



**Mayor**

Ben White

**Mayor ProTem**

Lynn McIlhaney

**City Manager**

Glenn Brown

**Councilmembers**

John Crompton

James Massey

Dennis Maloney

Lawrence Stewart

David Ruesink

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**Minutes**

**City Council Workshop & Regular Meetings**

**Thursday, September 11, 2008 at 2:00 pm & 7:00 pm**

**City Hall Council Chamber, 1101 Texas Avenue**

**College Station, Texas**

**COUNCIL PRESENT:** Mayor White, Mayor ProTem McIlhaney, Council members Maloney Crompton, Massey, Ruesink and Stewart

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

Mayor White called meeting to order at 2:00 p.m.

**Workshop Agenda Item No. 1 -- Presentation, possible action, and discussion on items listed on the consent agenda.**

Mayor Pro tem McIlhaney requested consent item 2d be removed. Council member Ruesink seconded, 7-0. Council member Massey indicated he would abstain from voting on Consent Item 2e.

Council member Crompton inquired on consent item 2n.

Jeff Kersten, Chief Financial Officer, explained consent item 2n.

Council member Ruesink inquired on consent agenda item 2i, 2n & 2q.

Alan Gibbs, City Engineer explained consent agenda item 2q.

Council requested consent agenda item 2q to be removed.

Bob Cowell, AICP, Director of Planning and Development Services introduced Jose Guerra, Transportation Planning Coordinator.

**Workshop Agenda Item No. 2 -- Presentation, possible action and discussion regarding amendments to Chapter 12, City of College Station Code of Ordinances, Unified Development Ordinance, as they relate to the creation of a Landmark Commission and Historic Preservation Overlay District.**

Molly Hitchcock, staff administrator presented the proposed ordinance outlining the creating of a new board for the City of College Station, the Landmark Commission, consisting of a member of staff designated as the Historic Preservation Officer. The ordinance provisions also provided for the guidelines related to the

Historic Preservation Overlay Zoning District, Certificates of Appropriateness and Demolition for properties under the overlay, as well as specific penalties for violation of the ordinance. Ms. Hitchcock described the membership criteria:

**B. Membership and Terms**

1. The Landmark Commission shall consist of seven (7) regular members and two (2) alternate members. Six (6) of the regular members and the two (2) alternate members shall be appointed by the City Council. City Council shall apportion membership according to the following fields of expertise or specialized knowledge:

a. One (1) member shall represent one of the following fields or professions:

- 1) History or
- 2) Archaeology

b. Two (2) members shall be the owners of the following:

- 1) Property in the City of College Station Historic Marker Program or
- 2) Property within a Historic Preservation Overlay District. If no Historic Preservation Overlay District has yet been applied to property in the City of College Station, a property owner(s) of land platted prior to 1970 may be considered.

c. Two (2) members shall represent any combination of the following fields or professions:

- 1) Architecture: an architect, previously registered architect, architect registered in another state, or professor in the field of architecture;
- 2) Landscape architecture: a landscape architect, previously registered landscape architect, landscape architect registered in another state, or professor in the field of landscape architecture;
- 3) Urban planning: a certified planner, previously certified planner, a planner with at least three (3) years of municipal planning experience, or professor in the field of urban planning; or
- 4) Historical preservation specialist: an experienced professional who provides technical and strategic expertise to promote the viability, reuse, and integrity of historic buildings and/or property.

d. One (1) member shall represent one of the following fields or professions:

- 1) Banking, finance, or economics;
- 2) Real estate; or
- 3) Law.

e. One (1) alternate shall represent the membership criteria identified above in subsection b.

f. One (1) alternate shall represent any of the fields identified above in subsections a, c, or d.

The seventh regular member shall be the Chairman of the Historic Preservation Advisory Committee or his designee.

The City Council shall prioritize Landmark Commission candidates within each subsection above by their demonstrated expertise and interest in historic preservation.

In the event any of the memberships assigned to a particular field of expertise or specialized knowledge identified above in subsections a, b, c, or d cannot be timely filled (in the judgment of the City Council) with a qualified candidate, the City Council may appoint citizens-at-large that have demonstrated interest in historic preservation to fill such places.

