



Mayor
Ben White
Mayor Pro Tem
David Ruesink
City Manager
Glenn Brown

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

Minutes
City Council Regular Meeting
Thursday, August 27, 2009 at 7:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

COUNCIL PRESENT: Mayor White, Mayor ProTem Ruesink, Council members Crompton, Maloney, Massey, Lyles, and 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.

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:

Beverly Arnold, 3502 Carter Creek, Bryan – mentioned a concern about the pool water temperature at the natatorium. Many senior citizens participate in the water aerobics class.

Jacque Flagg, new Director of the Brazos Valley Museum of Natural History invited Mayor and City Council members to visit Brazos Valley Museum of Natural History.

Mike Luther, 614 Welsh thanked the Council for their consideration of maintaining the Heritage Programs and Project Hold.

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 meeting held on Thursday, July 23, 2009.

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- b. Approved furniture purchases for the Municipal Court Renovations Project (GG-0701). Furniture purchases will be made through the TxMAS contract (state contract) to Vanguard Environments in an amount not to exceed \$130,000.00.
- c. Approved change order to the Professional Services Contract 07-174 with Edwards and Kelcey in the amount of \$73,449 for the engineering services associated with the College Station Memorial Cemetery and Aggie Field of Honor.
- d. Approved change order credit (reduction to the contract amount) in the amount of \$1,464.59 to Construction Contract 08-116 with Acklam Construction for the construction of the College Station Memorial Cemetery and Aggie Field of Honor.
- e. Presentation, possible action, and discussion of a Resolution authorizing a special election to be held on November 3, 2009 in the City of College Station for the purpose of proposing ordinance, submitted as Section 83, initiative petition, providing that camera enforcement of red light violations shall be unenforceable; authorizing the Mayor to sign notice of election designating early voting and election day precincts; providing a severability clause; and providing an effective date. **Removed from Agenda and rescheduled for September 1, 2009 Agenda**
- f. Approved **Resolution No. 08-27-09-2f** adopting an interlocal agreement between the City of College Station and Brazos County for the conduct and management of the City of College Station special election to be held on Tuesday November 3, 2009.
- g. Approved **Resolution No. 08-27-09-2g** on an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) to construct the first phase of the University Drive Beautification Project at the interchange with HWY 6.
- h. Approved real estate contract in the amount of \$413,880 between the City of College Station (Buyer) and Janie A. Cargill and Thomas H. Cargill (Sellers) for the purchase of four lots at 310, 314 and 316 Spruce Street.
- i. Approved change order to Contract #08-277 to Brazos Valley Services in the amount of \$113,912.94 for additional construction services related to the College Park/Breezy Heights Rehabilitation Project.
- j. Approved change order to the Design Contract 08-266 with Jacobs Edwards & Kelcey in the amount of \$80,775, for the re-design of the Discovery Drive Phase I Extension and design of Raymond Stotzer Sidewalks & Traffic Signal.
- k. Approved **Resolution No. 08-27-09-2k** awarding a construction contract for the Discovery Drive Extension Phase I to Brazos Paving, Inc. of Bryan, TX, in the amount of \$434,217.25.

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Council member Lyles moved to approve items 2a thru 2h and 2j thru 2k. Council member Maloney seconded the motion, which carried 7-0. Council member Maloney abstained from item 2i.

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

AGAINST: None

ABSTAINED ITEM 2i: Council member Maloney

1. Presentation possible action and discussion of an ordinance providing for a special election on an ordinance submitted by petition, providing that camera enforcement of red light violations shall be unenforceable.

Connie Hooks, City Secretary presented an ordinance calling special election on November 3, 2009 ballot for the purpose to submit question to voters regarding red light camera enforcement system in College Station and submitted as Section 83, initiative petition, providing that camera enforcement of red light violators shall be unenforceable.

Council member Maloney moved to approve **Ordinance No. 3199** for a special election submitted by petition. Council member Lyles seconded the motion, which carried 7 - 0.

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

AGAINST: None

3. Public hearing, presentation, possible action and discussion on the City of College Station 2009-2010 advertised ad valorem tax rate of \$0.439400 per \$100 valuation resulting in an increase in tax revenues. Also discussion and possible action on announcing the meeting date, time and place to adopt the tax rate.

Jeff Kersten, Chief Financial Officer presented an overview of the FY '10 ad valorem tax rate and the first public hearing of the tax rate.

Ad Valorem Tax Rate

■	Current Tax Rate	43.9400 cents
■	Effective Tax Rate	42.9033 cents
■	Rollback Tax Rate	44.5815 cents
■	Proposed Tax Rate	43.9400 cents
■	Public Hearing Rate	43.9400 cents
■	Proposed Tax Rate	
–	Debt Service	22.9433 cents
–	<u>General Fund</u>	<u>20.9967 cents</u>
–	Total	43.9400 cents
■	Shift from Debt Service to General Fund	
■	Funds the proposed General Fund budget.	

