



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

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

Minutes
City Council Regular Meeting
Thursday, January 28, 2010 at 7:00 p.m.
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

COUNCIL PRESENT: Mayor Ben White, Mayor Pro tem Ruesink, Council members Massey, Maloney, 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 7:05 pm with all Council members present. He led the audience in the Pledge of Allegiance. Fire Chief R.B. Alley provided the invocation.

Presentations: Recognition of Appreciation to the City of College Station for support and contributions to the 2009 Patriot Day Celebration; Designation as Member of Texas Round Up Fit Cities Program by Governor Perry

Mayor White presented a plaque to the City on behalf of the Governor for the city's support and contributions to 2009 Patriot Day Celebration.

Peter Lamont, Park Superintendent introduced members of the Mayor's Council on Physical Fitness and the city's involvement in the state program. Governor Perry designated the City of College Station as a "Texas Round Up Fit City".

Hear Visitors:

Brian Alg, requested City allow Wellborn residents to hold an election on incorporation.

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 Meeting, December 10, 2009 and January 14, 2010. Councilmember Massey provided additions to the minutes of January 14th and requested Council consent.
- b. Approved by common consent **Resolution No. 1-28-2010-2b** in support of the 2010 U.S. Census.
- c. Approved by common consent annual renewal agreement for concrete meter boxes with Sims Plastics of Waco for an annual expenditure of \$88,192.00. Second and final renewal option effective February 11, 2010 through February 10, 2011. Bid #08-20.
- d. Approved by common consent **Resolution No. 1-28-2010-2d** awarding contract for the construction of a radio tower and equipment pad at the Twin Oaks Landfill to the lowest responsible bidder AllState Tower of Henderson, KY in the amount of \$ 42,174.
- e. Approved by common consent **Resolution No. 1-28-2010-2e** authorizing staff to negotiate for the purchase of public utility easements needed for new utilities to improve the reliability of water and sewer service along Tauber and Stasney.
- f. Approved by common consent **Resolution No. 1-28-2010-2f** awarding bid and approval of a construction contract (Contract Number #10-091) with Prince Irrigation, Inc. in the amount of \$94,334 for trees and irrigation improvements on Eagle Avenue and Barron Road.
- g. Approved by common consent **Resolution No. 1-28-2010-2g** updating the Interlocal Agreement for Emergency Medical Ambulance Service to respond to emergencies in Brazos County and to establish the annual fee for FY 2010 at \$273,531.
- h. Approved the ratify medical claims expenses of \$37,913.15, claims administrative fees in the amount of \$27,217.40, and stop loss administrative fees in the amount of \$20,294.10 for a combined increase to the 2009 Blue Cross Blue Shield purchase order 090433, in the amount of \$85,424.65.
- i. Approved by common consent renewal of an Agreement for Services with the Brazos Valley Softball Umpires Association to provide officiating services for City athletic leagues and programs (Contract Number 09-085) in an amount not to exceed \$128,980.00 per year.
- j. Approved by common consent **Resolution No. 1-28-2010-2j** authorizing City staff to negotiate for the purchase of easements needed for the Southwood Water and Wastewater Rehabilitation Project.

Council member Massey moved to approve consent items 2a thru 2j with changes to item 2a. 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

1. Presentation, possible action, and discussion regarding a resolution of the City Council of the City College Station, Texas, approving and setting fees for Parks and Recreation activities and facilities for Calendar Year 2010.

David Schmitz, Assistant Director of Parks and Recreation Department presented an overview of the proposed fee changes for the Parks and Recreation activities and facilities for Calendar Year 2010.

Adult Sports: One fee for all (average 10% increase); no "Pay-at-the-Plate" deduction; Field Redevelopment Fees reflect Resident/Non-Resident rates; and, Resident/Non-Resident rates for outside league, per game, contract fee (adult soccer) apply.

Youth Sports: One fee for all (average 10% increase); and Field Redevelopment Fees to remain at \$10 per child, per season for all sports.

Athletic Fields: One fee for all (10% increase); and the Field Redevelopment Fee is included in the rental.

Other Changes – Average of 10% Increase in Fees: Increased fees for the Conference Center, the EXIT Teen Center and general admission to the swimming pools.

Other Changes – 50% Differential between Resident and Non-Resident Fees Where Practical: Instruction programs (Swimming, Water Fitness, and Tennis); Lincoln Center memberships and rentals; Pavilion rentals; Race Equipment rentals; and Swimming Pool rentals.

Mayor Pro tem Ruesink moved to approve **Resolution No. 01-28-2010-01** setting fees for Parks and Recreation activities and facilities for Calendar Year 2010. Council member Crompton seconded the motion, which carried 7 - 0.

