

State of Texas

County of Brazoria

City of Angleton

The City of Angleton, Texas City Council conducted its Regular Monthly Meeting at 6 p.m., Tuesday, March 25, 2008, with the following in attendance:

J. Patrick Henry	Mayor
Roger D. Collins	Mayor Pro Tem
Gregg Dykes	Councilman
John Wright	Councilman
Jason Perez	Councilman
Bonnie Church	Councilwoman

**OTHERS PRESENT:**

Greg Smith	City Manager
Keith Vaughan	City Attorney
Laurie Rodriguez	Asst. City Secretary
	Staff - Dpt. Heads

And those listed on the guest registry.

1. CALL TO ORDER BY MAYOR HENRY. 6:00pm
2. Pledge of Allegiance.
3. Moment of Silent Reflection/Prayer.
4. **Ceremonial presentations-**
  1. Mayor Henry presented Scott Brown with the Brown Building Business of the Month.
  2. Mayor Henry presented Sara McDaniel with a proclamation in honor of her being named Ambassador of the Month by the Angleton Chamber of Commerce.
  3. Mayor Henry presented a proclamation for National Child Abuse prevention month.  
Betty Smith named as senior Volunteer of the Month by Actions.
  4. City Manager Greg Smith presented Sgt. Kirk Coleman the employee of the month award.
5. **Citizens wishing to address council:**

Larry Schaefer - 115 N Walker - Would like to thank the Angleton Ambulance Service during the primary election when a voter went down. Would like Council to keep his application on file concerning the Planning and Zoning Commission appointments.
6. **Requests to address Council other than citizenry.**

No one approached council.

7. **Consent items:**

1. Minutes from February 26, 2008 meeting
2. Ratify accounts payables
3. Action on declaring equipment surplus
4. Consider offer on property held in trust by the Brazoria County Tax Officer acct. number 5322-0025-000

*Tabled item #4 until the County gets the numbers correct. Brazoria County does not have the City of Angleton listed on the proposed distribution sheet.*

Motion by Councilman Perez to approve items 1-3  
Second by Councilman Wright

Motion passes with 6 for; 0 against; 0 absent

8. Discussion And Possible action on Ordinance No. 2008-O-3B  
Action On A Variance Request For Burning Inside The City  
Limits By Angleton Independent School District.

Greg Smith stated that this was an oversight during the annexation agreement, we didn't take into consideration that their budget for clearing that land was with them outside the city limits. When they were annexed it changed the requirements. The variance is for 18 months and will allow them to do it in stages and give them enough time to clear as they build.

Motion by Mayor Pro Tem Collins to approve Ordinance No 2008-O-3B;  
Second by Councilman Dykes

Motion passes with 6 for; 0 against; 0 absent

9. Discussion on possible action on debt service for upcoming city projects.

Discussion item only.

Greg Smith presented this item for discussion only, no action will be taken. There are several projects being discussed over the last several years and this is a debt service to be able to complete those projects. Downing Road/Campus/Stadium Road Project, Municipal Court building and addition to City Hall, better use of space by using one room for the Municipal Courtroom and Council Chambers. Addition of bays at Fire Station \$150K, \$50 for Police Dpt. to renovate current municipal court area; \$50K animal shelter at the old public works building; Sebesta Road/levee project \$200K above the portion already funded by ABLC. \$2.145 million needed, with contingency go out for \$2.5 million. This will not affect the current tax rate, we will be retiring some debt in the near future.

Councilman Dykes questioned the need for a new municipal court building. Mr. Smith replied definitely there are numerous problems with the existing accommodations.

The new addition would be "hardened" to become the new EOC, so the emergency management has a safer place to work

out of during a catastrophic event.

John Wright wants to know if this facility is the long-term solution for the municipal court or is the land by the PD a better fit? Greg Smith stated that the problem out there is that we'd be taking away green space that is readily used by the citizenry every evening and the building would have only one use once or twice a month. Except on court days, the additional parking will help our parking issues for City Hall in the near future.

Mayor Pro Tem Collins wants to know about drainage issues that might be a concern when we start to build out back. Greg Smith replied that B&L is working with us and looking at those issues.

