

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, February 10, 2009, with the following in attendance:

J. Patrick Henry	Mayor
Rudy Santos	Mayor Pro Tem
Bonnie Church	Councilwoman
John Wright	Councilman
Bonnie McDaniel	Councilwoman
Gregg Dykes	Councilman

OTHERS PRESENT:

Greg Smith	City Manager
Chris Duncan	Interim City Attorney
Shelly Deisher	City Secretary
Susie Hernandez	Finance Director
Herb Smith	City Engineer
Katherine Davis	
Robert Heinemeyer	Public Works Director

And those listed on the guest registry.

1. CALL TO ORDER BY MAYOR HENRY at 6:00 p.m.
2. Pledge of Allegiance.
3. Moment of Silent Reflection/Prayer.
4. **Citizens wishing to address council:**
Leslie Meier – requesting rate increase. Have not had one in five years. Last time we went to police department to change rate amount. Currently at \$95.00 and requesting to increase to \$130.00. Want to increase to \$20.00 per day for storage, which currently is \$15.00 per day.

Robert Garcia – When the fuel price increased, the county called and said to increase to \$130.00 because they were at \$95.00 also. With the economy as is, at \$95.00 it is hard to stay in business.

Odis Caskey – Cost of business is phenomenal; insurance rates have increased. Insurance renewal is \$16,000.00 for this year. Has copy of renewal for insurance for rates. We are requesting rate increase. Have not had increase in five years. The costs to run the trucks are outrageous. All other towns' rates are \$130.00.

Mayor Henry: This is something we have to do by ordinance, so present the council with more information and we will place on the agenda in one month.

5. **Requests to address Council other than citizenry.** None.
6. **Consent items:**
 - A) Minutes from January 20, 2009 Special Meeting
 - B) Minutes from January 26, 2009 Special Meeting
 - C) Minutes from January 27, 2009 Regular Meeting

Motion by Mayor Pro Tem Santos to approve minutes;
Second by Councilman Wright.

Motion passes with 6 for; 0 against.

ACTION ITEMS:

7. **Discussion and possible action on approval of Joint Election Agreement and Contract for Election Services with Brazoria County for May 9, 2009 Election.**

Motion by Councilwoman McDaniels to approve Joint election agreement for May 9, 2009 election;
Second by Mayor Pro Tem Santos.

Motion passes with 6 for; 0 against.

8. **Discussion and possible action on approval of Ordinance 2009-O-2A authorizing the Order for Election and Notice of Election for May 9, 2009, to elect positions for mayor and two (2) City Council members.**

Motion by Councilwoman Church to approve Ordinance 2009-O-2A.

Seconded by Councilwoman McDaniel.

Motion passes with 6 for; 0 against.

9. **Discussion and possible action on proposed increase of 3.27% by Republic Waste to the City of Angleton for trash pickup for residential and commercial citizens, based upon the current CPI and Coalition Landfill percentages, to become effective March 1, 2009.**

Greg Smith: Contractual rate increase. Was delayed last year to May 1 instead of March 1 at our request. Rate increase from \$13.18 to \$13.61, which is a 3.278% rate increase.

Councilman Wright: CPI went up in the area cities and you compare us to Lake Jackson?

Steve Carroll: Current contract allows consumer price index. We have a complex price increase formula. 35% is mandated with consumer price index; CPIU or Houston/Galveston area and then remaining portion is a 65% of a landfill increase, based on that portion of increase given to Braz. Co. Clean Cities coalition. We take both, add together and take a percentage of that. Is straight out of the charts.

Wright: You still own the landfill?

Carroll: That is correct, but as you know that has been a part of a set-aside company of recent sale. Holding company, Republic Waste, still owns the landfill.

Motion by Mayor Pro Tem Santos to approve rate increase.
Second by Councilman Dykes.

Mayor: Republic was never granted rate increase on fuel; this should help toward that.

Wright: Tough time right now. Thank you for your help with Ike.

Mayor Pro Tem: When did Republic Waste start with City of Angleton?

Greg Smith: 1/24/06 was date approved by council.

Motion passes with 6 for; 0 against.

10. **Discussion and possible action on the Final Plat for Comfort Inn & Suites.**

Smith: Staff recommends approval, as well as P&Z. Access easement off Tracy Street is only change. Have required contractor to build to city street standard. Retention/detention is suitable for entire development. Will have shared access entrance for Chili's and Comfort Inn. Lots 1, 2 and 3 are same landowners as well as detention owner. Much better access to 8 acres.

Motion by Mayor Pro Tem Santos to approve plat.
Second by Councilwoman Church.

Herb Smith: Tracy Street does flood, but detention will alleviate any water problems. Does not help Tracy Street, but does not add to water problem. Water directed to detention pond.

