

State of Texas
County of Brazoria
City of Angleton

The City of Angleton, Texas City Council conducted a Special Meeting at 6 p.m., Tuesday, January 12, 2016, with the following in attendance:

Randy Rhyne	Mayor
Roger Collins	Mayor Pro Tem/Position 5 (absent)
Hardwick Bieri	Councilman Position 1
Williams Tigner	Councilman Position 2
Wesley Rolan	Councilman Position 3 (absent)
Bonnie McDaniel	Councilwoman Position 4

OTHERS PRESENT:

Michael Stoldt	City Manager
Patti Worfe	Asst. City Manager/Economic Development Director
Mary Kay Fischer	City Attorney
Shelly Deisher	City Secretary
Susie Hernandez	Finance Director
David Ashburn	Chief of Police

And those listed on the guest registry.

1. CALL TO ORDER BY MAYOR RHYNE at 6:03 p.m. Declare a quorum.
2. Pledge of Allegiance.
3. Moment of Silent Reflection/Prayer.
4. PRESENTATION:
 - A) Presentation of Speed limit trailer donation from Angleton Police Officers' Association to Angleton Police Department (this item was not presented);
 - B) Employee Appreciation; and
 - C) Collection Report to the City of Angleton from Perdue Brandon.
5. Citizens Wishing to Address Council - Larry Shaefer discussed no return phone calls about October 26 letter regarding 201 North Walker and curbs being destroyed by large trucks and water meter being run over by them.
6. Requests to Address Council Other Than Citizenry: Chief Ashburn discussed the huge success with the programs Shop with a Cop and Police officers stopping citizens for being good drivers during the holidays.
7. ALL ITEMS LISTED UNDER THE "CONSENT AGENDA" ARE CONSIDERED TO BE ROUTINE BY THE CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER REQUESTS, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED BY A SEPARATE ACTION.
Consent item: Ratify Accounts Payable for November, 2015.

Motion by Councilman Bieri to approve the consent agenda;
Second by Councilwoman McDaniel.
8. Public Hearing on a Request to Replat 2 Texian Trail North with

a legal description of Texian S/D (A0375 I T Tinsley) (Angleton) Lot Commercial Reserve A into Lot A1 (0.1687 acres) and Lot A2 (0.2976 acres).

Motion by Councilman Tigner to open the public hearing;
Second by Councilwoman McDaniel.

Motion passes with 4 for; 0 against; 2 absent (Rolan and Collins).

Motion by Councilman Tigner to close the public hearing;
Second by Councilwoman McDaniel.

Motion passes with 4 for; 0 against; 2 absent (Rolan and Collins).

9. Discussion and Possible Action on a Request to Replat 2 Texian Trail North with a legal description of Texian S/D (A0375 I T Tinsley) (Angleton) Lot Commercial Reserve A into Lot A1 (0.1687 acres) and Lot A2 (0.2976 acres).

Motion by Councilwoman McDaniel to approve the Replat of 2 Texian Trail North with a legal description of Texian S/D (A0375 I T Tinsley) (Angleton) Lot Commercial Reserve A into Lot A1 (0.1687 acres) and Lot A2 (0.2976 acres);
Second by Councilman Bieri.

Motion passes with 4 for; 0 against; 2 absent (Rolan and Collins).

10. Public Hearing on a Request to Rezone 2851 North Downing Rd., with a legal description of A0318 T S Lee, Tract 33B1, Acres 0.31, Angleton from SF-7.2 – Single-Family Residential-7.2 District to C-G – Commercial-General District.

Motion by Councilman Bieri to open the public hearing;
Second by Councilman Tigner.

Motion passes with 4 for; 0 against; 2 absent (Rolan and Collins).

Mayor Rhyne asked if anyone wished to speak on, for or against this matter.

Motion by Councilman Tigner to close the public hearing;
Second by Councilwoman McDaniel.

Motion passes with 4 for; 0 against; 2 absent (Rolan and Collins).

11. Discussion and Possible Action on ORDINANCE NO. 2016-O-1B; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE "ZONING MAP OF THE CITY OF ANGLETON" BY CHANGING THE ZONING DISTRICT DESIGNATION AND PROVIDING FOR A ZONING CHANGE TO 2851 NORTH DOWNING, HAVING A LEGAL DESCRIPTION OF AO318 T.S. LEE, TRACT 33B1, ACRES 0.31, CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS, FROM SF-7.2 – SINGLE-FAMILY RESIDENTIAL-7.2 DISTRICT TO C-G – COMMERCIAL-GENERAL DISTRICT; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Motion by Councilman Bieri to approve Ordinance No. 2016-O-1B;

Second by Councilman Tigner.

Motion passes with 4 for; 0 against; 2 absent (Rolan and Collins).

