

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, September 23, 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	Staff
Keith Vaughan	
Laurie Rodriguez	
Herb Smith	
David Ashburn	
Robert Owens	
Kacey Hamlet	
Patti Worfe	
Robert Heinemeyer	
Herb Smith	City Engineer

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. **Citizens wishing to address council:**

Maria Salazar – 1302 Northbrook, home was damaged by the storm and having to live with mother-in-law. I came yesterday

to turn water on at another residence and also keep the water on at the damaged home in order to do repairs and I was told that I would have to put down another deposit and pay the minimum fee at the damaged home. That is my issue, I believe that, that is unfair.

Charlotte Yoes – wanted to thank all of the people that worked with them at the resource center, call in station.

5. **Consent items:**

Ratify Accounts Payable

Motion by Councilwoman Church  
Second by Councilman Wright

Motion passes with 6 for, 0 against

6. Public Hearing on 2008-2009 Proposed Budget

PH open  
PH closed with no comment

7. Discussion and possible action on the approval of the 2008-2009 tax rate of 0.706000

Motion that property taxes be increased by the adoption of the tax rate of 0.706000 by Councilman Warren  
Second by Mayor Pro-Tem Santos

Mayor states that we have to say “increase” although tax rate has not gone up, because we are bringing in more money with same tax rate.

Motion passes with 6 for, 0 against.

8. Discussion and possible action on the approval of the 2008-2009 budget

Ordinance number 2008-0-9A, an ordinance of the City of Angleton Texas, adopting and approving the budget for the City of Angleton for the fiscal year beginning October 1, 2008

and terminating September 30, 2009, adopting a tax rate that exceeds the effective tax rate for the last budget year, adopting a tax rate that will raise more taxes for maintenance and operation than last year's tax rate, ratifying the property tax increase reflected in said budget providing for severability repealing conflicting ordinances and establishing an effective rate.

Motion by Councilman Warren  
Second by Councilman Dykes  
No discussion.

Role call vote:  
Councilman Warren: Aye  
Councilman Dykes: Aye  
Councilman Wright: Aye  
Mayor Henry: Aye  
Mayor Pro-Tem Santos: Aye  
Councilwoman Church: Aye

Motion passes unanimously on roll-call vote.

9. Discussion and possible action on the approval of the replat of 608 Cemetery Rd.

Went to Planning and Zoning on Sept. 2, recommend approval. Basically relocating property lines. Owner owns both pieces of property and trying to put carport on one piece of the property and to get carport in compliance with ordinances, he has to have more footage on one side lot; has plenty of room on other side of carport. Actually will make both lots more conforming to our ordinances. P&Z and staff recommend approval.

Motion by Mayor Pro-Tem Santos  
Second by Councilman Wright.

Motion passes with 6 for, 0 against.

10. Discussion and possible action on the Road & Bridge Interlocal Agreement Fiscal Year 2009 with Brazoria County

Standard interlocal agreement done every year for the county to assist with overlay of streets. As we have done in the past, will present list next month not for approval, but just to present it. Can have discussion until November or December and then have approval where work can begin in spring.

Motion by Mayor Pro-Tem Santos  
Second by Councilman Warren.

Motion passes with 6 for, 0 against.

11. Discussion and possible action on approving estimating water meter reading for the month of September.

This matter was discussed briefly with topic of Hurricane Ike that it is virtually impossible with the abundance of storm debris to get accurate reading of all meters in town. Incode does have ability to estimate water consumption for those accounts and recommending that we do this for one month. We will work with residents that have issues with estimated water bill, otherwise running 60-90 days behind with water bills. Without estimation, not only does this month's bill not get produced, but next month's bill would cause even additional problem, because would not have a beginning reading to start the next month's reading. If estimate is off next month, it will be adjusted.

Average is based on 12-month history. We would have been reading during storm time.

No water service was lost during storm. Had reduction in water pressure.

Motion by Councilman Wright.  
Second by Councilwoman Church.

Motion passes with 6 for, 0 against.

12. Discussion and possible action on requiring contractors to register their business with the city and show proof of liability insurance.

This has been something that Robert has been discussing with

City Manager for several months now with modification to ordinances that affect his department specifically. In light of the effects of Ike, absolutely appropriate time to have this registration. This registration just means that they have to show proof of insurance and who they are. If the contract is registered with TRCC, then they do not have to pay this. We accept their license that they are already registered with the state. This gives residence some protection from fly-by-night companies that will try to scam and not have the appropriate licensing and/or insurance regulations for our citizens. We have also put in this that we are suspending the \$50.00 fee until January 1, 2009 for registration for businesses that are trying to get started. We do want to make sure that we have their insurance. Question of how many are already working in town. Most that are here have been contracted out of Houston who have been licensed before. Mayor states that he is worried about people coming in telling our citizens not to worry about a permit or windstorm. Our citizens have the work done and then are not able to get insurance anymore.

Have the ability to see contractors working, stop them and see if they are registered. If they are not, they will have to register.

If we (police officers, code enforcement officers, building officials) can stop them, identify them, check to see if they are registered and if they are not, they can shut that job down.

Registration fee is \$200.00.