Dykes: Did P&Z talk about traffic situation?

Smith: No. It is a city street. Have never restricted access to a city street. Commercial business on first two lots. Already light commercial traffic. Hotel/motel requires two entrances and two exits.

Motion passes with 6 for; 0 against.

11. **Discussion and possible action on a re-plat of the Sanchez & Vardeman Subdivision.**

Greg Smith: Changing property line for Sanchez and Vardeman; land swap between property owners This is in our ETJ. County has accepted approval. P&Z recommends approval, as well as staff.

Motion by Mayor Pro Tem Santos to approve plat;
Second by Councilwoman McDaniel.

Santos: Does Vardeman have access?

Greg Smith: No. He has been told. Vardeman will have to get right of way approval from county for road access.

Motion passes with 6 for; 0 against.

12. Discussion and possible action on re-plat of property for the Women's Center of Brazoria County.

Greg Smith: Staff has recommended approval of plat, as well as P&Z Committee. Turning four lots into one.

Motion by Councilwoman McDaniel to approve re-plat of property;
Second by Councilwoman Church.

Santos: Are their plans to build a women's center there?

Greg Smith: Building for Administrative building, with adequate parking.

Motion passes with 6 for; 0 against.

13. Discussion and possible action on a re-plat of property located on the corner of Ash and Parrish Streets, for Habitat for Humanity.

Greg Smith: Re-platting four lots into two lots, to build two Habitat houses. Same property we waived fees on last month. Three families from Angleton just approved.

McDaniel: Since P&Z approved, lots are appropriately sized?

Greg Smith: Yes. Water and sewer are available.

Motion by Mayor Pro Tem Santos to approve plat;
Second by Councilwoman Church.

Motion passes with 6 for; 0 against.

14. Discussion and possible action on approval of Agreement with Texas First Group hiring interim attorney.

Greg Smith: Revised agreement for interim city attorney for four months. Staff recommending approval.

Councilman Wright: Is there a separate account for these expenses?

Smith: Last time we did an interim attorney, did not set up separate fund. Did create a line item for this. Took it out of salaries and put to that line item. Can do that at mid-year budget.

Motion by Mayor Pro Tem Santos to approve agreement.
Second by Councilwoman McDaniel.

Mayor Pro Tem Santos: First Group may assign personnel other than the set person to act as interim city attorney, only with prior written consent of city. Is that city council? Do they have to ask council before they replace the attorney?

Greg Smith: Yes.

Mayor Pro Tem Santos: Who is Don Davis?

Greg Smith: Don Davis is a partner with Texas First Group.

Motion passes with 6 for; 0 against.

15. **REPORTS OF BOARD & COMMISSIONS:**

Engineer's Report – Herb Smith – Have received approval from FEMA for flood plain elevation; maps have to be revised. Quiet zone – Union Pacific called and said we had to revise forms. 34 trains through town. Appealed to Federal Railway; concurred to our position. Unless safety record gets too great, we will not have to re-do this yearly.

16. **City Manager Report:**

City Pool: Rancho will agree to lease their pool for swimming lessons.

Animal Shelter: Grand opening 1st of April. A/C and concrete installed. Construction for separate rooms completed. Painting and fencing still to be done. ASPCA grant received as well as insurance money. Still under budget. Requested difference in payment from FEMA.

CTY: letter sent. Binder full of requests by email. Additional binder full received from water bill.

Thank Dow for making the grant possible for the fire dept. vehicle.

17. **Council Information:**

Mayor Patrick Henry - Saturday, AAEMC banquet; 31st had spectacle spectacular and police dept. and Robert's people showed up to help. \$4,300 raised.

Mayor Pro Tem Rudy Santos – Eric Smith and Fire dept. banquet was last Sat. Personally had a good time.

Councilwoman Bonnie Church – Thank Fire Dept. for banquet and work all year long. Thank the Facts for KAB article.

Councilman John Wright – Thanks to Volunteer Fire Dept. Easter Egg hunt is 4/4/09 at Bates Park. Drainage plans; do we have other plans in the future? Need to continue to keep a goal in the future.

Greg Smith: No funds available.

Mayor: May need to have Drainage District agreement.

Councilman Gregg Dykes – No comment.

Councilman Bonnie McDaniel – Nice article about beautification in Facts. Great weekend in Austin conference.

Charlotte Yoes asked to speak: Next fundraiser at the hospital. Hope to Raise more money with raffle tickets this year. Doc Rogers participates and shares his time. Fundraiser at High School auditorium, Friday, February 27 at 7 pm.

18. Council adjourned into executive session at 7:02 p.m.

No action out of executive session.

Adjourn 8:27 p.m.

J. Patrick Henry, Mayor

Shelly Deisher, City Secretary