



Mayor
Nancy Berry
Mayor Pro Tem
John Crompton
City Manager
Glenn Brown

Council members
Jess Fields
Dennis Maloney
Katy-Marie Lyles
Dave Ruesink

Minutes
City Council Regular Meeting
Thursday, June 24, 2010 at 7:00 pm
City Hall Council Chambers, 1101 Texas Avenue
College Station, Texas

COUNCIL PRESENT: Mayor Nancy Berry, Mayor Pro Tem Crompton, Council members Maloney, Fields, Lyles and Ruesink

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 Berry opened the meeting at 7:20 pm. A moment of silence was held in memory of former Council member Larry Stewart. She led the audience in the pledge of allegiance. Fire Chief R.B. Alley provided the invocation.

a. Hear Visitors

Chris Scotti, Executive Director of Northgate Merchants Association spoke on the Northgate Parking Assessment and Plan.

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 meetings on June 10, 2010.
- b. Approved amendment to Contract #08-245 to KEMA Inc. for \$43,000.00. This includes \$25,000.00 for consultation services in complying with additional North American Electric Reliability Corporation (NERC) and Texas Regional Entity (TRE) requirements and to provide monitoring and support services for the compliance program and \$18,000.00 to perform a Vulnerability Assessment of the Electric Department facilities for cyber and physical security.
- c. Approved **Resolution No. 06-24-10-2c** appointing Mayor Nancy Berry as Emergency Management Director and Brian Hilton as the Emergency Management Coordinator for the city.

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- d. Approved **Resolution No. 06-24-10-2d** on a construction contract with Bayer Construction in the amount of \$180,822 for lighting upgrades (LED lights to replace metal halide lights) at Stephen C. Beachy Central Park and Veterans Park and Athletic Complex, GG-1012 and GG-1013.
- e. Approved amendment to the Update and Support Agreement and License Agreement with Azteca Systems, Inc. approved by Council on December 9, 1999 which amends the covered products. This amendment will reduce the maintenance budget, starting in 2010 by \$4985.00 annually.
- f. Approved **Ordinance No. 2010-3250** amending Chapter 10, Section 3E (2)(i)(10), of the College Station Code of Ordinances changing the posted speed limit on the section of Rock Prairie Road between Stonebrook Drive and William D. Fitch Parkway from 50 mph to 40 mph.
- g. Approved **Resolution No. 06-24-10-2g** to secure 22 Wetland Mitigation Credits from OXBOW Investments, Inc. in the amount of \$318,775.00 for the BVSWMA Twin Oaks Landfill Project.
- h. Approved a ratification of an expenditure of \$72,188.65 to Rush Equipment Centers of Texas, Inc, for heavy equipment repair services for fire related damage to the BVSWMA's 1050 Dozer.
- i. Approved **Resolution No. 06-24-10-2i** for construction contract (Contract No.10-202) with Acklam Construction Co., Ltd., in the amount of \$204,749.60 for the Discovery Drive Phase II Sidewalks and Traffic Signal project.
- j. Approved **Resolution No. 06-24-10-2j** authorizing City staff to negotiate for the purchase of land necessary for the installation of a lift station to provide wastewater service to the region generally located north of FM 60 (Raymond Stotzer Parkway) and west of FM 2818 (Harvey Mitchell Parkway).
- k. Approved **Resolution No. 06-24-10-2k** to terminate a Professional Services Contract, 03-138, with Freese & Nichols, Inc. in the amount of \$407,000 for the design and construction phase services for the Water Service Extension Project.
- l. Approved **Resolution No. 06-24-10-2L** to provide an exception to Policy to allow Mr. Lon Painter to construct sewer infrastructure necessary to connect his home to the City sewer system.
- m. Approved change order to a construction contract (Contract No.10-050) with Brazos Valley Services in the amount of \$34,632.00 for the Nantucket Gravity Sewer Line project.
- n. Approved **Resolution No. 06-24-10-2n** awarding the professional services contract (Contract No. 10-213) to Mitchell & Morgan in the amount not to exceed \$110,500 for the engineering design services for the FM 2154 Utility Relocation Phase II Project (WF0613546).
- o. Approved **Resolution No. 06-24-10-2o** award of Bid#10-65 to lowest responsible bidder Structural Steel Products Inc of Fort Worth in the amount of \$54,879 for the purchase of Traffic Signal poles and mast arms. These items will be installed at the intersections of Barron Road at W. D. Fitch (SH 40) and Victoria Avenue.

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- p. Approved the settlement Agreement with the Wellborn Special Utilities District regarding water service areas from the 2002 annexation.
- q. Approved May 2010 monthly report on irrigation water use at City of College Station facilities and properties.
- r. Approved Solid Waste Facilities Operations Agreement among the City of Bryan, Texas, the City of College Station, Texas, and Brazos Valley Solid Waste Management Agency, Inc.

Council member Lyles moved to approve consent items 2a thru 2r. Council member Fields seconded the motion, which carried 7 - 0. Council member Maloney abstained from items 2g, 2h, and 2r.