Question of tree demolition: turned one name into police department and this is not included in this, but is there any recommendation. Came along later on and said don't worry about picking up trash. Cannot pick up from property but can pick up from street. Question of tree people coming onto property. Council suggested that it is the responsibility of homeowner to make sure they are bonded and insured. Property owner can be sued if they are not bonded and insured.

\$50.00 fee is for City of Angleton's processing of facts and keeping track of each company registered.

Begin collection of fees in January. All bona-fide contractors

should be in order at that time. Fee was waived until January so that it would not be passed to the consumer.

Councilman John Warren stated that he called around to several cities and no one charges a fee for this except Friendswood and they charge \$100.00. He wants to know how we came up with the \$50.00 charge.

City Manager states that there is no fact for it, that is just the basic registration fee. By the time the information is received by fax, 90% of contractors do not have it, and they fax it to us. After receipt, copying and filing of it, this \$50.00 is actually what it would cost us to process it. That is actually less than others charge. Actually may cost us more due to man hours. One time fee for one year. Most local contractors, if registered through TRCC, do not have to pay this fee.

Question was raised by Councilman Warren: can the contractors work in this city if they are not registered with TRCC?

Answer: Commercial they can; residential has to be registered with TRCC.

Penalty clause states contractor can be cited and go through municipal court.

Question raised as to how this affects homeowner if contractor is stopped and no progress is being made on the repairs. Ultimately, property owner suffers.

Warren raised question if these targeted homeowners were ones with or without insurance. Not able to determine because no study has been done. Homeowners will not be able to sell property without windstorm certificate.

Question raise by Councilman Warren of what is considered minor repair and major repair. If structure work or more than 10% of a wall is involved, it is considered major and will have to have a permit.

Most problems come from out-of-state contractors who are not familiar with windstorm regulations.

Fee needs to be charged because it will be an extra burden on employees and our system. Need to collect something to offset costs. If we keep adding and adding these things to protect our citizens, we will eventually have to add more staff. \$50.00 is \$150.00 less than the state charges and still half of what other cities charge.

TRCC not only charges \$200.00 for initial fee to the contractor, but X amount of dollars for every house they build. Homeowner then has to pay another \$300-\$400.00 to have the house built through TRCC.

Two citations can be issued to contractors who are not registered.

Motion by Mayor Pro-Tem Santos to approve Ordinance 2008-0-9B, an ordinance amending the building regulation of the Ordinance of the City of Angleton, establishing a registration requirement for contractors, subcontractors and anyone  
Second by Councilman Dyke.

Motion passes with 6 for, 0 against.

13. City Manager Report

Defer to next agenda item.

14. Hurricane Ike summary report – Presented by City Manager.

Team effort with county, state, school district and city. All 211 persons evacuated by deadline. State sent resources as needed. HUB was open the longest. Took people in from all over county. All 211 evacuees are back in the area. Bell County did a fabulous job with all evacuees. Regular population evacuation went well. Did not see any of the 18-23 hour lines for traffic. Most citizens left on Thursday. On Friday all firefighter workers went door to door to see who stayed.

EOC operations went well. All units off street on Friday night by 8:00 p.m. No services offered to residents after this time. Structure burned because of candle lit and left residence.

Recovery went well. Crews back out at 6:30 a.m. in the

morning. Texas New Mexico Power Co. commended for the work they performed.

Water and waste water – lost pressure one night because of early return of citizens. Turned on valve for BWA. Boil water notice went out. CTY call was not done because boil water notice began at 4 a.m.

Lift station problems – will address this matter at future council meetings.

Overtime hours by employees over 3,000 hours; approximately 100 employees.

Statistics of website presented.

CTY calls worked well. Will do modifications and improvements. Requesting cell phone numbers from citizens in case of outage of electricity.

POD site set up Sunday before military services arrived. Churches and volunteers set up before forces arrived. Military services took over Monday.

Recruiting three of the military forces to be police officers with one application back.

Damage report was done from helicopter. Majority of houses do not have structural damage.

EMS did fabulous job. Not a part of the city as a department, but vital part of emergency plan.

Debris management – contract in place. By Sunday over 120 cubic yards picked up. 16 trucks running 12 hour days, 7 days a week.

No injuries or deaths from Hurricane Ike.

After Hurricane, new list will be made for CTY. No power was an issue for receiving calls.

Extra food to be sent to St. Thomas.

15. Council Information

Mayor Patrick Henry- thanks by letter to thousands of people who have assisted included Chamber, IT people, volunteer firemen.

Mayor Pro Tem Rudy Santos-no comment.

Councilman John Wright – very proud of city, APD, Laurie with City Hall, Beth.

Councilwoman Bonnie Church – seconded everything the other council members said. Need to try to help the neighbors south of us.

Councilman Gregg Dykes – Echo what everyone else has said. Thanks to Mayor for good call of evacuation. Real pleased with citizens of Angleton. Proud to be part of Angleton

Councilman Jeremy Warren – Same...thank you, but Greg, every team has to have a coach and I think I would give employee of the month award to you.

16. Council adjourned into executive session.

No action out of executive session

Adjourn 7:47pm

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J. Patrick Henry, Mayor

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Laurie Rodriguez, Asst. City Secretary