

State of Texas – County of Brazoria - City of Angleton

The City of Angleton, Texas City Council conducted its Regular Meeting at 6 p.m., Tuesday, January 26, 2016, with the following in attendance:

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

OTHERS PRESENT:

Michael Stoldt	City Manager
Patti Worfe	Asst. City Manager and Economic Development Director
Mary Kay Fischer	City Attorney
Shelly Deisher	City Secretary
Susie Hernandez	Finance Director
Katherine Davis	Asst. Chief of Police
Kacey Hamlet	Utility Dept. Supervisor
Will Blackstock	Parks & Rec Director
Karen Barclay	Building Services Supervisor
Dana Alsobrook	Municipal Court Administrator
Chris Hogan	Fire Chief

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. Approval of City Council Minutes from the meetings of December 8, 2015, December 14, 2015 and January 5, 2016.

Motion by Councilman Bieri to approve the City Council Meeting Minutes from December 8, 2015, December 14, 2015 and January 5, 2016;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

5. **PRESENTATIONS:**
 - A) Eagle Scout Proclamations
 - B) Keep Angleton Beautiful Recycle Bowl Winners
6. Citizens Wishing to Address Council.

Larry Shaefer: does not have a position one way or the other on the gun matter other than safety, which he thinks is the most important. Good news is, you can always revise it later if you have to. We need the lights fixed in the parking lot of Municipal Court. Walks out with Chief and if he is not here then he is on his own. Discussed the letter he presented to council regarding Angleton as the county seat.

7. Requests to Address Council Other Than Citizenry – none.

CONSENT AGENDA:

8. 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 items:

- A) Ratify Accounts Payable for December, 2015
- B) Resolution 2016-R-1E authorizing the submission of a Criminal Justice Division Grant Application to the Office of the Governor for the Body-Worn Camera Grant.
- C) Authorization to order a new Animal Control truck from Caldwell Country Dealership through the Buy Board Cooperative Purchasing Program for \$20,845.
- D) Authorization to order three new Police vehicles from Caldwell Country Dealership through the Buy Board Cooperative Purchasing Program for \$102,130.

Mayor read the caption for Resolution No. 2016-R-1E.

Motion by Mayor Pro Tem Collins to approve the consent agenda;

Second by Councilwoman McDaniel.

Motion passes with 6 for; 0 against; 0 absent.

9. Discussion and Possible Action on:
- 1) Motion making a Finding that Waiving the Liens for Removal of High Weeds or Grass on Property on S. Erskine Street Owned by Community Food Pantry, Inc. serves a Public and Municipal Purpose.

Motion by Councilman Rolan to waive the liens for removal of high weeds or grass on property on S. Erskine Street Owned by Community Food Pantry, Inc. serves a public and municipal purpose;

Second by Councilman Tigner.

Motion passes with 5 for; 0 against; 0 absent; 1 abstain (McDaniel).

- 2) Motion Waiving the Liens on Property on S. Erskine Street owned by Community Food Pantry, Inc.

Motion by Mayor Pro Tem Collins to waive the liens on the property at S. Erskine Street owned by Community Food Pantry, Inc.,

Second by Councilman Bieri.

Motion passes with 5 for; 0 against; 0 absent; 1 abstain (McDaniel).

10. 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 (Townhomes) District.

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

Motion passes with 6 for; 0 against; 0 absent.

Mayor asked if anyone wished to speak on, for or against the rezone.

Motion by Mayor Pro Collins to close the public hearing;
Second by Councilman Tigner.

Motion passes with 6 for; 0 against, 0 absent.

11. 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.

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

Motion passes with 6 for; 0 against; 0 absent;

Roll call vote:

Mayor Rhyne - yes

Mayor Pro Tem Collins - yes

Councilwoman McDaniel - yes

Councilman Bieri - yes

Councilman Rolan - yes

Councilman Tigner - yes.

12. Public Hearing on a Request for Voluntary Annexation of a 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 (FIRST PUBLIC HEARING).

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

Motion passes with 6 for; 0 against; 0 absent.

Mayor asked if anyone wished to speak on, for or against the voluntary annexation. No one wished to speak.

Motion by Councilwoman McDaniel to close the public hearing;
Second by Mayor Pro Tem Collins.

Motion passes with 6 for; 0 against, 0 absent.

13. Public Hearing on a Request for Voluntary Annexation of a 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 (SECOND PUBLIC HEARING).

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

Motion passes with 6 for; 0 against; 0 absent.

Mayor asked if anyone wished to speak on, for or against the the voluntary annexation. No one wished to speak.

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

Motion passes with 6 for; 0 against, 0 absent.

