

**MINUTES
CITY OF ALVIN, TEXAS
216 W. SEALY STREET
REGULAR CITY COUNCIL MEETING
APRIL 3, 2014
7:00 P.M.**

I. CALL TO ORDER

BE IT REMEMBERED that, on the above date, the City Council of the City of Alvin, Texas, met in regular session at 7:00 P.M. in the Council Chambers at City Hall, with the following members present: Mayor Pro-Tem, Scott Reed, and Councilmembers Jim Landriault, Adam Arendell, Brad Richards, Greg Bullard, Terry Droege and Roger Stuksa. Also present were Terry Lucas, City Manager and Bobbi Kacz, City Attorney. Absent were Mayor Gary Appelt and Councilmember Terry Droege and Councilmember Adam Arendell.

II. INVOCATION

Mr. Tom Menard gave the Invocation.

III. PLEDGE OF ALLEGIANCE

Councilmember Greg Bullard led the Pledge of Allegiance.

IV. SPECIAL PRESENTATIONS

- A. Mayor to present a proclamation declaring the week of April 6-12, 2014 as Crime Victim's Rights Week.

The Mayor Pro-Tem presented a proclamation for Crime Victim's Rights week to Maribel Cooper and representatives of the Brazoria County crime victim's support group. An invitation was extended to the 12th Annual Crime Victim's Luncheon on April 8, 2014.

- B. Mayor to present a proclamation declaring April 2014 as Safe Digging Month.

The Mayor Pro-Tem, presented a proclamation to Mr. Aaron Bruson, representative of Center Point Energy declaring April 2014 as Safe Digging Month.

V. APPROVAL OF MINUTES

A. Approval of the minutes of the regular Council meeting of March 20, 2014.

Councilmember Landriault moved to approve the minutes of the regular Council meeting of March 20, 2014. Seconded by Councilmember Richards. The motion to approve carried on a vote of 5 Ayes.

VI. PETITIONS OR REQUESTS FROM THE PUBLIC

Speakers may be limited to 2, 3 or 5 minutes according to Section 2-24 of the Code of Ordinances, City of Alvin, Texas. State law prohibits the Mayor and members of the City Council from commenting on any statement or engaging in dialogue without an appropriate agenda item being posted in accordance with the Texas Open Meetings Law. Comments should be directed to the entire council, not individual members. Engaging in verbal attacks or comments intended to insult, abuse, malign or slander any individual shall be cause for termination of time privileges and expulsion from Council Chambers.

Mr. J.R. Tyson, addressed the Council. He requested clarification on item XI.B. The City Attorney addressed his concern about item XI.B. He further expressed concerns on the number of budget amendments that have occurred since the beginning of the Fiscal Year. He requested help for the interim City Clerk and further requested an audit of the records. He urged the Council not to push projects through before the new Council is in place. Lastly, he commented on the article that was in the Houston Chronicle on April 1, 2014.

Mr. Dan Kelinske, Alvin Parks Director, gave a status update on the recreational activities in Alvin.

VII. REPORTS FROM CITIZENS BOARDS, COMMISSIONS, AND COMMITTEES

NONE

VIII. PUBLIC HEARING-NONE**IX. CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:**

All items listed under the Consent Agenda are considered to be routine, and require little or no deliberation by City Council. These items will be enacted/approved by one motion unless a Councilmember requests separate action on an item, in which event the item will be removed from the Consent Agenda and considered by separate action. Approval of the Consent Agenda enacts the items of legislation and authorizes implementation of other items.

- A. Consider street closures for the Alvin Rotary Club Frontier Day Parade scheduled to begin at 9:00 am Saturday, April 26, 2014. The parade will begin and end at the Alvin High School football stadium. Street closures requested for the parade route are as follows: leaving from the stadium parking lot, south on College Drive, east on Stadium Drive, north on Johnson Street, east on Adoue Street, north on Gordon Street, west on Sealy Street, south on Johnson Street, west on Adoue Street, south on Second Street & ending in the AHS football stadium parking lot.

Councilmember Stuksa moved to approve the Consent Agenda. Seconded by Councilmember Richards. The motion to approve carried on a vote of 5 Ayes.

Item XI. J was considered at this time. It is recorded in its place on the agenda to maintain the integrity of the outline.

X. MATTERS REMOVED FROM CONSENT AGENDA

XI. OTHER BUSINESS:

Council may approve, discuss, refer, or postpone items under Other Business.

