



# City of Pflugerville

## Minutes - Final City Council

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Tuesday, May 22, 2012

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 7:05 p.m. Councilmembers Brad Marshall, Darelle White, Starlet Sattler and Victor Gonzales were in attendance. Councilmember Wayne Cooper was absent. City employees attending: Brandon Wade, City Manager; George Hyde, City Attorney; Tom Word, Assistant City Manager; Trey Fletcher, Assistant City Manager; Blake Overmyer, Building Official; Dan Franz, City Engineer; Christa Deamer, Deputy City Secretary; Beth Davis, Finance Director; Amy Good, Assistant Finance Director; James Wills, Public Works Director; Wayne Granger, Streets Superintendent; Wiley Web, Utility Superintendent; Patricia Rinehart, Administrative Technician II; Abby Wilhelm, Administrative Technician I; Terri Waggoner, Public Information Officer; Chuck Hooker; Police Chief.

#### 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 attendance in reciting the Pledge of Allegiance to the Texas State Flag.

#### 3. Presentations

**3A. 2012-1211** Proclamation declaring May 20 to May 26, 2012 as National Public Works Week in the City of Pflugerville.

Mayor Coleman read the proclamation and presented it to Mr. Wills and his team - Mr. Granger, Mr. Webb, Ms. Rinehart and Ms. Wilhelm. Mr. Wills invited the Council, staff and the public to the Public Works Open House on Friday, May 25th at 11:00 a.m.

**3B. 2012-1222** Presentation regarding Project Connect as a regional high-capacity transit implementation effort and Project Connect North to include an alternatives analysis of the north corridor that includes potential future

service through Pflugerville via the MoKan corridor.

Mr. Fletcher gave information and there was discussion amongst the Council. Mayor Coleman directed staff to bring forth a resolution to the next Council meeting opposing any attempt to run rail through Pflugerville via the MoKan corridor. Mr. Wade expressed the importance of citizens voicing their opinions and concerns at the Project Connect: North Corridor Open House, June 19th at 5:00 p.m. at the Pflugerville Justice Center. Mayor Coleman asked Mr. Wade to have Ms. Waggoner work on a campaign to raise awareness among all residents, especially those most affected by the issue.

#### 4. Public Comment

Brent Hurta, 3104 Murrelet Way, did not wish to speak but asked that the Mayor announce for the record his support for a skate spot or skate park in Pflugerville.

#### Reading of the Consent Agenda

Ms. Deamer read the items along with the captions of the ordinances under consideration.

#### 5. Approval of Minutes

- 5A. 2012-1213 Approval of the minutes of the May 8, 2012 Quorum, Worksession and Regular Meeting.

The minutes were approved on the consent agenda.

#### 6. Ordinances First Reading

- 6A. ORD-0098 Approving an ordinance on first reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DECLARING DONATION CONTAINERS TO BE A NUISANCE; PROVIDING FOR ABATEMENT; PROVIDING FOR CRIMINAL PENALTIES; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; AND PROVIDING FOR AN EFFECTIVE DATE.

The ordinance was approved on first reading on the consent agenda.

#### 7. Ordinances Second Reading

- 7A. ORD-0108 Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FIRST AMENDMENT TO THE FISCAL YEAR 2011-2012 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

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

- 7B. ORD-0107** Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PFLUGERVILLE, TEXAS, DESIGNATING THE METHOD OF DETERMINATION OF THE AMOUNT OF THE TAX INCREMENT FOR REINVESTMENT ZONE NO. ONE, CITY OF PFLUGERVILLE, TEXAS; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PROPER NOTICE AND MEETING; AND PROVIDING FOR AN EFFECTIVE DATE.

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

- 7C. ORD-0109** Approving an ordinance on second reading with the caption reading: AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE IX GENERAL REGULATIONS, CHAPTER 95 PARKS AND RECREATION ADDING SUBCHAPTER 95.50 YOUTH PROGRAMS STANDARDS OF CARE; REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.