14. Discussion and Possible Action on RESOLUTION NO. 2016-R-1C; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS, CREATING THE COUNTY ROAD 220 CAPITAL IMPROVEMENTS ADVISORY COMMITTEE AND SETTING FORTH THEIR RULES, DUTIES AND RESPONSIBILITIES, ALL IN COMPLIANCE WITH THE IMPACT FEE STATUTES FOUND IN CHAPTER 395 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Motion by Mayor Pro Tem Collins to approve Resolution No. 2016-R-1C and appoint Paul O'Farrell, Oscar Greek, John Wright, Ronnie Slate and Donnie Peltier to the Capital Improvements Advisory Committee,
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

15. DISCUSSION AND POSSIBLE ACTION ON RESOLUTION NO. 2016-R-1D; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANGLETON, TEXAS, ESTABLISHING A PUBLIC HEARING DATE TO CONSIDER APPROVAL OF LAND USE ASSUMPTIONS AND CAPITAL IMPROVEMENTS PLAN RELATING TO POSSIBLE ADOPTION OF WATER AND WASTEWATER IMPACT FEES FOR THE DESIGNATED SERVICE AREA; PROVIDING AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

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

Motion passes with 6 for; 0 against; 0 absent.

16. Public Hearing on Designation of Reinvestment Zone No. 8, whose boundaries are contiguous with the 13.53 Acre Tract Whose Legal Description is Farm Bureau SD (A0318 T S Lee) (Angleton), Lot 2, and Whose Address is 2620 East Mulberry, Angleton, Texas.

Mayor Rhyne: "Let the record reflect that the City of Angleton has complied with all notice requirements as established by

state law and local guidelines relating to the following two public hearings on Reinvestment Zone No. 8 and a Tax Abatement Agreement with New Medley, Inc.

At least seven days before these hearings, written notice of both hearings was given to all presiding officers of each of the other taxing entities that has taxing jurisdiction over real property within the zone and each presiding officer was provided a copy of the proposed tax abatement agreement.

Notice of the hearing for creation of the reinvestment zone was also published in the newspaper at least seven days before this hearing date".

At the public hearing, the City Council made several findings:

Motion that the City Council Make Findings that the Improvements Sought are Feasible and Practical and Would be a Benefit to the Zone after the Expiration of the Tax Abatement Agreement and the Designation of the Zone is Reasonably Likely to Contribute to the Retention or Expansion of Primary Employment or to Attract Major Investment to the Zone.

Motion by Councilman Bieri to open the public hearing,
Second by Mayor Pro Tem Collins.

Mayor asked if anyone wished to speak on, for or against this matter. No one wished to speak.

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

Motion passes with 6 for; 0 against; 0 absent.

Motion by Councilwoman McDaniel to Make Findings that the Improvements Sought are Feasible and Practical and Would be a Benefit to the Zone after the Expiration of the Tax Abatement Agreement and the Designation of the Zone is Reasonably Likely to Contribute to the Retention or Expansion of Primary Employment or to Attract Major Investment to the Zone;
Second by Councilman Bieri.

Motion passes with 6 for; 0 against; 0 absent.

17. Discussion and Possible Action on ORDINANCE NO. 2016-O-1A; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, CREATING REINVESTMENT ZONE NO. 8; THE BOUNDARIES OF SAID REINVESTMENT ZONE IS A 13.53 ACRE TRACT OF LAND IN THE T.S. LEE SURVEY, ABSTRACT NUMBER 318, BRAZORIA COUNTY, TEXAS, BEING ALL OF LOT 2 OF THE FARM BUREAU SUBDIVISION; LOCATED IN THE CITY OF ANGLETON, TEXAS; MAKING RELATED FINDINGS THERETO; PROVIDING FOR SEVERABILITY; PROVIDING AN OPEN MEETINGS CLAUSE AND AN EFFECTIVE DATE.

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

Motion passes with 6 for; 0 against; 0 absent.

18. Public Hearing to Consider Approval of a Tax Abatement

Agreement with New Medley, Inc.

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

Motion passes with 6 for; 0 against; 0 absent.

Patti Worfe explained that New Medley is Overnite Software. Tax Abatement Committee met on December 8 and recommended a seven year graduated Tax Abatement Agreement with New Medley, Inc. Also suggested to offer 50% reduction that 7th year. Location is north Highway 35 near Farm Bureau Insurance.

Mayor asked if anyone wished to speak on, for or against the the tax abatement agreement with New Medley, Inc. No one wished to speak.

Motion by Mayor Pro Tem Collins to close the public hearing;
Second by Councilman Bieri.

Motion passes with 6 for; 0 against, 0 absent.