Councilman Dykes questioned why such a large increase in the budget for Sebesta Road just because we are moving to the other side. Herb Smith replied that there is a culvert issue regarding box culverts that will need to be placed now, they were already in existence on the other side.

Councilman Wright asks if the PD and the animal shelter could be funded in the next year's budget or one this year and one the next? Greg Smith says we could look at it but to do both projects in the same year, no we couldn't. The animal shelter would need to be done first. The issues regarding the animal shelter, drainage, air conditioning and insulation have all been solved. Councilman John Wright asked if this fit in with the City's Master Plan. Mayor Henry answered yes, for facilities-more or less and that is existing City property. We'll be tearing down the old Park's building and adding green space to the Southside of town.

Councilman Wright wants everyone to keep in mind that we still have drainage and road issues that need to be addressed and some of those roads cannot be addressed without going out of debt issuance.

Greg Smith asked if Council wants to bring this debt service of \$2-2.5 million in the future and pursue this with more firm numbers?

10. Discussion and possible action on approval of reimbursement Resolution No. 2008-R-3A.

Motion by Councilman Perez  
Second Councilwoman Church

Motion passes with 6 for; 0 against; 0 absent

11. Discussion And Possible Action On Rate Increase Request From Republic Waste.

Steve Carroll presented request for a rate increase for residential 2.198%, about twenty-eight cents per home. This is the first request under this contract in the last two years.

Staff supports this request stating that we usually get prompt responses from Republic when there is an issue regarding services and the complaints are few and far between.

Motion by Councilman Wright  
Second by Councilman Dykes

Motion passes with 6 for; 0 against; 0 absent

12. Discussion and possible action on the Cade Development preliminary plat.

Cade Development - Greg presented this project- Planning and Zoning approved. This land is adjacent to West Miller, Loop 274 frontage road and 288B and creating a strip center, the first phase will be facing Loop 274.

Motion by Councilman Perez  
Second by Councilman Wright

Motion passes with 6 for; 0 against; 0 absent

13. Discussion and possible action on the Tae Kwan Do/Martial Arts preliminary plat.

Greg Smith presented this plat. This property is located on Henderson Road and has met all the requirements including retention/detention. The only access to this property is off Henderson Road.

Motion by Councilman Perez  
Second by Mayor Pro Tem Collins

Motion passes with 6 for; 0 against; 0 absent

14. Discuss And Consider Possible Action On Amending Ordinance 2008-O-3A, Which Established Fees For Planning, Engineering And Inspection Of Developments Of Land In The City; Said New Fee Schedule Was Adopted By The City Manager And Effective As Of March 1, 2008.

Greg Smith presented this item. We found a fee that we haven't been charging in the past and we'd like to include this fee in the ordinance. This will be the same fee charged to every developer no matter who they are, this fee is a set schedule and will be more systematically charged. This is very similar to the restrictions the County uses. These fees do not apply to anything submitted to us before March 1, 2008. This is an engineering inspection fee.

Motion by Mayor Pro Tem Collins  
Second by Councilman Dykes

Motion passes with 6 for; 0 against; 0 absent

15. Discussion and possible action on zoning notice ordinance no. 2008-O-3D.

Greg Smith stated that as Council is aware the new zoning ordinance is in the final stages of being approved. The schedule involves one public hearing that involves the zoning committee, the P&Z Commission and the City Council. Then another public hearing at the City Council meeting before the final adoption of the ordinance. This ordinance sets out the plan for getting the word out to the citizens.

City Attorney Keith Vaughan informed council that they must make the decision in section 3 of this ordinance if they want any protests of the zoning ordinance to be heard by  $\frac{3}{4}$  or 5 of the council or not.

Motion by Perez to approve the ordinance as presented.  
Second by Church

Motion passes with 6 for; 0 against; 0 absent

16. Discussion and possible action on capital purchases for the Public Works department, specifically Gradall excavator and brush truck.

Greg Smith presented this item stating that we tabled this item last month waiting on more firm prices. The budget amount for these purchases was \$253,000.00, the Gradall is \$204,609.49 as of yesterday the Gradall was still in stock. The truck amount is \$39,440.40, that includes \$3K for upgrades for a "rescue" truck, so this will be a brush truck and a "rescue" truck. These bids are coming in \$9K under the original budget. The local dealer did not have a truck that fit the specs we were looking for.

