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, July 26, 2016, with the following in attendance:

Randy Rhyne	Mayor
Hardwick Bieri	Mayor Pro Tem/Councilman 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
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
Jeff Sifford	Public Works Director
Dana Alsobrook	Municipal Court Administrator
Chris Hogan	Fire Chief

And those listed on the guest registry.

1. CALL TO ORDER BY MAYOR RHYNE at 6:00 p.m. Declare a quorum.

2. Pledge of Allegiance.

3. Invocation led by the Mayor.

4. Approval of City Council Minutes from the meetings of June 28, 2016 and July 12, 2016.

   Motion by Mayor Pro Tem Bieri to approve the City Council Meeting Minutes from June 28, 2016 and July 12, 2016; Second by Councilwoman McDaniel.

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

5. PRESENTATION: Keep Angleton Beautiful Yard and Business of the Month: 6 Harvest Glen and 301 Cannan Drive.

6. Citizens Wishing to Address Council:

   Larry Shaefer spoke about 700 W. Mulberry and the heavy truck parking situation. Brought a petition signed by affected parties.

   Mike Kaatz spoke regarding the plat for the Zion townhomes.

   Mr. Andrews spoke regarding the Angleton Blvd. street and parking on Austin Street.

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

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: Ratify Accounts Payable for June, 2016.

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

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

9. Discussion and Possible Action on a Request for a Sign Variance to Allow an Additional Freestanding Ground Sign for Bobby Ford Kubota Tractor and Equipment at 2498 N. Highway 288.

Motion by Councilman Rolan to approve a request for a sign variance to allow an additional freestanding ground sign for Bobby Ford Kubota Tractor and Equipment at 2498 N. Highway 288;
Second by Councilman Tigner.

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

10. Public Hearing on the Zion Townhomes Subdivision Preliminary Plat, Which is a Replat of Lots 19-36, Block 4, and Lots 1-18, Block 5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48 of the Plat Records of Brazoria County, Texas with a Legal Description of 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, located on Buchta Road, also known as County Road 428.

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.

Randy Roberts (representative for Zion Townhomes) spoke in favor of the townhomes and approving the cul-de-sac as presented in the plat.

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

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

11. Discussion and Possible Action on the Zion Townhomes Subdivision Preliminary Plat, Which is a Replat of Lots 19-36, Block 4 and Lots 1-18, Block 5, Angleton Country Estates Subdivision, as Recorded in Volume 11, Page 48 of the Plat Records of Brazoria County, Texas, with a legal description of 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, located on Buchta Road, also known as County Road 428.

Motion by Councilman Tigner to approve the Zion Townhomes Subdivision Preliminary Plat with staff recommendations for changes to the plat and leaving the road in the subdivision as a cul-de-sac;
Second by Councilman Rolan.

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

12. Discussion and Possible Action on the Preliminary Plat, Which is a Replat of Tract 5 of the Angleton Commercial Subdivision No. 4, in the J de J Valderas Survey, Abstract 380, Brazoria County, Texas, According to the Plat of Said Subdivision Recorded in Volume 24, Pages 109-110 of the Plat Records of Brazoria County, Texas, located on the Southwest Corner of Highway 288B and FM 523.

Motion by Councilman Rolan to approve the preliminary plat which is a replat of Tract 5 of the Angleton Commercial Subdivision No. 4 with staff recommendations for changes to the plat;
Second by Councilman Tigner.

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

13. Public Hearing on ORDINANCE NO. 2016-O-7A; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING.

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

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

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

Larry Shaefer spoke stating he approved of this ordinance as this ordinance affects him personally.

Motion by Councilman Vasut to close the public hearing,
Second by Councilwoman McDaniel.

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

14. Discussion and Possible Action on ORDINANCE NO. 2016-O-7A; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, AMENDING CHAPTER 28 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES BY AMENDING THE DEFINITION FOR RESIDENTIAL DWELLING, EXISTING.

Motion by Councilman Rolan to approve Ordinance No. 2016-O-7A,
Second by Councilman Tigner.

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

15. Public Hearing on a Request for a Variance to Section 3-5, Alcoholic Beverages, to Allow the Sale of Beer and Wine for Off-premises Consumption at Srilak Mart #2 Convenience Store

located at 2851 North Downing Street, Which is Located Within 300 Feet of a Public School.

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.

Larry Shaefer voiced concerns over selling alcohol near a school.

Motion by Councilman Vasut to close the public hearing,
Second by Councilman Tigner.

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

16. Discussion and Possible Action on ORDINANCE NO. 2016-O-7B; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, GRANTING A VARIANCE TO ALUTHDURAGE GUNASEKARA, OWNER OF SRILAK MART #2, A CONVENIENCE STORE LOCATED AT 2851 NORTH DOWNING, ANGLETON, TEXAS, TO ALLOW THE SALE OF BEER AND WINE FOR OFF-PREMISES CONSUMPTION AT SAID LOCATION EVEN THOUGH SAID LOCATION IS WITHIN 300 FEET OF A SCHOOL.

