



Mayor
Nancy Berry
Mayor Pro Tem
David Ruesink
City Manager
Glenn Brown

Councilmembers
John Crompton
Jess Fields
Dennis Maloney
Katy-Marie Lyles
Lawrence Stewart

Minutes
City Council Regular Meeting
Thursday, April 22, 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 Crompton, Massey, Maloney, Lyles and Stewart

STAFF PRESENT: City Manager Brown, Assistant City Manager Merrill, Assistant City Manager Neeley, City Secretary Hooks, Deputy City Secretary McNutt, 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.

Hear Visitors.

Mayor White opened the floor for public comments.

The following persons spoke on the proposed Millican Reservoir.

Cathy Cox, 12464 Long Trussel, Bryan
Brad Ayers, 5400 Elmo Weedon Rd, CS
Robert Averyt, 14695 State Way 30, CS

Carol Fountain 14380 Shiro Dr. addressed the City Council on the issue related to Wellborn request for 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 Special Meeting, March 30, 2010 and Workshop and Regular Meetings, April 8, 2010.

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- b. Approved water meter purchase contract with Badger Meter, Inc in the amount of \$89,202.00 and approved the water meter rebuild kits purchase contract with Aqua Metric Sales Company in the amount of \$34,236.05.
- c. Approved deductive change order to the Professional Engineering Services Contract 07-085 with Malcolm Pirnie, Inc. for a credit in the amount of \$10,058 for the design, construction and administrative services on the Well No. 7 Collection Line.
- d. Presentation, possible action, and discussion regarding approving an award of a Professional Services Contract for the design of the Penberthy Roadway Extension to Jones & Carter, Inc., in the amount of \$289,000.00, and approval of a resolution declaring intention to reimburse certain expenditures with proceeds from debt. **(Item was removed)**
- e. Approved Change Order No. 3 to the professional services contract (Contract No. 00-107) with LJA Engineering & Surveying, Inc. in the amount of \$52,261 to perform a cost-benefit analysis of the proposed drainage improvements for Bee Creek Tributary "A".
- f. Presentation, possible action, and discussion regarding Revisions to College Station, Texas, Code of Ordinances, Chapter 1, "GENERAL PROVISIONS", Section 29, "COLLEGE STATION CEMETERY RULES AND REGULATIONS"; Sub-Sections H and M. **(Item was removed)**
- g. Approved renewal of the annual contract for water and wastewater new service tap installation with Elliot Construction, Inc. for an annual estimated expenditure of \$349,000.
- h. Approved **Resolution No. 04-22-10-2h** on construction contract with Knife River Corporation - South to construct additional lanes on State Highway 30 from 4.20 miles west of F.M. 244 to 4.63 miles west of F.M. 244 and adjacent to the BVSWMA Twin Oaks Landfill site for the purpose of providing safe ingress and egress from said facility in an amount not to exceed \$568,324.09. **(Council member Maloney abstained from this item)**
- i. Approved **Ordinance No. 2010-3241** revising Chapter 7 Health & Sanitation, Sections 1 through 3 of the City of College Station Code of Ordinances as it relates to noise and nuisance.
- j. Approved **Resolution No. 04-22-10-2j** terminating Construction Contract No. 08-293, for convenience, with Jamal Building Systems, Inc., approved on or about September 25, 2008, by Resolution No. 9-25-08-2g, for the construction of a residential structure at 1123 Phoenix Street.
- k. Approved ratification of Purchase Order #100324 in the amount of \$48,575.00 and Purchase Order # 100635 in the amount of \$12,250.00 to Cooper Equipment for repairs to the Lick Creek Centrifuge.

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1. Approved **Resolution No. 04-22-10-2L** awarding Bid#10-46 and construction contract to Bayer Construction Electrical Contractors, Inc. in the amount of \$190,577.50 for the installation of a traffic signal located at the intersection Arrington Road and W. D. Fitch Parkway.

Council member Massey moved to approve consent items 2a thru 2L with the exception of items 2d and 2f. 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
ABSTAINED item 2h: Council member Maloney

1. Public hearing, presentation, possible action, and discussion regarding a 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 11.68 acres from R-1 Single-Family Residential to a Planned Development District located at 3228 Rock Prairie Road West, generally located west of Williamsgate Phase 1.

