

City of Angleton, Texas
City Council Regular Meeting
Tuesday, September 27, 2011
@ 6:00 p.m.

The City of Angleton, Texas, City Council will conduct their Monthly Meeting beginning at 6 p.m., Tuesday, September 27, 2011 at City Council Chambers, 120 S. Chenango, Angleton, TX, to consider the following:

1. Declaration of quorum and call to order.
2. Pledge of Allegiance.
3. Moment of silent reflection or prayer.
4. Presentation: Proclamation for the Catholic Daughters of the Americas Court Immaculate Mary #2134 of Angleton-Danbury
5. Citizens Wishing to Address Council
6. Requests to address Council other than citizenry.

CONSENT AGENDA:

7. *ALL ITEMS LISTED UNDER THE "CONSENT AGENDA" ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED BY SEPARATE ACTION.*

CONSENT ITEMS:

- A) City Council minutes from the August 30 Special Meeting and September 13, 2011 Special Meeting;
- B) Ratify Accounts Payable for the Month of August, 2011;
- C) Offer of sale of tax resale property at 713 W. Miller; and
- D) Quarterly Investment Report for June 30, 2011.
- E) Appoint new member to the Board of Adjustments.

PUBLIC HEARING

8. Public Hearing on a request to grant a Specific Use Permit to Allow for the Sale of Portable Buildings in a Light Industrial District Zoned Property Located at 1101 S. Velasco.

ACTION ITEM:

9. Discussion and Possible Action on Approval of ORDINANCE NO. 2011-O-9L, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, GRANTING A SPECIFIC USE PERMIT TO ALLOW FOR THE SALE OF PORTABLE BUILDINGS IN A LI – LIGHT INDUSTRIAL DISTRICT ZONED PROPERTY LOCATED AT 1101 S. VELASCO, WHOSE LEGAL DESCRIPTION IS A0134 E WALLER BLOCK 1 TRACT 1A1A, SD E/2 ACRES 0.530, IN THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE (Melissa Byrne Vossmer, City Manager)

PUBLIC HEARING

10. Public Hearing on a Request to Re-zone 320 West Locust from SF-6.3 (Single Family Residential) to CG (Commercial-General).

ACTION ITEM:

11. Discussion and Possible Action on Approval of ORDINANCE NO. 2011-O-9M, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS AMENDING THE "ZONING MAP OF THE CITY OF ANGLETON" BY CHANGING THE ZONING DISTRICT DESIGNATION AND PROVIDING FOR A ZONING CHANGE TO 320 W. LOCUST, HAVING A LEGAL DESCRIPTION ANGLETON (ANGLETON), BLOCK 48, LOT 13-14, CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS, FROM SF-6.3 – SINGLE FAMILY RESIDENTIAL TO CG – COMMERCIAL GENERAL DISTRICT; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE (Melissa Byrne Vossmer, City Manager).

PUBLIC HEARING

12. Public Hearing on a Request to Re-zone 228 E. Orange from CBD (Central Business District) to SF-6.3 (Single Family Residential).

ACTION ITEM:

13. Discussion and Possible Action on Approval of ORDINANCE NO. 2011-O-9N, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS AMENDING THE "ZONING MAP OF THE CITY OF ANGLETON" BY CHANGING THE ZONING DISTRICT DESIGNATION AND PROVIDING FOR A ZONING CHANGE TO 228 E. ORANGE, HAVING A LEGAL DESCRIPTION ANGLETON (ANGLETON), BLOCK 22, LOT 9-10-E/10' LOT 8, CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS, FROM CBD – CENTRAL BUSINESS DISTRICT TO SF-6.3 – SINGLE FAMILY RESIDENTIAL; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE (Melissa Byrne Vossmer, City Manager).

