

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, June 28, 2016, with the following in attendance:

Randy Rhyne	Mayor
Hardwick Bieri	Mayor Pro Tem/ Position 1
Williams Tigner	Councilman Position 2
Wesley Rolan	Councilman Position 3
Bonnie McDaniel	Councilwoman Position 4
Cody Vasut	Councilman Position 5
OTHERS PRESENT:	
Michael Stoldt	City Manager
Patti Worfe	Asst. City Manager and Economic Development Director
Mary Kay Fischer	City Attorney
Alyssa Deaton	Asst. City Secretary
David Ashburn	Chief of Police
Susie Hernandez	Finance Director
Kacey Hamlet	Utility Dept. Supervisor
Karen Barclay	Building Services Supervisor
Dana Alsobrook	Municipal Court Administrator
Jeff Sifford	Interim Public Works Director

And those listed on the guest registry.

1. CALL TO ORDER BY MAYOR RHYNE at 6:00 p.m. Declare a quorum.
2. Pledge of Allegiance.
3. Invocation led by the Mayor.
4. Approval of City Council Minutes from the meeting of May 24, 2016 and June 14, 2016.

Motion by Councilwoman McDaniel to approve the City Council Meeting Minutes from May 24, 2016 and June 14, 2016 with changes to item #18 from the minutes of June 14 to reflect voting of 5 for; 1 against (Rolan) and 0 absent;
Second by Councilman Rolan.

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

5. PRESENTATIONS:
 - A) Texas Empire Rampage Proclamation
 - B) National Disability Voter Registration Week Proclamation
 - C) Employee Appreciation.
6. Citizens Wishing to Address Council – David Linder (County Commissioner) spoke about how much he appreciated the City of Angleton and Angleton PD stepping up to help during the flood.
7. Requests to Address Council Other Than Citizenry.

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 May, 2016 and
- B) Declare Police Department Analog Radios as surplus.

Motion by Councilman Rolan to approve the consent agenda;
Second by Councilwoman McDaniel.

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

9. Discussion and Possible Action on Approval of a Pipeline Permit to Gulf South Pipeline Company, LP for the Construction of an Interstate Natural Gas Pipeline as it pertains to Public Streets, Alleys or Other Public Way or Easement.

Michael Stoldt spoke about the pipeline, crossing only one city street. Staff recommends approval after engineer reviewed the site plan.

Motion by Councilman Tigner to approve the pipeline permit to Gulf South Pipeline Co.;
Second by Councilman Rolan.

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

10. Discussion and Presentation by Connect Transit on the Southern Brazoria County Transit System.

Connie Westfall, representative for Connect Transit, presented a slideshow.

11. Discussion and Possible Action on an "Ad Valorem Tax Refund Incentive Program Agreement" Between the City of Angleton and Donald Peltier for 1117 Shady Oak in Angleton, Texas.

Motion by Councilman Rolan to approve the Ad Valorem Tax Refund Incentive Program Agreement with Donald Peltier for 1117 Shady Oak in Angleton;
Second by Councilman Vasut.

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

12. Public Hearing on Ordinance 2016-O-6C; an Ordinance amending the Official Zoning Map for the City of Angleton, Texas.

Motion by Councilman Tigner 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 public hearing.

Judy Shaefer asked if this was adding what they voted on already to the map. Michael Stoldt: This is voting to update the map. Not actually doing any new rezoning.

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

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

13. Discussion and Possible Action on ORDINANCE NO. 2016-O-6C; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, ADOPTING

A NEW OFFICIAL ZONING DISTRICT MAP TO SUPERSEDE AND REPLACE THE ORIGINAL OFFICIAL ZONING MAP REFERRED TO IN SECTION 3 OF THE ZONING ORDINANCE, ORDINANCE NO. 2009-O-4A OF THE CITY OF ANGLETON, TEXAS, ADOPTED ON THE 14TH DAY OF APRIL, 2009 AND AMENDED AND ADOPTED ON APRIL 8, 2014; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE AND PROVIDING AN EFFECTIVE DATE.

Motion by Councilman Rolan to approve Ordinance No. 2016-O-6C;
Second by Mayor Pro Tem Bieri.

