

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on January 6, 2011, beginning at 1:00 p. m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

Members present:

Mayor Milton Y. Tate, Jr.
Mayor Pro Tem Gloria Nix
Councilmember Keith Herring
Council member Andrew Ebel
Councilmember Danny Goss
Councilmember Charlie Pyle
Councilmember Weldon Williams, Jr.

Others present:

City Manager Terry Roberts, Att. City Manager Kyle Dannhaus, City Attorney Cary Bovey, Administrative Assistant Tammy Cook, Chief Financial Officer Carolyn Miller, Debbie Gaffey, Fire Chief Ricky Boeker, Public Works Director Doug Baker, Public Utilities Director Lowell Ogle, Dane Rau, Community Services Director Wesley Brinkmeyer, Lin Hartstack, Jennifer Eckermann, Angela Hahn, Danny Romo.

Citizens present:

Connie Hall, Tom Whitehead, Joy Fuchs

Media Present:

Arthur Hahn, Brenham Banner Press

- 1. Mayor Tate called the meeting to order**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Charlie Pyle**
- 3. New Employee Recognitions**

Danny Romo introduced the following new employee:

Sean Church Maintenance Department

4. Citizen Comments

Connie Hall addressed Council regarding the upcoming Tourism Forum. She briefly outlined the topics and speakers they will have and encouraged all city officials to attend.

CONSENT AGENDA

5. Statutory Consent Agenda

5-a. Second Reading of Ordinance No. O-11-001 Amending Chapter 26 of the City of Brenham's Code of Ordinances to Include Article VI. Grease, Grit, and Oil Control

A motion was made by Councilmember Pyle and seconded by Councilmember Herring to approve the Statutory Consent Agenda.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

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|-------------------------------|-----|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Charlie Pyle | Yes |
| Councilmember Weldon Williams | Yes |

WORK SESSION

6. Discuss Chapter 4, Ambulance Services, of the City of Brenham's Code of Ordinances

Since this item had previously been tabled, a motion was made by Councilmember Ebel and seconded by Councilmember Pyle to bring it back from the table.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

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|-------------------------------|-----|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Charlie Pyle | Yes |
| Councilmember Weldon Williams | Yes |

This item was presented by Terry Roberts. He went over some of the background for this item. He said that, in summing up the additional research performed by the City Secretary and Angela Hahn, the overriding feeling was that the cities contacted did not get involved in the detailed regulation of these ambulances, primarily because they are state regulated. They do not mandate MICU service, but the services must get a franchise, and then it is left up to the state to make sure they operate properly.

During discussion, Councilmember Goss asked the City Attorney a question that Mr. Bovey felt was better discussed in Executive Session. To that end, the Mayor announced that the Council would go into Executive Session.

Council convened into Executive Session at 1:13 p.m.

EXECUTIVE SESSION

Texas Government Code Section 551.071 – Consultation with Attorney – Discuss Chapter 4, Ambulance Services, of the City of Brenham’s Code of Ordinances

Council returned to Work Session at 1:29 p.m.

WORK SESSION

There was lengthy discussion on this issue, covering various aspects. Angela Hahn was asked to clarify a point based on some of her research.

REGULAR AGENDA

7. Discuss and Possibly Act Upon Ordinance No. O-10-022 on its Second Reading Amending Chapter 4, Ambulance Services, of the City of Brenham’s Code of Ordinances

A motion was made by Councilmember Ebel and seconded by Councilmember Williams to approve Ordinance No. O-10-022 on its second reading amending Chapter 4, Ambulance Services, of the City of Brenham’s Code of Ordinances.

For clarification purposes, City Manager Terry Roberts went over the wording that was included in the ordinances. It essentially requires Mobile Intensive Care service for the equipment and the vehicles and the Standards of Operation; personnel shall be certified at the MICU level; private ambulance must operate within the Brenham city limits; requires a Brenham address and Brenham business telephone number; requires the applicant to have a physician serving as Medical Director who is licensed to practice in Texas and registered as a Washington County physician; requires franchise holder to respond to non-emergency calls within thirty minutes.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

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|-----------------------------------|-----------|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | No |
| Councilmember Keith Herring | Yes |
| Councilmember Charlie Pyle | No |
| Councilmember Weldon Williams | Yes |

8. Discuss and Possibly Act Upon Resolution No. R-11-001 Regarding the Exchange of Washington County's Undivided One-Half (1/2) Interest in the Linda Anderson Property for the City's Release of Certain Conditions on Conveyance to the County of the Public Health Facility Property Located at 100 S. Chappell Hill Street

City Manager Terry Roberts introduced this item. He advised that this follow-up from the joint meeting with Washington County in December in which both entities were of the general consensus that this exchange was fair and equitable.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve Resolution No. R-11-001 regarding the exchange of Washington County's undivided one-half (1/2) interest in the Linda Anderson property for the City's release of certain conditions on the conveyance to the County of the Public Health Facility property located at 100 S. Chappell Hill Street.

