



**Mayor**  
Ben White  
**Mayor ProTem**  
David Ruesink  
**City Manager**  
Glenn Brown

**Councilmembers**  
John Crompton  
James Massey  
Dennis Maloney  
Katy-Marie Lyles  
Lawrence Stewart

**Minutes**  
**City Council Regular Meeting**  
**Thursday, September 10, 2009 at 7:00 p.m.**  
**City Hall Council Chambers, 1101 Texas Avenue**  
**College Station, Texas**

**COUNCIL PRESENT:** Mayor Ben White, Mayor Protem Ruesink, Council members Crompton, Massey, Maloney, Lyles, Stewart

**STAFF PRESENT:** City Manager Brown, Assistant City Manager Merrill, Assistant City Manager Neeley, City Attorney Cargill Jr., City Secretary Hooks, Deputy City Secretary McNutt, Management Team

**1. Pledge of Allegiance, Invocation, Consider absence request and Hear Visitors.**

Mayor White called the meeting to order at 7:00 pm with all Council members present. Mayor White led the audience in the Pledge of Allegiance. Fire Chief R.B. Alley provided the invocation.

**Hear Visitors:**

Emily Reiter, Campaign Treasurer of Keep College Station Safe campaign spoke in favor of red light camera.

David Benzion, Senior Research Analyst for Hill Research Consultants made comments about recent survey results on red light camera issue.

Jim Ash, 804 Prestwick, an opponent to red light cameras spoke about the survey.

Jerry Cooper, 602 Bell, encouraged City to continue the Heritage Programs and its employee.

**2. Presentation, possible action and discussion of consent agenda items which consists of ministerial or "housekeeping" items required by law. Items may be removed from the consent agenda by majority vote of the Council.**

- a. Approved minutes for Council workshop and regular meeting held on Thursday, August 27, 2009.
- b. Approved **Resolution No. 09-10-09-2b** on a Construction Contract with Alsay Incorporated, lowest responsible bidder in the amount of \$2,236,250 for the construction of the Groundwater Well No. 8.
- c. Approved Change Order # 1 to Contract 08-099, Water/Wastewater Master Plan

## City Council Minutes

Thursday, September 10, 2009

Study, with HDR Engineers, in the amount of \$38,300.00.

- d. Approved modified Advance Funding Agreement with the Texas Department of Transportation (TxDOT) and the City of Bryan, to design and construct additional lanes on State Highway 30 from 4.20 miles west of F.M. 244 to 4.63 miles west of F.M. 244 and adjacent to the BSWMA Twin Oaks Landfill site for the purpose of providing safe ingress and egress from said facility.
- e. Approved renewal of contract #08-084 with Envirosolve and the City of College Station and City of Bryan to provide Household Hazardous Waste collection services in an amount not to exceed \$229,510.00.
- f. Approved Agreement for Services with Emergicon to provide ambulance billing services in an amount not to exceed \$75,000, #09-260.

Council member Maloney moved to approve consent items 2a thru 2f. Council member Massey seconded the motion, which carried 7 - 0.

FOR: Mayor Ben White, Mayor Pro tem Ruesink, Council members Lyles, Crompton, Massey, Maloney and Stewart

AGAINST: None

**1. Presentation, possible action, and discussion on an ordinance adopting the City of College Station 2009-2010 Budget; and presentation, possible action and discussion ratifying the property tax increase reflected in the budget.**

Jeff Kersten, Chief Financial Officer presented the proposed FY10 Budget and recommended Council to approve the ordinance adopting the proposed 2009-2010 budget with additional changes desired by the City Council. Mr. Kersten presented a summary of changes the City Council has discussed during the budget workshops held in the last two months. The City Charter requires the City Council adopt a budget no later than September 27.

Mr. Kersten further explained that the second action for Council consideration is the ratification of the property tax increase reflected in the budget. The proposed budget will result in additional property tax revenue over last year totaling \$1,563,007 or 7.1% and of that amount \$909,109 is tax revenue to be raised from new property added to the tax roll this year.

Mayor White opened the floor for public comment.

Shannon Overby, Executive Director of the Convention and Visitors Bureau addressed concern of budget reductions from the City of College Station to the CVB budget in the proposed budget. Mrs. Overby mentioned that Brazos County committed \$25,000 from County's FY 10 budget to CVB.

Her request to the City at this time was for at least \$75,000 to continue the development of website to market tourism.

## City Council Minutes

Thursday, September 10, 2009

Scott Joslove, President of the Texas Hotel Motel Association stated concern on potential reduction of CVB budget due to the strain it will put on marketing for tourism and requested Council approve \$75,000 toward CVB budget for marketing tourism through the new multi-faceted website.

Mayor Pro Tem Ruesink moved to approve the funding of \$75,000 to CVB from FY 10 budget. Council member Lyles seconded the motion, which carried 4 - 3.

