

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, August 26, 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
Laurie Rodriguez	Asst. City Secretary
Robert Owens	Staff

Robert Heinemeyer

Chris Dahlstrom

Johnny Dahse

Chloe Campbell

Kacey Hamlet

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. Proclamation
  - B. KAB yard and business of the month presentations;
  - C. Employee of the Month Presentation by City Manager Greg Smith.

- A. Mayor Henry read a proclamation for the AGSA All Star Team "Force".
- B. Yard of the month is awarded to Richard Garner from Cannan Stand Business of the month to Goose & Gander on S. Velasco.
- C. Greg Smith presented Johnny Dahse as the employee of the month for July and Chloe Campbell for the month of August.

5. **Citizens wishing to address council:**

Beth Journeay with the Angleton Chamber of Commerce presented council with the new issue of the Heartbeat. Mrs. Journeay wanted to thank Robert Heinemeyer and his crew for their help in getting the Angleton and Danbury city limits signs for the picture for the cover of the Heartbeat.

Nicky Dickey and Bobby Allen – would like to start a restaurant and lounge and would like to have their living quarters in the same building, we have spoke with the city attorney and there is nothing in the ordinance that says that we can or we cant therefore it has been determined that we cant. We would like this to be considered.

Mayor Henry described that there is a new zoning plan coming that in some of the areas in town we will address that.

Keith Vaughan and the mayor described what would be the downtown commercial which might allow that.

Greg Smith described when this will be in effect.

They were suggested to check back within 60 to 90 days.

Manny Sanchez – wanted to speak about the Peddler ordinance which is later on the agenda.

Mr. Sanchez commented on people renting a vacant space and using it to sell products and that it is not an attractive business. Mr. Sanchez also commented on Kelly's Antiques having boards on the windows.

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

none

7. **Consent items:**

- A. Minutes from July 8, 2008 & July 14, 2008 special meetings and the July 22, 2008 regular meeting.
- B. Ratify Accounts Payable.
- C. Declaring City equipment surplus.
- D. Approve Brazoria County resale request on the resale of certain property located at 314 Magnolia, Angleton (Angleton), Blk 50, lot 3 acres .1061tax Acct. #1313-0338-000 and property located on Live Oak , Angleton (Angleton), Blk 48, lot 4 acres .1125, tax acct. #1310-0318-111 Property tax resale request from Brazoria County.

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

Motion passes with 6 for; 0 against; 0 absent

8. Public Hearing to review the performance and obtain comments on its Community Development Block Grant Program 2006 Program Year Community Development Contract 726009

This is Erskine lift station

Public Hearing opened  
Public Hearing closed with no comment

9. Public Hearing on proposed 2008-2009 budget tax rate.(proposed tax rate of 0.706000)

Public Hearing open  
Public Hearing closed with no comment

10. Public Hearing on a re-zone request of 1321 E. Mulberry from R-3 Residential to C-1 Commercial.

Greg Smith described the location

Public Hearing opened  
Public hearing closed with no comment

11. Discussion and Possible action on adopting Ordinance 2008-O-8A rezoning 1321 E Mulberry from R-3 Residential to C-1 Commercial.

Greg Smith stated that this was addressed at the P&Z meeting and it has been recommended for approval.

Motion by Councilman Santos to approve Ordinance 2008-O-8A  
Second by Councilman Dykes

Motion passes with 6 for; 0 against; 0 absent

12. Discussion and possible action on approving an amendment to the Interlocal Agreement with Angleton Drainage District regarding Jamison TIRZ.

Keith Vaughan described what the amendment is for.

Motion by Councilman Wright to approve the amendment  
Second by Mayor Pro Tem Santos

Motion passes with 6 for; 0 against; 0 absent

13. Discussion and possible action on a re-plat of 207 W. Magnolia.

Greg Smith described the re-plat and that it went to P&Z and they are recommending approval.

Motion by Mayor Pro Tem Santos to approve the re-plat  
Second by Councilman Wright

Motion passes with 6 for; 0 against; 0 absent

14. Discussion and possible action on a re-plat of Strong Tower Estates.

Greg Smith described the re-plat and that it is our ETJ and it went to P&Z and recommend approval.

Motion by Mayor Pro Tem Santos to approve the re-plat  
Second by Councilman Dykes

Motion passes with 6 for; 0 against; 0 absent

15. Discussion and possible action on WWTP 1 Level and / or Replace Weirs; Replace telescoping valves and relocate Weir 3 RAS.

Herb Smith described this project and that it is a mandate from TCEQ. The firm that was hired to do the estimate for this project was short. This needs to be re authorized. Our estimate shows the price high and low depending on what whether the Weirs can be adjusted. The high end price is if none of them can be salvaged and all have to be replaced. We won't know until we replace the valves to shut down and check the weirs.

Mayor Henry asked how this will be paid for.

