



Mayor
Ben White
Mayor Pro Tem
Ron Gay
City Manager
Glenn Brown

Council members
John Crompton
James Massey
Lynn McIlhaney
Chris Scotti
David Ruesink

Minutes
City Council Regular Meeting
Thursday, December 13, 2007 at 7:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

COUNCILMEMBERS PRESENT: Mayor White, Mayor Pro Tem Gay, Councilmembers Ruesink, Massey, Crompton, McIlhaney, Ruesink

COUNCILMEMBER ABSENT: Scotti

Item No. 1: Mayor White opened the regular meeting at 7:00 pm. He led the audience in the pledge of allegiance.

Mayor White presented members of the Roans Chapel Missionary Baptist Church with Historic Building Marker #7.

Hear Visitors:

Residents from Northgate, specifically College Main and Louise streets addressed the City Council about code enforcement issues in their neighborhood. Tiffani Jacox, Meghan Knoebel, and Jonathan Asaddi presented slides of the construction from The Factory, a new residential facility adjacent to their homes.

Resident Jerry Cooper of 602 Bell made comments about the city ordinances related to the city ordinance regarding non related individuals in one household.

Resident Patsy Cot who resides on Dallas Street supported the ideas of a Green community.

Jean Marie Linehart 3011 Durango and Layne Westover, 3000 Welsh encouraged the City Council to review the Bicycle Master Plan and develop additional bikeways in high traffic areas in south College Station.

Item No. 2: Consent Agenda

Mayor Pro Tem Gay moved approval of consent agenda items, 2a – 2g. Council member McIlhaney seconded the motion which carried 5-0, Council members Scotti and Massey absent.

a. Approved minutes for Regular Meeting November 19, 2007.

- b. Approved third and final reading of a franchise agreement with Budget Rolloffs for collection, hauling and disposal services for residential construction debris solid waste.
- c. Approved Resolution No. 12-13-2007-2c approving a Real Estate Contract to transfer ownership of 1115 Georgia Street, an undeveloped residential lot, to the local Habitat for Humanity affiliate.
- d. Approved amendment of annual agreement for gasoline and diesel fuel with Brenco Marketing Corp, contract no. 05-056; renew the amended contract for one year; and authorize the annual estimated expenditures with Brenco Marketing Corp. for \$1,267,340.00.
- e. Approved Resolution Determining Need that identifies a tract of land needed for the Utility Service Center Expansion Project.
- f. Approved contract with Sprint Nextel for Rebanding of the City's 800MHz Radio System in an amount not to exceed \$207,173.27 to be paid for by Nextel Sprint.
- g. Approved Resolution No. 12-13-2007-2g providing an exception to Policy to allow Mr. Joe Button to construct sewer infrastructure necessary to connect his home to the City sewer system.
- h. Approved Resolution No. 12-13.2007-2h granting an exception to Policy to allow Kyle View Estates to construct sewer infrastructure necessary to connect the Kyle View development to the City sewer system.
- i. Approved Developer Participation Agreement for sewer collection infrastructure with Kyle View Estates, L.P. at a cost not to exceed \$85,690.
- j. Approved Resolution No. 12-13-2007-2j approving a construction contract with JaCody, Inc. for the amount of \$1,883,978.00 for the construction of the College Station Utilities Meeting and Training Facility Project.
- k. Approved Renewal Agreement with Rainbow Gardens in the amount of \$52,263 for landscape maintenance services at Water Services facilities.
- l. Approved agreement with Union Pacific Rail Road to allow construction of the water transmission pipeline under the railroad tracks.
- m. Approved Resolution No. 12-13-2007-2m authorizing the Mayor to sign a Landscape Maintenance Agreement with the Texas Department of Transportation..
- n. Approved inter local agreement with the Texas Department of Public Safety.
- o. Approved purchase order to Driller Services, Inc. in the amount of \$111,800 for 4,000 water meters.
- p. Approved General Fund contingency transfer in the amount of \$20,000 for the AM Radio Project.

Regular Item No. 1 -- Public hearing, presentation, possible action, and discussion on consideration of ordinances amending Chapter 10, "Traffic Code," to convert a portion of Milliff street to one-way operation and to close a portion of Redmond Drive to through traffic.

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Traffic Engineer Troy Rother presented a staff report.

On July 26, 2007, the City Council heard a request for a P-MUD Planned Mixed-Use zoning for the existing Ramada property located at the southwest corner of Texas Avenue and Milliff Street. During the public hearing for the rezoning, a number of residents of the Redmond Terrance neighborhood proposed that Milliff Street and Redmond Drive be closed or converted in order to lessen the amount of traffic that would travel through their neighborhood. Upon approval of the Planned Mixed-Use zoning, City Council directed staff to begin the process of closing Redmond Drive to through traffic and converting a portion of Milliff Street to one-way. Redmond Drive is proposed to be closed to through-traffic with a "911 Emergency Gate" at the creek crossing.