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

2. Public hearing, presentation, possible action, and discussion regarding an ordinance repealing the College Station Bikeway and Pedestrian Master Plan (October 2002), and A Network of Greenways for College Station (May 1999) and amending the adopting Ordinance for the City of College Station Comprehensive Plan (Ordinance Number 3186) and adopting the Bicycle, Pedestrian, and Greenways Master Plan.

Greenways Coordinator Vanessa Garza described the proposed ordinance. She introduced members of the Technical Task Force who participated in numerous plan development meetings. Ms. Garza provided visuals of key components in the plan.

Mayor White opened the public hearing.

Members of the audience expressed concerns about lighting, aesthetics, safety, flooding if the plan is implemented as proposed in the Springbrook Subdivision, specifically Lick Creek Tributary 13
Noel Bauman, 1734 Purple Martin Cove
Richard Simon, 3946 Parrot Cove
Eric Walley, 1803 Springbrook

Mike Gerst, 3923 Hawk Owl Cove
Jan Gundy, 1720 Starling
Pat Mahoney, 1709 Cardinal Lane
Gary Drost, 1721 Cardinal Lane
Marcy Halterman, 1807 Springbrook
Eric Walley, 1803 Springbrook
Stu Allison, 3932 Oriole Court
Jean Leinhart

Tom Woodfin, 3215 Innsbrook Circle spoke about the lack of communication efforts between the city staff and the homeowners.

Veronica Morgan spoke about property located at 2818 and Highway 6 owned by Clancy family. She hoped the plan would not preclude commercial viability and office space around the existing lake. Danny Clancy of Houston emphasized that their property is a prime location for commercial, retail/office space and hope the City will continue to retain the existing lake in the plan.

Mayor White closed the public hearing.

Planning and Zoning Commissioner Paul Greer spoke on the unanimous vote of approving the Master Plan.

Bob Cowell explained that the pedestrian and hike facilities are planned to be used with 1999 dedicated bond funds. He noted that this proposed concept was depicted on 1999 Master Plan. Mr. Cowell emphasized the importance of working with citizens as the stages of the plan progress in the next ten years.

Council member Lyles moved to approve **Ordinance No. 2010-3226** repealing the College Station Bikeway and Pedestrian Master Plan. Council member Stewart seconded the motion, which carried 7 - 0. Council's vote to approve the plan was also emphasized by the importance of public input in the process.

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

Council took recess at 9:20 pm and returned at 9:30 pm.

3. Public hearing, presentation, possible action, and discussion on 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 rezoning from A-O Agricultural-Open to R-1 Single Family Residential 1.83 acres 2251 Sebesta Road, generally located east of Sandstone Subdivision and south of Emerald Forest Phase #7, at the terminus of Emerald Parkway.

Council member Stewart abstained from item due to his location of residence in Emerald Forest Subdivision.

Jennifer Prochazka, Senior Planner presented rezoning on 1.83 acres at 2251 Sebesta Road, located east of Sandstone Subdivision and south of Emerald Forest Phase #7, at the terminus of Emerald Parkway. Property requested rezoning from A-O Agricultural-Open to R-1 Single Family Residential. Staff recommended denial and P&Z Commission recommended approval of rezoning.

The applicant Paul Leventis stated that he hoped to add 1.83 acres to current preliminary plat to extend the lots and make the lots longer, larger, and closer to a one-acre tract. An agreement is currently underway with Dr. Garland Watson for access off Sandstone Drive. He also noted his intent to rezone the floodplain to take advantage of the usable area and to keep privacy at the back of the lots for future home owners. Dr. Watson added comments.

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

Council member Crompton moved to approve **Ordinance No. 2010-3227** rezoning on 1.83 acres at 2251 Sebesta Road from A-O Agricultural-Open to R-1 Single Family Residential with the condition that a Private Drainage Easement be added to the portion of the property encumbered by the 100-year floodplain, as defined by the Federal Emergency Management Agency (FEMA), with the following restrictions: limiting fill of the property to that required for the installation of public utilities in public utility easements; limiting the type of fencing used in the floodplain to those that allow for water to flow through and across the properties; and no structures allowed in the floodplain. Council member Massey seconded the motion, which carried 6 - 0.

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

AGAINST: None

ABSTAINED: Council member Stewart

4. Public hearing, presentation, possible action, and discussion regarding approval of a Resolution that will authorize City staff to negotiate for the purchase of right-of-way and easements needed for the Victoria Avenue Extension Project.