Motion by Councilwoman McDaniel to approve Ordinance No. 2016-O-7B,
Second by Mayor Pro Tem Bieri.

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

17. Public Hearing regarding a resolution authorizing application submission to the Texas Parks & Wildlife Department, designating certain officials as being responsible for, acting for, and on behalf of the applicant in dealing with the Texas Parks & Wildlife Department, for the purpose of participating in the local park grant program, certifying that the applicant is eligible to receive program assistance, certifying that the applicant matching share is readily available and dedicating the proposed site for permanent (or for the term of the lease for leased property) public Park and Recreational uses.

Motion by Mayor Pro Tem Bieri 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.

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

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

18. Discussion and Possible Action on RESOLUTION NO. 2016-R-7A; A RESOLUTION OF THE CITY OF ANGLETON, TEXAS, AS HEREINAFTER REFERRED TO AS "APPLICANT", DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING

FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS & WILDLIFE DEPARTMENT, HEREINAFTER REFERRED TO AS "DEPARTMENT" FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM, HEREINAFTER REFERRED TO AS THE "PROGRAM"; CERTIFYING THAT THE APPLICANT IS ELIGIBLE TO RECEIVE PROGRAM ASSISTANCE; CERTIFYING THAT THE APPLICANT MATCHING SHARE IS READILY AVAILABLE AND DEDICATING THE PROPOSED SITE FOR PERMANENT (OR FOR THE TERM OF THE LEASE FOR LEASED PROPERTY) PUBLIC PARK AND RECREATIONAL USES; FINDING THAT THE MEETING COMPLIED WITH THE OPEN MEETINGS ACT AND DECLARING AN EFFECTIVE DATE.

Motion by Councilman Rolan to approve Resolution No. 2016-R-7A,
Second by Councilman Tigner.

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

19. Public Hearing on a Request for a Specific Use Permit to Sell Portable Buildings at 1409 South Velasco Street (Hwy 288B) with a legal description of Exline & Kiber (AO134 E. Waller) (Angleton), Lots 33-34, Acres 1.500. THIS PUBLIC HEARING NOTICE WAS PUBLISHED IN THE FACTS NEWSPAPER AND ON THE WEBSITE, HOWEVER, THE APPLICATION HAS BEEN WITHDRAWN.

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

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

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

Motion by Mayor Pro Tem Bieri to close the public hearing,
Second by Councilman Rolan.

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

20. Discussion and Possible Action on Awarding a Contract to Jaco Roofing and Construction, Inc. to Re-roof the City of Angleton Recreation Center.

Motion by Councilman Vasut to award the contract to Jaco Roofing to re-roof the City of Angleton Recreation Center,
Second by Councilman Tigner.

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

21. Discussion and Possible Action on Removing and Replacing the Grating for Head-Works at Waste Water Treatment Plant and awarding the contract to Matula & Matula.

Motion by Councilwoman McDaniel to approve removing and replacing the grating for head-works at Wastewater Treatment Plant and awarding the contract to Matula & Matula,
Second by Councilman Vasut.

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

22. Reports of Boards & Commissions:
Angleton Better Living Corporation–met yesterday and discussed budget.
Angleton Parks Board–met and discussed new park on CR44.
Senior Citizen Commission – senior birthday bash is tomorrow. Last meeting was not held because of lack of quorum.

23. 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

Mayor Rhyne asked about slow-down in building permits. Karen Barclay explained there are more coming. Councilman Rolan asked if the Health Inspection Report could be updated on the website. Councilwoman McDaniel asked Karen about some certificates of occupancy not being issued and being on the list for an extended period of time. Karen explained that some are under extensive repair. Some of the remodel projects drag on for a while. Permits are good for six months. Councilman Tigner praised Karen for hearing good things being said about working with her.

24. Council Information (limited to items of community interest)
Mayor Randy Rhyne – announced budget workshop dates.
Mayor Pro Tem Roger Hardwick Bieri – nothing.
Councilman Williams Tigner – nothing.
Councilman Wesley Rolan – wanted to thank the Holy Comforter Episcopal Church for working toward a farmer's market in town.
Councilwoman Bonnie McDaniel – nothing.
Councilman Cody Vasut – nothing.

25. Council Adjourned Into Executive Session at 7:30 p.m. as Authorized by Texas Government Code:
a) Section 551.074 (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager, with possible discussion and action related thereto in open session; and
b) Section 551.074 (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Economic Development Director, with possible discussion and action related thereto in open session. Reconvened into open session at 8:20 p.m.

Action out of executive session: none.

26. Adjourn at 8:21 p.m.

Hardwick Bieri, Mayor Pro Tem

Shelly Deisher, City Secretary