Motion by Mayor Pro Tem Collins  
Second By Councilwoman Church

Motion passes with 6 for; 0 against; 0 absent

17. Discuss and consider possible action on Approval Of Agreement to Permit Placing Antenna by Houston Amateur Mobile Society For Emergency Operations Center use at Southside Elementary School Campus (City Water Tower).

Motion by Mayor Pro Tem Collins to approve the agreement  
Second by Councilman Perez

Motion passes with 6 for; 0 against; 0 absent

18. Discussion and possible action on appointing a new member to fill a vacancy on the City of Angleton Planning and Zoning Commission.

Motion by Mayor Pro Tem Collins to appoint Bill Walker to the Planning & Zoning Commission  
Second Councilwoman Church

Motion passes with 6 for; 0 against; 0 absent

19. Herb Smith presented a report on the FEMA conference he recently attended. Information only.

20. **Reports of boards & commissions:**

**Parks** - Had a wonderful Easter Egg hunt this past month. Comparing Rec. Attendance to this point last year, we've seen more people through the doors this year by this time.

**Engineer** - Have to make a decision about Freedom Park pond.

**KAB** - Cleanup, Council will do lunch at the Gazebo.

21. **Staff Reports:**

**City Manager** – The machines for the water bills are in and the bills will be full page this month. Sixty-eight water payments got here late this month from TDECU. We are trying to work with them and resolve this problem. This is a TDECU problem.

**Economic Development**- The Quiznos sign is up, no work on the inside yet. We've had interest in the Cade strip center since our trip to San Antonio and I don't think Mr. Cade will have any trouble filling it.

**Public Works** – Nothing more to add to my report.

**Building Department** – Nothing more to add to my report. Got 4 houses moving along in the Rosewood Subdivision.

**Finance** – Nothing more to add to my report. Our sales tax is still at 9% and doing well, coming up on our 6 month budget review.

**Police Dept.** - Relay for Life will be at the Fairgrounds on the 4<sup>th</sup>. Calls are up from this time last year, we have a lot of people in training right now.

**Municipal Court** –

**Attorney** - Nothing

22. **Council Reports –**

**Mayor** - nothing

**Mayor Pro Tem Collins** – nothing

**Councilman Perez** - we've been asked to participate in the Relay for Life opening ceremonies. Where are the signs that list Angleton as a bird sanctuary, I had a citizen call asking about our status.

**Councilwoman Church** – Parking lot at Angleton Plaza, can we regulate cars for sale in our parking lots. Street signs on Wilkins is hanging and needs to be fixed.

**Councilman Dykes** – nothing

**Councilman Wright** – railroad quiet zone - have to deal with a property owner regarding driveway; review comprehensive plan and make sure we are in line with it; do we have projects assigned for the flooding problem? Answer from Greg Smith - no it will cost probably about a million dollars.

Council adjourned into executive session at 8:25pm

23. **Action coming out of Executive Session:**

Discussion And Possible Action On Rate Increase Request From Centerpoint Energy And Or Adopt Resolution Approving,

Denying, Or Suspending The Rate Increase.

**Back into open session at 8:50**

**Motion by Mayor Pro Tem Collins to take the option of suspending the increase for 90 days and during that time frame, we pursue renegotiating the franchise agreement that will expire in May and if we are successful, we will bring this back to a vote in April, if we are not successful, we'll hold a public hearing within the 90 day time period and decide whether we want to join the Gulf Coast coalition of Cities at that time.**

**Second by Councilman Wright**

**Mr. Roy Villarreal with CenterPoint Energy stated that if there was more information needed CenterPoint Energy would be glad to provide that information. If you do suspend the rates for 90 days, the rates will go into effect after that time from the April 10 date. With the coalition the burden of the cost of a rate case will be borne by the cities in the coalition and could cost several million dollars.**

**Motion passes with 6 for; 0 against; 0 absent**

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J. Patrick Henry, Mayor

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Laurie Rodriguez, Assistant City Secretary