiring to executive session for discussion of economic development negotiations on item 9C, real property on item 9D and personnel matters on item 9E. The time was 7:51 p.m.

- 9C. 2011-0855 1.) Executive Session Item: Deliberations regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code. 2.) Open Session Item: Discuss and consider action regarding economic development negotiations.

The item was discussed in Executive Session.

- 9D. 2011-0857 1.) Executive Session Item: Deliberations regarding real property pursuant to Chapter 551.072 of the Texas Government Code regarding acquisition of Kelly Lane Right of Way and Easements. 2.) Open Session Item: Discuss and consider action regarding acquisition of Kelly Lane Right of Way and Easements.

The item was discussed in Executive Session.

- 9E. 2011-0807 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code regarding search and hiring for the position of City Attorney. 2.) Open Session Item: Discuss and consider action regarding search and hiring for the position of City Attorney.

The item was discussed in Executive Session.

Executive Session Closed

Mayor Coleman reconvened in open session at 10:55 p.m. No action was taken.

10. Adjourn

Mr. Marshall made a motion to adjourn. Ms. Sattler seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 10:55 p.m.

Respectfully submitted,

Christa Deamer
Deputy City Secretary

Approved as _____ on October 25, 2011.