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

14. Discussion and Possible Action on RESOLUTION NO. 2016-R-6C; A RESOLUTION OF THE CITY OF ANGLETON, TEXAS, ESTABLISHING A POLICY REGARDING INVOCATIONS AT MEETINGS OF THE CITY COUNCIL OF THE CITY OF ANGLETON.

Mary Kay Fischer: This is just a written policy to clarify and codify the invocation practices, regarding opening the meetings with an invocation. Took some of the information that was discussed at the last meeting, like the 30 minute [sic] length, and the other guidelines that were based on recommendation and guidelines discussed by Justices of the Supreme Court as to how we could have a policy. These are guidelines I was proposing to adopt for our policy and practice for the invocation.

Councilman Vasut: I know I threw out the 30 seconds last time and maybe one minute might be a little better of a time. I tried to think how long the prayer was today but I couldn't multi-task like that.

Councilman Tigner: I haven't seen anyone with a stopwatch and it is just a number in here. I don't think anybody is going to jump on the mayor if he goes 35 seconds. I don't want to be here for five minutes listening to supreme court prayers or how much direction they need.

Motion by Councilman Rolan to approve Resolution No. 2016-R-6C with changes to Item #2 in the wording to include "approximately 30 seconds" for length of prayer;
Second by Councilman Vasut.

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

15. Discussion and Possible Action on Hiring a Second Motorcycle Traffic Officer.

Chief Ashburn explained it was not hiring a second motorcycle traffic officer but had a traffic and motor officer. Kept traffic officer position empty and are still one officer down but hope to have the hiring board within the next week. Looks like we have five good ones to look at to get on board. The motor officer we have right now is real versatile. Already have an officer that has certification. Is moving this officer to a motor officer. If we need him on a shift if people are on vacation or out, he can move to a car. Biggest cost for a motorcycle officer is a special camera that has a waterproof head on it and radio is the same way.

Michael Stoldt: We have the money in the budget to purchase the things needed for the motorcycle. Staff recommends approval.

Motion by Mayor Pro Tem Bieri to approve the action of a second motorcycle officer;
Second by Councilman Rolan.

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

16. Discussion and Possible Action on ORDINANCE NO. 2016-O-6H; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, GRANTING A SPECIFIC USE PERMIT TO CONTINUE TO ALLOW OPERATION OF AN AMUSEMENT REDEMPTION MACHINE GAME ROOM AT 1501 S VELASCO IN THE CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS; 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.

Michael Stoldt: Last time this item was postponed because no one was here to speak for it. I don't think there is a representative here tonight, even though they have been informed.

Alyssa Deaton: No one is present.

Karen Barclay: I did speak to the manager. She was personally informed.

Mayor Rhyne: the county did raid that place last year and one of the gentlemen on the lease or the application for it and lives in Houston actually pled guilty to a misdemeanor offense.

Motion by Councilman Vasut to reject the Special Use Permit indicated in Ordinance No. 2016-O-6H,
Second by Councilman Rolan.

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

17. Discussion And Possible Action on Directing Staff on Issues Related to Signage for Bobby Ford Kubota Tractor and Equipment.

Jonathan Powell spoke for Bobby Ford stating they had issues. Nothing was explained that there would be any problems with the signage. Already had permission a year before they came to Angleton. Ran into a problem at the end of the road and told they were only allowed one sign for the premises.

Michael Stoldt: I understand you purchased this sign for another location?

Jonathan Powell: No. Richwood location was only temporary and only supposed to be there about four months. Delay of us moving was weather and other things. The sign was part of the franchise purchase.

Michael Stoldt: You used two different sign companies. Our sign ordinance only allows for one pole mounted sign. Our ordinance doesn't even allow for a variance for a second pole-mounted sign. We need to amend the ordinance to allow for a

variance. Cautioned council regarding allowing him to put up a second pole mounted sign as it sets a precedent, which may allow multiple pole mounted signs at other premises. What he originally submitted in the plans was actually a monument sign. They could still use the pole mounted sign. They would have to cut off the pole and mount at ground level. Allowing multiple pole signs will clutter the highways. The original sign company that submitted the plans and given a permit were given the ordinance and were aware of the rules. The contractor that is trying to get this permit is not a registered sign contractor in the city.

