



City of Pflugerville

Minutes - Final City Council

Tuesday, January 24, 2012

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

1. Call to order

Mayor Jeff Coleman called the meeting to order at 7:04 p.m. Councilmembers Wayne Cooper, Brad Marshall, Darelle White, Starlet Sattler and Victor Gonzales were in attendance. City employees attending: Brandon Wade, City Manager; George Hyde, City Attorney; Lauri Gillam, Assistant City Manager; Tom Word, Assistant City Manager; Trey Fletcher, Assistant City Manager; Karen Thompson, City Secretary; Terri Waggoner, Public Information Officer; Blake Overmyer, Building Official; Darren Strozewski, City Engineer; James Wills, Public Works Director; Wiley Webb, Utilities Superintendent; Wayne Granger, Streets Superintendent; Patricia Rinehart, Public Works Admin Tech; Caroline Davis, Associate Judge/Court Administrator; Beth Davis, Finance Director; Lisa Charbonnet, Library Director; Chuck Hooker, Police Chief; James Bowlin, Parks Director; Darrell Winslett, Water Conservation Manager.

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 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.

Items were addressed in the order as recorded in the minutes

3. Presentations

- 3A. 2012-0972 Presentation of Employee Service Awards.

Mayor Coleman presented employee service awards for five years of service to: Frank Bowie, Jessica Chavez, Jennifer Coffey, Emily Dean, Rosa Diaz, Michael Dougherty, Trey Fletcher, Jacqueline Garcia, Georgia Mumphrey-Major, Dustin Paul, Jose Rodriguez, Michael Wells, Caroline Williams. He presented employees service awards for ten years of service to: Michael De La Rosa, Gary Hendrich, Robert Kauff, Mark Kowalczyk, Billie Millar, Troy Motloch, Sabrina Schmidt, Roy Torrez, Chester Vronka, Joshua Woodard. He presented employee service awards for fifteen years of service to Steve Glimp and Wiley Web.

8. Resolution

- 8A. RES-0070 Discuss and consider action regarding a resolution stating support for the Pflugerville Independent School District's (PISD's) participation in the Texas Taxpayer and Student Fairness Coalition.

Mayor Coleman provided comments and read the resolution under consideration. Mr. Cooper provided comments. Mr. Gonzales provided comments. Mr. Cooper made a motion to approve the resolution. Ms. Sattler seconded the motion. Mayor Coleman clarified that the City is making verbal support, not financial. All voted in favor. The motion carried.

Ms. Elva Gladney, President of the PISD School Board, thanked the Council for their service to the City and community. She expressed her deep appreciation for the Council in standing for the children of the school district. She stated that what the Council has done tonight makes a difference as the PISD can say that their city stands with them. She directed those interested to visit the website: www.equitycenter.org. Ms. Gladney introduced Ms. Vernagene Mott and Mr. Rob Reyes of the PISD School Board, and Mr. Wayne Piece, Executive Director at Equity Center.

Ms. Vernagene Mott, Vice President of the PISD School Board, stated that she endorses what Ms. Gladney just said. She stated that this comes at no cost to the City taxpayers, and that citizens and businesses can also join. She thanked the City for the partnerships, stating that she is glad to walk hand and hand with the City in service to this community. Mayor Coleman stated that as a Council they feel strongly about their relationship with the school district.

Mr. Wayne Pierce, stated that it would take another week before the internet sign up is up and running, but there would be a place on the equitycenter.org website where people can sign up very soon.

3. Presentations

- 3B. **Gerr2012-1004** Semi-annual report presentation by IESI TX Corporation, the City's solid waste and recycling provider .

Gerry Rieger reported that recycling continues to grow and that they recently broke the 300-ton barrier. He reported that in January 2010 recycling had been at 55 tons and that it was over 320 tons this past December. He reported that in 2011, they recycled 3262 tons, an average of 12.5 tons per day. He reported that participation rates continue to grow and that they are now at 66% participation. He reported that trash tons year over year, have grown a little, at 4% growth, which he equates to the growth of the City. He reported on their company's name change to Progressive Waste Solutions. Council discussion with Mr. Rieger followed. Mr. Wade provided input in the discussion. Council expressed their desire for continued education initiatives on recycling and preycling.

4. **Public Comment**

Kim Waters, 17508 Kessler Drive, announced the upcoming volunteer orientation at the Animal Shelter for ages 16 and up which will take place on February 11. She stated regarding the costs of being a "no-kill" shelter, that once a community commits, there are grants to help with the costs. She stated that is something we should consider as we consider going "no kill."

Reading of the Consent Agenda

Ms. Thompson read the items under consideration.

5. **Approval of Minutes**

- 5A. **2012-1000** Approval of the minutes of the January 10, 2012 Worksession and Regular Meeting; and January 12, 2012 Quorum.

The minutes were approved on the consent agenda.

