

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
NOVEMBER 8, 2012

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry

Council:

Blanche Brick
Jess Fields
Karl Mooney
Katy-Marie Lyles, absent
Julie Schultz
Dave Ruesink

City Staff:

Frank Simpson, Deputy City Manager
Carla Robinson, City Attorney
Sherry Mashburn, City Secretary
Tanya McNutt, Deputy City Secretary

Call to Order and Announce a Quorum is Present

With a quorum present, the Regular Meeting of the College Station City Council was called to order by Mayor Nancy Berry at 7:12 p.m. on Thursday, November 8, 2012 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77842.

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

Eagle Scout Jason Jasperson, Troop 967, led the assembly in the Pledge of Allegiance.

MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Brick, the City Council voted six (6) for and none (0) opposed, to approve the absence request from Katy-Marie Lyles. The motion carried unanimously.

Presentation by Mayor Berry proclaiming November 8, 2012 as Sister Cities International-Salamanca Day.

Tom Arnold, Sister Cities Board, read the proclamation in Spanish, and then Mayor Berry, accompanied by Bryan Councilmember Cortez, presented the proclamation proclaiming November 8, 2012 as Sister Cities International - Salamanca Day to the delegation from Salamanca, Mexico.

Citizen Comments

Kevin Prejean, 1501 Independence, representing a water/beverage company, regarding loading and unloading zones in the Northgate area. He has been issued warnings for parking in an area he has always used. Loading and unloading in that area, on any given day or time, could take as long as two hours. They have to have access that provides safety for the drivers and other people. The designated areas, as they are now, cannot be utilized in the easiest manner. HE has been working with Lance Simms to reach a solution. They have come up with a few that may require investment by the City. He asked for leniency until the Council has reviewed the proposed solutions. Staff was directed keep the Council updated on the progress.

CONSENT AGENDA

2a. Presentation, possible action, and discussion of minutes for:

- **October 25,2012 Workshop**
- **October 25, 2012 Regular Council Meeting**

2b. Presentation, possible action, and discussion on the third reading of Ordinance 2012-3455, a franchise agreement with CCAA, LLC Brazos Valley Recycling and Big Dumpster; for the collection of construction and demolition debris, recycling, and organic waste collection from multifamily apartments and commercial business locations, and residential roll-off construction and demolition debris collection.

2c. Presentation, possible action, and discussion regarding the approval of the construction contract (Contract 13-003) with Dudley Construction in the amount of \$369,51 0.1 0, for the construction of the Plantation Oaks Waterline Replacement Project (WFI433732) and authorizing the City Manager to execute the contract on behalf of the City Council.

2d. Presentation, possible action, and discussion awarding Contract #13-005 to Highway Technologies, Inc. in the amount of \$198,917.50, for the installation of roadway traffic markings, and authorizing the City Manager to execute the contract on behalf of the City Council.

2e. Presentation, possible action, and discussion, of Resolution 11-08-12-2e, endorsing the University Pedestrian Improvement Project Phase II and the application for Texas Transportation Enhancement Funding to reimburse the City for 80% of the construction costs.

2f. Presentation, possible action, and discussion on an Addendum to Contract #12-258 between the College Station Fire Department and the T AMU Applied Exercise Science Laboratory to include physical fitness assessments on Police Department employees as well as Fire Department employees.

No items were pulled from the Consent Agenda.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Brick, the City Council voted six (6) for and none (0) opposed, to approve the Consent Agenda. The motion carried unanimously.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion approving Ordinance 2012-3456, vacating and abandoning a 0.15 acre, 20-foot wide public utility easement, which is located on Lot IR of Block 1 of the High Ridge Subdivision according to the plat recorded in Volume 5777, Page 5 of the Deed Records of Brazos County, Texas.

At approximately 7:43 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 7:43 p.m.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2012-3456, vacating and abandoning a 0.15 acre, 20-foot wide public utility easement, which is located on Lot IR of Block 1 of the High Ridge Subdivision according to the plat recorded in Volume 5777, Page 5 of the Deed Records of Brazos County, Texas. The motion carried unanimously.

2. Public Hearing, presentation, possible action, and discussion approving Ordinance 2012-3457, vacating and abandoning 1.03 acres of right-of-way; a 0.38 acre portion of which was conveyed via Right-of-Way Deed recorded in Volume 1162, Page 613 of the Official Records of Brazos County, Texas; and a 0.65 acre portion dedicated by plat, recorded in Volume 488 Pages 593 of the Official Records of Brazos County, Texas.

