



City of Pflugerville

Minutes - Final City Council

Tuesday, July 28, 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 7:04 p.m. Councilmembers Wayne Cooper, Brad Marshall, Starlet Sattler and Victor Gonzales were in attendance. Councilmember Omar Peña entered the meeting at 7:12 p.m. 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; Tom Word, Assistant City Manager; Chuck Hooker, Police Chief; Elizabeth Taplin, Human Resources Manager; Amy Good, Finance Director; Dan Franz, City Engineer; Emily Barron, Planning Director; James Hemenes, Parks Director; Amy Giannini, Interim Development Engineering Director; Laura Wilkes, Police Lieutenant; Rhonda McLendon, Animal Shelter Director; Jacquelyn Smith, Capital Improvement Program 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 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.

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

3. Presentations

3A. [2015-4093](#) The City of Pflugerville Police Department is a registered SafeTrade location.

Chief Hooker presented on the item. Mayor Coleman provided comments.

3B. [2015-4107](#) Quarterly update regarding the City's Capital Improvement Program.

Mr. Word provided an update. Council discussion followed. Mr. Wade and Ms. Gillam answered questions of the Council.

5. Public Comment

Mr. Luke Luper, 1211 Honeysuckle, spoke regarding economic development projects and stated that he is not sure that Tracking Point and an ammunition manufacturer are really the best way to do it and stated concern for giving tax breaks to rich people. He stated his second issue is the odor coming from the wastewater treatment plant.

Mr. David Wodrich, 3300 Heron Call Trail, voiced concerns regarding traffic, specifically the inadequate left turn lane into the Stone Hill Shopping Center at Town Center Drive and speed limits in that area; inconsistent 1825/Pecan Street street name signage; and signage needed in advance of the Heatherwilde and Pecan Street intersection to alert motorists of the correct lanes for left turn, straight and right turn.

9. Discuss and consider action

- 9D. [2015-4083](#) Discuss and consider action regarding Capital Improvement Program (CIP) Transportation, Parks, and Facilities (to include Animal Shelter) projects for a possible November 2015 bond election.

Lt. Wilkes provided information on staffing levels, veterinary and medical costs, volunteers, and animal intake and answered questions of the Council. Ms. McLendon provided input. Mr. Fletcher provided information on Animal Shelter Option A and reviewed the differences in Option A and Option B1. He noted that Option A is recommended by staff as a bond proposition and Option B1 was recommended by the Bond Committee.

W.C Kolinek, 18920 Carlisle Castle Ct, stated that he can't believe \$11 million for animals. He asked how much interest that would be over the life of the bond. Mayor Coleman stated another \$11 million. Mr. Kolinek stated that it would have air conditioning which only has a life of 10 years and that would need to be replaced twice before they pay off the first bond. He asked if anyone has thought about the maintenance cost. He stated that he thinks this has to stop and recommended not wasting everyone's time with coming up with stuff like this. He suggested that they do some of this themselves. He stated that he knows those interested volunteer at the shelter. He asked how about they do some of the facility. He stated that this is putting animals ahead of children. He asked which one comes first. He stated that there has to be a better way than spending \$11 million or that times two or three on an animal shelter. He stated that he thinks the voters need to pay attention to that.

Mayor Coleman read the names of those who did not wish to speak but requested that the Mayor announce their opposition (for a new animal shelter being included as a bond proposition):

Gary and Jacki Robertson, 3351 Killingsworth Lane

Mr. Robertson indicated that he wished to speak. He stated that he loves dogs and cats, but he is a senior. He stated that they had a committee that was supposedly going to let them have a bond for the seniors. He stated that this looks like \$2500 per dog. He asked if a dog is worth more than the seniors. He

stated that he sees no need for a new animal shelter, that they just need to update the one we have at a lesser cost. He stated that he feels Pflugerville is letting the seniors down and that they need to address that issue.