- A. Consider Ordinance 14-I, amending Chapter 17 ½ , Signs, of the Code of Ordinances, City of Alvin, Texas by amending the definition of flagpole and establishing requirements for placement and structural integrity of flagpoles; modifying the definition of sign official; establishing an exception regarding commercial signs; establishing an exception addressing commercial establishments whose primary business is the retail sale of newly manufactured motorized vehicles and/or equipment; amending the section on abandoned signs to reduce the amount of time a sign may be abandoned or unkempt before being in violation; providing for a penalty, for severability, for a savings clause; and setting forth other provisions related thereto **on first reading**.

Councilmember Landriault moved to approve Ordinance No. 14-I, amending Chapter 17 ½ , Signs, of the Code of Ordinances, City of Alvin, Texas by amending the definition of flagpole and establishing requirements for placement and structural integrity of flagpoles; modifying the definition of sign official; establishing an exception regarding commercial signs; establishing an exception addressing commercial establishments whose primary business is the retail sale of newly manufactured motorized vehicles and/or equipment; amending the section on abandoned signs to reduce the amount of time a sign may be abandoned or unkempt before being in violation; providing for a penalty, for severability, for a savings clause; and setting forth other provisions related

thereto on first reading. Seconded by Councilmember Stuksa. The motion to approve carried on a vote of 5 Ayes.

- B. Consider Ordinance 14-L, amending City of Alvin, Ordinance 13-SS, passed and approved September 12, 2013, same being an ordinance approving and adopting the City of Alvin's budget for fiscal year 2013-14 by approving "Budget Amendment VIII" to the original 2013-14 FY budget; for the purpose of amending the organizational chart of the Legal Department by re-titling one paralegal position to Paralegal I and re—classifying one paralegal position to Paralegal II in pay grade 16 as set forth in the attached Exhibit "A"; providing for severability; and providing for other matters related thereto **on first reading**.

Councilmember Bullard moved to approve Ordinance 14-L, amending City of Alvin, Ordinance 13-SS, passed and approved September 12, 2013, same being an ordinance approving and adopting the City of Alvin's budget for fiscal year 2013-14 by approving "Budget Amendment VIII" to the original 2013-14 FY budget; for the purpose of amending the organizational chart of the Legal Department by re-titling one paralegal position to Paralegal I and re—classifying one paralegal position to Paralegal II in pay grade 16 as set forth in the attached Exhibit "A"; providing for severability; and providing for other matters related thereto on first reading. Seconded by Councilmember Reed. The motion to approve carried on a vote of 5 Ayes.

- C. Consider Ordinance 14-M, amending City of Alvin, Ordinance 13-SS, passed and approved September 12, 2013, same being an ordinance approving and adopting the City of Alvin's budget for fiscal year 2013-14 by approving "Budget Amendment IX" to the original 2013-14 FY budget; for the purpose of amending the organizational chart of the Engineering Department by creating a new position titled "Plans Examiner" and re-classifying the pay grade of the Building Official position to pay grade 17 as set forth in the attached Exhibit "A"; providing for severability; and providing other matters related thereto **on first reading**.

Councilmember Bullard moved to approve Ordinance 14-M, amending City of Alvin, Ordinance 13-SS, passed and approved September 12, 2013, same being an ordinance approving and adopting the City of Alvin's budget for fiscal year 2013-14 by approving "Budget Amendment IX" to the original 2013-14 FY budget; for the purpose of amending the organizational chart of the Engineering Department by creating a new position titled "Plans Examiner" and re-classifying the pay grade of the Building Official position to pay grade 17 as set forth in the attached Exhibit "A"; providing for severability; and providing other matters related thereto on first reading. Seconded by Councilmember Landriault.

Discussion followed. The City Manager addressed the Council to answer questions. He explained the process for creating the position of a Human Resource Director in order to begin the hiring process.

The motion to approve carried on a vote of 5 Ayes.

- D. Consider a recommendation by the Planning Commission to City Council for approval of a Final Plat requested under the Abbreviated Procedure, for Cline Crossing, a subdivision of 3.0714 acres of land located in the City of Alvin and being out of and a part of the I. & G.N.R.R. Company Survey, Abstract No. 400 and also being out of Tracts 15 and 18, Homesville Subdivision, as per map or plat thereof recorded in Volume 35, Page 107 of the Deed Records of Brazoria County, Texas.

Councilmember Stuksa moved to approve recommendation of the Planning Commission for approval of a final plat requested under the Abbreviated Procedure, for Cline Crossing, a subdivision of 3.0714 acres of land located in the City of Alvin and being out of and a part of the I. & G.N.R.R. Company Survey, Abstract No. 400 and also being out of Tracts 15 and 18, Homesville Subdivision, as per map or plat thereof recorded in Volume 35, Page 107 of the Deed Records of Brazoria County, Texas. Seconded by Councilmember Bullard.

