



**Mayor**  
Ron Silvia  
**Mayor Pro Tempore**  
Ben White  
**City Manager**  
Glenn Brown

**Council Members**  
John Happ  
Ron Gay  
Lynn McIlhaney  
Chris Scotti  
David Ruesink

---

**Minutes**  
**City Council Regular Meeting**  
**Thursday, April 26, 2007, 7:00 p.m.**  
**City Hall Council Chambers, 1101 Texas Avenue**  
**College Station, Texas**

**COUNCIL MEMBERS PRESENT:** Mayor Pro Tem White, Council members Happ, Gay, McIlhaney, Scotti, Ruesink

**COUNCIL MEMBER ABSENT:** Mayor Silvia

**STAFF PRESENT:** City Manager Brown, City Attorney Cargill Jr., City Secretary Hooks, Assistant City Secretary Casares, Management Team

**Regular Agenda Item No. 1 – Pledge of Allegiance, Invocation, Consider absence request, International Student Presentation.**

Mayor Pro Tem White called the meeting to order at 7:05 p.m. He led the audience in the Pledge of Allegiance. Council member Ruesink provided the Invocation. Council member Gay moved to approve the absence request from Mayor Silvia. Council member McIlhaney seconded the motion, which carried unanimously, 6-0.

FOR: White, Happ, Gay, McIlhaney, Scotti, Ruesink  
AGAINST: None  
ABSENT: Silvia

An International Student provided general information on his homeland, the Republic of Turkey.

Hear Visitors

Boyce Sorrell, 7704 Sherman Court, expressed concerns regarding enforcement of the Unified Development Ordinance.

Tyler Koch, 505 Lansing Ct., presented legislation by the student senate to compliment the City of College Station accomplishments.

**Consent Agenda**

- a. Approved by common consent **Resolution No. 4-26-2007-2a** for the Click It or Ticket Selective Traffic Enforcement Program grant contract for the fiscal year 2007.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS AUTHORIZING THE MAYOR TO SIGN A TEXAS HIGHWAY TRAFFIC SAFETY PROGRAM GRANT AGREEMENT FOR THE CLICK IT OR TICKET SELECTIVE TRAFFIC ENFORCEMENT PROGRAM WITH THE TEXAS DEPARTMENT OF TRANSPORTATION.

- b. Approved by common consent expenditures in the amount of \$59,844 to Philpott Motors for a heavy duty service truck with 3-ton lift for the Water Services Department.
- c. Approved by common consent renewal of the purchasing agreement contract for liquid chlorine from DXI Industries not to exceed \$66,690.
- d. Approved by common consent the renewal of an annual purchasing agreement for dewatering chemical (polymer) with Fort Bend Services, Inc. for \$113,000.
- e. Approved by common consent **Needs Resolution No. 4-26-2007-2e** authorizing the purchase or condemnation of property, water rights, right-of-way and easement interest in certain properties for the Groundwater Wells 8, 9, and 10 Project.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, AMENDING RESOLUTION NO. 1-11-2007-12.07 TO: (1) AUTHORIZE THE CITY TO INITIATE, COMPLETE, AND ACQUIRE, BY PURCHASE OR CONDEMNATION, FEE SIMPLE, GROUNDWATER RIGHTS, RIGHT-OF-WAY AND/OR EASEMENT PROPERTY INTERESTS IN CERTAIN SUBSTITUTED PROPERTY FOR THE GROUNDWATER WELLS 8, 9, AND 10 PROJECT; (2) DECLARE THAT PUBLIC NECESSITY EXISTS FOR THE CITY TO ACQUIRE SUCH SUBSTITUTED PROPERTY INTERESTS, THROUGH PURCHASE OR CONDEMNATION; AND (3) ESTABLISH PROCEDURES FOR THE ACQUISITION OF SUCH SUBSTITUTED PROPERTY INTERESTS.

- f. Approved by common consent an Interlocal Agreement between the cities of College Station and Bryan to share the cost of legal services to pursue Bed and Banks Permits for our wastewater effluent.
- g. Approved by common consent award of a consulting contract 07-158 to Black and Veatch Corporation in the amount of \$64,480 to review and update the Rate Model for Water and Wastewater utilities.

- h. Approved by common consent **Resolution No. 4-26-2007-2h** accepting from the Governors Division of Emergency Management (GDEM) the 2004 State Homeland Security Closeout Grant Adjustment Notice for the de-obligation of funds in the amount of \$12,198.57.
- i. Approved by common consent **Resolution No. 4-26-2007-2i** awarding Bid#07-58 for the installation of roadway traffic markings to United Rentals Highway Tech in the amount of \$346,865.95. These markings are essential in guiding vehicular and bicycle traffic throughout the City.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR THE TRAFFIC MARKINGS PROJECT AND AUTHORIZING THE EXPENDITURE OF FUNDS.