6. **Resolutions**

- 6A. **RES-0073** Resolution amending the Pflugerville Community Library Policies and Procedures.

The resolution was approved on the consent agenda.

7. **Other Actions**

- 7A. **2011-0960** Approving an agreement for additional services with Lockwood, Andrews and Newnam, Inc. (LAN) for the preparation of a Water and Wastewater Impact Fee Study.

The item was approved on the consent agenda.

- 7B. 2012-0997 Approving a Professional Services Agreement for City Engineer Services with DCS Engineering in an amount not to exceed \$50,500.
The item was approved on the consent agenda.
- 7C. 2012-1006 Authorize the City Manager to execute a contract for the purchase of Clarifloc C-6232 Polymer, a chemical used for treating wastewater, with Polydyne, Inc. in the amount of \$1.09 per pound.
The item was approved on the consent agenda.
- 7D. 2012-1007 Authorize the City Manager to execute a contract for the purchase of Sodium Bisulfite, a chemical used for treating wastewater, with Poolsure in the amount of \$1.98 per gallon.
The item was approved on the consent agenda.
- 7E. 2012-1010 Authorize the City Manager to execute a contract for the purchase of Chlorine, a chemical used for treating wastewater, with Altivia Corporation in the amount of \$579.00 per ton.
The item was approved on the consent agenda.
- 7F. 2012-1008 Authorize the City Manager to execute a contract for the purchase of Aluminum Sulfate, a chemical used for treating wastewater, with General Chemical Performance Products, LLC in the amount of \$.59872 per gallon.
The item was approved on the consent agenda.
- 7G. 2012-1017 Approving a Letter of Engagement for Special Council Services for Water Master Plan, Model and Water Supply with Denton, Navarro, Rocha & Bernal effective as of October 4, 2011.
The item was approved on the consent agenda.

Action on the Consent Agenda

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

9. Discuss only

- 9A. 2012-1001 Discussion regarding the establishment of a waste water reuse program for the City of Pflugerville.
The item was discussed in the earlier worksession. There was no discussion on the item during the regular meeting.

10. Discuss and consider action

- 10A. 2012-1002** Discuss and consider action to approve the Development Financing Agreement By and Among the City of Pflugerville, Texas, Reinvestment Zone Number One (Falcon Pointe TIRZ) and Terrabrook Falcon Pointe, L.P.
- Mr. Fletcher provided information on the agreement and noted that Bill Meyer and Rainer Ficken of Terrabrook Falcon Poine were in attendance. Mr. Wade stated that the TIRZ Board and City staff recommend approval of the agreement. Mr. Fletcher answered questions of Mayor Coleman. Mr. White made a motion to approve the agreement as presented. Mr. Marshall seconded the motion. All voted in favor. The motion carried.**
- 10B. 2012-1013** Discuss and consider action to approve a Pflugerville Community Development Corporation (PCDC) performance agreement and the sale of approximately six (6) acres by the Pflugerville Community Development Corporation (PCDC) to Renewable Resources, LLC, for the construction of new office space.
- Mr. Fletcher provided information. Mayor Coleman noted corrections to be made to the names of the County, the PCDC president and the City Attorney. Mr. Hyde noted a condition in the penalty clause regarding the number of employees committed being subject to change based on whether the Renewable Energy Tax Credit is extended and economic conditions support the level of staffing.**
- Carl Wasmuth, 1510 Santonlina Court, indicated that the company has to do with windfarms. He stated that the direct or indirect business of windfarms is controversial. He stated that in the Netherlands they are moving away from windfarms. He spoke on the concerns for windfarms being inefficient and not being cost effective. He indicated that with the solar farm, a windfarm may be proposed. He spoke on problems with windfarms affecting quality of life with issues like noise.**
- Mr. White made a motion to approve the agreement as presented. He added for clarification that right now they are not talking about windfarms in Pflugerville. Mr. Cooper seconded the motion. All voted in favor. The motion carried.**
- 10C. 2012-1012** Discuss and consider action to approve the sale of approximately fifteen (15) acres of property by the Pflugerville Community Development Corporation (PCDC) to Pecan Renewable Energy Park.

Mr. Fletcher provided information. He explained that the zoning requires a special permit process. It was asked if the contract addresses the need for the special permit process. Mary Poche, PCDC Business Recruiting Specialist, stated that it is not addressed but does not appear to concern the buyer. Mayor Coleman asked regarding the progress of the preleasing. Ms. Poche reported that they are working on preleasing the building concurrently with the other activity. She stated that they do have interested parties. Mr. Hyde asked for the reservation for the regional detention pond to be included in the deed. Mr. White made a motion to approve as presented. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

10D. 2012-1016

Approving the list of projects proposed for the FY 2012 General Capital Reserve Fund and authorizing the initiation of the listed projects and the associated expenditure of funds.