FOR: Mayor Ben White, Mayor Pro tem Ruesink, Council members Lyles, Stewart  
AGAINST: Council member Massey, Maloney, and Crompton

Mayor Pro tem Ruesink moved to approve **Ordinance No. 3202** adopting the FY09-10 Budget with proposed changes as reported by City Staff and the amendment to include \$75,000 from Hotel/Motel tax fund to CVB budget toward the service level adjustment request for the continuation of website design and implementation and removing BVSWMA portion of the budget.

Council member Stewart seconded the motion, which carried 5 - 2.

FOR: Mayor Ben White, Mayor Pro tem Ruesink, Council members Crompton, Maloney, Stewart  
AGAINST: Council members Lyles and Massey

Mayor Pro tem Ruesink made a motion to ratify property tax increase revenues reflected in FY 09-10 Budget. Mayor Ben White seconded the motion, which failed 3 - 4.

FOR: Mayor Ben White, Council members Maloney and Stewart  
AGAINST: Council members Lyles, Crompton, Massey, Mayor Pro tem Ruesink

Mayor Pro tem Ruesink made a motion to ratify property tax increase revenues reflected in FY09-10 Budget. Council member Crompton seconded the motion, which carried 4 - 3.

FOR: Mayor Ben White, Mayor Pro tem Ruesink, Council members Crompton, Stewart  
AGAINST: Council members Lyles, Massey, Maloney

**2. Presentation, possible action, and discussion on approval of an ordinance adopting the City of College Station 2009-2010 advertised ad valorem tax rate of \$0.439400 per \$100 assessed valuation, the debt service portion being \$0.229433 per \$100 assessed valuation and the operations and maintenance portion being \$0.209967 per \$100 assessed valuation.**

Jeff Kersten, Chief Financial Officer presented the proposed ad valorem tax rate of \$0439400 per \$100 assessed valuation. Staff recommended the adoption of adopted tax rate of \$0439400 per \$100 assessed valuation, the debt services, and the operations and maintenance.

Council member Crompton moved adoption of **Ordinance No. 3203** that property taxes be increased by the adoption of a tax rate of \$0.439400 per \$100 assessed valuation, which is effectively a 2.416364 percent increase in the tax rate.

- The Debt Rate is proposed to be \$0.229433 per \$100 assessed valuation.
- The O & M Rate is proposed to be \$0.209967 per \$100 assessed valuation.

Mayor Pro tem Ruesink seconded the motion, which carried 5-2.

## City Council Minutes

Thursday, September 10, 2009

FOR: Mayor Ben White, Mayor Pro tem Ruesink, Council members Crompton, Maloney, and Stewart

AGAINST: Council members Lyles and Massey

**3. Presentation, possible action, and discussion regarding an ordinance amending Chapter 11, "Utilities" Section 4, "Electric Service" of the Code of Ordinances of the City of College Station, Texas having the effect of raising revenues for electric services approximately nine percent (9%).**

David Massey, Director of Electric Utilities discussed an electric rate ordinance provision to raise the electric rate nine percent for single family users. The rate increase is a result from higher fuel, transmission and administrative fees in the Electric Reliability Council of Texas (ERCOT) market. In addition, the rate increase is necessary due to CSU system expansion projects associated with transmission, substation and distribution.

Council member Lyles moved to approve **Ordinance No. 3204** implementing a rate increase to raise revenues by approximately nine percent (9%), effective October 1, 2009. Council member Stewart seconded the motion, which carried 7 - 0.

FOR: Mayor Ben White, Mayor Pro tem Ruesink, Lyles, Crompton, Massey, Maloney and Stewart

AGAINST: None

**4. Public hearing, presentation, possible action, and discussion regarding an Ordinance amending Chapter 12, Unified Development Ordinance, Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas changing the zoning district boundaries of an area consisting of 14.27 acres located at 2429 Earl Rudder Freeway, north of Raintree Drive, from R-1 Single-Family Residential and A-O Agricultural Open to PDD Planned Development District.**

Jennifer Prochazka, Senior Planner presented staff report on rezoning request for 14.27 acres located at 2429 Earl Rudder Freeway, north of Raintree Drive. Staff recommended approval of the PDD Planned Development District with the exception of the requested modification of Section 8.2.A.7.e of the Unified Development Ordinance that would allow Appomattox Drive to remain a dead end street.

Mrs. Prochazka indicated neighborhood meetings held between the residents and developer. The negotiations on land uses included natural and vegetated area, sit down restaurants without drive through options, professional offices, and other neighborhood retail shops.

Mayor White opened the public hearing.

Jane Kee, IPS Group, representing the developer Alton Ofczarzak stated that the rezoning request is appropriate for the Suburban Commercial designation with numerous agreements between the developer and neighborhood.

Planning and Zoning Commissioner Doug Slack briefly summarized the action taken by the Planning and Zoning Commissioners at their August 20th meeting. Motion carried 4 - 1 approving the rezoning with conditions.

Mayor White opened the public hearing:

Citizens supported staff's recommendation on rezoning request with the exception of restaurants:  
Mark Buxkemper, 7708 Sherman Ct.