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Mayor White opened the public hearing: Dick Birdwell, 3 Forest Dr. spoke against the increase of ad valorem tax rate. James Woodall, 2902 Colton Pl., concurred with Dick Birdwell. Mayor White closed the public hearing.

Mayor White announced that Council will vote on the ad valorem tax rate on Thursday, September 10, 2009, regular city council meeting at 7:00 p.m. in the Council Chambers at College Station City Hall.

No formal action was taken.

2. Presentation, possible action, and discussion regarding a resolution of the City Council of the City of College Station, Texas repealing Resolution 8-23-2001-11.06 adopted on August 23, 2001 and establishing fees for development review applications, permits, and services provided by the Planning & Development Services Department and the Public Works Department.

Bob Cowell, ACIP, Director of Planning and Development Services presented Council a resolution increasing fees for development review services in two phases. The first phase will be effective on October 1, 2009 and the second phase will be effective on October 2010. Staff recommended Council to approve this resolution.

Council member Crompton moved to approve **Resolution No. 08-27-09-02** of the increase of fees for development review services in two phases. Council member Maloney seconded the motion, which carried 6 - 1.

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

AGAINST: Council member Lyles

4. Public hearing, presentation, possible action, and discussion on the City of College Station 2009-2010 Proposed Budget.

Jeff Kersten, Chief Financial Officer, presented Council a brief overview of the 2009-2010 Proposed Budget.

Mayor White opened the public hearing:

Citizens speaking for a Senior Citizens Building:

Joanna Yeager, 100 Mortier 1004

Clifford Linsey, 9100 Stonebrook

Jean Roberts, 5007 Commonwealth Ct.

Anne Hazen, 1309 Wilshire Ct.

Citizens supporting the retention of Historic Programs full time position:

Earl Apgar, 4413 Rocky Meadows

Barbara Althaus, 2101 Hillside, Bryan

Susan Irza, 605 Summerglenn Dr.

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Henry Dethloff, 8709 Bent Tree
Tom Turbiville, 3205 Innsbruck
Jerry Cooper, 602 Bell Street
W.M.T. Harper, 4752 Tiffany Pk.
Linda Harvell, 504 Guernsey

Citizens supporting the Arts Council's budget:

Carol Wagner, President of the Arts Council, 203 Emberglow
Beth Taylor, Executive Director of Arts Council, 422 University Oaks
Mike Green, 824 Pine Valley

Citizens against particular items within the FY10 proposed budget:

Les Fiechtner, upset with the increase of baseball fees
Buck Pruitt, encouraged Council to be more conservative.

Mayor White closed the public hearing. No formal action was taken.

5. Public hearing, possible action, and discussion on an ordinance Budget Amendment #4 amending ordinance number 3114 which will amend the budget for the 2008-2009 Fiscal Year and authorizing amended expenditures in the amount of \$1,623,743 and increase the number of regular full-time positions in the budget by two; and presentation, possible action and discussion on an interfund transfer.

Jeff Kersten, Chief Financial Officer presented an overview of Amendment #4 amending the FY 09 Budget.

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

Council member Crompton moved to approve **Ordinance No. 3200** on Budget Amendment #4 for the FY'09 Budget in the amount of \$1,623,743 and to increase the budget by two positions. . Council member Massey seconded the motion, which carried 7 - 0.

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

AGAINST: None

6. 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 3.714 acres from R-1, Single-Family Residential and PDD, Planned Development District to PDD, Planned Development District located at 1600, 1600A, 1604, 1606A, 1608A, 1624, 1624A, 1626, 1626A, 1626B and 1628 Park Place and more generally located east of Scandia Apartments.

Matt Robinson, Staff Planner presented staff report on a rezoning request of 3.714 acres from R-1, Single-Family Residential and PDD, Planned Development District to PDD,

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Planned Development District located at 1600, 1600A, 1604, 1606A, 1608A, 1624, 1624A, 1626, 1626A, 1626B and 1628 Park Place and more generally located east of Scandia Apartments. Staff recommended approval. Planning and Zoning Commission unanimously recommended approval.

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

Council member Maloney moved to approve **Ordinance No. 3201** to rezone 3.714 acres from R-1, Single-Family Residential and PDD, Planned Development District to PDD, Planned Development District located at 1600, 1600A, 1604, 1606A, 1608A, 1624, 1624A, 1626, 1626A, 1626B and 1628 Park Place located east of Scandia Apartments. Council member Stewart seconded the motion, which carried 7 - 0.

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

AGAINST: None

7. Adjourn.

Hearing no objections, Mayor White adjourned the meeting at 9:00 p.m. on Thursday, August 27, 2009.

PASSED AND APPROVED September 10, 2009

ATTEST:



City Secretary Connie Hooks
Deputy

APPROVED:



Mayor Ben White