



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, March 11, 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, Crompton, Massey, Maloney, Lyles and Stewart

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

1. Pledge of Allegiance, Invocation, Consider absence request.

Mayor White opened the meeting at 7:00 pm. He led the audience in the pledge of allegiance. Fire Chief R.B. Alley provided the invocation.

a. Hear Visitors

Wellborn residents spoke in support of Wellborn Incorporation:

Karen Severn, 6401 Johnny Bars Cr.
Elizabeth Terry, 5344 Stousland
Dr. Leigh Turner, 3301 Triple Bend Cr.
Lee McCleskey, 5000 Hidden Acres Dr.
Margie Boyd, 5245 Straub
Lynn White, 5605 Polo Rd.
Joseph Nagyvary, 3968 Cody Dr.
Hugh Lindsay, 400 Walton
Robert Fountain, 14380 Cheyenne Dr.

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, February 25, 2010.
- b. Approved **Resolution No. 03-11-10-2b** to appoint election officials to serve in the May 8, 2010 City of College Station general election.

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- c. Approved change order to the design contract (Contract No. 09-131) with Bleyl & Associates, Inc. in the amount of \$16,390.00 for the Victoria Avenue Project (Project No. ST-0903).
- d. Approved **Resolution No. 03-11-10-2d** to designate the Request for Competitive Sealed Proposals as an alternative delivery method for the College Station Utilities Dispatch Facility (WF1073340).
- e. Approved professional services contract with Clark Condon Associates, Inc. for the design services for the Wolf Pen Creek Water Feature and Festival Area Project (Project No. WP-0901) in an amount not to exceed \$446,440.00.
- f. Approved **Resolution No. 03-11-10-2f** to declare intention to reimburse certain expenditures with proceeds from debt for the Rock Prairie Road West Row-of-Way Acquisition project.
- g. Approved ratification of Change Order #2, in the amount of \$18,200 to contract 09-306 with HDR Engineering, Inc., to extend sanitary sewer flow monitoring program for one month.
- h. Approved **Resolution No. 03-11-10-2h** to award the bid and approval of a construction contract (Contract Number #10-113) with Prince Irrigation, Inc. in the amount of \$66,900 for installation/retrofit of current Irrigation Systems.

Council member Massey moved to approve consent items 2a thru 2h. 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

1. Presentation, possible action, and discussion regarding two petitions for annexation of seven acres in the 3800 block of Rock Prairie Road West, generally located southwest of the intersection of Rock Prairie Road West and I&GN Road.

Lance Simms, Assistant Director of Planning and Development Services presented Council two petitions for annexation totaling seven acres in the 3800 block of Rock Prairie Road West and I&GN Road. Property owners were Chad Jackson and Edna Goodman. Mr. Simms mentioned that the two tracts are currently covered by a non-annexation development agreement. However, part of the property is proposed for development as a golf driving range and needs to be located within the City.

Council member Massey made a motion to grant the petitions and ask staff to move forward with process to initiate the annexation. 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

2. Public hearing, presentation, possible action, and discussion regarding the re-write of the City of College Stations Ordinance as it relates to Animal Control.

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Council member Massey summarized the purpose of this item was to receive public comments and Council follow-up discussion on submitted changes from February 11, 2010 Council meeting.

First Assistant City Attorney Mary Ann Powell identified four items for City Council consideration.

Mayor White opened the public hearing.

Citizens and Animal Control Ordinance Subcommittee spoke on numerous provisions in the propo submitted by city staff.

David Gwin, 400 Marion Pugh
Michael Manson, 1204 Dominik Dr.
Jeffrey Musser, 2011 Pinewood Dr., Bryan
David Scott , 1019 Guadalupe
Lloyd Wassermann, 12318 N. Dowling Rd.
Patty Pearce, 10228 State Hwy 30
Frank Saling, P.O. Box 305, Snook
Shari Yvon Lewis, 2497 Newark Cr.
Jackie Spiars, 12321 Hopes Creek Rd.
Susan Adams, 1008 Windmeadows
Michael H. Wheeler, 1003 Timm Dr.
Dell Hamilton, 3928 Hawk Owl Cr.
Kimberley Reverman, 6588 Waterway
Miriam Rieck, 7353 Dick Elliott Rd., Bryan
Elayne Brooks, 3001 Pierre Place
Charles Brooks, 3001 Pierre Place
Katherine M. Wheeler, 1003 Timm Dr.
Sharon Anderson, 2304 Cindy Ln., Bryan
Amy Glass, 3206 Greta Ct.
Joanne Mansell, 10021 Whites Creek Rd.
Nancy McQuiston, 1717 Luza St.
Jacque Flagg, no address given.
Mike Luther, 614 Welsh Ave.
Judy Unes, 1356 South Oaks
Mary Landreth, 10508 Fawn Ln.

Mayor White closed the public hearing.

Council member Massey moved to approve revised Sect.1.D. Impoundment as recommended by staff deleting the requirement to have a veterinarian determine whether a sick animal needs to be euthanized.

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

Council member Maloney moved to approve a limit of 4 animals with permits necessary for more animals and the exemption of 4H projects within Sect.2.B number of animals/dogs cats. Council

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member Stewart seconded the motion, which carried 6-1. Council member Massey voted against the motion.

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

AGAINST: Council member Massey

Council member Massey moved to approve revised Sect.2.C.(i) Managed Feral Cat Colonies May be allowed by separate policy. 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

Council member Massey moved to approve revise Sect. 3.B, 3.E, to allow 180 days (6 months) and unlimited in number of animals for youth programs, and Sect. 3.F. Ferrets: permit process for ferrets. 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

Council member Massey moved to approve Resolution No. 3-11-2010-2e finding and determining that it is in the best interest of the City of College Station to encourage its citizens to treat their pet animals humanely; and containing other provisions related to the subject matter. Council member Stewart seconded the motion with fixing germicidal errors in section 3, which carried 7-0.

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

AGAINST: None

Council member Massey moved to approve revised Section 3, Solicitor's Permit as presented in the updated ordinance, which will not allow sale of animals in 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

Council member Massey moved to approve Ordinance No. 2010-3237 for the remainder of the proposed ordinance as presented. 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

Council member Massey moved to approve the changes from veterinarian Dr. Katherine Wheeler, regarding vaccination and also rabbits be kept 100 ft. distance from adjacent neighbor for exceptions such as youth projects and ask for re-examination of six months. 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

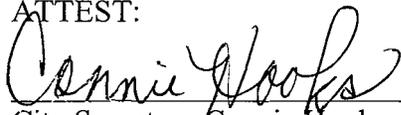
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3. Adjourn.

Mayor White adjourned the regular meeting at 11:00 pm. Council returned to discuss workshop agenda items. Refer to minutes of the workshop meeting for items discussed. Mayor White adjourned the workshop meeting at 11:05 pm.

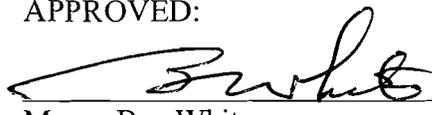
PASSED AND APPROVED this April 8, 2010

ATTEST:



City Secretary Connie Hooks

APPROVED:



Mayor Ben White