12. Public Hearing on a Request to Rezone a 9.99 Acre Tract Being the South One-half (1/2) of Tract 45 of the Bryan and Kiber Subdivision of the I.T. Tinsley Survey, Abstract 375, Brazoria County, Texas, also known as Buchta Road/County Road 428 from SF-7.2 – Single-Family Residential-7.2 District to SFA – Single-Family Attached Residential District (Townhomes).

Motion by Councilwoman McDaniel to open the public hearing;
Second by Councilman Bieri.

Motion passes with 4 for; 0 against; 2 absent (Rolan and Collins).

Mayor Rhyne asked if anyone wished to speak on, for or against this matter.

Randy Roberts spoke on behalf of the Buchta Townhomes and showed a presentation.

Lee Mullen from Austin Street was concerned about the one lane street at the end of this property and the possibility of it ever becoming two lanes with this development constructed on this property.

Motion by Councilwoman McDaniel to close the public hearing;
Second by Councilman Bieri.

Motion passes with 4 for; 0 against; 2 absent (Rolan and Collins).

13. Discussion and Possible Action on ORDINANCE NO. 2016-O-1C; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING THE "ZONING MAP OF THE CITY OF ANGLETON" BY CHANGING THE ZONING DISTRICT DESIGNATION AND PROVIDING FOR A ZONING CHANGE TO A 9.99 ACRE TRACT BEING THE SOUTH ONE-HALF (1/2) OF TRACT 45 OF THE BRYAN AND KIBER SUBDIVISION OF THE I.T. TINSLEY SURVEY, ABSTRACT 375, BRAZORIA COUNTY, TEXAS, ALSO KNOWN AS BUCHTA ROAD/COUNTY ROAD 428, ANGLETON, TEXAS, FROM SF-7.2 – SINGLE-FAMILY RESIDENTIAL-7.2 DISTRICT TO SFA – SINGLE-FAMILY ATTACHED DISTRICT (TOWNHOMES); PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000 FOR EACH AND EVERY OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Mayor Rhyne asked the spokesperson for the Townhomes if he had any objections to moving this item to the next meeting and Randy Roberts stated he had no objections. 20% of the total area of property wrote letters of objection and because a majority of councilpersons were not present, this item was tabled. To pass this ordinance, 5 of 6 councilpersons must vote in favor and only four councilpersons were present.

Motion by Councilwoman McDaniel to table this item until the

next council meeting;
Second by Councilman Tigner.

Mayor Rhyne stated that this matter will be presented at the January 26th council meeting and council will hold another public hearing.

Motion Passes with 4 for; 0 against; 2 absent (Collins and Rolan).

14. Public Hearing on AN ORDINANCE AMENDING THE UTILITY RATE TABLES IN ARTICLE III OF SECTION 26 OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON; REVISING AND PROVIDING FOR AN INCREASE IN THE RATES TO BE CHARGED FOR WATER BY THE CITY OF ANGLETON; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Motion by Councilman Bieri to open the public hearing;
Second by Councilwoman McDaniel.

Motion Passes with 4 for; 0 against; 2 absent (Collins and Rolan).

Mayor asked if anyone wished to speak on, for or against this matter.

Larry Shaefer: Understood that with Desal and Rosenberg that rates would be reduced. Talked about BWA plagued with not having a quorum because Clute City representative hasn't shown up in a year. Maybe we should do a little checking.

Motion by Councilman Bieri to close the public hearing;
Second by Councilman Tigner.

Motion Passes with 4 for; 0 against; 2 absent (Collins and Rolan).

15. Discussion and Possible Action on ORDINANCE NO. 2016-O-1D; AN ORDINANCE AMENDING THE UTILITY RATE TABLES IN ARTICLE III OF SECTION 26 OF THE CODE OF ORDINANCES OF THE CITY OF ANGLETON; REVISING AND PROVIDING FOR AN INCREASE IN THE RATES TO BE CHARGED FOR WATER BY THE CITY OF ANGLETON; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Susie Hernandez: Requesting a 10 cent increase for every 1000 gallons to match the BWA rate increase.

Motion by Councilwoman McDaniel to approve Ordinance No. 2016-O-1D;
Second by Councilman Bieri.

Motion Passes with 4 for; 0 against; 2 absent (Collins and Rolan).

16. Discussion and Possible Action on ORDINANCE NO. 2016-O-1E; AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF ANGLETON, TEXAS, CHAPTER 9, GARBAGE AND REFUSE, SEC. 9-21 SECTION 9A-RESIDENTIAL, GARBAGE AND REFUSE

COLLECTION RATES; REVISING AND PROVIDING FOR AN INCREASE IN THE RATES TO BE CHARGED FOR SOLID WASTE COLLECTION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Motion by Councilwoman McDaniel to approve Ordinance No. 2016-O-1E;
Second by Councilman Tigner.

