

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, July 22, 2008, with the following in attendance:

|                  |               |
|------------------|---------------|
| J. Patrick Henry | Mayor         |
| Rudy Santos      | Mayor Pro Tem |
| Bonnie Church    | Councilwoman  |
| John Wright      | Councilman    |
| Jeremy Warren    | Councilman    |
| Gregg Dykes      | Councilman    |

**OTHERS PRESENT:**

|                  |                |
|------------------|----------------|
| Greg Smith       | City Manager   |
| Keith Vaughan    | City Attorney  |
| Amanda Davenport | City Secretary |
| Patti Worfe      | Staff          |

Susie Hernandez

Robert Heinemeyer

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-**
  - A. KAB yard and business of the month presentations;
  - B. Presentation of Governor's Community Achievement Award to Council;
  - C. Employee of the Month Presentation by City Manager Greg Smith.
    - A. Yard of the month is awarded to the Opperuds on Browning Street and Business of the month to Smithhart's County Seat Grill on Velasco.
    - B. Jamae Bowman presented the Governor's Community Achievement Award, an \$85,000 check and a proclamation to City Council.
    - C. Greg Smith stated that Johnny Dahse is the employee of the month, but is not in attendance this evening.
5. **Citizens wishing to address council:**

Beth Journey with the Angleton Chamber of Commerce announced that The Greater Angleton Chamber of Commerce will no longer staff or organize the Christmas on the Square function.

Mrs. Journey also spoke regarding the Hotel Occupancy tax stating that the tax is already way up from the 2006/2007

fiscal year, this is based on the five existing hotels. This information is just "food for thought" as the Council decides how the hotel occupancy tax should be used. The Chamber staff has been well educated and works very hard to stay in tune with the industry and what other cities our size are doing to promote and advertise. The Chamber is about helping our businesses prosper and grow and promoting the area for travel and tourism, our only limitation has been dollars. Mrs. Journeay stated that the Chamber has been lacking in showing the Council what it has done to successfully promote and advertise the city. We feel we've done a tremendous job with the funds allotted and stretching those dollars. Let our experience work for you.

Elrey Tinnen spoke about the sewer project on Western Avenue. Concerned about the pump station that is planned for his subdivision. Why is there a need to put one in the middle of the subdivision instead of where it is planned or repairing the ones already in the subdivision?

Mrs. Tinnen also spoke regarding the sewer on behalf of the subdivision concerned about the smell, eyesore and the value of the homes. We feel like we are not being well informed. Workers in the yard are doing their jobs but without our permission. Prefer not to have a lift station on my property or that close to my home.

Catherine Hadley addressing the same sewer issue. This project came as a shock to the neighborhood and finally we got a note our door over the weekend. There is a station at each end of the street why can't they repair one of those instead of building a new one in the middle of the area?

Mayor Henry stated that we'll have someone look into the project and see if anything can be done.

Marita Adamson Lewis spoke to council representing the Angleton Band Alumni concerning Mr. Don Hood and his induction into the Texas Band Master's Hall of Fame. Mrs. Lewis read an invitation to a congratulatory banquet inviting the council members to attend.

Mr. Dunn spoke to council and thanked them for doing the Taylor Street project.

6. **Requests to address Council other than citizenry.**

No one approached council.

7. **Consent items:**

- a. Minutes from June 24, 2008
- b. Ratify accounts payable – June 2008

Motion by Councilwoman Church to approve consent items  
Second by Councilman Dykes

Motion passes with 6 for; 0 against; 0 absent

8. Public hearing and discussion and possible action on Ordinance 2008-O-7A regarding adding a second regular meeting of the City Council on the second Tuesday of each month at 6:00 p.m.

Greg Smith stated that the purpose for this ordinance is to conduct business in a more timely manner and give the citizens more access to the council. This plan would be implemented in September 2008.

Public Hearing was opened at 6:30 pm.

Mayor Henry stated that we usually have more than one meeting per month anyway, we just have to call the others a Special meeting, this takes care of that problem and gives the public ample notice and he read the caption of the ordinance.

Public Hearing closed at 6:33

Motion by Councilman Warren to approve the ordinance

Second by Councilman Wright

Motion passes with 6 for; 0 against; 0 absent

9. Discussion and possible action and Public Hearing on the rezone request of the Patel Subdivision being a 27.452 acre tract located north of West Hwy 35 on both sides of Belk Road stretching west to the levee. The request is to rezone from R-1 Residential to C-3 Commercial with a special use for RETAIL USE ONLY.

Public Hearing opened at 6:36 p.m.

Mayor Henry stated that this is to rezone the land and surrounding area that the current La Quinta Hotel is being built on.

Greg Smith stated that the two adjacent property owners support this rezone; P&Z passed this rezone unanimously. The new zone designation would be C-3 with a special use for RETAIL ONLY.

Motion by Councilman Santos to approve the request

Second by Councilwoman Church

Mr. Santos and City Attorney Keith Vaughan reiterated that there is a special use and it reverts back to R-1 if it is ever used for any purpose other than retail and the special use goes with the land if it is ever sold.

Motion passes with 6 for; 0 against; 0 absent

10. Discussion and possible action on giving 30 days notice to The Angleton Chamber Of Commerce and The Brazoria County Historical Museum on the current hotel Occupancy Tax funding contract and authorizing the City Manager to send a letter giving said terms.

Greg Smith states that our current agreement is that we have to give 30 days written notice. My recommendation is to cancel the current agreement, fund the 4<sup>th</sup> quarter and the 1<sup>st</sup> quarter at the current fund amounts with a new agreement and we will embark on a new way to fund activities on a per event basis. There will be new/amended contracts brought back to council next month for approval.