Councilman Vasut: Does your franchise agreement require a certain way of mounting that branding sign?

Jonathan Powell: Yes, I have a letter from the manufacturer stating, by my dealer and sales and service agreement, that I need to have some type of Kubota branded sign.

Councilman Vasut: Does it require that it is pole mounted...does it matter as long as you have the Kubota branded sign?

Jonathan Powell: They have a couple of options. The smallest is 19 feet and one was 29 feet.

Councilman Rolan: So you are going to operate two businesses out of this location?

Jonathan Powell: Advertising for Kubota and Bobby Ford.

Motion by Councilman Tigner to instruct staff to amend the ordinance to allow a variance for additional pole signs,
Second by Councilman Vasut.

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

18. Reports of Boards & Commissions:
Angleton Parks Board – Canceled last meeting.
Senior Citizen Commission – had meeting. Seniors party coming up.
19. 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

Councilwoman McDaniel asked about fire dept. reports. Did not have a heading. A lot of fire calls. Mayor Pro Tem Bieri explained that all alarm calls were logged, even if there was no fire.

Mayor: Good turnout for bench dedication. Thank you Will and parks dept.

Councilman Vasut: Wanted to know how many citations had been issued since the texting ordinance. Dana Alsobrook stated about half a dozen had been issued.

Mayor Pro Tem Bieri asked if anything was ever going to be done with the old Holcomb building. Karen Barclay stated that the owner rents it out as storage. Mayor Pro Tem Bieri commented how it looks really bad.

Councilwoman McDaniel is very proud of the Keep Angleton Beautiful group and Erin for all the hard work they have done. Attended KTB award ceremony.

Mayor asked about lighting for the heart on Loop 274. Will Blackstock stated that it is better illuminated with the lights pointed down.

Mayor: it looks like we haven't had as many trials. Dana Alsobrook stated they are caught up. Those that want jury trial usually plea out.

20. Council Information (limited to items of community interest)
Mayor Randy Rhyne – Sat. July 2 is Freedom Festival at fairgrounds. July 4 is a holiday. July 9 is Hurricane Preparedness expo. Budget workshops are July 30, Aug. 2, August 4, August 9th. Thanks to city staff for taking care of business during the flooding. Inmates filled over 30,000 sand bags.
Mayor Pro Tem Hardwick Bieri – Preplanning and bagging was great. Appreciate all the hard work.
Councilman Williams Tigner – nothing.
Councilman Wesley Rolan – nothing.
Councilwoman Bonnie McDaniel – looking forward to fireworks.
Councilman Cody Vasut – nothing.

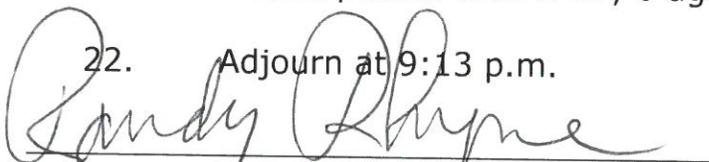
21. Council Adjourned Into Executive Session at 7:39 p.m. as Authorized by Texas Government Code Section 551.072 (Deliberations about Real Property) to deliberate the purchase, exchange, lease or value of real property for street construction purposes. Deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. There may be possible discussion and action related thereto in open session.

Reconvened into open session at 9:11 p.m.

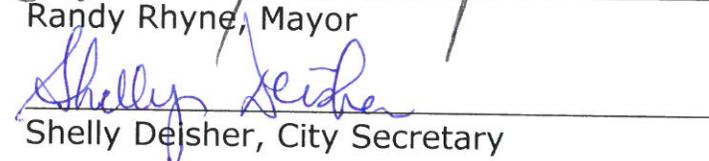
Action out of executive session: Motion by Councilman Williams to authorize the city manager to spend up to \$63,260.00 to purchase the Shanks Road right of way and associated closing costs;
Second by Mayor Pro Tem Bieri.

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

22. Adjourn at 9:13 p.m.



Randy Rhyne, Mayor



Shelly Deisher, City Secretary