At approximately 7:46 p.m., Mayor Berry opened the Public Hearing.

Mike Gentry, 1515 Emerald Plaza, provided a brief presentation showing the original plat and alignment of Emerald Parkway. When an overpass was constructed, Emerald Parkway had to be relocated. The request is to abandon the right-of-way that is no longer in use.

There being no further comments, the Public Hearing was closed at 7:50 p.m.

MOTION: Upon a motion made by Councilmember Mooney and a second by Councilmember Brick, the City Council voted five (5) for and none (0) opposed, with Councilmember Ruesink absent from the dais, to adopt Ordinance 2012-3457, vacating and abandoning 1.03 acres of right-of-way; a 0.38 acre portion of which was conveyed via Right-of-Way Deed recorded in Volume 1162, Page 613 of the Official Records of Brazos County, Texas; and a 0.65 acre portion dedicated by plat, recorded in Volume 488 Pages 593 of the Official Records of Brazos County, Texas. The motion carried.

3. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2012-3458, amending Chapter 12, "Unified Development Ordinance," Article 5, "District Purpose Statement and Supplemental Standards," Article 7, "General Development Standards," and Article 8, "Subdivision Design and Improvements" of the Code of Ordinances of the City of College Station, Texas related to platting and replatting in older residential subdivisions not designated as Neighborhood Conservation in the City's Comprehensive Plan; and minimum parking requirements for new construction in the area described as Area V of the Southside Area Neighborhood Plan.

At approximately 8:01 p.m., Mayor Berry opened the Public Hearing.

George Dresser, 501 Fairview, spoke in favor of the item, stating it is a reasonable compromise. This is a logical next step to move forward with the Southside Neighborhood Plan.

There being no further comments, the Public Hearing was closed at 8:02 p.m.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Schultz, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2012-3458, amending Chapter 12, "Unified Development Ordinance," Article 5, "District Purpose Statement and Supplemental Standards," Article 7, "General Development Standards," and Article 8, "Subdivision Design and Improvements" of the Code of Ordinances of the City of College Station, Texas related to platting and replatting in older residential subdivisions not designated as Neighborhood Conservation in the City's Comprehensive Plan; and minimum parking requirements for new construction in the area described as Area V of the Southside Area Neighborhood Plan. The motion carried unanimously.

4. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2012-3459, 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 0 Office, R-2 Duplex Residential, and C-3 Light Commercial to GC General Commercial for approximately 1.1 acres located at 303 A & 303 B University Drive East, 410 Nimitz Street, and 411 & 413 Eisenhower Street.

At approximately 8:14 p.m., Mayor Berry opened the Public Hearing.

Chuck Ellison, 2902 Camille Drive, representing the applicant in the re-zoning request, stated this project began over four years ago. The applicant began meeting with City two years ago when they opened for business. They have been working with staff for a few months regarding this request.

There being no further comments, the Public Hearing was closed at 8:16 p.m.

MOTION: Upon a motion made by Councilmember Fields and a second by Councilmember Mooney, the City Council voted six (6) for and none (0) opposed, to adopt Ordinance 2012-3459, 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 0 Office,

R-2 Duplex Residential, and C-3 Light Commercial to GC General Commercial for approximately 1.1 acres located at 303 A & 303 B University Drive East, 410 Nimitz Street, and 411 & 413 Eisenhower Street. The motion carried unanimously.

5. Public Hearing, presentation, and discussion on the creation of Reinvestment Zone #17; and, discussion of a Draft Ordinance creating Reinvestment Zone # 17 for commercial tax abatement in the College Station Medical District.

At approximately 8:21 p.m., Mayor Berry opened the Public Hearing.

There being no comments, the Public Hearing was closed at 8:22 p.m.

No action was taken.

6. Adjournment.

MOTION: There being no further business, Mayor Berry adjourned the Regular Meeting of the City Council at 8:23 p.m. on Thursday, November 8, 2012.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary



College Station City Council Workshop Agenda
Sign In Sheet
Thursday, November 8, 2012 at 5:00 p.m.
City Hall Council Chamber

Mayor	Council Members
Nancy Berry	Blanche Brick
Mayor Pro Tem	Jess Fields
David Ruesink	Karl Mooney
City Manager	Katy-Marie Lyles
David Neelzy	Julie Schultz

