

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, October 27, 2009, with the following in attendance:

J. Patrick Henry	Mayor
Rudy Santos	Mayor Pro Tem
Jason Perez	Councilman
Gregg Dykes	Councilman
John Wright	Councilman
Randy Rhyne	Councilman

OTHERS PRESENT:

Greg Smith	City Manager
Paul Feazelle	Interim City Manager
Mary Kay Fischer	City Attorney
Shelly Deisher	City Secretary
Herb Smith	City Engineer
Susie Hernandez	Financial Director
Mike Jones	Emergency Management Director
Chris Saddler	Parks Department
Patti Worfe	Economic Development Director
Robert Heinemeyer	Public Works Director
Kacey Hamlet	Utilities Director
Tina Taylor	Municipal Court 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. Ceremonial presentations
  - A. Yard of the Month-not present
  - B. Business of the Month- not present

- C. Employees of the Month-Officers Liz Cope and Jerry Lyons
- D. Proclamation for Alpha Delta Kappa

- 5. Citizens wishing to address council: None.
- 6. Requests to address Council other than citizenry: None.
- 7. Mayor Henry: We will move to 12A for Discussion about radio

Greg Smith: Bridgecom radio system is in. Done all of our tests. We would like to give you a quick demo on how it works. This is an internet or IP based system. Connected to a V-card. Not using any internal internet. (Demonstration from Mike Jones and Greg Smith). We have Brazoria County Sheriff's dept., Angleton Police Dept., emergency management channel, fire one for county and several other frequencies in addition to fire department. Able to communicate on all channels.

Mike Jones: Have been contacted by State of Texas because they are interested in looking at it. Any PD can contact us if they go down and we can support them with this radio equipment. Will try to work the football game on Friday and will work it with Heart of Christmas. Will put a dispatcher on this computer and one on another laptop and they will automatically log into our radio system and into our CAD system. We can report an incident without going through the PD. Those dispatchers can stay available to handle everything that is happening on the street while we run the incidents.

Mayor Henry: With this technology, say if we have a horrible hurricane or tornado and PD building is inoperable, we can operate with a laptop anywhere?

Mike Jones: From anywhere. Any place we go, it is internet based so we can get on the internet and run our radio equipment and keep operations going just as normal.

Greg Smith: With all the systems we have in place, with our VHF backup, all those radios are in this channel, so if all towers with 800 system go down, which chances are slim to none, I am not going to say it is not going to happen, we have plan in place to put three VHF repeaters on fire areas and will be communicating with police, fire and public works channel and

we can continue to operate the city if we were hit like Galveston was hit. There are so many 800 backup antennae around us that chances of that happening would be slim to none, but we do have that capability. You can select and unselect these channels. If someone is using an 800 system radio, their technicians can program our radios to go to their network and they can use our radios anywhere.

Mike Jones: It also allows us to page the fire department and the ambulance off the laptop so we are not losing anything, we are just gaining.

Councilman Wright: Is there anyone in this area that is using this technology?

Mike Jones: We are the only one.

Councilman Wright: In the state of Texas?

Mike Jones: In the state of Texas.

Greg Smith: That has it mobile. There are a couple of counties using it, but not in the application we are. We are the only ones that have it mobile (inaudible). We demonstrated to the county radio personnel when they were here. We can patch frequencies together so the dispatcher can talk over a VHF frequency and an 800 frequency and transmit at the same time.

8. Introduction of Mary Kay Fischer as new City Attorney.
9. Council adjourned into executive session at 6:13 p.m. as authorized by Texas Government Code Section 551.071 (Consultation with Attorney) to discuss with the City Attorney certain matters relating to the contract on the Angleton City Hall Addition, where to discuss these matters in open session would conflict with the duty of the City Attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas.

Out of executive session at 7:43.

Action out of executive session:

Motion by Mayor Pro Tem Santos allowing B&L until December 28 for the completion of all items listed on the Post Assessment Report by PBK and other items identified by staff;  
Second from Councilman Dykes.

Motion passes with 6 for; 0 against.

10. Consent items: Minutes from October 2 and October 6 Special Council meetings and October 13 Regular Council meeting.

Motion by Mayor Pro Tem Santos to approve consent items,  
Second by Councilman Wright.

Motion passes with 6 for; 0 against.

**ACTION ITEMS:**

11. Mayor Henry: Moving now to item 8 on the agenda:

Discussion and possible action on approval of the City of Angleton Holiday Schedule for 2010.

Greg Smith: Same holiday schedule we have used in the last three years. No additional days. Staff recommends approval.

Motion by Councilman Perez to approve the Angleton Holiday Schedule for 2010;  
Second by Councilman Wright.

Motion passes with 6 for; 0 against.