2. Members shall be appointed for three-year terms or until their successors are appointed. Initially, one (1) member from subsection b and one (1) member from subsection c shall have terms of only one (1) year; the members of subsections a and d shall have terms of only two (2) years; and one member from subsection b and one member from subsection c shall have terms of three (3) years. After the initial appointments, two (2) members shall be appointed each year.

No formal action was taken.

**Workshop Agenda Item No. 3 -- Presentation, possible action, and discussion on the FY 2008-2009 Proposed Budget.**

Jeff Kersten, Chief Financial Officer presented an overview of a series of four budget workshop meetings held on August 20<sup>th</sup>, August 21<sup>st</sup>, September 3<sup>rd</sup>, and September 4<sup>th</sup>. Several areas were discussed including a review of the Fiscal and Budgetary Policies, a review of all funds, the proposed pay plan, tax rate options, outside agency funding, capital projects, utility rates, and other budget issues as needed. He impressed upon Council the staff's desire to receive direction at this time for changes and additions to the budget.

Glenn Brown, City Manager addressed the Council comments about the Police Department reorganization and management study in progress. He indicated that the staff will return to the Council with greater detail with results of the management study. He assured the City Council that the staff would propose budget amendments to the Police Department fund if the results showed changes from the FY 09 proposed budget.

Mayor White requested the City Council reconsider their decision about funds appropriated to the Research Valley Partnership.

A motion was made by Council member Massey to approve staff recommendation allocating \$343,287 to the Research Valley Partnership in FY '09. Council member Ruesink seconded the motion, which failed 4-3.

FOR: Mayor White, Massey and Ruesink

AGAINST: Mayor Pro tem McIlhaney, Crompton, Maloney and Stewart

**Workshop Agenda Item No. 4 -- Presentation, possible action, and discussion regarding an update from representatives on committees that Council members are appointed to as well as providing direction to those committees.**

City Manager Brown stated that this topic was briefly discussed at the July City Council retreat.

Council member Maloney initiated the discussion to engage the City Council about the role of each Committee or Board that each Council member serves.

Council's direction implied that each council member should provide frequent feedback to the Council group. Council should provide direction to ensure the Committee's focus is similar to the Council's focus and vision for the community. No formal action was taken.

**Workshop Agenda Item No. 5 -- Presentation, possible action and discussion regarding TV19 programs and Public Service Announcements.**

Wayne Larson, Communication Director presented new programs on City Channel TV19 and current public service announcements about green programs, fire safety, and water quality.

Mr. Brown presented awards to Mark Beal, Broadcast Media Specialist for excellence in broadcast communications. Mark received a first place award for the Household Hazardous Waste and third place award for the Red Light Camera video. These awards were received from Texas Association of Telecommunicators.

**Workshop Agenda Item No. 6 -- Council Calendar**

Council requested they receive agendas for Intergovernmental committee meeting.

**Workshop Agenda Item No. 7 -- 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 Crompton states his concerns with Northgate:

1. Project on Northgate restrooms.
2. The way the west in of Northgate looks.
3. Cars parked on grave and trash everywhere.
4. Factory having holes in sidewalk.

**Workshop Agenda Item No. 8 -- Discussion, review and possible action regarding the following meetings: Arts Council of the Brazos Valley, Audit Committee, Brazos County Health Dept., Brazos Valley Council of Governments, Brazos Valley Wide Area Communications Task Force, Cemetery Committee, Design Review Board, Historic Preservation Committee, Interfaith Dialogue Association, Intergovernmental Committee, Joint Relief Funding Review Committee, Library Committee, Metropolitan Planning Organization, National League of Cities, 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, Texas Municipal League, Transportation Committee, Wolf Pen Creek Oversight Committee, Wolf Pen Creek TIF Board, Zoning Board of Adjustments (Notice of Agendas posted on City Hall bulletin board).**

Mayor White requested an item for the IGC agenda related to a presentation by Dr. Killingsworth, a local pharmacist on drug education.

Council member McIlhane reported on the Transportation meeting and requested to schedule an Audit Committee meeting.

Council member Ruesink reported on the Sister City Meeting.