Milliff Street is proposed to be converted to a one-way street section approximately 180 feet from the intersection of Milliff Road and Redmond Drive. The street section will be restricted to one-way by use of striping and signage only.

The portion of Milliff between the commercial properties is proposed to remain two way; the portion of Milliff west of the creek crossing will be one-way out of the neighborhood. Staff held a meeting at City Hall on September 12, 2007 to allow the area's residents and businesses the opportunity to comment on the proposed roadway modifications. The meeting was attended by approximately 30 people and no consensus on a solution was found by the area stakeholders.

Mayor White opened the public hearing.

JJ Ruffino, FM 1179 Bryan, Texas owner of J.J.'s restaurant made comments relating to traffic flow to his business because of the Texas Avenue reconstruction.

Lloyd Smith, 1609 Armisted, supported staff recommendation.

Mayor White closed the public hearing.

Council member Crompton made a motion to approve the staff recommendations as noted above. Mayor Pro tem Gay seconded the motion 5-0, Council members Scotti and Massey absent.

Council asked staff to research Mr. Ruffino's idea of having roadway across creek from the shopping center to his business location.

Regular Agenda Item No. 2 -- Public hearing, presentation, possible action, and discussion regarding a Comprehensive Plan Amendment to update the Thoroughfare Plan in the area generally bound by SH 30 on the north, William D. Fitch Parkway on the south, SH 6 on the west, and Carters Creek on the east as a result of recommendations contained in the East College Station Transportation Study.

Transportation Planner Ken Fogle presented the staff report.

Since 2005, there has been significant non-residential development pressure in College Station east of State Highway 6, with particular focus around the Rock Prairie Road interchange. Due to concerns of whether the existing and planned transportation system was adequate to handle the traffic generated from

future development, the City Council directed staff to hire a consultant to evaluate the transportation system in east College Station. The City hired Kimley-Horn and Associates to conduct this study.

Following in depth analysis and extensive public input, Kimley-Horn and Associates completed the East College Station Transportation Study and made the following recommendations:

1. Incorporate New Street Standards
2. Develop a Context Sensitive Design Process
3. Adopt East College Station Thoroughfare Plan
4. Adopt East College Station Trails Plan

Mr. Fogle provided details of each recommendation.

Mayor White opened the public hearing.

Sherry Ellison commented on Mr. Fogles' presentation and supported the recommendations.

Sharif Garmont 9319 Whitney Lane expressed concerns about the traffic congestion on Rock Prairie Road near the schools.

Jay 3510 Graz Drive also expressed similar concerns about the traffic congestion at Earl Rudder Freeway and Rock Prairie Road.

Paul Horne, Manzano Ct. made comments about the need for bicycle paths from south College Station to east and the most southern portion of College Station Peach Creek area.

Ellen Toby, Sussex Drive thanked Council for your consideration of the recommendations.

Layne Westover, 3000 Welsh mentioned the increase in cut through traffic from south and west College Station to Highway 30 via Rock Prairie Road and Bird Pond Road.

Jean Marie Linehart, an avid bicyclist discussed possible locations for additional bikeways.

Mayor White closed the public hearing.

Mayor Pro Tem Gay moved approval of the amendment to the Thoroughfare Plan in the Comprehensive Plan East Bypass traffic plan. Motion seconded by Council member Crompton. Motion carried 5-0, Massey and Scotti absent. Council asked staff to look at the inclusion of right turn lane onto Harvey Road.

Regular Agenda Item No. 3 -- Public hearing, presentation, possible action, and discussion on amendments to Chapter 12 (Unified Development Ordinance) of the City Code, Sections 3.2, Zoning Map Amendment (Rezoning), 4.1, Establishment of Districts, 7.1.D, Required Yard (Setbacks), and 11.2, Defined Terms, the addition Section 5.9, Single-Family Overlay Districts, and amendment to Chapter 9 (Subdivision Regulations) of the City Code, Section 18-A.1, Platting and Replatting Within Older Residential Subdivisions as they relate to the creation of Single-Family Overlay Districts.

Staff Planner Lindsey Boyer presented the staff report and the staff and Planning and Zoning recommendation.

Mayor White opened the public hearing.

Gaines West, President of the Oakwood Homeowners Association, 400 Suffolk presented support of the proposal.

Jerry Cooper, 602 Bell Street also supported the plan. .

Matt Poland, 504 Dexter expressed support of the amendments.

