

MINUTES OF THE REGULAR CITY COUNCIL MEETING
CITY OF COLLEGE STATION
NOVEMBER 13, 2014

STATE OF TEXAS §
 §
COUNTY OF BRAZOS §

Present:

Nancy Berry, Mayor, absent

Council:

Blanche Brick
Steve Aldrich
Karl Mooney
John Nichols
Julie Schultz
James Benham, absent

City Staff:

Kelly Templin, City Manager
Carla Robinson, City Attorney
Chuck Gilman, Deputy City Manager
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 Pro Tem Mooney at 7:02 p.m. on Thursday, November 13, 2014 in the Council Chambers of the City of College Station City Hall, 1101 Texas Avenue, College Station, Texas 77840.

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

MOTION: Upon a motion made by Councilmember Aldrich and a second by Councilmember Schultz, the City Council voted five (5) for and none (0) opposed, to approve the absence requests from Mayor Berry and Councilmember Benham. The motion carried unanimously.

Presentation by the College Station Fire Department and the College Station Professional Fire Fighters Association to the Muscular Dystrophy Association.

Representatives of the College Station Professional Fire Fighters Association presented a check in the amount of \$27,972 to the Muscular Dystrophy Association.

Recognition of the Arts Council of the Brazos Valley as the 2014-2015 Friend of Texas Arts Education.

Mayor Pro Tem Mooney proclaimed the week of November 1-14, 2014 as Arts Council of the Brazos Valley Week in recognition of being awarded the *2014-2015 Friend of Texas Arts Education* by the Texas Art Education Association. In attendance to receive the proclamation were Chris Dyer, ACBV CEO; Pam Smits, ACBV Treasurer; Jan Cleery, ACBV Secretary; Hans Hammond, ACBV President-elect; Peter Canney, ACBV President; Jami Bevans, representing CSISD and BVAEA, and Irma Cauley, Brazos County Commissioner.

Citizen Comments

Ben Roper, 5449 Prairie Dawn Court, came before Council to honor the service and sacrifice of Airman 1st Class Raymond Losano.

Lynn Evans, 5149 FM 1179, Bryan, provided written comments, attached.

CONSENT AGENDA

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

- **October 20, 2014 Regular Council Meeting**
- **October 20, 2014 Workshop**

2b. Presentation, possible action and discussion on a funding agreement between the City of College Station and Keep Brazos Beautiful for FY15 in the amount of \$52,740.

2c. Presentation, possible action, and discussion on the purchase of a new Hazardous Materials Response Vehicle for the price of \$654,755.58 from VT Hackney Inc.

2d. Presentation, possible action, and discussion regarding award of a construction contract to Pipe Works Constructors LLC in the amount of \$1,149,500 for the Wastewater Treatment Plant Blower and Diffuser Improvements.

2e. Presentation, possible action, and discussion on the purchase of three (3) Police motorcycles from Independence Harley Davidson (College Station, TX) for the amount of \$55,624.80 plus an additional one year extended warranty for \$2,901.00 and the trade-in of one (1) existing 2010 Harley Davidson Road King motorcycles for \$8,000.

2f. Presentation, possible action and discussion on Resolution 11-13-14-2f, assigning the Medical Waste Franchise Agreement with Medstar Services (Ordinance No. 2013-3497) to Excel Medical Waste Disposal for medical waste collection.

2g. Presentation, possible action, and discussion on Ordinance 2014-3608, amending Chapter 10 "Traffic Code", Section 4 "Administrative Adjudication of Parking Violations", Sections A - D of the Code of Ordinances of the City of College Station, Texas, providing a severability clause; declaring a penalty; and providing an effective date.

2h. Presentation, possible action, and discussion on rejecting bids for pavilion janitorial services.

2i. Presentation, possible action, and discussion regarding ratification and approval of a three year agreement for Westlaw online research services and printed materials from West Group for the City's Legal Department. Three year estimated costs are \$140,000.