## City Council Minutes

Thursday, September 10, 2009

Sherry Ellison, 2705 Brookway Dr.Susan Irza, 605 SummerglennAdrian Vogel, Vice President of Raintree Neighborhood Association, 2218 RaintreeBoyd Sorell, 7704 Sherman Ct.

Ron Ross, 7717 Appomattox Dr.

Paul Pausky, 2510 Sumter

---

 Chris Scotti, 7701 Gettysburg Ct. was supportive of restaurants and retail drive thru option.

Mayor White closed the public hearing.

Council member Crompton moved to approve **Ordinance No. 3205** on staff's recommendation of rezoning 14.27 acres located at 2429 Earl Rudder Freeway, north of Raintree Drive, from R-1 Single Family Residential and A-O Agricultural Open to PDD Planned Development District with conditions. Council member Massey seconded the motion, which carried 7 - 0.

FOR: Mayor Ben White, Mayor Pro tem Ruesink, Lyles, Crompton, Massey, Maloney and Stewart  
 AGAINST: None

**5. Public hearing, presentation, possible action, and discussion regarding an Ordinance amending Chapter 12, Section 4.2, "Official Zoning Map" of the Code of Ordinances of the City of College Station, Texas changing the Zoning District Boundaries of 3.364 acres from R-1 Single-Family Residential to R-4 Multi-Family and A-O Agricultural Open located at 1270 Harvey Mitchell Parkway.**

Jason Schubert, Staff Planner presented staff report on rezoning request of 3.364 acres from R-1 Single-Family Residential to R-4 Multi-Family and A-O Agricultural Open located at 1270 Harvey Mitchell Parkway. Staff recommended approval with shared driveway and lift station.

Mayor White opened the public hearing.

Fred Bayliss, 7610 River Ridge agrees with staff's recommendations.Daniel Dicks, TAMU student senate representative encouraged more off campus student housing.

Mayor White closed the public hearing.

Council member Lyles moved to approve ordinance to rezone 3.364 acres located at 1270 Harvey Mitchell Parkway. Council member Stewart seconded the motion, which failed 3 - 4.

FOR: Mayor Ben White, Council members Lyles and Stewart

AGAINST: Mayor Pro tem Ruesink, Council members Crompton, Massey, and Maloney

**6. Public hearing, presentation, possible action, and discussion on an ordinance amending the Unified Development Ordinance, Section 5.6.A.11 regarding signage in the Wolf Pen Creek District.**

Molly Hitchcock, Staff Planner presented a brief overview of proposed ordinance amending the UDO, regarding signage in the Wolf Pen Creek. Staff and P&Z Commission recommended approval.

Mayor White opened the public hearing. No one spoke. Mayor White closed the public hearing.

City Council Minutes  
Thursday, September 10, 2009

Council member Maloney moved to approve **Ordinance No. 3206** to amend the UDO, regarding signage in the Wolf Pen Creek District. Council member Lyles seconded the motion, which carried 7 - 0.

FOR: Mayor Ben White, Mayor Pro tem Ruesink, Council members Lyles, Crompton, Massey, Maloney, and Stewart  
AGAINST: None

**7. Presentation, possible action, and discussion regarding approval of a resolution establishing the sale price of cemetery spaces for the College Station Municipal Cemetery System.**

Tony Cisneros, Director of Parks and Recreation Department presented Council the sale prices of cemetery spaces for the College Station Municipal Cemetery System. Staff recommended the price structure which is partially reflected in the Pro Forma developed for the Memorial Cemetery of College Station. The Pro Forma has yearly increases for spaces within the Memorial Cemetery of College Station. The Staff's recommendations also included price increases for infant and cremate spaces that are not addressed in the Pro Forma.

Council member Crompton moved to approve **Resolution No. 09-10-09-07** with staff's recommendation on increasing sales prices for the cemetery spaces for the College Station Municipal Cemetery System. Council member Massey seconded the motion, which carried 7 - 0.

FOR: Mayor Ben White, Mayor Pro tem Ruesink, Council members Lyles, Crompton, Massey, Maloney, and Stewart  
AGAINST: None

**8. Presentation, possible action, and discussion designating the chair of the Council Transportation Committee.**

Council member Massey moved to appoint Council member Maloney as Chair of the Transportation Committee. Council member Stewart seconded the motion, which carried 7 - 0.

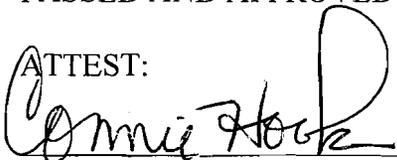
FOR: Mayor Ben White, Mayor Pro Tem Ruesink, Council members Lyles, Crompton, Massey, Maloney, Stewart  
AGAINST: None

**9. Adjourn.**

Hearing no objections, Mayor White adjourned the meeting at 10:30 p.m. on Thursday, September 10, 2009.

PASSED AND APPROVED October 8, 2009

ATTEST:



City Secretary Connie Hooks

APPROVED:

  
Mayor Ben White