At 4:00 pm, Mayor White announced that the City Council would convene into executive session pursuant to Sections 551.071, 551.072, and 551.087 of the Open Meetings Act to seek the advice of our attorney, to discuss real estate matters, and discuss economic development negotiations.

**Workshop Agenda Item No. 9 -- Executive Session will immediately follow the workshop meeting in the Administrative Conference Room.**

Consultation with Attorney {Gov't Code Section 551.071}; possible action. The City Council may seek advice from its attorney regarding a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. Litigation is an ongoing process and questions may arise as to a litigation tactic or settlement offer, which needs to be discussed with the City Council. Upon occasion the City Council may need information from its attorney as to the status of a pending or contemplated litigation subject or settlement offer or attorney-client privileged information. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Application with TCEQ for permits in Westside/Highway 60 area, near Brushy Water Supply Corporation.
- b. Sewer CCN permit requests.
- c. Water CCN permit requests.

- d. Water service application with regard to Wellborn Special Utility District.
- e. Bed & Banks Water Rights Discharge Permits for College Station and Bryan
- f. Legal aspects of Water Well, permits and possible purchase of or lease of water well sites.
- g. Cliff A. Skiles, DVM & C.A. Skiles Family Partnership, Ltd. Water permit applications with the Brazos Valley Groundwater Conservation District.
- h. JK Development v. College Station.
- i. Taylor Kingsley v. College Station.
- j. State Farm Lloyds as Subrogee of Mikal Klumpp v. College Station.
- k. TMPA v. PUC (College Station filed Intervention).
- l. City of Bryan suit filed against College Station, Legal issues and advise on Brazos Valley Solid Waste Management Agency contract, on proposed methane gas contract. Update on legal proceedings for Grimes County Landfill site and contracts for development of Grimes County site.

Real Estate {Gov't Code Section 551.072}; possible action The City Council may deliberate the purchase, exchange, lease or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Wolf Pen Creek – Targeted Mixed Used Project.
- b. Hotel/Conference Center

Economic Incentive Negotiations {Gov't Code Section 551.087}; possible action The City Council may deliberate on commercial or financial information that the City Council has received from a business prospect that the City Council seeks to have locate, stay or expand in or near the city with which the City Council in conducting economic development negotiations may deliberate on an offer of financial or other incentives for a business prospect. After executive session discussion, any final action or vote taken will be in public. The following subject(s) may be discussed:

- a. Proposed Development generally located southeast of the Intersection of Earl Rudder Freeway and Southwest Parkway.

**Workshop Agenda Item No. 10 -- Action on executive session, or any workshop agenda item not completed or discussed in today's workshop meeting will be discussed in tonight's Regular Meeting if necessary.**

No formal action was taken.

**Workshop Agenda Item No. 11 – Adjourn.**

The workshop meeting adjourned at 6:55 p.m.

### **Regular Agenda**

**Regular Agenda Item No. 1 -- Pledge of Allegiance, Invocation, Hear visitors.**

Mayor White called the meeting to order at 7:00 p.m. Mayor White led the audience in the Pledge of Allegiance. Council member Chief R.B. Alley provided the invocation.

Fire Chief R.B. Alley presented update on Hurricane Ike, a potential dangerous storm headed to the Gulf Coast, Houston, and upper Gulf Coast. .

**Presentation for Historic Home Marker #83 & #84.**

Mayor White, Anne Boykin and Meredith Waller presented Historic Home Marker #83 to Dr. David Schmidley and his family who resides at 1317 Pershing Ave.

Mayor White, Anne Boykin and Meredith Waller presented Historic Home Marker #84 to Mrs. James Bassett and family who resides at 303 W. Dexter.

**Hear Visitors**

Jean Marie Linehart, 3011 Durango St. spoke about the importance of safe bicycle routes throughout the community.