FOR: Mayor Berry, Mayor Pro Tem Crompton, Fields, Maloney, Lyles and Ruesink

AGAINST: None

ABSTAINED Consent items 2g, 2h & 2r: Council member Maloney

Note: The items below were not discussed in order of agenda.

1. Public hearing, presentation, possible action and discussion regarding a resolution approving a plan to enhance pedestrian safety along University Drive between Wellborn Road and Tauber Street.

Mark Smith, Director of Public Works Mr. Smith presented an overview of the history of this pedestrian safety plan. He emphasized that pedestrian safety is a top priority of the City, TAMU and TxDOT. In 1996, City closed Patricia Street in order to provide a safe space for pedestrians in an effort to move crowds off University Drive. Since that time, the area has experienced growth with the city parking garage, new businesses and residential developments. This proposal is a collaborative effort between the City, TxDOT and TAMU and efforts were accelerated because this area has the highest concentration of pedestrians and the second busiest street, University Drive.

Bob Appleton, Director of Planning and Development of Texas Department of Transportation presented the proposed design of this project and funding sources. He stated that numerous meetings were held with officials and stakeholders.

College Station Police Chief Jeff Capps explained his concerns about pedestrian safety. He presented videos of accidents during busy hours in the area.

Staff recommended that Council approve the resolution. This recommendation is strongly supported by officials at Texas A&M University as well as the College Station Police and Fire Departments.

At 8:15 pm, Mayor Berry called for a brief recess. Council returned at 8:21 p.m.

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Mayor Berry opened the public hearing. The following persons addressed the Council on this matter.

Citizens against road closure:

Chris Scotti, 8801 Gettysburg, Executive Director of Northgate Merchants Association
John Raney, owner of Texas Aggie Bookstore
Don Hackney, 329 University
Robert Forest, 109 College Main

Citizens in favor of road closure:

Jean Marie Leinhart
James Massey, former Council member
Bob Strauser, TAMU
Joe Weber, TAMU VP Student Affairs
Kevin Stoga, 1028 Remington, Pop Belly's Manager

Mayor Berry closed the public hearing.

Council member Maloney moved to approve staff recommendation to permanently close College Main, with the exception of loading and unloading parking only during certain hours with the consent of property owners, and eliminate parallel parking. Council member Ruesink seconded the motion. Council noted that the bollards were retractable.

Council member Fields made an amendment to the motion to provide for one hour free parking at the surface parking lot. Council member Lyles seconded the motion, which failed 3 - 3.

FOR: Council members Fields, Ruesink, Lyles

AGAINST: Mayor Berry, Mayor Pro Tem Crompton, Council member Maloney

Original motion carried 6-0.

FOR: Mayor Berry, Mayor Pro Tem Crompton, Fields, Maloney, Lyles and Ruesink

AGAINST: None

Mayor Berry called for recess at 9:45 pm. Council returned to the meeting at 9:55 pm.

6. Public hearing, presentation, possible action and discussion of an ordinance amending Chapter 10 "Traffic Code", to remove parking on one side of Pasler Street.

Troy Rother, Assistant City Engineer presented an ordinance for the removal of parking from the west side of Pasler Street.

Mayor Berry opened the public hearing. The following residents spoke in favor of the ordinance.

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Marcia Smith, 803 Pasler – need to widen streets
Onie Holmes, 616 Pasler – reduce speed limit
Cynthia Sayers, 803 Pasler – need more lighting.

Council encouraged the homeowners to meet with Barbara Moore, Neighborhood Services Coordinator regarding the formation of a homeowners association.

Mayor Berry closed the public hearing.

Council member Lyles moved to approve **Ordinance No. 2010-3251** as presented to remove parking from the west side of Pasler Street. Council member Fields seconded the motion, which carried 6 - 0.

FOR: Mayor Berry, Mayor Pro Tem Crompton, Fields, Maloney, Lyles and Ruesink
AGAINST: None

7. Public hearing, presentation, possible action and discussion of an ordinance amending Chapter 10 "Traffic Code", to remove parking along the streets in the Steeplechase Haven Subdivision.

Troy Rother, Assistant City Engineer presented an ordinance to remove parking along the streets in Steeplechase Haven subdivision located along Navarro Drive between Wellborn Road and Welsh Avenue. Mr. Rother explained due to the higher density land usage in this subdivision, on-street parking along the streets is such that it is difficult for an emergency vehicle to travel through. The city's Traffic Management Team discussed this item and recommended that parking be removed from one side of the street, to further improve emergency response time.

Mayor Berry opened the public hearing. No one spoke. She closed the public hearing.

Council member Maloney moved to approve **Ordinance No. 2010-3252** to amend Chapter 10, "Traffic Code," to remove parking along the streets in the Steeplechase Haven Subdivision. Council member Ruesink seconded the motion, which carried 6 - 0.

FOR: Mayor Berry, Mayor Pro Tem Crompton, Fields, Maloney, Lyles and Ruesink
AGAINST: None

2. Presentation, possible action and discussion regarding ratification of a renewal of Contract 10-093 with N-Line Traffic Maintenance for the deployment and take down of Northgate pedestrian/traffic safety devices. The amount for the renewed contract will not exceed \$43,200 for the term of June 3, 2010 through August 29, 2010 at \$2,700 per week.