Councilman Warren states his understanding is that tonight we are only discussing the 30 day notice.

Councilman Wright does not like giving 30 days notice before the contracts are ready to be approved.

Mr. Smith stated that the new contract will be almost identical to these with the change that there will be a funding extension for the next two quarters.

Motion by Mayor Pro Tem Santos to accept Mr. Smith's recommendation to give the 30 day notices.

Second Councilwoman Church

Councilman Dykes wants clarification regarding the contracts. Mr. Smith explained that we will have new contracts for the 2008 4<sup>th</sup> quarter and the 2009 1<sup>st</sup> quarter; then we'll start drawing up guidelines for the new funding sources.

John Wright asks why is this cancellation necessary at this point? If we had the new contracts drawn up already there wouldn't be a problem with giving the 30 days notice at this point.

Mr. Smith stated that there is no necessity, this was brought up at the last budget workshop and this is just following up on that thought.

Motion passes with 6 for; 0 against; 0 absent

11. Discussion and possible action on New Member Recommendation for Keep Angleton Beautiful Board.

Greg Smith stated that the KAB recommendation is Diane Daughtery.

Motion by Mayor Pro Tem Santos to approve this board member.

Second by Councilman Wright

Motion passes with 6 for; 0 against; 0 absent

12. Discussion and possible action regarding WWTP 2 Expansion / Revision to Pump Station.

Greg Smith stated that approximately 3 months ago we discussed this item and we've got the answers that were asked. We can extend the grant and use the money for this expansion to a pump station. This will give us much more expandability for this plant. Additional cost is approximately 1 million dollars. Not committing to spending the money at this time, just putting the State on notice.

Motion by Councilwoman Church to notify the State that we will use this grant to convert to a pump station.

Second by Councilman Dykes

Motion passes with 6 for; 0 against; 0 absent

13. Discussion and possible action on rezone at 208 S. Hancock.

Greg Smith explained that last month council took no action and since then the property owner has withdrawn the request and she'll wait for the new zoning ordinance before she does anything else.

Motion by Mayor Pro Tem Santos to deny the request and accept the P&Z recommendation  
Second by Councilman Dykes

Motion passes with 6 for; 0 against; 0 absent

14. Discussion and possible action regarding appointing a council liaison to the Parks Board.

Motion by Mayor Pro Tem Santos to nominate Councilman Wright as the Parks Board Liaison  
Second by Councilwoman Church

Motion passes with 6 for; 0 against; 0 absent

15. Discussion and possible action regarding auditor bids.

Greg Smith stated that Council has the memo and we had two bids come in. The recommendation is for Belt, Harris and Associates L.L.L.P., we checked references from 4 cities and they were well received.

Motion by Councilman Wright to approve Belt, Harris and Associates as our auditing firm for 3 years at \$36,350 and to authorize the city manager to execute the letter.  
Second by Mayor Pro Tem Santos

Motion passes with 6 for; 0 against; 0 absent

16. Discussion and possible action regarding Ordinance No. 2008-O-7B in support of Railroad Quiet Zone Project.

Motion By Councilwoman Church to approve the ordinance  
Second By Councilman Dykes

Motion passes with 6 for; 0 against; 0 absent

17. Discussion and possible action on the Final Plat for McKnight Acres subdivision re-plat.

P&Z approved this plat that changes boundary lines only.

Motion by Mayor Pro Tem Santos to approve this replat  
Second by Councilman Warren

Motion passes with 6 for; 0 against; 0 absent

18. Discussion and possible action on the Final Plat for the Patel Subdivision.

Motion by Councilman Warren to approve the final plat  
Second Mayor Pro Tem Santos

Motion passes with 6 for; 0 against; 0 absent

19. Discussion and possible action on accepting the recommendation by Planning & Zoning on the new member to their commission.

P&Z recommended on a 5-1 vote to appoint Jason Perez to the Board

Motion by Mayor Pro Tem Santos to appoint Jason Perez to the P&Z commission  
Second by Councilwoman Church

Motion passes with 6 for; 0 against; 0 absent

20. Discussion and possible action on the resale of certain property located on Alley Street, Lot 1 Block 8 of the Jackson Addition in the City of Angleton through the Brazoria County Tax assessor acct# 5322-0028-000.

Motion by Mayor Pro Tem Santos to approve this resale  
Second by Councilwoman Church

Motion passes with 6 for; 0 against; 0 absent

21. **Reports of boards & commissions:**  
**KAB** - nothing more to add

22. **Staff Reports:**  
City Manager Greg Smith – update on projects; Downing Rd./Campus/Stadium construction is moving at warp speed, we’ve actually beat TXDOT’s permit.  
Freedom Park already has two of the seeds graded and ready to seed and the parking lots are formed up.  
Levee Road/Cty. Rd. 609 is progressing.  
Western Avenue project has gotten under way.  
The Western Avenue FEMA elevation map is under scrutiny by FEMA.  
John Wright asked Robert Heinemeyer regarding an e-gov that has been opened for a large number of days.  
Bonnie Church asks how are we doing on ditch maintenance. GS stated that we are working 40 hours a week and maintaining on a daily basis.

22. **Council Reports –**  
**Mayor Henry** – Notification must get better in the future when we are digging in neighborhoods.  
**Mayor Pro Tem Santos**– nothing  
**Councilman Wright** – nothing.  
**Councilwoman Church** – went to the concert on Saturday at the museum and it was really neat.  
**Councilman Dykes** – nothing  
**Councilman Warren** – nothing

23. Adjourn 7:30 p.m.

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J. Patrick Henry, Mayor

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Laurie Rodriguez,  
Asst. City Secretary