



City of Pflugerville

Minutes - Final City Council

Tuesday, October 26, 2010

7:00 PM

100 East Main Street, Suite 500

Regular Meeting

1. Call to order

Mayor Jeff Coleman called the meeting to order at 7:00 p.m.

Councilmembers Wayne Cooper, Darelle White and Starlet Sattler were in attendance. Councilmembers Mike Marsh and Victor Gonzales were absent. City employees attending: Brandon Wade, City Manager; Lauri Gillam, Assistant City Manager; Floyd Akers, City Attorney; Trey Fletcher, Managing Director of Operations; Felix Benavides, City Engineer; Blake Overmyer, Building Official; Terri Waggoner, Public Information Officer; Beth Davis, Finance Director; Amy Atkins, Interim Parks and Recreation Director; Jeremy Frazzell, Senior Planner; Jim McLean, Assistant Police Chief; Shawn Brown, Lieutenant; Christa Deamer, Admin Tech I/Deputy City Secretary.

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.

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. Presentation

- 2010-0268** Proclamation declaring November 2010 as Pancreatic Cancer Awareness Month in the City of Pflugerville.

Mayor Coleman presented Amanda West with a proclamation declaring November 2010 as Pancreatic Cancer Awareness Month in the City of Pflugerville. Ms. West spoke about her personal experience of losing her father to pancreatic cancer and her involvement in raising pancreatic cancer awareness.

Reading of the Consent Agenda

Item RES-0015 was removed from the consent agenda. Ms. Deamer read the items to include the captions of the ordinances under consideration.

6. Approval of Minutes

- 2010-0266** Approval of the minutes of the October 12, 2010, Worksession and Regular Meeting.

Approved on the Consent Agenda.

7. Ordinances Second Reading

- ORD-0017** Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AUTHORIZING THE RELEASE AND VACATION OF A BUFFER EASEMENT ASSOCIATED WITH THE DECOMMISSIONED KELLY LANE WASTEWATER TREATMENT PLANT ENCOMPASSING 6.492 ACRES OF LAND OUT OF THE JOHN BECKHAM SURVEY NO 16, ABSTRACT NO. 55 IN PFLUGERVILLE, TX (VAC1010-01); PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

Approved on the Consent Agenda on second and final reading.

- ORD-0016** Approving an ordinance on second reading with the caption reading: AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS, AUTHORIZING THE RELEASE AND VACATION OF A PORTION OF A PUBLIC UTILITY EASEMENT ESTABLISHED IN TRAVIS COUNTY DOC. NO. 2003211530; CONSISTING OF 0.50 ACRES OF LAND OUT OF THE THOMAS G. STUART SURVEY NO. 6, ABSTRACT NO. 689 IN PFLUGERVILLE, TX (VAC1009-01); PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

Approved on the Consent Agenda on second and final reading.

ORD-0011 Approving an ordinance on second reading with the caption reading:
AN ORDINANCE OF THE CITY OF PFLUGERVILLE, TEXAS,
AMENDING CHAPTER 71 OF THE CITY OF PFLUGERVILLE,
TEXAS CODE OF ORDINANCES REGARDING PARKING
REGULATIONS; ADDING PROVISIONS PROHIBITING THE
PARKING OF CONSTRUCTION EQUIPMENT WITHIN 30 FEET OF
AN OPEN LANE OF TRAFFIC; PROVIDING FOR A PENALTY NOT
TO EXCEED \$500.00 AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Gonzales

Approved on the Consent Agenda on second and final reading.

9. Other Actions

2010-0270 Approving a registration fee for Councilmember Victor Gonzales in the amount of \$225 to attend the Texas Transportation Summit in Austin, Texas, from January 3-5, 2011.

Approved on the Consent Agenda.

2010-0267 Granting permission for the Hendrickson High School Band March-A-Thon to be held November 20, 2010.

Approved on the Consent Agenda.

2010-0222 Authorizing the City Manager to execute a contract with Standard Renewable Energy for a total amount of \$93,390 for purchase and installation of a photovoltaic system at the Pflugerville Recreation Center. Funding for the project is through the Energy Efficiency Conservation Block Grant rebate award which allocated \$58,000 towards the project, and a \$40,320 expected award by the Oncor "Take a Load Off, Texas" rebate incentive program.

Approved on the Consent Agenda.

2010-0274 Authorizing the City Manager to execute the Assignment and Amendment of Springbrook Center Phase A License Agreement from Travis County to the City of Pflugerville for private improvements in the public right-of-way on Picadilly Drive and Bengal Drive.

Approved on the Consent Agenda.