Councilmember Goss asked if the County agrees to participate in the operation and maintenance of Linda Anderson Park. Mr. Roberts responded that they had expressed that in the meeting and they agreed to that in the Interlocal Agreement, which is a two-year agreement.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

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|-------------------------------|-----|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Charlie Pyle | Yes |
| Councilmember Weldon Williams | Yes |

9. Discuss and Possibly Act Upon RFP No. 11-004 for the Purchase of Automated Meter Reading Equipment and Authorize the Mayor to Execute any Necessary Documentation

This item was presented by Public Utilities Director Lowell Ogle. He stated that this is an item they have been discussing for awhile. They would like to award part of the RFP now and then come back in a couple of weeks with a more detailed plan on how they are going to phase the meter purchasing in and the funding for that. Right now there are a couple of pieces of equipment they need to purchase to continue using the meters they have installed and continue moving forward with this system. They are recommending the purchase of the Tower Gateway Base (TGB) system and the Regional Network Interface (RNI) from Aqua Metric Sales Co. for \$70,000. They are recommending that this be funded out of reserves from the four utility funds.

A motion was made by Councilmember Pyle and seconded by Councilmember Herring to approve Resolution RFP No. 11-004 for the purchase of automated meter reading equipment from Aqua Metric Sales Co. for \$70,000.00 and authorize the Mayor to execute any necessary documentation.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

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|-------------------------------|-----|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Charlie Pyle | Yes |
| Councilmember Weldon Williams | Yes |

10. Discuss and Possibly Act Upon Bid No. 11-006 for the Purchase of a 48' Aluminum Refuse Trailer along with an Extra Rim and Spare Tire and Authorize the Mayor to Execute any Necessary Documentation

This item was presented by Assistant Public Works Director Dane Rau. He stated that in November they went out for bids and only received one, which was from Travis Body & Trailer. This purchase was budgeted in combination with the rehabilitation of the Collection Station improvements to allow us to haul all of our non-compacted waste rather than pay a third party to haul waste utilizing roll-offs. They are recommending that Council approve the bid from Travis Body and Trailer for the purchase of a 48' aluminum refuse trailer along with an extra rim and tire for \$56,922.00.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to award Bid No. 11-006 for the purchase of a 48' aluminum refuse trailer along with an extra rim and spare tire to Travis Body and Trailer for \$56,922.00 and authorize the Mayor to execute any necessary documentation

Mayor Tate called for a vote. The motion passed with Council voting as follows:

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|-------------------------------|-----|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Charlie Pyle | Yes |
| Councilmember Weldon Williams | Yes |

11. Discuss and Possibly Act Upon Authorization of Final Payment to Matula & Matula Construction, Inc. for the West Side Water System Improvements, Phase II and Authorize the Mayor to Execute any Necessary Documentation

This item was presented by Public Utilities Director Lowell Ogle. He advised that Matula & Matula Construction, Inc. has completed their work on the West Side Water System Improvements, Distribution System Improvements, Phase II. They have satisfactorily completed the work according to the design; staff is happy with their performance and is asking council to approve final payment in the amount of \$185,479.38.

A motion was made by Councilmember Herring and seconded by Councilmember Pyle to authorize final payment to Matula & Matula Construction, Inc. in the amount of \$185,479.38 for the West Side Water System Improvements, Phase II and authorize the Mayor to execute any necessary documentation.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

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|-------------------------------|-----|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem Gloria Nix | Yes |
| Councilmember Andrew Ebel | Yes |
| Councilmember Danny Goss | Yes |
| Councilmember Keith Herring | Yes |
| Councilmember Charlie Pyle | Yes |
| Councilmember Weldon Williams | Yes |

Council convened into Executive Session at 2:17 p.m.

EXECUTIVE SESSION

12. Section 551.072, Texas Government Code – Deliberation Regarding Real Property – Discuss and Consider the Acquisition of Real Property for the U.S. Highway 290 Project and Acquisition of Right-Of-Way on and in the Vicinity of U.S. Highway 290 West

Council returned to Regular Session at 3:23 p.m.

RE-OPEN REGULAR SESSION

Mayor adjourned briefly, and then re-opened for Administrative Report.

13. Administrative/Elected Officials Report

- Terry Roberts mentioned the Tourism forum on January 27th
- Firemen's Appreciation dinner also on January 27th
- Mr. Roberts reminded Council that Ron Cox will be here on January 27th to visit with them, one-on-one, in preparation for the upcoming retreat

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jean Bellinger, TRMC
City Secretary

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