

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 10, 2017, with the following in attendance:

Randy Rhyne	Mayor
Hardwick Bieri	Mayor Pro Tem/Councilman Position 1
Williams Tigner	Councilman Position 2
Carl Herbst	Councilman Position 3
Bonnie McDaniel	Councilwoman Position 4
Cody Vasut	Councilman Position 5 (arrived at 6:26 p.m.)

OTHERS PRESENT:

Michael Stoldt	City Manager
Mary Kay Fischer	City Attorney
Shelly Deisher	City Secretary
Jeff Sifford	Public Works Director
Dana Alsobrook	Municipal Court Administrator
Martha Eighme	Director of Economic Development/Tourism/Special Events

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. Citizens Wishing to Address Council – Larry Shaefer discussed truck parking at local business.
5. Requests to Address Council Other Than Citizenry.
6. Discussion and Possible Action on the Angleton Commercial Subdivision No. 7, a replat of 12.038 acres out of Tract 2 & including Reserve "A" of the Rancho Isabella Subdivision, Section 4; and 12.96 acres out of the residue of a 151.971 acre tract out of the Oliver & Barrows Subdivision; in the City of Angleton, Brazoria County, Texas (located at the northwest corner of Campus Drive).

Motion by Councilman Herbst to approve the Angleton Commercial Subdivision No. 7 replat;
Second by Councilman Tigner.

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

7. Public Hearing on a request for a Specific Use Permit to sell portable buildings at 1409 South Velasco Street (Hwy 288B), a 1.500 acre tract being all of Lots 33 & 34 in the Exline & Kiber Subdivision.

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

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

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

matter. Bob Nichol spoke in favor as his wife was the applicant.

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

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

8. Discussion and Possible Action on ORDINANCE NO. 2017-O-1B; AN ORDINANCE OF THE CITY OF ANGLETON, TEXAS, GRANTING A SPECIFIC USE PERMIT TO ALLOW FOR THE SALE OF PORTABLE BUILDINGS IN A LI – LIGHT INDUSTRIAL DISTRICT ZONED PROPERTY LOCATED AT 1409 SOUTH VELASCO STREET, WHOSE LEGAL DESCRIPTION IS A 1.500 ACRE TRACT BEING ALL OF LOTS 33 AND 34 IN THE EXLINE & KIBER SUBDIVISION, 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.

Motion by Mayor Pro Tem Bieri to approve Ordinance No. 2017-O-1B with no restrictions;
Second by Councilwoman McDaniel.

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

9. Discussion and Possible Action on the replat of Lots 1, 2, 13 and 14, Block 1, Lee & McBride Subdivision out of Lot 20, Division 4, of the Subdivision of the East One-Half (1/2) of the Edwin Waller League, Abstract 134, City of Angleton, Brazoria County, Texas, According to the Recorded Plat thereof in Volume 4, Page 99 of the Plat Records of Brazoria County, Texas, which includes 2113 South Velasco Street and 105 Iden Road.

Motion by Motion by Councilwoman McDaniel to approve the replat as presented;
Second by Mayor Pro Tem Bieri.

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

Councilman Vasut arrived at 6:26 p.m.

10. Public Hearing on a request to rezone Lot 1 (replat of Lots 1, 2, 13 and 14, Block 1, Lee & McBride Subdivision out of Lot 20, Division 4, of the Subdivision of the East One-Half (1/2) of the Edwin Waller League, Abstract 134, City of Angleton, Brazoria County, Texas), which includes 2113 South Velasco Street, from LI – Light Industrial District (westerly portion) and SF-7.2 – Single Family-7.2 District (northeast portion) to C-G – Commercial-General District.

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

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

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

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

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

11. Discussion and Possible Action on ORDINANCE NO. 2017-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 LOT 1 (REPLAT OF LOTS 1, 2, 13 AND 14, BLOCK 1, LEE & MCBRIDE SUBDIVISION OUT OF LOT 20, DIVISION 4, OF THE SUBDIVISION OF THE EAST ONE-HALF (1/2) OF THE EDWIN WALLER LEAGUE, ABSTRACT 134, CITY OF ANGLETON, BRAZORIA COUNTY, TEXAS), WHICH INCLUDES 2113 SOUTH VELASCO, FROM LI - LIGHT INDUSTRIAL DISTRICT (WESTERLY PORTION) AND SF-7.2 - SINGLE FAMILY-7.2 DISTRICT (NORTHEAST PORTION) 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 Mayor Pro Tem Bieri to approve Ordinance No. 2017-O-1C;
Second by Councilwoman McDaniel.

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

12. Discussion and possible action on approval of ORDINANCE NO. 2017-O-1A, AN ORDINANCE AMENDING THE 2016-2017 FISCAL YEAR BUDGET BY AMENDING THE TIRZ FUND AND MISCELLANEOUS MINOR FUND; DECLARING A PUBLIC NECESSITY; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE AND AN EFFECTIVE DATE.