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

## **8. Resolutions**

- 8A. RES-0083** Approving a resolution with the caption reading: A RESOLUTION BY THE CITY OF PFLUGERVILLE, TEXAS, ("CITY") DENYING A RATE INCREASE REQUESTED BY ATMOS ENERGY CORPORATION ON OR ABOUT JANUARY 31, 2012; DETERMINING THAT THE MEETING COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; AND MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT.

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

- 8B. RES-0084** Approving a resolution adopting an annual annexation plan.

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

## **9. Other Actions**

- 9A. 2012-1231** Authorize the City Manager to execute a contract for the purchase and installation of a telephone system for the Public Works Department from IT Works in the amount of \$72,797.00.

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

## **Action on the Consent Agenda**

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

**10. Discuss and consider action**

- 10A. 2012-1217** Discuss and consider action regarding a Pflugerville Community Development Corporation (PCDC) performance agreement with Spirit of Texas.

Jason Malik of Spirit of Texas gave a presentation that was previously presented to the PCDC Board. There was discussion with Council. Floyd Akers, PCDC Executive Director, answered questions of Council and gave information. Mr. White motioned to approve the agreement with the change of the City Attorney's name to George Hyde. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

- 10B. 2012-1203** Discuss and consider action on the 5-year Capital Improvement Plan for FY 2013 - 2017.

Mr. Word continued his presentation from the worksession. Mr. Wade answered questions of Council and suggested a worksession to discuss the CIP further. June 5th at 5:00 p.m. was agreed upon for the worksession.

- 10C. 2012-1212** Discuss and consider action regarding future agenda items.

No future agenda items were noted.

- 10D. 2012-1228** Discuss and consider action regarding scheduling a worksession with the Parks and Recreation Commission.

A worksession with the Parks and Recreation Commission was scheduled for June 5, 2012 at 5:00 p.m.

**Executive Session**

Mayor Coleman announced that the City Council was retiring to executive session on items 10E, 10F, 10G, 10H and 10I. He read the items. He retired to executive session at 8:06 p.m.

- 10E. 2012-1216** 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.

Discussion on the item was to take place in executive session. No action was taken.

- 10F. 2012-1220** 1.) Executive Session Item: Deliberations regarding economic development negotiations pursuant to Chapter 551.087 of the Texas Government Code and real property acquisition pursuant to Chapter 551.072 of the Texas Government regarding the construction of a roadway from the Highland Park subdivision to Stone Hill Town

Center. 2.) Open Session Item: Discuss and consider action regarding economic development agreements and property acquisition for construction of a roadway from the Highland Park subdivision to Stone Hill Town Center.

**Discussion on the item was to take place in executive session. No action was taken.**

**10G. 2012-1223**

1.) Executive Session Item: Deliberations regarding real property acquisition pursuant to Chapter 551.072 of the Texas Government Code and consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding right of way acquisition for the future expansion of Kelly Lane. 2.) Open Session Item: Discuss and consider action regarding right of way acquisition for the future expansion of Kelly Lane.

**Discussion on the item was to take place in executive session. No action was taken.**

**10H. 2012-1214**

1.) Executive Session Item: Consultation with legal counsel regarding agreements with Manville Water Supply Corporation pursuant to Chapter 551.071 of the Texas Government Code. 2.) Open Session Item: Discuss and consider action regarding agreements with Manville Water Supply Corporation.

**Discussion on the item was to take place in executive session. No action was taken.**

**10I. 2012-1215**

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. 2.) Open Session Item: Discuss and consider action regarding the provision of public utilities within the City of Pflugerville.

**Discussion on the item was to take place in executive session. No action was taken.**

### **Executive Session Closed**

**Mayor Coleman reconvened in open session at 11:38 p.m. No action was taken.**

**11. Adjourn**

**Mr. Gonzales made a motion to adjourn. Mr. White seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 11:38 p.m.**

**Respectfully submitted,**

**Christa Deamer  
Deputy City Secretary**