	Name	Address	Email or Phone No.
1.	Kevin Rejean	1501 Independence	Kevin@Kristendistributing.com
2.	Jordan Brown	1807 Lynx Cove	liljbrofour@yahoo.com
3.	Alex	307 S. MAIN ST E	la voz bees@yahoo.com
4.	Jessamine Kennedy	2500 Central Park Lane #22	832-704-8360
5.	Jason Jaraman	1213 Riverstone ct.	1701-496-4843
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*****Note this not a Hear Visitors form*** To speak on a particular item please file out the Citizen Speakers Form next to sign in sheet.**



College Station City Council Regular Agenda
Sign In Sheet
Thursday, November 8, 2012 at 7:00 p.m.
City Hall Council Chamber

Mayor	Nancy Berry	Council Members	Blanche Brick
Mayor Pro Tem	David Ruessink		Jess Fields
City Manager	David Neeley		Karl Mooney
			Katy-Marie Lyles
			Julie Schultz

	Name	Address	Email or Phone No.
1.	George B. Dresser	501 Fairview	g-dresser@suddenlink.net
2.	Alex Arruabaraz	4520 Pkian's Point Cove	alexandrag@ya.hoo.com
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Sherry Mashburn

From: Katy-Marie Lyles
Sent: Wednesday, November 07, 2012 2:50 PM
To: Nancy Berry; Sherry Mashburn; Jason Stuebe; Celia Hernandez
Subject: sick

Good afternoon.

I just wanted to communicate and let everyone know there is a possibility I will not make the council meeting tomorrow. I was sent home from work today and have been sick all day. People at work mentioned a virus going around and I am not sure if I have that or not. I am hoping I will be fine and able to attend the meeting tomorrow but, I am not getting any better.

I will email in the morning to communicate whether I will be able to make it or not.

KM

Sent from my iPad



CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: _____
MM / DD / YY

**** Please PRINT all information ****

Name: Kevin Projean Phone: 979-775-6322
Address: 1501 Independence
Email: Kevin @ Kristen Distributing.com Comments: WRITTEN ORAL
Comments are presented for: HEAR VISITORS AGENDA ITEM # _____

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

FOR ORAL COMMENTS:

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(At the City Secretary's Office during regular business hours, or from 5:00 p.m. to 6:45 p.m. the day of the meeting.);
2. YOU WILL HAVE ONE OPPORTUNITY TO SPEAK; AND
3. YOU MUST OBSERVE THE 3-MINUTE TIME LIMIT. (Time cannot be transferred to another speaker.)

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MAIL, FAX OR EMAIL COMPLETED FORM TO:

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City Secretary's Office – City Hall
1101 Texas Avenue, College Station, Texas 77840
Fax: 979-764-6377
Email: smashburn@cstx.gov

OFFICE USE ONLY:
(# in which received)

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RULES FOR PUBLIC COMMENTS AT CITY COUNCIL MEETINGS

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2. Speakers must state their name and address for the record.
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4. Speakers must limit their comments to three minutes.
5. Speakers may not employ tactics of defamation, intimidation, personal affronts, profanity, or threats of violence.



PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 11-8-12
MM / DD / YY

**** Please PRINT all information ****

Name: Mike Gentry Phone: 694-7000
Address: 1515 Emerald Plaza
Email: mike.gentry@westcoastlaw.com Comments: WRITTEN ORAL
Comments will be presented for PUBLIC HEARING AGENDA ITEM # _____

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 11 8 2012
MM / DD / YY

**** Please PRINT all information ****

Name: George B. Dresser Phone: 696-4361

Address: 501 Fairview

Email: g-dresser@csoddenlink.net Comments: WRITTEN ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 3

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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PUBLIC HEARING SIGN-UP FORM

Regular Meeting Date: 11.08.12
MM / DD / YY

**** Please PRINT all information ****

Name: CHUCK ELLISON Phone: 696.9889

Address: 2902 Camille Dr C.S. TX

Email: _____ Comments: WRITTEN ORAL

Comments will be presented for PUBLIC HEARING AGENDA ITEM # 4

FOR WRITTEN COMMENTS, PLEASE WRITE BELOW:

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Rules for Speakers:

1. Members of the public may address the City Council at the following times during a meeting:
 - During Hear Visitors Period, if such a period is on the agenda for the meeting.
 - During a public hearing on an agenda item.
 - During Consent and Regular Agenda items with the permission of the presiding officer.
 - During Work Study Agenda items with the permission of the presiding officer.
2. Speakers must state their name and address for the record.
3. Speakers must address all comments and questions to the presiding officer.
4. Speakers must limit their comments to three minutes.
5. Speakers may not employ tactics of defamation, intimidation, personal affronts, profanity, or threats of violence.