MOTION: Upon a motion made by Councilmember Schultz and a second by Councilmember Aldrich, the City Council voted five (5) for and none (0) opposed, to approve the Consent Agenda. The motion carried unanimously.

REGULAR AGENDA

1. Public Hearing, presentation, possible action, and discussion regarding Ordinance 2014-3609, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from PDD Planned Development District to PDD Planned Development District to amend the concept plan layout and uses for approximately 32.488 acres for the property being a portion of the remainder of a called 120.76 acre tract described by a deed to Capstone-CS, LLC recorded in volume 8900, page 148 of the Official Records of Brazos County, Texas and the remainder of Lot 2R, Block 1, The Cottages of College Station, Phase 1, according to the plat recorded in volume 11391, page 129 of the Official Records of Brazos County, Texas, generally located at the southwest corner of Harvey Mitchell Parkway South and Holleman Drive South.

Jason Schubert, Planning and Development, reported that this request is to rezone the subject property from PDD Planned Development District to PDD Planned Development District to amend the concept plan layout and uses. The proposed rezoning change removes a small commercial area at Holleman Drive South and Cottage Lane.

At approximately 7:32 p.m., Mayor Pro Tem Mooney opened the Public Hearing.

Veronica Morgan, Mitchell and Morgan Engineering, 3204 Earl Rudder Frwy, said she is there to answer any questions. She noted traffic management is difficult in that area.

There being no further comments, the Public Hearing was closed at 7:36 p.m.

MOTION: Upon a motion made by Councilmember Nichols and a second by Councilmember Schultz, the City Council voted five (5) for and none (0) opposed, to adopt Ordinance 2014-3609, amending Chapter 12, "Unified Development Ordinance," Section 12-4.2, "Official Zoning Map," of the Code of Ordinances of the City of College Station, Texas by changing the zoning district boundaries from PDD Planned Development District to PDD Planned Development District to amend the concept plan layout and uses for approximately 32.488 acres for the property being a portion of the remainder of a called 120.76 acre tract described by a deed to Capstone-CS, LLC recorded in volume 8900, page 148 of the Official Records of Brazos County, Texas and the remainder of Lot 2R, Block 1, The Cottages of College Station, Phase 1, according to the plat recorded in volume 11391, page 129 of the Official Records of Brazos County, Texas, generally

located at the southwest corner of Harvey Mitchell Parkway South and Holleman Drive South. The motion carried unanimously.

2. Presentation, possible action, and discussion regarding a request to delay annexation of approximately 46 acres generally located northwest of the intersection of W.D. Fitch Parkway and Tonkaway Lake Road.

Lance Simms, Director of Planning and Development, reported that in October 2007, the owner of the subject property entered into a non-annexation development agreement with the City of College Station. The property owner has also entered into a saltwater disposal lease and the Owner's lessee has started construction on a truck unloading facility, both on the subject property. Staff believes the construction violates the terms of the non-annexation development agreement and, therefore, constitutes a petition for voluntary annexation. The attorney for the owner has requested that the City delay annexation until the termination date of the non-annexation development agreement (October 2017).

Staff recommends not moving forward with annexation of the subject property at this time. In order to provide maximum flexibility regarding annexation of the property, staff also recommends not approving a specific annexation date.

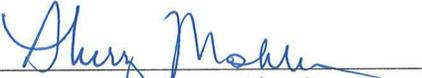
MOTION: Upon a motion by Councilmember Schultz and a second by Councilmember Aldrich, the City Council voted five (5) for and none (0) opposed, to delay annexation of approximately 46 acres generally located northwest of the intersection of W.D. Fitch Parkway and Tonkaway Lake Road, with no specific annexation date. The motion to amend carried unanimously.

3. Adjournment.

MOTION: There being no further business, Mayor Pro Tem Mooney adjourned the Regular Meeting of the City Council at 7:50 p.m. on Thursday, November 13, 2014.