Mr. Wade provided a modified list with the addition of \$25,000 for Community Cars. He provided information on the General Capital Fund and an introduction to the list of proposed projects. Mr. Wade and Mr. Fletcher answered Council questions regarding the list of proposed projects. Council indicated concern for the number and placement of the electric car charging stations. Staff was to bring a future item for consideration regarding the placement of the electric car charging stations.

Mr. Word answered Council questions regarding the list of parks projects. Corey Shepperd, Parks Commission Chairman, was in attendance and provided input. Mr. Word introduced the new Parks Director, James Bowlin. Mr. Word distributed a spreadsheet to the Council on the parks amenities improvements. Mayor Coleman indicated his concerns for the cost of the Pfennig Pfields parking lot. Mr. Cooper stated agreement and commented on the availability of on-street parking nearby. Mr. Wade asked Mr. Shepperd if the Parks Commission had strong feelings on the project. Mr. Shepperd stated that one commissioner had strong feelings for the project. He stated that the next thing they would ask for is a bathroom. He stated that he thinks it is a work in progress in that area and they would continue west to Heatherwilde. Mr. Cooper stated he thinks the one that is needed more is the parking lot for the soccer fields on Heatherwilde. Mayor Coleman indicated the lake as another consideration. Mr. Wade stated that they could remove this project for now. Mr. White stated that he recalls many conversations regarding this parking lot over the years. Mr. Cooper stated that he thinks there are other areas that would be more of a priority now. Mayor Coleman asked if there was a consensus of Council to remove the item. Mr. Cooper stated that they could defer this until the next meeting. Mr. Wade asked that they approve the list if there are only a couple of items to be removed. There was a consensus to remove the parking lot project from the list.

Mr. Word answered questions regarding the Mountain Creek trail project using crushed granite instead of concrete. Mr. Word indicated with the trail deadline, he does not believe that they would be able to change from crushed granite to concrete.

Chief Hooker answered questions regarding the upgrade of security cameras.

Mr. Word answered questions regarding the street sign blade project.

Mayor Coleman summarized that the Pfennig Pfields parking lot and the electric vehicle charging stations had been pulled from the list. Mr. Cooper made a motion to approve the list as listed with the exception of pulling the electric vehicle charging stations and the Pfennig Pfields parking lot. Mr. Marshall seconded the motion. All voted in favor. The motion carried.

- 10E. 2012-0988 Discuss and consider action regarding scheduling and agenda items for a retreat worksession.

Mr. Cooper asked to add land use to the topics for discussion at the retreat worksession. Council set March 24, 2012 as the date for the retreat worksession.

- 10F. 2012-0999 Discuss and consider action regarding future agenda items.

Mr. Marshall requested to consider the possibility of a juvenile curfew ordinance as requested by the Law Enforcement Association of Pflugerville (LEAP). He indicated that he does not know that he supports it, but would like to discuss. The item was to be scheduled for discussion at an upcoming worksession.

Executive Session

Mayor Coleman announced that the City Council was retiring to executive session on items 10G, 10H, 10I and 10J. He read the items to be discussed and retired to executive session. The time was 9:06 p.m.

- 10G. 2012-1014 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 on the item.

- 10H. 2012-1015 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 on the item.

- 10I. 2012-0989 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code for performance evaluation of the Municipal Judge. 2.) Discuss and consider action regarding performance evaluation of the Municipal Judge.
- Discussion on the item was to take place in executive session. Action took place on the item later in the meeting.**
- 10J. 2011-0956 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. 2.) Open Session Item: Discuss and consider action regarding performance evaluation of the City Manager.
- Discussion on the item was to take place in executive session. Action took place on the item later in the meeting.**

Executive Session Closed

Mayor Coleman reconvened in open session. The time was 10:44 p.m.

- 10I. 2012-0989 1.) Executive Session Item: Discussion of personnel matters pursuant to Chapter 551.074 of the Texas Government Code for performance evaluation of the Municipal Judge. 2.) Discuss and consider action regarding performance evaluation of the Municipal Judge.
- Mr. Gonzales made a motion based on the performance evaluation to approve a 3.5% salary increase for the municipal judge. Mr. White seconded the motion. All voted in favor. The motion carried.**
- 10J. 2011-0956 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. 2.) Open Session Item: Discuss and consider action regarding performance evaluation of the City Manager.
- Mayor Coleman provided comments to Mr. Wade, stating that his performance evaluation was very positive and that they are excited about the direction they are going. Mr. Wade thanked the Mayor and Council and expressed his appreciation for being in Pflugerville. Mr. Marshall made a motion based on the performance evaluation to approve a 4% salary increase for the City Manager. Mr. White seconded the motion. All voted in favor. The motion carried.**

11. Adjourn

Mr. Cooper made a motion to adjourn. Mr. Marshall seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 10:46 p.m.

Respectfully submitted,

Karen Thompson
City Secretary

Approved as _____ on February 14, 2012.