Mayor Coleman read the names of those who did not wish to speak but requested that the Mayor announce their support (for a new animal shelter being included as a bond proposition):

Julia Bancook, 2201 Four Hills Court
Becky Bilokur-Tobias, 19221 Ventana Court
Len Bishop, 18433 Dry Brook
Kerri and Tony Bonacci, 1005 Duke Cove
Karyn and Mike Buchanan, 1014 Vanderbilt Circle
Devin Cook, 20425 Rita Blanca Circle
Joseph Cross, 806 Sylvia Lane
Cindy Denny, 1107 Cresswell Drive
Chris and Raquel Hankinson, 2420 Holsten Hill Drive
Brenda Kouri, 17221 Sandwich Drive
Dana Leary, 104 Palmwood
Dorothy and Mark Lee, 2928 Cajuales Drive
Cynthia Lovin, 204 Camille Court
Nancy Mewhort, 1105 Teakwood Trail
Chasity Parrett, 20425 Rita Blanca Circle
Robert Salazar, 705 Pigeon Forge
Ashley Skeens, 806 Sylvia Lane
Diane Starkey, 2103 Hayfield Square
Denny Wagoner, 162 Applewood
Patsy Van Geem, 1704 Lynn Cove
Susan Vargas, 17207 Valley Glen Road
Lynn Vaughan, 17215 Village Glen Road
Kim Waters, Kessler Drive
Barbara Woodworth, 809 Windsor Castle Drive

Mr. Gonzales provided comments and indicated that he thinks that it is time to give the citizens an opportunity to decide if the community desires a new animal shelter. He indicated that he supports option A as a bond election proposition.

Mr. Marshall stated appreciation to the animal shelter volunteers. He agreed that it needs to be the citizens that decide if this facility happens or not.

Ms. Sattler stated appreciation to the volunteers. She stated that she had said that she would be in support of the animal shelter. She stated that she feels that they made the promise last year that they would put it to the voters. She stated that she is taken aback by the cost, but thinks it is time the citizens speak their mind.

Mr. Cooper stated that he is also taken aback by the cost. He stated that he looks at the number of people being served and thinks of the thousands of people that would be served by a senior center or another facility. He stated that he is not on the band wagon to spend the money this way, but thinks the public should vote on it.

Mr. Peña provided comments that he does not think they would have to spend

the entire \$11 million if it were approved by the voters. Mr. Wade provided information. Mr Peña made a motion to approve placing the bond for the animal shelter on the November 2015 bond election in the amount of \$10.7 million. Mr. Gonzales seconded the motion.

Mayor Coleman stated he would like to also provide comments. He stated (to the animal shelter volunteers and supporters) that he is amazed at their passion, but that he disagrees with them on a philosophical level. He stated that he appreciates their hard work and he appreciates them. He read a statement explaining why he will vote against this bond proposition in November which included the following main points: 1.) He stated that it is too expensive and he cannot vote to spend \$10.5 million on an animal shelter when we have not taken care of other vulnerable members of our community such as seniors. 2.) He stated that we have dropped our euthanasia rate for "lack of space" to almost zero, but this comes at a price. He stated that we are keeping some animals for up to two years in an attempt to get them adopted and he cannot justify the incredibly high cost of keeping every animal "as long as it takes." 3.) He stated that our current shelter is a grouping of repurposed buildings that have been turned into an animal shelter and it is not pretty, however, it is functional. He stated that this year, the Council approved spending over \$400,000 on improvements to the current shelter and if the bond passes, approximately \$250,000 of that will be throw away money. He stated that it is estimated that we can build additional buildings on the current site for around \$1 million that will provide the additional space it needs to hold the growing number of animals. He stated in conclusion that he will not be voting for this bond, not because he doesn't love animals, because he does love animals, but he thinks there are more important people priorities that we need to spend money on at this time.

Mayor Coleman called for a vote on the motion. All voted in favor. The motion carried.

Mayor Coleman called for a break. The time was 8:32 p.m.

Mayor Coleman reconvened the meeting at 8:45 p.m.

Mr. Fletcher provided information on the staff's recommendation for a \$9.5 million bond proposition for additional improvements to Weiss Lane. He stated that the current bond approved in November 2014 is for two lanes with shoulders and turn lanes at key intersections. He stated that this proposal would be to add an additional two lanes from Kelly Lane to the bridge. Council discussion followed with input from Mr. Fletcher, Mr. Wade, Mr. Franz, and Mr. Word.