PUBLIC HEARING

14. Public Hearing on Amending Ordinance No. 2009-O-4A by Adding a Section regarding Parking Lot Paving Requirements.

ACTION ITEM:

15. Discussion and Possible Action on Approval of ORDINANCE NO. 2011-O-9B, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING ORDINANCE 2009-O-4A, ARTICLE V, DEVELOPMENT STANDARDS, SECTION 38, OFF-STREET PARKING AND LOADING REQUIREMENTS, WHICH IS CODIFIED IN CODE OF ORDINANCE SECTIONS 28-101, BY ADDING A SECTION TO BE NUMBERED 28-101 (I), PARKING LOT PAVING REQUIREMENTS; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; AUTHORIZING PUBLICATION OF DESCRIPTIVE CAPTION INCLUDING PENALTY; AND PROVIDING AN EFFECTIVE DATE (Tom Burson, City Engineer).

ACTION ITEMS:

16. Discussion and Possible Action on Approval of a Variance to the Noise Ordinance for Saturday, October 29, 2011 for the Holy Comforter Episcopal Church's annual Fall Festival Fundraiser (Melissa Byrne Vossmer, City Manager).
17. Discussion and Possible Action on Nominating Either Larry Shaefer or Patrick Henry to the Brazoria County Appraisal District Board of Directors (Melissa Byrne Vossmer, City Manager)
18. Discussion and Possible Action on Approval of the Second Reading of ORDINANCE NO. 2011-O-8C, AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE FRANCHISE TO PROVIDE CERTAIN CHANGES IN THE RATE SECTION TO ADDRESS RATES, RECYCLING AND RATE FREEZE, TERM OF THE FRANCHISE AND OTHER SECTIONS OF THE FRANCHISE; DECLARING RECYCLING COLLECTION TRUCK SURPLUS TO THE NEEDS OF THE CITY; APPROVING THE SALE OF SAID TRUCK; PROVIDING FOR THE ASSIGNEE TO PAY FOR THE PUBLICATION OF THIS ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION AND PROVIDING FOR OTHER PURPOSES (Melissa Byrne Vossmer, City Manager)
19. Discussion and Possible Action on Approval of Ordinance No. 2011-O-9A, AN ORDINANCE AMENDING SECTION 9-23. RECYCLING FEES, TO THE AMOUNT ESTABLISHED IN THE FRANCHISE AGREEMENT, AS AMENDED; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE. (Melissa Byrne Vossmer, City Manager).
20. Discussion and Possible Action on Approval of ORDINANCE NO. 2011-O-9J, AN ORDINANCE AMENDING THE UTILITY RATE TABLES IN ARTICLE III OF SECTION 26 OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON; REVISING AND PROVIDING FOR AN INCREASE IN THE RATES TO BE CHARGED FOR WATER AND SEWER SERVICES BY THE CITY OF ANGLETON; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE (Susie Hernandez, Finance Director)

21. Discussion and Possible Action on approval of ORDINANCE NO. 2011-O-9I, AN ORDINANCE AMENDING THE UTILITY RATE CHARGED TO BRAZORIA COUNTY FOR WASTEWATER SERVICE TO THE BRAZORIA COUNTY DETENTION CENTER; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE AND AN EFFECTIVE DATE (Susie Hernandez, Finance Director).
22. Discussion and Possible Action on Approval of ORDINANCE NO. 2011-O-9C, AN ORDINANCE BANNING SILLY STRING, STINK BOMBS, SMOKE BOMBS, POPPERS, NOISEMAKERS AND TOY PRESSURIZED WATER GUNS FROM PARADES WITHIN THE CITY OF ANGLETON AND PROHIBITING THE THROWING OF ANY OBJECT OR ITEM FROM FLOATS, VEHICLES OR ANY OTHER MODE OF TRANSPORTATION FOR PARADE PARTICIPANTS; MAKING IT UNLAWFUL TO OFFER FOR SALE, SELL OR OTHERWISE DISPOSE OF, DISTRIBUTE, DISCHARGE, FIRE OR USE SAID SILLY STRING, STINK BOMBS, SMOKE BOMBS, POPPERS, OTHER NOISEMAKERS AND TOY PRESSURIZED WATER GUNS AT PARADES WITHIN THE CITY OF ANGLETON, TEXAS, MAKING IT UNLAWFUL FOR A PARADE PARTICIPANT TO THROW ANY OBJECT WHILE PARTICIPATING IN THE PARADE WITHIN THE CITY OF ANGLETON, TEXAS; PROVIDING A PENALTY OF UP TO \$500.00 PER VIOLATION; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE (Mary Kay Fischer, City Attorney).
23. Discussion and Possible Action on Approval of the Road and Bridge Interlocal Agreement Fiscal Year 2012 Between Brazoria County and the City of Angleton (Melissa Byrne Vossmer, City Manager).
24. Discussion and Possible Action on Approval of RESOLUTION NO. 2011-R-9C, A RESOLUTION OF THE CITY OF ANGLETON, TEXAS, FINDING THAT THE BRAZORIA COUNTY FAIR PARADE SERVES A PUBLIC PURPOSE AND AUTHORIZING THE CITY OF ANGLETON TO ENTER INTO AN AGREEMENT WITH THE STATE OF TEXAS FOR THE TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY; PROVIDING AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE (Melissa Byrne Vossmer, City Manager).
25. Discussion and Possible Action on Approval of the City of Angleton Financial Management Policies (Susie Hernandez, Finance Director).