Nancy Berry, Mayor

ATTEST:


Sherry Mashburn, City Secretary

CITY OF COLLEGE STATION

Absence Request Form
For Elected and Appointed Officers

Name :

Board or Committee: City Council

I will NOT be in attendance at:

City Council Meeting - Nov 13, 2014

for the reason(s) specified:

attendance @ conference in Los Angeles

Trancy F. Brown
Signature of officer

11-12-14
Date

This request shall be submitted to the office of the City Secretary or Board Secretary one week prior to meeting date.



College Station City Council Regular Agenda
Sign In Sheet
Thursday, November 13, 2014 at 7:00 p.m.
City Hall Council Chamber

Mayor	Nancy Berry	Mayor Pro Tem	Steve Aldrich
Manager	Karl Mooney	Council Members	Blanche Brick
	Kelly Templin		John Nichols
			Julie Schultz
			James M. Benham

	Name	Address	Email or Phone No.
1.	Piscilla Garcia - KBB	2412 Berger Dr. Bryan TX	979 422 8081
2.	Allison Brown (Keep Brazos Beautiful)	206 mir in cs, TX 77845	979-571-5797
3.	Ann Reed - Keep Brazos Beautiful	511 Kyle Ave CS 77840	979-775-3569
4.	Stacia N. Gebhauer	1920 St Aubrey S. CS	979 574 3009
5.	Sidney Meehne	11	979 574 3009
6.	Marjorie Kammereh	3702 Essen Loop 77845	979 422 7720
7.	Arik D. ...	522 South ... PKWY #21	979-214-1259
8.			
9.			
10.			
11.			
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13.			
14.			
15.			

*****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.**



CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 11/13/14
MM / DD / YY

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

Name: Ben Roper Phone: 979-727-0382
Address: 5449 Prairie Dawn Ct
Email: broper001@hotmail.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:**
1. YOU MUST SIGN UP PRIOR TO THE SCHEDULED MEETING
(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.)*

Inquiries from speakers about matters not listed on the agenda will either be directed to the Staff or placed on a future agenda for Council consideration. **See reverse side for additional rules.**

MAIL, FAX OR EMAIL COMPLETED FORM TO:

City of College Station
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)

|



CITIZEN COMMENT SIGN-UP FORM

Regular Meeting Date: 11/13/14
MM/DD/YY

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

Name: Lynn Evans Phone: 979-778-4610
Address: 5149 FM 1179 Bryan Tx 77808
Email: Allstartowingbc.s@yahoo.com Comments: WRITTEN ORAL
Comments are presented for: HEAR VISITORS AGENDA ITEM # _____

hello my name is Lynn Evans

I am a local small business owner. My business is Allstar Towing and Storage and we have been in business since 2007 and my family has done this since the 30s. I am asking the City of College Station to reconsider their decision to not support small business in the Brazos Valley.

I would like this to be a workshop agenda item in the near future

COMMENTS CONTINUED ON ATTACHED DOCUMENT OF _____ PAGE(S)

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OFFICE USE ONLY:
(# in which received)

2

CITY OF COLLEGE STATION

Absence Request Form For Elected and Appointed Officers

Name: James M Bentam, Council Member, Place 1

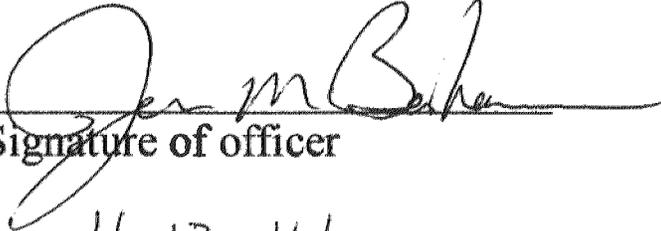
Board or Committee: City Council

I will NOT be in attendance at:

November 13 Council Meeting

for the reason(s) specified:

traveling on business


Signature of officer

11-13-14
Date

This request shall be submitted to the office of the City Secretary or Board Secretary one week prior to meeting date.