Mark Smith, Director of Public Works presented a brief overview of the Northgate Pedestrian Safety Project that began during the Fall Semester of 2009 with a contract for \$48,000 with N-Line to close College Main and provide one-way traffic on Lodge and Patricia during high volume pedestrian and vehicular traffic. Staff recommended ratifying the renewal of the contract for the summer of 2010, while a more permanent solution is being developed. The Police Department requested the project

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continue during the summer as both pedestrians and drivers have become accustomed to the separation provided by the project on high density weekends.

Council member Fields moved to approve the renewal contract for Northgate Pedestrian Safety Project. Council member Lyles seconded the motion, which carried 6 - 0.

FOR: Mayor Berry, Mayor Pro Tem Crompton, Fields, Maloney, Lyles and Ruesink
AGAINST: None

3. 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 19.749 acres located at 529 William D. Fitch Parkway from R-1 Single-Family Residential and A-O Agricultural-Open to C-1 General Commercial, A-P Administrative-Professional, and R-4 Multi-Family.

Jason Schubert, Senior Planner presented an ordinance rezoning 19.749 acres located at 529 William D. Fitch Parkway from R-1 Single-Family Residential and A-O Agricultural-Open to C-1 General Commercial, A-P Administrative-Professional, and R-4 Multi-Family. Staff and the P&Z Commission recommended denial.

Mayor Berry opened the public hearing.

Citizens against Rezoning Ordinance:

Donna Bachman, 4203 Rocky Creek Trail

Mary Kenninger, 4233 Little Rock Court

Bill Biggs, 4205 Rocky Creek Trail

Susan Reynolds, 4232 Little Rock Court

Barbara Heath, 4236 Rocky Road

Cathy Richardson, 4281 Hollow Stone

Citizen in favor of Rezoning Ordinance:

Joe Schultz, 3208 Innsbruck – engineer for applicant

Wallace Phillips, 13720 Hopes Creek Road, applicant

Mayor Berry closed the public hearing.

Council member Crompton moved to deny the rezoning request located at 529 William D. Fitch Parkway. Council member Maloney seconded the motion, which carried 6 - 0.

FOR: Mayor Berry, Mayor Pro Tem Crompton, Fields, Maloney, Lyles and Ruesink
AGAINST: None

4. Public hearing, presentation, possible action, and discussion on the Annual Review of the Unified Development Ordinance (UDO) and the Annual Review of the Comprehensive Plan.

Item was pulled for future agenda.

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Mayor Berry called for recess at 11:32 p.m. Council returned to meeting at 11:41 pm.

5. Public hearing, presentation, possible action, and discussion regarding a Comprehensive Plan Land Use Amendment of 92.58 acres from General Suburban to Urban for the property located at 3100 Haupt Road, generally located between Old Wellborn Road and Jones-Butler Road, north of the terminus of General Parkway.

Jason Schubert, Senior Planner described the rezoning request of 92.58 acres from General Suburban to Urban for the property located at 3100 Haupt Road. He noted the request was inconsistent with the goals and strategies of the Comprehensive Plan. Staff and the P&Z Commission recommended denial.

Mayor Berry opened the public hearing. Wallace Phillips, applicant, 13720 Hopes Creek stated that sewer is the only infrastructure that the City will have to provide and he is willing to pay impact fees to fix the sewer issues. Chuck Ellison, 2902 Camille Dr, represented the property owners adjacent to this property. He expressed concerns about the impact of proposed rezoning in the area. Mayor Berry closed the public hearing.

Mayor Pro Tem Crompton moved to deny the rezoning request as presented. Council member Lyles seconded the motion, which carried 6 - 0.

FOR: Mayor Berry, Mayor Pro Tem Crompton, Fields, Maloney, Lyles and Ruesink
AGAINST: None

8. Public hearing, presentation, possible action, and discussion on an ordinance amending Chapter 12, "Unified Development Ordinance," Section 6.4.E, "Portable Storage Structures" of the Code of Ordinances of the City of College Station, Texas related to the permitting, placement and screening of portable storage structures.

Jason Schubert, Senior Planner described the proposed amendment to Chapter 12, "Unified Development Ordinance," Section 6.4.E, "Portable Storage Structures" related to the permitting, placement and screening of portable storage structures. Staff and the P&Z Commission recommended approval and adjusted the proposed ordinance accordingly.

Mayor Berry opened the public hearing. No one spoke. She closed the public hearing.

Council member Lyles moved to approve **Ordinance No. 2010-3253** amending the UDO on portable storage structures with staff recommendation for exemption of permit. Council member Fields seconded the motion, which carried 6-0.

FOR: Mayor Berry, Mayor Pro Tem Crompton, Fields, Maloney, Lyles and Ruesink
AGAINST: None

9. Adjourn.

Hearing no objections, Mayor Berry adjourned the meeting at 12:39 am on Friday, June 24, 2010.

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PASSED AND APPROVED this July 8, 2010

ATTEST:



City Secretary Connie Hooks

APPROVED:



Mayor Nancy Berry