**Regular Agenda Item No. 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 City Council Workshop and Regular Meetings August 28, 2008.
- b. Approved **Resolution No. 9-11-08-2b** to be considered by the Texas Municipal League regarding the funding of transportation projects.
- c. Approved **Resolution No. 9-11-08-2c** awarding bid #08-84 to Brazos Paving, Inc. in an amount not to exceed \$411,000.00 for the annual blanket order of concrete curb/gutter & flatwork used to maintain City infrastructure.
- d. Presentation, possible action and discussion regarding a resolution to approve contract #08-284 in an amount not to exceed \$193,010.00 with Envirosolve, Inc. to provide Household Hazardous Waste Collection Services. (ITEM PULLED)
- e. Approved user agreement between Texas A&M University and the City of College Station authorizing Texas A&M University to provide the University Services Building parking lot area and ingress/egress roads on October 4, 2008 to the Brazos Valley Solid Waste Management Agency for the fall Household Hazardous Waste & Computer Collection event. (COUNCIL MEMBER MASSEY ABSTAINED FROM ITEM.)
- f. Approved bid award #08-89 to Ergon Asphalt & Emulsions to provide Emulsified Asphalt products for the maintenance of streets in an amount not to exceed \$478,104.00.
- g. Approved **Ordinance No. 3107** amending Chapter 10, "Traffic Code," creating an operational speed limit on F&B Road between FM 2818 and Turkey Creek Road.
- h. Approved **Ordinance No. 3108** amending Chapter 10, "Traffic Code," creating an operational speed limit on Old Wellborn Road.
- i. Approved extending the bank depository agreement with Citibank Texas, N.A. for one additional year.

- j. Approved **Resolution No. 9-11-08-2j** on Bid Proposal from Bid # 08-76 for construction of a new bathhouse at the Adamson Lagoon Swimming Pool, in the amount of \$1,141,179.
- k. Approved Renewal Agreement for an Annual Landscape Maintenance Service Contract for thirty-one sites comprised of municipal buildings, municipal sites, parks, and street medians to Green Teams, Inc. (d.b.a., The Greenery) for an annual expenditure of \$312,852.75.
- l. Approved change order to an existing Landscape Maintenance Service Contract with Green Teams, Inc. (d.b.a. The Greenery), in the amount of \$30,423.00, to add the annual landscape maintenance functions for Cove of Nantucket Park, Fire Station #3B, Texas Avenue Phase II, and additional maintenance areas for W.D. Fitch Parkway.
- m. Approved change order to Contract #07-273 in the amount of \$28,526.68 to JaCody, Inc. for construction work associated with Police Department Renovations Project.
- n. Approved **Resolution No. 9-11-08-2n** awarding contract #08-277 for the College Park/Breezy Heights Rehabilitation Project to Brazos Valley Services in the amount of \$4,116,581.28.
- o. Approved **Resolution No. 9-11-08-2o** on a construction contract (Contract #08-273) with Siemens Building Technologies Inc. in the amount of \$104,471.45 for the installation of access and security equipment at the College Station Police Department Building.
- p. Approved a Professional Services Contract with Kimley-Horn and Associates, Inc. (KHA), in the amount of \$87,000.00, for the engineering development and implementation of a Roadway Impact Fee program.
- q. Presentation, possible action, and discussion of the City Council's 2008-2013 Strategic Plan. (ITEM PULLED)
- r. Approved **Resolution No. 9-11-08-2r** contract for Third Party Claims Administration with A S & G Claims Administration, Inc. for an annual expenditure of \$52,000. Anticipated workers compensation claims for FY09 are \$401,000 and anticipated liability claims for FY09 are \$330,000.

A motion was made by Council member Maloney to approve consent agenda items 2a thru 2r with the removal of item 2d & 2q. Council member Stewart seconded the motion which carried 7-0. Council member Massey abstained from consent agenda item 2e.

FOR: Mayor White, Mayor ProTem McIlhaney, Crompton, Maloney, Ruesink, Stewart and Massey.

AGAINST: None

ABSTAINED: Council member Massey abstained from consent agenda item 2e.

**Regular Agenda Item No. 1 -- Public hearing, presentation, possible action and discussion on the City of College Station 2008-2009 advertised ad valorem tax rate of \$0.450000 per \$100 valuation. Also discussion and possible action on announcing the meeting date, time and place to adopt the tax rate.**

Jeff Kersten, Chief Financial Officer presented the City of College Station 2008-2009 advertised ad valorem tax rate of \$0.4500000 per \$100 valuation and announcing the meeting date, time and place to adopt the tax rate.

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

Mayor White announced the final public hearing to be held in the Council Chambers during the City Council Meetings on September 17, 2008 and the adoption of the ad valorem tax rate on September 25, 2008.