Mayor White closed the public hearing.

Motion made by Council member McIlhane to amend Chapter 12. Motion seconded by Council member Gay. ~~McIlhane~~. Motion carried unanimously, 5-0, Massey and Scotti absent.

Motion made by Mayor Pro Tem Gay to amend Chapter 9 as presented. Motion seconded by Council member McIlhane. Motion carried unanimously, 5-0, Massey and Scotti absent.

Council took a break at 8:30 pm

Regular Agenda Item No. 4 -- Public hearing, presentation, possible action, and discussion on an ordinance rezoning 9.7 acres of Spring Creek Townhomes, Phases 2 and 3, from PDD, Planned Development to PDD, Planned Development in order to amend the Concept Plan for the property generally located at the termination of Heath Drive.

Lindsey Boyer presented the item. The amendment includes a reconfiguration of the street system to line up with the median cut that will be located on Decatur Drive which is currently under construction. The applicant is also proposing a net density of 10.9 dwelling units per acre. The original density approved for the development is 13.7 dwelling units per acre. The applicant has not requested any changes to the existing meritorious modifications. Staff recommended approval.

Mayor White opened the public hearing.

Applicant Wallace Phillips 13720 Hopes Creek Rd. made comments and was referred to meet with the City Manager about cost associated with the project.

Mayor White closed the public hearing.

Mayor Pro tem Gay moved approval of rezoning request. Seconded by Council member Ruesink. Motion carried 5-0, Scotti and Massey absent.

Regular Agenda Item No. 5 -- Public hearing, presentation, possible action, and discussion regarding an ordinance amendment to Chapter 12 of the Code of Ordinances, Unified Development Ordinance Section 5.6 Northgate Districts relating to sidewalk requirements.

Council member James Massey arrived to the meeting.

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Staff Planner Crissy Hartl presented the staff report.

Mayor White opened the public hearing. No one spoke. He closed the public hearing. Mayor Pro Tem Gay moved approval of the ordinance amending Chapter 12 of the Code of Ordinances, Section 5.6 Northgate Districts relating to sidewalk requirements. Seconded by Council member McIlhaney. Motion carried 6-0, Scotti absent.

Regular Agenda Item No. 6 -- Public hearing, presentation, possible action, and discussion on an ordinance amending Chapter 12 of the City of College Station Code of Ordinances, Unified Development Ordinance Section 7.4.C Summary of Permitted Signs, regarding the permitted zoning districts for commercial banners.

Assistant Director of Development Services Lance Simms presented the staff report. Staff and Planning and Zoning Commission recommended approval.

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

Mayor Pro Tem Gay moved approval of an ordinance amending Chapter 12 of the City of College Station Code of Ordinances, Unified Development Ordinance Section 7.4.C Summary of Permitted Signs, regarding the permitted zoning districts for commercial banners. Council member Crompton seconded the motion. Motion carried by a vote of 5-1-1, Massey against and Scotti absent. .

Regular Agenda Item No. 7 -- Public hearing, presentation, possible action, and discussion on an ordinance amending Chapter 12 of the City of College Station Code of Ordinances, Unified Development Ordinance, Section 9.4 Nonconforming Lots of Record, regarding building setbacks for nonconforming single-family properties in Agricultural Open (A-O) zoning districts.

Assistant Director of Development Services Lance Simms presented the staff report. Staff and Planning and Zoning Commission recommended approval.

Mayor Pro Tem Gay moved approval of an ordinance amending Chapter 12 of the City of College Station Code of Ordinances, Unified Development Ordinance, Section 9.4 Nonconforming Lots of Record, regarding building setbacks for nonconforming single-family properties in Agricultural Open (A-O) zoning districts. Motion seconded by Council member McIlhaney. Motion carried unanimously, 6-0, Scotti absent.

Regular Agenda Item No. 8 -- Public hearing, presentation, possible action, and discussion on an ordinance of the City of College Station declaring certain goods-in-transit to be subject to taxation by the City of College Station and not exempt from taxation under the Super Freeport exemption contained in Texas Tax Code Section 11.253.

Jeff Kersten made brief comments about the item. Staff recommended approval of the ordinance. Mayor White opened the public hearing. No one spoke. He closed the public hearing.

Mayor Pro Tem Gay moved approval of an ordinance declaring certain goods-in-transit to be subject to taxation by the City of College Station and not exempt from taxation under the Super Freeport exemption contained in Texas Tax Code Section 11.253. Motion seconded by Council member McIlhaney. Motion carried unanimously, 6-0, Scotti absent.