12. Mayor Henry: Moving now to item 10 on the agenda (inadvertently skipped item 9, will present that item next):

Review and possible adoption of schedule to construct additional water supply well(s) to meet the requirements of TCEQ as described in the Notice of Violation dated May 14, 2009.

Motion by Councilman Rhyne to table item 10 on the agenda;  
Second by Councilman Dykes.

Motion passes with 6 for; 0 against.

13. Mayor Henry: Moving now to item 9 on the agenda:

Discussion and possible action on terminating the Memorandum of Understanding executed on June 24, 2008 between the City of Angleton and Dipak N. Patel, as owner and proposed develop of the proposed Patel Subdivision and declaring the agreement null and void.

Greg Smith: There was a termination clause in the agreement that developer did not meet. We want to officially bring this to council and formally declare it null and void and free this money up for another developer if we chose to in the future. There is actually a termination clause in the event that the sale of the referred property as the "Cinema deal" does not close on or before August 6, 2008, either party may declare this agreement null and void and declaration shall be in writing addressed to the Owner/Developer or the City Manager. Staff recommends we cancel this formally and given them notification.

Mayor Henry: This is not anything that they are going to be surprised at, right?

Greg Smith: No, sir.

Mayor Henry: The deal fell through?

Greg Smith: Yes, sir. This is just a housekeeping issue to get it off the books and free up money.

Motion by Councilman Wright to terminate the Memorandum of Understanding executed on June 24, 2008 between the City of Angleton and Dipak N. Patel;  
Second by Councilman Perez.

Motion passes with 6 for; 0 against.

14. REPORTS OF BOARD & COMMISSIONS:

Angleton Better Living Corporation – did not meet.

Angleton Parks Board – no quorum, did not meet.

Engineer's Report – nothing.

Keep Angleton Beautiful – nothing, Randy Rhyne to attend meetings.

Senior Citizen Commission - nothing new.

15. CITY MANAGER REPORT:

- A) Radio system – reported on earlier.
- B) Freedom Park – School district had cross country meet two weeks ago at Freedom Park. Staff did fabulous job getting it ready. Have asked to hold another in the future. Grass-almost at 90% coverage. Will bring back to ABLC in the near future, releasing retainage.
- C) Health Insurance – received bids. Would like to ask permission for me to help finish and get a recommendation to you on 10<sup>th</sup>. Have a couple of good bids to be able to stay within 5% increase budgeted. BCBS came in at 30%.

Mayor: Is that something that....I guess I am saying why do you need to do it?

Greg Smith: Because other staff members that can do this are pretty full and Paul is going to have his plate full coming on. I was here when we designed the bid quotes, bid specs and probably most familiar with it.

Councilman Wright: What does that do from a liability standpoint?

Greg Smith: I will just make a recommendation to Paul and let him present it to Council. Just make sure that the network is good, coverage is same, just a little bit of busy-work getting it done.

Councilman Wright: How long do you think it will be until you can get that done?

Greg Smith: I would think hopefully by the end of next week, by the council meeting on the 10<sup>th</sup>.

Mayor: I appreciate the help.

Mayor Pro Tem Santos: It is pro bono.

Councilman Wright: Yeah, I was going to ask that question.

Greg Smith: Absolutely. I am not asking for any compensation for it. It is just something I did not have the time to get done with being at TML last week and this week going through transitions.

Councilman Wright: Paul, are you okay with that?

Paul Feazelle (Interim City Manager): Yes, Greg and I discussed that today and he is far enough along that it is going to take me more time to get up to speed than it would take him to do it.

Mayor: Okay.

Councilman Wright: That's fine.

- D) City Hall remodeling for Code Enforcement – will go look at renovation at old part of City Hall after this meeting. Have first round of tape and float on.

16. Staff Reports & Questions for Staff: none.

17. Council Information

Mayor: Mary Kay, are you as uncomfortable with the council information section as Herb was?

Mary Kay Fischer: There was a change in legislature slightly and it allows for announcements with regard to community events. I will go look at that legislation and I will let you know what the law will allow you to discuss under this section.

Mayor Patrick Henry- Saturday I went to Frontier's festival, Holy Comforter Festival, Lions Club District meeting and then Museum banquet. Holy Trinity bazaar is this Sunday. Austin Town is weekend after this.

Mayor Pro Tem Rudy Santos – nothing.

Councilman Jason Perez – nothing.

Councilman Gregg Dykes – nothing.

Councilman John Wright – welcome Mary Kay, glad to have you.

Councilman Randy Rhyne – just happy to be here.

18. Meeting adjourned at 7:59 p.m.

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J. Patrick Henry, Mayor

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Shelly Deisher, City Secretary