Lauren Houvde, Staff Planner presented the staff report on rezoning request of 11.68 acres from R-1 Single-Family Residential to a Planned Development District located at 3228 Rock Prairie Road West, generally located west of Williamsgate Phase 1. Staff recommended approval of the PDD with the following condition:

- The proposed open area between the townhome lots and the existing single-family lots complied with Section 7.6, Buffer Requirements, of the Unified Development Ordinance, as applicable between single-family against multi-family uses

Developer Stephen Homeyer remarked that the conceptual plan is in compliance with the existing Unified Development Ordinance.

Paul Greer, P&Z Commissioner, briefly explained the vote to deny by Planning and Zoning Commission.

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

Council member Maloney moved to deny an ordinance rezoning 11.68 acres from R-1 Single-Family Residential to a Planned Development District located at 3228 Rock Prairie Road West, generally located west of Williamsgate Phase 1. Council member Massey seconded the motion. Motion carried 6 - 1.

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

2. Public hearing, presentation, possible action, and discussion regarding an amendment to 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 1.5 acres located at 13601 and 13679 FM 2154 from A-O Agricultural-Open to PDD Planned Development District.

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Lauren Houvde, Staff Planner presented the staff report on a rezoning request for 1.5 acres located at 13601 and 13679 FM 2154 from A-O Agricultural-Open to PDD Planned Development District. Staff recommended denial due to the intensity and inconsistency of the proposed commercial development with the Comprehensive Plan Land Use and Character Plan.

Ray Hansen, developer of the property provided slides of other similar developments in the Bryan College Station communities. Mr. Hansen emphasized his due diligence to meet the standards expressed by City Council and Planning and Zoning Commission in previous meetings.

Paul Greer spoke on behalf of the Planning and Zoning Commissions' vote to deny the request.

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

Council member Lyles moved to approve **Ordinance No. 2010-3242** rezoning 1.5 acres located at 13601 and 13679 FM 2154 from A-O Agricultural-Open to PDD Planned Development District, with conditions to help mitigate the development impact to adjacent single family use: 1) provide a buffer wall eight feet in height at the property line abutting single-family properties; 2) provide noise mitigation for proposed drive-through speaker(s); 3) alter the right in and right out turn lanes on Hwy 40; and, 4) add residential style pitched roofs. Council member Stewart seconded the motion, which carried 4 - 3.

FOR: Mayor Ben White, Mayor Pro tem Ruesink, Lyles, Stewart

AGAINST: Council members Crompton, Massey and Maloney

3. Public hearing, presentation, possible action, and discussion regarding an amendment to the Unified Development Ordinance, Section 6.2 Types of Use, allowing hotel uses in association with country clubs in the A-O Agricultural Open and A-OR Rural Residential Subdivision zoning districts.

Molly Hitchcock, Senior Staff planner presented staff report on an amendment to the Unified Development Ordinance, Section 6.2 Types of Use, allowing hotel uses in association with country clubs in the A-O Agricultural Open and A-OR Rural Residential Subdivision zoning districts.

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

Daniel Dick, Student Gov't Liaison spoke in support of the development.

Council member Maloney moved to approve **Ordinance No. 2010-3243** amending the Unified Development Ordinance, Section 6.2 Types of Use, allowing hotel uses in association with country clubs in the A-O Agricultural Open and A-OR Rural Residential Subdivision zoning districts. 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

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4. Presentation, possible action, and discussion regarding outgoing Council member's membership on the Wolf Pen Creek Advisory Board.

City Manager Glenn Brown recommended the appointment of James Massey as the Council appointee to the Wolf Pen Creek Oversight Committee effective upon the date his term of office on Council concludes.

Council member Maloney moved to appoint Council member James Massey as the Council appointee to the Wolf Pen Creek Oversight Committee. Council member Lyles seconded the motion, which carried 7 - 0.

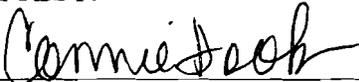
FOR: Mayor Ben White, Mayor Pro tem Ruesink, Crompton, Massey, Maloney, Lyles and Stewart
AGAINST: None

5. Adjourn.

Hearing no objections, Mayor White adjourned the meeting at 8:50 pm. on Thursday, April, 22, 2010.

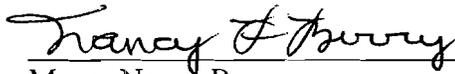
PASSED AND APPROVED this May 27, 2010

ATTEST:



City Secretary Connie Hooks

APPROVED:



Mayor Nancy Berry