Mr. Kolinek asked if all of this road is in the city. Mr. Fletcher stated "no." Mr. Kolinek asked how the road can help him. Mayor Coleman stated that the one strong argument is that those residents outside the city would be spending their money in the city and those roads will assist them in getting there. Mr. Kolinek stated that these are MUD districts out there, and it will be 25 years if they will ever come into the city. He stated that we would be giving them new roads when we don't even have new roads in the city. He stated that those who do the using should do the paying. He stated if they want to use this new road, they should pay for it. He stated that he doesn't think their amount of sales tax is going to pay for it. He stated that the school is going to have to find a way to do it, that we need to take care of our citizens first.

There was continued Council discussion. Mr. Marshall stated the other reason for it is the number of Pflugerville kids that will end up going to that school.

Mr. Gonzales moved to put the transportation bond for Weiss Lane in the amount of \$9.5 million on the bond election. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

Mayor Coleman asked if there was a motion for a parks item to be placed on this bond election. None were stated.

4. Public Hearing

- 4A. [RES-0262](#) Conduct the second of two required public hearings and receive feedback regarding the Community Development Block Grant (CDBG) program Action Plan for 2015.

Ms. Barron presented on the item and reviewed the plans for the action plan for 2015. Mayor Coleman indicated interest in submitting an amendment to expend funds on a senior center.

Ernest Tomes, 18616 Silent Water Way, indicated that there is a need for transportation for the disabled like himself. He stated that he speaks for everyone like him that is disabled. He stated that they need transportation other than CARTS. He stated that Allison (Phillips) will get them wherever they need to go.

Allison Phillips, P.O. Box 3241, cofounder and executive director of Community Transport Services, stated they have been providing service to seniors, low income and disabled since 2009. Ms. Phillips stated that she comes before the Council to request funding through the CDBG. She stated that the plan does not address transportation. She stated that she hopes that the Council will not forget these people that are in the community. Mayor Coleman stated that when they came before they opened his eyes to this issue. He stated that they have not been forgotten.

Mayor Coleman noted to Mr. Tomes that he lives outside the city limits and that he should contact Capital Metro. He stated that the City of Pflugerville is not in Capital Metro, but he is. Mr. Tomes stated that he uses the special transit.

Mr. Gonzales asked Ms. Barron if there are entities using CDBG funds for transportation. Ms. Barron stated that there are but their funding is much larger. She stated that she can acquire information. Mr. Gonzales encouraged Ms. Phillips to continue to come forward to the Council.

Mr. Fletcher stated that CAMPO does project calls and that he has forwarded that information to Ms. Phillips. Ms. Phillips stated that she did receive the information but was unable to come up with the match required.

Mr. Cooper made a motion to close the public hearing. Ms. Sattler seconded the motion. All voted in favor. The motion carried.

Reading of the Consent Agenda

Mr. Peña exited the meeting. The time was 9:45 p.m. Ms. Thompson read the items along with the captions of the ordinances under consideration.

6. Approval of Minutes

- 6A. [2015-4102](#) Approval of the minutes of the July 14, 2015 Worksession and Regular Meeting.
- The minutes were approved on the consent agenda.

7. Ordinances Second Reading

- 7A. [ORD-0258](#) 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 72 REGARDING SPEED LIMITS ON CITY STREETS (KELLY LANE), ESTABLISHING PRIMA FACIE MAXIMUM SPEEDS AND PROVIDING AN EFFECTIVE DATE.

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

- 7B. [ORD-0259](#) 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 71 REGARDING PARKING REGULATIONS; AMENDING PENALTIES FOR VIOLATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; REPEALING ALL ORDINANCES TO THE EXTENT THEY ARE IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

- 7C. [ORD-0260](#) Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, ADOPTING THE FOURTH AMENDMENT TO THE FISCAL YEAR 2015 BUDGET FOR THE CITY OF PFLUGERVILLE; AND PROVIDING AN EFFECTIVE DATE.

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

8. Other Actions

- 8A. [2015-4112](#) Authorizing the City Manager to execute a utility relocation agreement in the amount not to exceed \$509,725.40 between the Manville Water Supply Corporation and the City of Pflugerville for the water utility relocation associated with the Heatherwilde Road Widening Project.

The item was approved on the consent agenda.

- 8B. [2015-4111](#) Authorizing the City Manager to execute an easement and right of way agreement with ATMOS Energy Corporation for utility relocation construction associated with the Heatherwilde Widening Project.

The item was approved on the consent agenda.