- j. Approved by common consent **Resolution No. 4-26-2007-2j** awarding Bid#07-43 to Bayer Electric in the amount of \$369,794.00 for the construction of Traffic Signal on Harvey Mitchell Parkway at the intersections of Luther Street and Holleman Drive. This project will also include the installation of fiber optic cables to provide a communications network for this group of signals.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, APPROVING A CONSTRUCTION CONTRACT FOR THE INSTALLATION OF TWO (2) NEW TRAFFIC SIGNAL PROJECTS AND AUTHORIZING THE EXPENDITURE OF FUNDS.

- k. Presentation, possible action, and discussion to approve a Pipeline Encroachment Agreement for the Wellborn Road Utilities Relocation Project. The agreement with Union Pacific Railroad (UPRR) is required to install a water transmission line in UPRR right-of-way. *This item was removed from the consent agenda by staff.*
- l. Presentation, discussion, and possible action regarding Change Order No. 1 to Contract #06-217 with Elliott Construction in an amount not to exceed \$230,295.00 for the Wellborn Road Utility Relocation Project. *This item was removed from the consent agenda by staff.*
- m. Approved by common consent **Needs Resolution No. 4-26-2007-2m** for Easements related the Tauber and Stasney Streets Rehabilitation Project. The easements are along the east and west borders of Tauber Street between University Drive and Cherry Street.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLLEGE STATION, TEXAS, RELATING TO (1) THE AUTHORITY OF THE CITY TO INITIATE, COMPLETE, AND ACQUIRE, BY PURCHASE OR CONDEMNATION, RIGHT-OF-WAY AND EASEMENT INTEREST IN CERTAIN PROPERTY FOR THE TAUBER AND STASNEY STREET REHABILITATION PROJECT; (2) A DECLARATION THAT PUBLIC NECESSITY EXISTS FOR THE CITY TO ACQUIRE SUCH INTEREST, THROUGH PURCHASE OR

CONDEMNATION; AND (3) ESTABLISHING PROCEDURES FOR THE ACQUISITION OS SUCH INTEREST IN THE PROPERTY.

- n. Presentation, possible action and discussion on approving the budget of the Northgate District Association; and presentation, possible action and discussion on a funding agreement between the City of College Station and the Northgate District Association for FY07 in the amount of \$25,000.
- o. Approved by common consent minutes for the Council Workshop and Regular Meetings on April 12, 2007.

**Regular Agenda**

**Regular Agenda Item No. 1 -- Public hearing, presentation, possible action, and discussion on an ordinance rezoning 16.036 acres from R-1 (Single Family Residential) to R-4 (Multi-Family Residential) generally located on the north side of Harvey Mitchell Parkway South between Holleman Drive West and Jones-Butler Road.**

Staff Planner Crissy Hartl described the proposed ordinance rezoning 16.036 acres from R-1 Single Family Residential to R-4 Multi Family Residential located on the north side of Harvey Mitchell Parkway South between Holleman Drive west and Jones-Butler Road.

Mayor Pro Tem White opened the public hearing.

Veronica Morgan of Mitchell & Morgan, 511 University Drive, Suite 204, offered to answer questions of the City Council.

Mayor Pro Tem White closed the public hearing.

Council member Gay moved to approve **Ordinance No. 2973** rezoning 16.036 acres from R-1 Single Family Residential to R-4 Multi Family Residential located on the north side of Harvey Mitchell Parkway South between Holleman Drive west and Jones-Butler Road. Council member Scotti seconded the motion, which carried unanimously 6-0.

FOR: White, Happ, Gay, McIlhaney, Scotti, Ruesink

AGAINST: None

ABSENT: Silvia

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, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTIN PROPERTIES AS DESCRIBED BELOW; DECLARING A PENALTY, AND PROVIDING AN EFFECTIVE DATE.

**Regular Agenda Item No. 2 -- Public hearing, presentation, possible action and discussion of an ordinance amending City of College Station Code of Ordinances**

**Chapter 12: Unified Development Ordinance, Section 7.1.C: Visibility at Intersections in all Districts.**

Senior Assistant City Engineer Allen Gibbs describing the proposed ordinance amending City of College Station Code of Ordinances Chapter 12: Unified Development Ordinance, Section 7.1.C: Visibility at Intersections in all Districts.

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

Council member Scotti moved to approve **Ordinance No. 2974** amending City of College Station Code of Ordinances Chapter 12: Unified Development Ordinance, Section 7.1.C: Visibility at Intersections in all Districts. Council member Gay seconded the motion, which carried unanimously, 6-0.

FOR: White, Happ, Gay, McIlhaney, Scotti, Ruesink

AGAINST: None

ABSENT: Silvia

AN ORDINANCE AMENDING CHAPTER 12, "UNIFIED DEVELOPMENT ORDINANCE," SECTION 7.1.C, "VISIBILITY AT INTERSECTIONS IN ALL DISTRICTS," OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW.