26. Discussion and Possible Action on Approval of ORDINANCE NO. 2011-O-9K, AN ORDINANCE MOVING THE REGULAR MEETING DATES FOR NOVEMBER AND DECEMBER, 2011, FROM THE FOURTH TUESDAY TO THE SECOND TUESDAY OF THEM ONTH; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITIY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE AND AN EFFECTIVE DATE. (Mary Kay Fischer, City Attorney).
27. Discussion and Possible Action on Approval of an Interlocal Agreement for Fire Protection, Fire Suppression and Rescue Services between Brazoria County Emergency Services District No. 3 and the City of Angleton and authorizing the Mayor to execute the Agreement (Mary Kay Fischer).
28. Discussion and Possible Action on Approval to Accept a Bid for a Loan in the Amount of \$416,625.69 for the Lease/Purchase Financing of Vehicles and Equipment for the Police, Parks, Engineering & Code Enforcement, Street Department, Water Department and Recreation Center (Susie J. Hernandez, Finance Director).
29. **Reports of boards & commissions:**
Angleton Better Living Corporation -
Angleton Parks Board -
Senior Citizen Commission –
30. **Staff Reports & Questions for Staff**
 - A) Code Enforcement Building Report
 - B) Code Enforcement Report
 - C) Code Enforcement-Health Inspection Report
 - D) Financial Reports
 - E) Keep Angleton Beautiful Report
 - F) Municipal Court – Department of Public Safety Report
 - G) Municipal Court – Activity Report
 - H) Police Department Report
 - I) Police Department Game Room Report
 - J) Public Works Department-Action Line requests Report
 - K) Public Works Ditch Maintenance Report
 - L) Public Works Recycling Report
 - M) Utility Department – Billing & Receivables Report
 - N) Utility Department – Aging Account Report

31. **Council Information (limited to items of community interest)**

Mayor Randy Rhyne
Mayor Pro Tem Rudy Santos
Councilman Carl Herbst
Councilman Gregg Dykes
Councilman John Wright
Councilman Roger Collins

The City of Angleton, Texas reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (consultation with attorney), 551.072 (deliberations about real property), 551.073 (deliberations about gifts and donations), 551.074 (personnel matters), 551.076 (deliberations about security devices) and 551.087 (economic development).

32. **Adjourn.**

Shelly Deisher,
City Secretary

Any person wishing to attend this meeting who is in need of assistance due to a handicap or special need is asked to call the city secretary/public information office anytime between 8 a.m. and 5 p.m. Monday through Friday. (call 979-849-4364)

Posted in accordance with the Texas Government Code, Chapter 551, on the ____ day of _____, 2011 at ____ am/pm and removed the ____ day of _____, 2011 at ____am/pm.

Witness to posting: _____

Witness to removal: _____