No formal action was taken.

**Regular Agenda Item No. 2 -- Public hearing, presentation, possible action, and discussion on the City of College Station 2008-2009 proposed budget.**

Jeff Kersten, Chief Financial Officer presented the City of College Station 2008-2009 proposed budget. .

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

Mayor White announced the final public hearing to be held in the Council Chambers during the City Council Meetings on September 17, 2008 and the adoption of the proposed budget on September 25, 2008.

No formal action was taken.

**Regular Agenda Item No. 3 -- Public hearing, possible action, and discussion on an ordinance Budget Amendment #3 amending ordinance number 2999 which will amend the budget for the 2007-2008 Fiscal Year and authorizing amended expenditures in the amount of \$11,061,623 and presentation, possible action and discussion on several contingency transfers and an interfund loan.**

Jeff Kersten, Chief Financial Officer presented a Council an ordinance for the Budget Amendment # 3 amending ordinance number 2999. This proposed budget amendment is to increase the appropriation for the items listed in the proposed ordinance by \$11,061,623. Staff recommended approval of the budget amendment ordinance and approve the budget transfers.

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

A motion was made by Council member Maloney to approve **Ordinance No. 3109** on the Budget Amendment #3 with the removal of Item No. 10. Council member Massey seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Crompton, Maloney, Massey, Stewart and Ruesink  
AGAINST: None

**Regular Agenda Item No. 4 -- Public Hearing, presentation, possible action, and discussion concerning approval to advertise for construction bids for the Bike Loop project which includes pedestrian improvements to the intersection of Longmire and Harvey Mitchell Parkway.**

Chuck Gilman, Director of Capital Projects presented bike lanes project on Longmire, Longmire Drive – FM 2818 intersection improvements, a pedestrian bridge across Bee Creek, and completion of the third and final

phase of the College Station Bike Loop Project. Staff recommended proceeding with advertisement for the construction bid of the Longmire intersection improvements, bicycle lanes, and Bee Creek Bridge.

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

A motion was made by Council member Massey to approve the advertisement for the construction bid. Council member Stewart seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor ProTem McIlhaney, Crompton, Maloney, Massey, Stewart and Ruesink  
AGAINST: None

**Regular Agenda Item No. 5 -- Public hearing, presentation, possible action and discussion concerning approval to advertise for the William D. Fitch Pkwy Widening Phase II project construction bid.**

Chuck Gilman, Director of Capital Projects presented the William D. Fitch Pkwy Widening Phase II that will widen W.D. Fitch Pkwy from Pebble Creek Pkwy to Rock Prairie Road from two lanes to four with a raised median. This design includes a bridge over Lick Creek with modifications to the existing bridge, landscaping, sidewalks, bike lanes, street lighting, and drainage facilities. Staff recommended proceeding with advertisement for construction bid.

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

A motion was made by Council member Ruesink to approve the advertisement for the construction bid. Mayor ProTem McIlhaney seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor ProTem McIlhaney, Crompton, Maloney, Massey, Stewart and Ruesink  
AGAINST: None

**Regular Agenda Item No. 6 -- Public hearing, presentation, possible action, and discussion regarding an Amendment to Resolutions Determining Need associated with the Rock Prairie Road East Widening, Design and ROW Project.**

Chuck Gilman, Director of Capital Projects presented a resolution determining need associated with the Rock Prairie Road East Widening Design and ROW Project. The revisions to the Thoroughfare Plan classify Rock Prairie Road as a Major Arterial from SH6 to Bird Pond, a Major Collector from Bird Pond to Bradley, and a Minor Arterial between Bradley and William D. Fitch. If approved this amendment will authorize staff to purchase the right-of-way and utility easements along Rock Prairie Road to allow for future roadway expansion projects.

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

A motion was made by Council member Maloney to approve the resolution determining need. Council member Crompton seconded the motion. Council member Maloney withdrew his motion and Council member Crompton withdrew his second.