19. Discussion and Possible Action on RESOLUTION NO. 2016-R-1B; A RESOLUTION OF THE CITY OF ANGLETON, TEXAS, APPROVING A TAX ABATEMENT AGREEMENT WITH NEW MEDLEY, INC.; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; FINDING THAT THIS AGREEMENT WAS APPROVED BY A MAJORITY VOTE OF THE CITY COUNCIL AT A REGULARLY SCHEDULED MEETING CONDUCTED IN COMPLIANCE WITH THE OPEN MEETINGS ACT; AND DECLARING AN EFFECTIVE DATE (Mary Kay Fischer, City Attorney).

Motion by Councilwoman McDaniel find that this agreement was considered in a regularly scheduled meeting of the City Council and the terms of the agreement and the property subject to the agreement meet the applicable guidelines and criteria;
Second by Councilman Bieri.

Motion passes with 6 for; 0 against; 0 absent.

Motion by Mayor Pro Tem Collins to Approve Resolution No. 2016-R-1B ,
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

Recess was taken at 7:07 p.m.

Reconvened into open session at 7:16 p.m.

20. Discussion and Possible Action Concerning Where Firearms Will Be Allowed on City Property, Including Whether to Prohibit Concealed Carry and/or Open Carry of Handguns in City Council Meetings and All City Meetings That are Subject to the Open Meetings Act.

Motion by Councilman Rolan to prohibit long guns on any city property and to allow concealed and open carry according to state law for those that are legally authorized to do so;
Second by Councilman Tigner.

Motion passes with 6 for; 0 against; 0 absent.

21. Discussion of Texas Parks and Wildlife Grant and Possible Acquisition of Property from Angleton Drainage District.

Will Blackstock: City of Angleton is going to be granted a \$150,000 parks grant from Texas Parks and Wildlife. Provided a drawing that the Parks Board has been meeting and working on. The proposed property for the park is located at the corner of Enchanted Oaks and County Road 44. The property is owned by Angleton Drainage District. They would like to donate that property to the city which would be the match to the grant, which means we would be able to develop this park with little to no cost to the city. This is a rapidly growing area with new subdivisions and additions to current subdivisions. Main entrance would be off county road 44 so most of traffic would not be going into the neighborhood. Working on an agreement for help from ADD for slope mowing and maintenance of bank.

Motion by Mayor Pro Tem Collins to authorize staff to move forward with the grant project;
Second by Councilman Rolan.

Motion passes with 6 for; 0 against; 0 absent.

22. Discussion and Possible Action on Placing a Memorial Bench at Veteran's Park.

Motion by Councilman Rolan to approve placing a memorial bench at Veteran's Park;
Second by Councilman Tigner.

Motion passes with 6 for; 0 against; 0 absent.

23. Discussion and Possible Action on the 2016 Street Improvement Program.

Motion by Councilman Bieri to approve the 2016 Street Improvement Program,
Second by Mayor Pro Tem Collins.

Motion passes with 6 for; 0 against; 0 absent.

24. Reports of Boards & Commissions:
Angleton Better Living Corporation – met last night. We approved holiday schedule and engineering fees. Also discussed the memorial bench.
Angleton Parks Board – meeting was centered around ADD park.
Senior Citizen Commission – should have met in December but will meet next month.

25. Staff Reports & Questions for Staff
A) Building Services Reports
B) Economic Development and Tourism Report
C) Emergency Management Report
D) Finance Department Reports
E) Fire Department Report
F) Keep Angleton Beautiful
G) Municipal Court Reports
H) Parks & Recreation Reports
I) Police Department Reports

- J) Public Works Department Reports
- K) Utility Department Reports

Welcomed Chief Hogan back as fire chief.

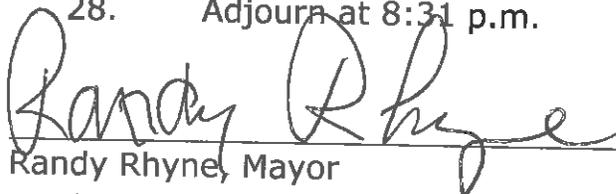
26. Council Information (limited to items of community interest)
Mayor Randy Rhyne – Feb. 15 is President’s Day, Jan. 20th is 1st day to file application for place on general election ballot.
Mayor Pro Tem Roger Collins – nothing.
Councilman Hardwick Bieri – nothing.
Councilman Williams Tigner – nothing.
Councilman Wesley Rolan – nothing.
Councilwoman Bonnie McDaniel – nothing.

27. Council adjourned into Executive Session at 8:15 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.

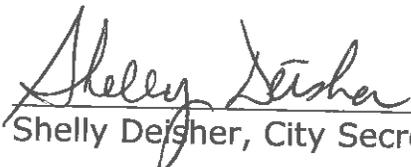
Reconvened into open session at 8:31 p.m.

Action out of executive session: None.

28. Adjourn at 8:31 p.m.



Randy Rhyne, Mayor



Shelly Deisher, City Secretary