Action on the Consent Agenda

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

Public Hearing

ORD-0021 Hold a public hearing regarding an Ordinance Amending Chapter 157: Unified Development Code; Amending Subchapter 4 Establishments of Districts and Boundaries; Residential Zoning Districts and Office, Retail and Commercial Zoning Districts to add requirements addressing athletic practice fields with and without lighting; and amending Subchapter 13 Lighting Standards.

There was discussion on the item. There were no requests to speak at the public hearing.

Mr. Fletcher presented on the item and answered questions of Council with input from Ms. Atkins. There was discussion with Council. Dale Legband, athletic organization representative and Parks and Recreation Commissioner, spoke on the item. There were no requests to speak at the public hearing. Mr. Fletcher answered questions of Council with input from Ms. Atkins and Mr. Overmyer. Ms. Sattler motioned to close the public hearing. Mr. White seconded the motion. All voted in favor. The motion carried.

4. Public Hearing and Ordinance First Reading

ORD-0023 Hold a public hearing and consider an ordinance on first reading with a caption reading: AN ORDINANCE AMENDING THE CITY OF PFLUGERVILLE CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 157 UNIFIED DEVELOPMENT CODE AMENDING SUBCHAPTER 4 ESTABLISHMENTS OF DISTRICTS AND BOUNDARIES, SECTION A. RESIDENTIAL ZONING DISTRICTS, SUBSECTION FIVE THROUGH SEVEN, TO ADD REQUIREMENTS ADDRESSING SETBACKS FOR STORAGE SHEDS UNDER AND OVER 200 SQ. FT. (CA1009-01); REPLACING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE AND DECLARING AN EFFECTIVE DATE.

There was discussion on the item. There were no requests to speak at the public hearing.

Mayor Coleman read the caption of the ordinance under consideration. Information was provided. There were no requests to speak at the public hearing. Mr. White 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. Cooper made a motion to approve the ordinance on first reading. Mr. White seconded the motion. All voted in favor. The motion carried.

5. Public Comment

Brent Hurta, 3104 Murrelet Way, did not wish to speak, but asked that the Mayor enter for the record his support for a skatespot in Pflugerville.

8. Resolution

RES-0015 Approving a resolution with caption reading: RESOLUTION APPROVING PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING DISTRIBUTION OF SUCH PRELIMINARY OFFICIAL STATEMENT RELATING TO THE CITY'S COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2010, LIMITED TAX BONDS, SERIES 2010 AND LIMITED TAX REFUNDING BONDS, SERIES 2010.

The resolution was approved.

William Harrison, financial advisor, spoke on the item and answered questions of Council. Mr. White motioned to approve the resolution. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

10. Discuss only

2010-0276 Review of the September 30, 2010, Quarterly Financial Report.

No action was taken on the item.

Ms. Davis provided a review of the financial report.

2010-0281 Discussion regarding Charter Review Commission to be appointed on November 9, 2010.

There was Council discussion on the item.

It was noted that Mr. Wade and Mr. Akers would be present at the Charter Review Committee meetings and that Councilmembers may attend the meetings as long as there is not a quorum present. Lists of prior Commission members were to be sent to the Council.

11. Discuss and consider action

2010-0272 Discuss and consider action regarding noise concerns with Red's Indoor Shooting Range, 1908 Pecan Street West.

Sponsors: White

The City Manager was directed to move forward with an investigation into hiring a consultant to do a study regarding noise concerns with Red's Indoor Gun Range and return to Council with the cost of such a study.

Mr. Wade spoke on the item and presented the findings of his research and stated that staff is looking at existing ordinances and enforcement. He asked for direction from Council regarding the possibility of a noise study. Mr. White spoke on the item. Mr. Akers spoke on the existing legalities. There was further discussion with Council with input from Mr. Wade. Mr. White proposed finding out how much a consultant would cost and have them provide possible outcomes and allow Council to make a decision based on that. Mr. Akers gave input on the legalities of the City accruing cost for improvements to a private business. Mr. White motioned to direct the City Manager to move forward with an investigation into hiring a consultant to do a study regarding noise concerns with Red's Indoor Gun Range and return to Council with the cost of such a study. Mr. Cooper seconded the motion. All voted in favor. The motion carried.

2010-0278 Discuss and consider action regarding future agenda items.

There was no discussion on the item.

No future agenda items were discussed.

2010-0282 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.

There was no discussion on the item.

The matter was discussed during the worksession.

12. Adjourn

The regular meeting was adjourned at 8:10 p.m.

Mr. Cooper motioned to adjourn the regular meeting. Mr. White seconded the motion. All voted in favor. The motion carried.

Respectfully submitted,

Christa Deamer
Admin Tech I/Deputy City Secretary

Approved as _____ on November 9, 2010.