A motion was made by Council member Maloney to table this item. Council member Crompton seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor ProTem McIlhaney, Crompton, Maloney, Massey, Stewart and Ruesink  
AGAINST: None

**Regular Agenda Item No. 7 -- Public hearing, presentation, possible action, and discussion on amendments to Chapter 12, City of College Station Code of Ordinances, Unified Development Ordinance Article 2 Development Review Bodies, Article 3 Development Procedures, Section 4.1 Establishment of Districts, Article 5 District Purpose Statements and Supplemental Standards, Article 10 Enforcement, and Section 11.2 Defined Terms as they relate to the creation of a Landmark Commission and Historic Preservation Overlay District.**

Molly Hitchcock, Staff Administrator presented the Historic Preservation (HP) Overlay draft ordinance that provided for the creation of a new Landmark Commission, a member of staff designated as the Historic Preservation officer, a Historic Preservation Overlay Zoning District, Certificates of Appropriateness and demolition for properties under the overlay, and specific penalties for violations of the ordinance. Staff recommended approval of the ordinance amendment.

Mayor White opened the public hearing.

Jerry Cooper - 602 Beal, stated his support of the project and appreciation to staff.

Mayor White closed the public hearing.

A motion was made by Council member Maloney to approve **Ordinance No. 3110** adopting the Historic Preservation Overlay District and creating the Landmark Commission. Council member Crompton seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor ProTem McIlhaney, Crompton, Maloney, Massey, Stewart and Ruesink  
AGAINST: None

**Regular Agenda Item No. 8 -- Public hearing, presentation, possible action and discussion on an ordinance rezoning 34.06 acres from A-O, Agricultural-Open to R-1, Single Family Residential (17.48) acres, R-3, Townhouse (10.09 acres), and R-4, Multi-Family Residential (6.49 acres) located off Jones-Butler Road and near Cain Road, adjacent to the Las Palomas Subdivision.**

Lindsay Boyer, Senior Planner presented an ordinance rezoning 34.06 acres from A-O, Agricultural-Open to R-1, Single Family Residential (17.48) acres, R-3, Townhouse (10.09 acres), and R-4, Multi-Family Residential (6.49 acres) located off Jones-Butler Road and near Cain Road, adjacent to the Las Palomas Subdivision. Staff recommended approval.

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

A motion was made by Council member Massey to approve **Ordinance No. 3111** rezoning 34.06 acres from A-O, Agricultural-Open to R-1, Single Family Residential (17.48) acres, R-3, Townhouse (10.09 acres), and R-4, Multi-Family Residential (6.49 acres) located off Jones-Butler Road and near Cain Road, adjacent to the Las Palomas Subdivision. Council member Stewart seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Crompton, Maloney, Massey, Stewart and Ruesink  
AGAINST: None

**Regular Agenda Item No. 9 -- Presentation, possible action, and discussion regarding an ordinance approving an increase in rates for Atmos Energy pursuant to the Rate Review Mechanism tariff approved earlier this year.**

Hayden Migl, Assistant to the City Manager presented an ordinance to increase natural gas rates pursuant to the rate review mechanism tariff approved earlier this year.

Ken Fogle with Atmos Energy was prepared to answer questions from the Council.

A motion was made by Council member Massey to approve **Ordinance No. 3112** on the increase of natural gas rates. Council member Stewart seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Crompton, Maloney, Massey, Stewart and Ruesink  
AGAINST: None

**Regular Agenda Item No. 10 -- Presentation, possible action, and discussion regarding a draft of the 2008 bond referendum brochure.**

Wayne Larson, Communication Director presented a draft of the 2008 bond referendum brochure. Staff requested input and approval of the brochure.

Council member Crompton requested changes in the language of proposition two.

A motion was made by Council member Massey to approve the 2008 bond referendum brochure with changes. Council member Stewart seconded the motion, which carried 7-0.

FOR: Mayor White, Mayor Pro Tem McIlhaney, Crompton, Maloney, Massey, Stewart and Ruesink  
AGAINST: None

**Regular Agenda Item No. 11 -- Adjourn.**

Hearing no objections, Mayor White adjourned the meetings at 8:45 p.m. on Thursday, September 11, 2008.

PASSED AND APPROVED this 25<sup>th</sup> day of September, 2008.

APPROVED

\_\_\_\_\_  
Mayor Ben White

ATTEST:

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City Secretary Connie Hooks