Greg Smith stated that he does not have a good answer for that right now. We will have the funding for this project, where it is today I don't know it was a \$40,000 budget item and is now over that. I will have a better answer for you after the meeting in September when some of our other treatment plants are discussed.

Council asked several questions of Herb.

Herb Smith explained how the testing will be done and how the plant actually works.

Motion by Councilman Warren to approve awarding the base bid of \$93,537.76 giving the authority to the city manager to issue the additional funds as needed OR required as construction begins not to exceed the \$27,069.60.

Second by Councilwoman Church

Motion passes with 6 for; 0 against; 0 absent

16. Discussion and possible action on appointment of ABLC Board Member.

Mayor Henry gave council information about the applicant Dr. Jackson. ABLC met and recommends appointment of Dr. Jackson to their board.

Motion by Councilman Warren to appoint Dr. William Jackson to the ABLC Board.

Second by Councilman Wright

Motion passes with 6 for; 0 against; 0 absent

17. Discussion and possible action on appointment of KAB Board Member.

KAB met and recommends appointment of Dorothy Wilbeck to the KAB Board.

Motion by Councilwoman Church to appoint Dorothy Wilbeck to the KAB Board.

Second by Councilman Warren

Motion passes with 6 for; 0 against; 0 absent

18. Discussion and possible action on the approval of the agreement with the Angleton Chamber of Commerce for Hotel/Motel Tax.

Greg Smith stated that this is the agreement that was discussed at the budget workshop. This covers quarter four of the current budget year and at the end of that year we will require the standard audit. This also covers quarter one of the next years budget. At the end of that first quarter instead of requiring an audit I have just asked that they submit detailed financial summaries and copies of receipts and checks. If those requirements are not met they will not be eligible for increase funding after the criteria changes which does not go into effect until January 1, 2009. We have the signed copy back from the Chamber.

Motion by Councilman Warren to approve the agreement with the Chamber.

Second by Mayor Pro Tem Santos

Motion passes with 6 for; 0 against; 0 absent

19. Discussion and possible action on the approval of the agreement with the Brazoria County Historical Museum for Hotel/Motel Tax.

Greg Smith stated that the only difference is that their board does not meet until next week; I have received written

conformation from the director that they have no questions, comments or changes to the agreement but will not have it signed until their board meets.

Motion by Councilman Warren to approve the agreement with the Museum.

Second by Councilman Wright

Motion passes with 6 for; 0 against; 0 absent

20. Discussion on modifying the City of Angleton Peddlers, Itinerant Merchants and Solicitors Ordinance.

Greg Smith described the issues with our current ordinance and what temporary businesses are allowed to do in our city. We are looking to create an ordinance that will "catch all" such as, solicitors, door to door vendors, food vendors etc. Possibilities are making sure that they have a sales tax permit and that that sales tax is paid to us. Also proper off street parking and making sure that they are allowed to be there by the property owners.

There can be exemptions for special events as far as sales tax.

Jamae Bowman presented KAB's recommendations in reference to the ordinance.

A committee was recommended to draft an ordinance and create some guidelines.

21. Staff reports & questions for staff

22. City Manager report-

We are ending budget and things are moving forward  
Campus, Downing and Stadium project about 95% complete.

Freedom Park, fencing almost up and then start seeding.

Sebesta Rd. making progress.

Animal Shelter – first sub floor poured

Western Ave. lift station being installed now

23. Reports of boards and commissions:

ABLC- talked about naming Freedom Lake & design criteria, updates on pavilion

Angleton Parks Board- appointed Amber Popp to senior board and trying to get that started again, discussed attendance &

priorities on budget

KAB- working on Keep America Beautiful report, litter index which is down 16% and cost benefit analysis \$60.71 in return for every dollar that includes the \$85,000 grant

24. Council Information

Mayor Patrick Henry – Ribbon Cutting at Moody Bank tomorrow  
Mayor Pro Tem Rudy Santos – none

Councilman John Wright – rode with the police Sat. night. Ditch cleaning, how long does it take to get to a ditch when a citizen calls?

- Robert H. stated that it depends on the ditch, currently we are working on the ditches where the houses got water or were close to getting water.

Weed eating is getting unsightly in down town.

Paving of streets- when will we see a list.

- Robert H. stated that it should be ready in Oct. or Nov.

There are a lot of condemned buildings still standing.

- Greg S. stated to get pro active on that you would need to budget at least \$70,000 a year.

Councilwoman Bonnie Church – none

Councilman Gregg Dykes – Will we get a report showing a percentage of the ditches since we are about a year out from starting this project?

- Robert H. stated yes

Councilman Jeremy Warren – none

25. Council adjourned into executive session at 8:05pm

No action out of executive session

Adjourn 8:50pm

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J. Patrick Henry, Mayor

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Laurie Rodriguez, Asst. City Secretary