- 8C. [2015-4071](#) Approving a professional services agreement with K. Friese and Associates, Inc. in the amount of \$171,414.60 for professional engineering services associated with design, bidding and construction administration for Pfennig Lane Widening and Reconstruction project and authorizing the City Manager to execute the agreement.

The item was approved on the consent agenda.

Approval of the Consent Agenda

Mr. Gonzales stepped away from the dais during the reading of the consent agenda. Mr. Cooper made a motion to approve the consent agenda. Mr. Marshall seconded the motion. Mr. Gonzales was absent during the vote on the item. All present voted in favor. The motion carried.

9. Discuss and consider action

- 9A. [2015-4108](#) Discuss and consider action to approve an professional services agreement with Cobb, Fendley & Associates Inc. in the amount of \$385,890.13 for professional engineering services associated with design, bidding and construction administration for the E. Pflugerville Parkway and SH130 Interchange project and authorizing the City Manager to execute the agreement.

Mr. Cooper made a motion to approve items 9A, 9B, and 9C as written. Ms. Sattler seconded the motion. Mr. Gonzales was absent during the vote on the item. All present voted in favor. The motion carried.

- 9B. [2015-4109](#) Discuss and consider action to approve an agreement with Cobb, Fendley & Associates, Inc. in the amount of \$305,119.10 for professional engineering services associated with design, bidding and construction administration for the Weiss Lane Water Transmission Main Phase 1 Project and authorizing the City Manager to execute the agreement.

Mr. Cooper made a motion to approve items 9A, 9B, and 9C as written. Ms. Sattler seconded the motion. Mr. Gonzales was absent during the vote on the item. All present voted in favor. The motion carried.

- 9C. [2015-4110](#) Discuss and consider action to approve an agreement with Halff Associates, Inc. in the amount of \$93,960.00 for professional engineering services associated with preliminary engineering for the Heatherwilde/Windermere Subdivision Street Reconstruction Project

and authorizing the City Manager to execute the agreement.

Mr. Cooper made a motion to approve items 9A, 9B, and 9C as written. Ms. Sattler seconded the motion. Mr. Gonzales was absent during the vote on the item. All present voted in favor. The motion carried.

- 9E.** [2015-4101](#) Discuss and consider action regarding future agenda items.
None stated.

Discuss only

- 10A.** [2015-4103](#) Discussion regarding the Fiscal Year 2016 budget and City Council Fiscal Year 2016 goals.
Discussion on the item took place at the worksession. There was no discussion on the item at the regular meeting.

Executive Session

Mayor Jeff Coleman announced that the City Council was retiring to executive session for possible discussion on items 9F, 10B, 10C, 10D, 10E and 10F. He read the items and retired to executive session. The time was 9:50 p.m. Mr. Gonzales rejoined the meeting during the executive session.

- 9F.** [2015-4105](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code for legal advice concerning a development agreement with the Pflugerville Independent School District. 2.) Open Session Item: Discuss and consider action to approve a development agreement with the Pflugerville Independent School District and authorize the City Manager to execute same.
Discussion on the item took place in executive session. No action was taken.

10. Discuss only

- 10B.** [2015-4097](#) 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. No action was taken.

- 10C.** [2015-4098](#) 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.
Discussion on the item took place in executive session. No action was taken.

- 10D.** [2015-4099](#) 1.) Executive Session Item: Consultation with legal counsel regarding

provision of emergency services within the City pursuant to Chapter 551.071 of the Texas Government Code.

There was no discussion on the item.

- 10E.** [2015-4113](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code and deliberation regarding real property pursuant to Chapter 551.072 of the Texas Government Code regarding the purchase, exchange, lease, transfer and/or sale of real property.

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

- 10F.** [2015-4114](#) 1.) Executive Session Item: Consultation with legal counsel pursuant to Chapter 551.071 of the Texas Government Code regarding use of audio and videotaping devices and deliberation regarding the deployment and implementation of security personnel or devices pursuant to Chapter 551.076 of the Texas Government Code.

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

Executive Session - Closed

Mayor Coleman reconvened in open session at 12:15 a.m. on July 29, 2015.

11. Adjourn

Mr. Gonzales made a motion to adjourn. Ms. Sattler seconded the motion. All voted in favor. The motion carried. The meeting was adjourned at 12:15 a.m. on July 29, 2015.

Respectfully submitted,

**Karen Thompson
City Secretary**

Approved as presented on August 11, 2015.