Chuck Gilman, Director of Capital Projects presented a resolution to authorize staff to engage in good faith negotiations for the purchase of street right-of-way and easements necessary for the construction, maintenance and operation of the Victoria Avenue Extension Project.

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

Council member Lyles moved to approve **Resolution No. 01-28-2010-04** authorizing staff to negotiate for the purchase of right-of-way and easements needed for the Victoria Avenue Extension Project. 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

5. Public Hearing, presentation, possible action, and discussion approving an ordinance vacating and abandoning 4 utility easements in Horse Haven Estates, Phase 5.

Alan Gibbs, City Engineer presented proposed ordinances vacating and abandoning four (4) utility easements:

1. A 0.022 acre portion of a ten (10) foot wide Public Utility Easement, which is located on Lot 1 of Block 1 of the Horse Haven Estates, Phase 5 Subdivision according to the plat recorded in Volume 9409, Page 183, of the Deed Records of Brazos County, Texas.
2. A 0.011 acre portion of a ten (10) foot wide Public Utility Easement, which is located on Lot 2 of Block 1 of the Horse Haven Estates, Phase 5 Subdivision according to the plat recorded in Volume 9409, Page 183, of the Deed Records of Brazos County, Texas.
3. A 0.067 acre, twenty (20) foot wide Electric and Telephone Easement, which is located on the Morgan Rector League, Abstract No. 46, and on Lot 1 of Block 2 of the Horse Haven Estates, Phase 5 Subdivision according to the plat recorded in Volume 9409, Page 183, of the Deed Records of Brazos County, Texas.
4. A 0.026 acre portion of a ten (10) foot wide Public Utility Easement, which is located on Lot 2 & 3 of Block 2 of the Horse Haven Estates, Phase 5 Subdivision according to the plat recorded in Volume 9409, Page 183, of the Deed Records of Brazos County, Texas.

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

Council member Massey moved to approve **Ordinance No.'s 2010-3228, 2010-3229, 2010-3230, and 2010-3231** vacating and abandoning four utility easements in Horse Haven Estates, Phase 5. Council member Maloney 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 approving an ordinance vacating and abandoning a 0.85 Acre portion of Meadowland Street Right-of-Way, which is located more or less along Lots 1 through 19 of the Meadowland Addition, and Lots 4 through 10, Block 2 of the North Park Subdivision according to the plats recorded in Volume 94, Page 278, and in Volume 465, Page 37 of the Deed Records of Brazos County, Texas.

Alan Gibbs, City Engineer presented an ordinance vacating and abandoning a 0.85 Acre portion of Meadowland Street Right-of-Way, which is located more or less along Lots 1 through 19 of the Meadowland Addition, and Lots 4 through 10, Block 2 of the North Park Subdivision.

Mayor White opened the public hearing. The applicant's representative Joe Schultz was available for questions. He closed the public hearing.

Council member Stewart moved to approve **Ordinance No. 2010-3232** vacating and abandoning a 0.85 Acre portion of Meadowland Street Right-of-Way. 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

7. 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 lowering rates for residential wind energy customers and adding a wind energy option for commercial electric customers.

David Massey, Director of Public Utilities presented an ordinance authorizing the implementation of a rate decrease to residential wind energy customers and adding wind energy options to commercial customers.

Council member Crompton moved to approve **Ordinance No. 2010-3233** for cost amounts presented by staff, \$1.50 adder rate for 100% wind, 0.50 cents adder rate for 75% wind and 0.10 cents adder rate for 15% wind rate change to residential wind energy customers and to commercial customers. Council member Maloney seconded the motion, which carried 6 - 1.

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

8. Presentation, possible action, and discussion regarding a nomination to the Board of Managers of the Brazos County Emergency Communications District.

City Manager Glenn Brown recommended Fire Chief R.B. Alley as the nominee for two year term on the Board of Managers for the Brazos County Emergency Communication District.

Council member Maloney moved to appoint Fire Chief R.B. Alley to serve an additional two year term on the Board of Managers for the Brazos County Emergency Communication District. 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

9. Presentation, possible action, and discussion on appointment to vacant position on the Historic Preservation Committee.

Council member Maloney moved to appoint Patricia Cleere to the Historic Preservation Committee to fill an unexpired term. Motion seconded by Council member Lyles, carried 7-0.

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

10. Adjourn.

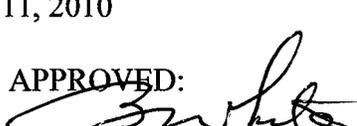
Hearing no objections, Mayor White adjourned the meeting at 10:35 p.m. on January 28, 2010.

PASSED AND APPROVED this February 11, 2010

ATTEST:


City Secretary Connie Hooks

APPROVED:


Mayor Ben White