Regular Agenda Item No. 9 -- Presentation, possible action, and discussion on a resolution awarding the professional services contract (Contract No. 08-079) with Bleyl & Associates in the amount not to exceed \$347,000 for engineering design services for the William D. Fitch Parkway Widening Phase II Project (ST-0520); and a resolution declaring intention to reimburse certain expenditures with proceeds from debt.

Mark Smith presented this item.

Staff recommended Council approve of the resolution and award of the professional services contract to Bleyl & Associates.

Mayor Pro Tem Gay moved approval of staff recommendations. Council member Massey seconded the motion which carried unanimously, 6-0.

Regular Agenda Item No. 10 -- Presentation, possible action and discussion regarding appointments to a Citizens' Advisory Committee in preparation of a General Obligation Bond election in November of 2008.

Council member Crompton made the motion to appoint the following citizens to the CIP Advisory Committee. Motion seconded by Council member Massey. Motion carried by a 5-1 vote. Gay voted against.

Atkinson, Scott
Bacon, Lindsey
Ball, Mike
Blackwelder, Jere
Bochner, Brian
Cooper, Jerry
Dictson, Derek
Dresser, George
Hart, David R.
Hazen, Anne
Hellriegel, Dr. Don
Holmes, Laura
Ireland, Kathleen
Jessup, George
Jones, Edsel
Kaiser, Ronald
Linhart, Jean Marie
Maloney, Dennis
Martinez, Elizabeth
Mather, William
Meyer, Robert E.

O'Neal, Steven S.
Reed, Raymond D.
Ringer, Larry
Schultz, Julie Merrifield
Shafer, Scott
Silvia, Ron
Slack, Douglas
Thomas, Gary E.
Wittner, Henry
Woodfin, Tom

Regular Agenda Item No. 11 -- Presentation, possible action and discussion on the 2007 Gainsharing Distribution.

The city's Budget Manager Janet Duffy explained that the total amount proposed to be distributed to 707 eligible regular full-time and regular part-time employees for gainsharing is \$419,697. The City cost per employee is \$291. The net gainsharing amount per employee is \$239 before taxes and retirement. A budget amendment will be brought to Council in the near future to provide the budget appropriation for this expenditure.

Council member Massey moved approval of the gainsharing distribution to employees. Seconded by Council member McIlhane. Motion carried unanimously, 6-0.

Regular Agenda Item No. 12 -- Presentation, possible action, and discussion on a funding agreement between the City of College Station and the Arts Council of Brazos Valley for FY08 in the amount of \$200,000 for Arts Council Affiliate funding; and presentation, possible action, and discussion on approving the portion of the budget of the Arts Council of Brazos Valley funded with Hotel Tax funds.

Council member Massey moved approval of funding in the amount of \$200,000 for Arts Council affiliates with the portion of the budget of the Arts Council of Brazos Valley funded with Hotel Tax funds. Motion seconded by Council member McIlhane. Motion carried 5-1, Gay voted in opposition.

Regular Agenda Item No. 13 -- Presentation, possible action, and discussion regarding appointments to the College Station Tax Increment Reinvestment Zone #16 Board of Directors and designating a chairperson.

Mayor Pro Tem Gay moved to appoint Stephen Syptak as Chair of the TIF Reinvestment Zone #16 Board of Directors. Motion seconded by Council member Massey. Motion carried unanimously, 6-0, Scotti absent.

Regular Agenda Item No. 14 -- Presentation, possible action, and discussion regarding the City's appointment to the Brazos County Appraisal District.

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Mayor Pro Tem Gay moved to appoint Chuck Ellison to the Appraisal District Board. Motion seconded by Council member Massey. Motion died from tie vote, 3-3.

FOR: Gay, Massey, White

AGAINST: McIlhaney, Ruesink, Crompton

Council member Crompton moved to appoint Gary Halter as Chair. Seconded by Ruesink. Motion failed from a tie vote, 3-3.

Council member McIlhaney moved to appoint George Jessup. Motion died from lack of second.

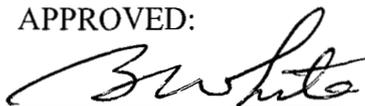
Staff was directed to add to January 10 agenda.

Regular Item No. 15 – Adjourn.

Council completed the meeting and adjourned at 9:40 pm.

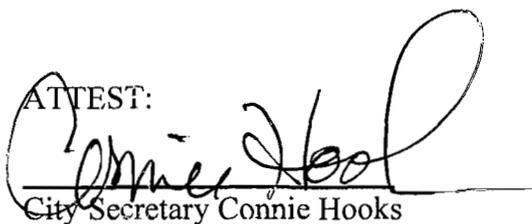
PASSED AND APPROVED this 24th day of January, 2008.

APPROVED:



Mayor Ben White

ATTEST:



City Secretary Connie Hooks