Motion by Councilwoman McDaniel to approve Ordinance No. 2017-O-1A;
Second by Councilman Herbst.

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

13. Discussion and Possible Action on RESOLUTION NO. 2017-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 A 5.280 ACRE TRACT OF LAND IN THE J. DE J. VALDERAS SURVEY, A-380, BEING A PORTION OF A CALLED 6.689-ACRE TRACT OF LAND CONVEYED UNTO BLAKE ROBERTSON BY DEED RECORDED UNDER DOCUMENT NO. 2014000881 OF THE OFFICIAL PUBLIC RECORDS OF 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. 2017-R-1A,
Second by Mayor Pro Tem Bieri.

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

14. Discussion and Possible Action on the Heritage Court Section 3 Preliminary Plat, a Subdivision containing 5.271 Acres out of the J. De J. Valderas Survey, Abstract 380, Brazoria County, Texas.

Motion by Councilwoman McDaniel to approve Heritage Court Section 3 Preliminary Plat,
Second by Councilman Herbst.

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

15. Discussion and Possible Action on an "Ad Valorem Tax Refund Incentive Program Agreement" Between the City of Angleton and RML Development for the Construction of Heritage Court Subdivision Sections 1 and 2.

Motion by Mayor Pro Tem Bieri to approve the Agreement between City of Angleton and RML Development,
Second by Councilman Tigner.

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

16. Public Hearing on a request to rezone 234 South Arcola Street, 227 South Chenango, 335 South Chenango Street, 212 East Peach Street and 216 East Peach Street from MFR-29 – Multifamily Residential-29 District (Apartments) to CBD – Central Business District; AND 218 South Chenango Street from C-G – Commercial-General District to CBD – Central Business District.

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

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

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

Travis Smith spoke in favor of this rezone. He is a member of the Holy Comforter Church. No one else wished to speak on this matter.

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

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

17. Discussion and Possible Action on ORDINANCE NO. 2017-O-1D; 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 234 SOUTH ARCOLA STREET, 227 SOUTH CHENANGO STREET, 335 SOUTH CHENANGO STREET, 212 EAST PEACH STREET AND 216 EAST PEACH STREET FROM MFR-29 – MULTIFAMILY RESIDENTIAL-29 DISTRICT (APARTMENTS) TO CBD – CENTRAL BUSINESS DISTRICT; AND 218 SOUTH CHENANGO STREET FROM C-G – COMMERCIAL-GENERAL DISTRICT TO CBD – CENTRAL BUSINESS 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 Tigner to approve Ordinance No. 2017-O-1D,

Second by Councilman Vasut.

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

18. Discussion Regarding Allowing Manufactured Homes and/or Recreational Vehicles in the LI - Light Industrial District

Motion by Councilman Vasut to instruct staff to prepare an ordinance to allow an SUP for using an RV and/or manufactured home in Light Industrial District for security guard,
Second by Mayor Pro Tem Bieri.

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

19. Council adjourned into Executive Session at 7:10 p.m. as Authorized by:

a) Texas Government Code Section 551.071 (Consultation with Attorney) to seek advice of its attorney on legal matters subject to the attorney-client privilege, with possible discussion and action related thereto in open session; and

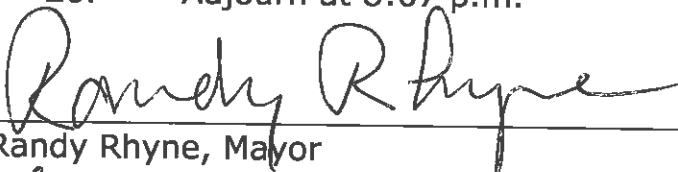
b) Texas Government Code Section 551.074 (Personnel Matters) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the City Manager, with possible discussion and action related thereto in open session.

Council reconvened into open session at 8:05 p.m.

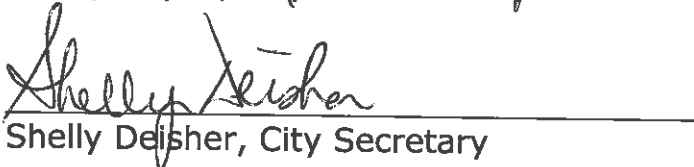
Motion by Mayor Pro Tem Bieri to accept City Manager, Michael Stoldt's resignation as full-time city manager, effective January 20, 2017 and to appoint Michael Stoldt as Interim City Manager effective January 21, 2017, at the hourly rate of \$76.81 plus housing expenses;
Second by Councilman Herbst.

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

20. Adjourn at 8:07 p.m.



Randy Rhyne, Mayor



Shelly Deisher, City Secretary