Motion Passes with 4 for; 0 against; 2 absent (Collins and Rolan).

17. Discussion and Possible Action on Approval of Waiving all City of Angleton Permit Fees for Brazoria County Community Development Department for Residential Rehabilitation at 724 Live Oak Street, Angleton, Texas.

Motion by Councilman Bieri to approve Waiving all City of Angleton Permit Fees for Brazoria County Community Development Department for Residential Rehabilitation at 724 Live Oak Street, Angleton, Texas;
Second by Councilwoman McDaniel.

Motion passes with 4 for; 0 against; 2 absent (Collins and Rolan).

18. Discussion and Possible Action on RESOLUTION NO. 2016-R-1A; A RESOLUTION OF THE CITY OF ANGLETON, TEXAS, SETTING A DATE, TIME AND PLACE FOR TWO (2) PUBLIC HEARINGS ON THE PROPOSED ANNEXATION BY THE CITY OF ANGLETON, TEXAS, OF 2.45 ACRE TRACT OF LAND OUT OF THE ANGLETON COMMERCIAL SUBDIVISION NO. 3 AS RECORDED IN VOLUME 19, PAGE 681-684 OF THE PLAT RECORDS OF BRAZORIA COUNTY, TEXAS, BEING A SUBDIVISION OF 85.026 ACRES OF LAND OUT OF 123.32 ACRES IN THE J DE J VALDERAS SURVEY, ABSTRACT 380, BRAZORIA COUNTY, TEXAS AND AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SUCH PUBLIC HEARINGS; PROVIDING FOR AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Motion by Councilwoman McDaniel to approve Resolution No. 2016-R-1A;
Second by Councilman Bieri.

Motion passes with 4 for; 0 against; 2 absent (Rolan and Collins).

19. Discussion and Possible Action on Agreement between the City of Angleton and Brazoria County for Waterline Improvements along North Parrish, North Higgins and San Felipe.

Motion by Councilman Bieri to approve the Agreement between the City of Angleton and Brazoria County for Waterline Improvements along North Parrish, North Higgins and San Felipe;
Second by Councilman Tigner.

Motion passes with 4 for; 0 against; 2 absent (Rolan and Collins).

20. Discussion and Possible Action on a "Request For Proposals"

Soliciting Assistance from Executive Search Firms.

Motion by Councilman Tigner to approve request for proposals soliciting assistant from Executive Search Firms;
Second by Councilman Bieri.

Motion passes with 4 for; 0 against; 2 absent (Rolan and Collins).

21. Discussion and Possible Action on the Appointment of a Committee to Review and Score Proposals From Executive Search Firms.

Motion by Councilwoman McDaniel to appoint the City Council as the Committee to Review and Score Proposals from Executive Search Firms ;
Second by Councilman Bieri.

Motion passes with 4 for; 0 against; 2 absent (Rolan and Collins).

22. Discussion and Possible Action on Appointing a Board Member to the Planning & Zoning Commission.

Motion by Councilwoman McDaniel to approve appointing Travis Townsend to the Planning & Zoning Commission;
Second by Councilman Tigner.

Motion passes with 4 for; 0 against; 2 absent (Collins and Rolan).

23. Council adjourned into Executive Session at 7:14 p.m. as authorized by:

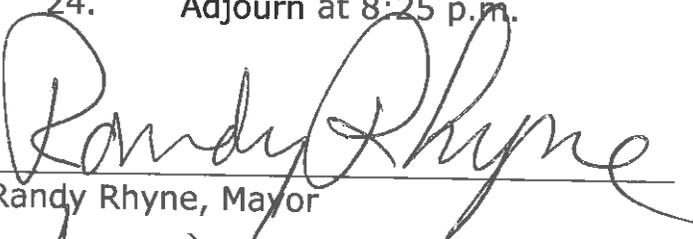
a) Texas Government Code Section 551.071 (Consultation with Attorney) to consult with its attorney about an employment contract, with possible discussion and action related thereto in open session and

b) Texas Government Code Section 551.074 (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Attorney, with possible discussion and action related thereto in open session.

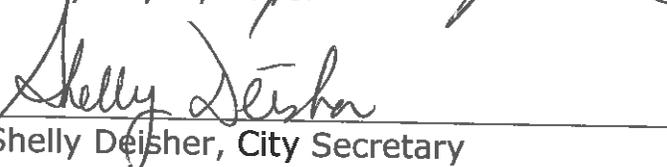
Council reconvened into open session at 8:25 p.m.

Action out of Executive Session: None.

24. Adjourn at 8:25 p.m.



Randy Rhyne, Mayor



Shelly Deisher, City Secretary