The motion to approve carried on a vote of 5 Ayes.

- E. Presentation by Brian Smith, the Director of Public Services, of actions and repairs to asphalt and concrete streets for FY2014.

The Public Services Director reported to Council that the street assessment has been completed. He explained that plans are in the process along with the Engineering Department to begin the rehabilitation work on the streets this Fiscal Year.

Councilmember Bullard commended the Public Works Director for providing a street assessment. The City Manager also commended the Public Works Director and his staff for the comprehensive report.

- F. Consider award of bid to Brenntag Southwest to purchase chlorine for (1) year with an option to continue for an additional year at the same price and conditions with an estimated annual cost of \$25,000.

Councilmember Richards moved to award bid to Brenntag Southwest to purchase chlorine for (1) year with an option to continue for an additional year at the same price and conditions with an estimated annual cost of \$25,000.

Seconded by Councilmember Landriault. The motion to approve carried on a vote of 5 Ayes.

- G. Consider award of bid to Brenntag Southwest to purchase sodium hypochlorite for (1) year with an option to continue for an additional year at the same price and conditions with an estimated annual cost of \$50,000.

Councilmember Stuksa moved to award bid to Brenntag Southwest to purchase sodium hypochlorite for (1) year with an option to continue for an additional year at the same price and conditions with an estimated annual cost of \$50,000. Seconded by Councilmember Bullard. The motion to approve carried on a vote of 5 Ayes.

- H. Consider award of bid to Napco Chemical to purchase polyphosphate for (1) year with an option to continue an additional year at the same price and conditions with an estimated annual cost of \$65,000.

Councilmember Landriault moved to award bid to Napco Chemical to purchase polyphosphate for (1) year with an option to continue an additional year at the same price and conditions with an estimated annual cost of \$65,000. Seconded by Councilmember Bullard. The motion to approve carried on a vote of 5 Ayes.

- I. Consider award of bid to Unifirst for uniform service for (2) years with an option to continue with an additional two years at the same price and conditions with an estimated annual cost of \$30,000.

Councilmember Richards moved to award bid to Unifirst for uniform service for (2) years with an option to continue with an additional two years at the same price and conditions with an estimated annual cost of \$30,000. Seconded by Councilmember Bullard. The motion to approve carried on a vote of 5 Ayes.

- J. Consider request from Alvin Rotary Club to close east Sealy St. at north Gordon St. and east Sealy St. at Depot Centre Blvd. on April 26, 2014 between the hours of 6 A.M. to 10 P.M. for Alvin Frontier Day.

Councilmember Landriault moved to approve request from Alvin Rotary Club to close east Sealy St. at north Gordon St. and east Sealy St. at Depot Centre Blvd. on April 26, 2014 between the hours of 6 A.M. to 10 P.M. for Alvin Frontier Day. Seconded by Councilmember Bullard. The motion to approve carried on a vote of 5 Ayes.

XII. REPORTS FROM CITY MANAGER

- A. Review preliminary list of items for the Council meeting of April 24, 2014.

The preliminary list of items for the Council meeting of April 24, 2014 was presented and reviewed.

XIII. REPORTS FROM COUNCILMEMBERS

Pursuant to S.B. No. 1182, City Council Members may make a report or an announcement about items of community interest during a meeting of the governing body. No action will be taken or discussed.

A. Announcements and requests from Councilmembers.

Councilmember Stuksa commented on the article that was in the Houston Chronicle.

Mayor Pro-Tem Reed announced that Councilmember Droege and his wife Jodie were being awarded tonight the Philanthropist of the Year award by the Brazoria County Community Foundation.

XIV. CLOSED EXECUTIVE SESSION

NONE

XV. ACTION ITEMS FROM EXECUTIVE SESSION

NONE

XVI. OPEN MEETINGS ACT RESOLUTION

Consider Resolution No. OMA-R-14-04-03, A RESOLUTION CONFIRMING COMPLIANCE WITH THE PROVISIONS OF THE OPEN MEETINGS ACT.

XVII. Councilmember Landriault moved to approve resolution no. OMA-R-14-04-03, a resolution confirming compliance with the provisions of the Open Meetings Act. Seconded by Councilmember Richards. The motion to approve carried on a vote of 5 Ayes.

XVIII. ADJOURNMENT

Councilmember Stuksa moved to adjourn the meeting. Seconded by councilmember Richards. The motion to adjourn carried on a vote of 5 ayes. The meeting adjourned at 7:45 P.M.