**Regular Agenda Item No. 3 -- Public hearing, presentation, possible action and discussion on an ordinance amending Chapter 6, "Fire Protection", of the Code of Ordinances of the City of College Station, Texas by amending certain sections as set out, adopting the 2006 International Fire Code with related amendments and the 2006 NFPA Life Safety Code.**

Fire Marshal Eric Hurt presented a brief summary of the significant changes in the 2006 International Fire Code and the National Fire Protection Association's Life Safety Code. Mr. Hurt noted that the changes between the 2003 IFC and the 2006 IFC were merely housekeeping changes to provide better clarification of the codes. Staffs recommend approval of the proposed amendments.

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

Council member Scotti moved to approve **Ordinance No. 2975** amending Chapter 6, "Fire Protection", of the Code of Ordinances of the City of College Station, Texas by amending certain sections as set out, adopting the 2006 International fire Code with related amendments and the 2006 NFPA Life Safety Code. Council member Gay seconded the motion, which carried unanimously, 6-0.

FOR: White, Happ, Gay, McIlhaney, Scotti, Ruesink

AGAINST: None

ABSENT: Silvia

AN ORDINANCE AMENDING CHAPTER 6, "FIRE PROTECTION", OF THE CODE OF ORDINANCES OF THE CITY OF COLLEGE STATION, TEXAS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

**Regular Agenda Item No. 4 -- Presentation, possible action, and discussion regarding a resolution approving a construction contract to JaCody, Inc. in the amount of \$2,081,984.00 for the Fire Station No. 3 Project; and a resolution declaring intention to reimburse certain expenditures with proceeds from debt.**

Public Works Director Mark Smith illustrated factors regarding the solicited competitive sealed proposals for the construction phase of Fire Station No. 3 project. Mr. Smith provided a budget and financial summary.

Council member Gay moved to approve **Resolution No. 4-26-2007-4a** approving a construction contract to JaCody, Inc., in the amount of \$2,081,984.00 for the Fire Station No. 3 project and **Resolution No. 4-26-2007-4b** declaring intention to reimburse certain expenditures with proceeds from debt. Council Member McIlhaney seconded the motion, which carried unanimously, 6-0.

FOR: White, Happ, Gay, McIlhaney, Scotti, Ruesink

AGAINST: None

ABSENT: Silvia

**Regular Agenda Item No. 5 -- Presentation, possible action, and discussion regarding the current status of the Wayfinding Signage Program.**

Director of Economic and Community Development David Gwin presented an overview regarding the current status of the Wayfinding Signage Program. Mr. Gwin provided examples of signage and the colors representing the three entities as noted within the City of College Station current Wayfinding Program and the phases that have been completed. Mayor Pro Tem White, Council members Gay, McIlhaney, Scotti and Ruesink concurred with the City of College Station represented by the color of red. Council member Happ disagreed with the proposed color of signs.

Council recessed at 8:23 p.m. for a short break and returned at 8:34 p.m.

**Regular Agenda Item No. 6 -- The City Council may convene the executive session following the regular meeting to discuss matters posted on the executive agenda for April 26, 2007.**

Council concluded their executive session prior to the regular meeting.

**Regular Agenda Item No. 7 -- Final Action on executive session, if necessary.**

No action was taken.

Council returned to the Workshop Meeting to complete Workshop Agenda Items 7, 8, 9.

**Workshop Agenda Item No. 7 -- Council Calendars**

Council reviewed their upcoming events.

**Workshop Agenda Item No. 8-- Presentation, possible action, and discussion on future agenda items: A Council Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.**

Council member McIlhane requested a workshop agenda item regarding the Unified Development Ordinance on setbacks from any classification adjacent to residential, PDD concept plans and a traffic impact analysis at the time of the proposed rezoning. Council member Ruesink seconded the motion, which carried unanimously, 6-0.

**Workshop Agenda Item No. 9 -- Discussion, review and possible action regarding the following meetings: Audit Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Cemetery Committee, City Center, CSISD/City Joint Meeting, Design Review Board, Fraternal Partnership, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee and School District, Joint Relief Funding Review Committee, Library Committee, Making Cities Livable Conference, Metropolitan Planning Organization, Outside Agency Funding Review, Parks and Recreation Board, Planning and Zoning Commission, Sister City Association, TAMU Student Senate, Research Valley Partnership, Regional Transportation Committee for Council of Governments, Transportation Committee, Wolf Pen Creek Oversight Committee, Wolf Pen Creek TIF Board, Zoning Board of Adjustments, YMCA Coordinating Board(see attached posted notices for subject matters).**

Council member Happ reported on the recent meeting of the College Station Transportation Committee.

**Regular Agenda Item 8 -- Adjourn.**

Hearing no objections, the meeting adjourned at 8:40 p.m. on Thursday April 26, 2007.

PASSED and APPROVED on the 14<sup>th</sup> day of June, 2007.

ATTEST:

APPROVED

\_\_\_\_\_  
City Secretary Connie Hooks

\_\_\_\_\_  
Mayor Pro Tem Ben White