

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on September 15, 2011 beginning at 10:00 a.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 Andrew Ebel
Councilmember Danny Goss
Councilmember Keith Herring
Councilmember Charlie Pyle
Councilmember Weldon Williams, Jr.

Others present:

City Manager Terry Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Administrative Assistant Tammy Cook, Chief Financial Officer Carolyn Miller, Debbie Gaffey, Adam Griffin, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Public Works Director Doug Baker, Kim Hodde, Public Utilities Director Lowell Ogle, Jennifer Eckerman, Janie Mehrens, Pam Ruemke,

Citizens present:

Virginia Boeker, Toy Kurtz, Carol Muegge, C.H. Harvey, Don Voelter, Fredericka DeBerry, Clint Kolby, Tiffany McMordie-Morsiak

Media Present:

Allison Smith, Brenham Banner Press; Frank Wagner, KWHI

- 1. Mayor Tate called the meeting to order**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Keith Herring**

3. Proclamations

- Mayor Tate read a proclamation designating September 17 – 23, 2011 as Constitution Week. The proclamation was accepted by Tiffany McMordie-Morsiak.
- Mayor Tate read a proclamation designating October 1 – November 10, 2011 as Washington County Big Read. The proclamation was accepted by ladies of the Fortnightly Club.

4. Citizens Comments

There were no citizen comments.

CONSENT AGENDA

5. Statutory Consent Agenda

5-a. Minutes from the September 1, 2011 Council Meeting

A motion was made by Councilmember Herring and Seconded by Councilmember Pyle to approve the minutes from the September 1, 2011 Council Meeting.

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

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

PUBLIC HEARING

6. Proposed Budget for Fiscal Year Beginning October 1, 2011 and Ending September 30, 2012

This budget will raise more total property taxes than last year's budget by an estimated \$509,115 (10.35%), and of that amount, \$142,142 is tax revenue to be raised from estimated new property added to the tax roll this year.

Chief Financial Officer Carolyn Miller presented this item. Ms. Miller, in compliance with the Local Government Code, has filed the proposed budget with the City Secretary and published all required notices. Ms. Miller opened the floor to citizen comments.

Mr. C.H. Harvey expressed his displeasure and disapproval with the proposed tax rate increase. He commented on the number of employees and suggested city department heads should cut staff and budgets. He also expressed his disapproval with projects throughout the city and the long term monetary effects this will have on taxpayers.

Mayor Tate closed the public hearing.

REGULAR AGENDA

7. Discuss and Possibly Act Upon a Recommendation from the Community Services Committee Related to Funding Allocations in the FY2011-12 Budget

City Manager Terry Roberts presented this item. Mr. Roberts briefly explained the recommendation from the Community Services Committee in regards to funding allocations for FY2011-12. During council budget deliberations, the council allocated a certain dollar amount to the community services committee and sent the committee to review these recommendations. Mr. Roberts opened the floor to questions or comments.

Councilmember Goss discussed the recommendation made by the committee in detail and noted a 20% reduction created a \$10,000 cut in funding for Washington County Healthy Living and \$5,000 cut in funding to the Goodfellows Organization. Councilmember Goss asked council to establish a priority list to provide money to these organizations. He also requested Chief Financial Officer Carolyn Miller provide an updated General Fund revenues report on a quarterly basis and if expenditures indicate a savings, that we direct some of this savings to the community services account to be distributed to Washington County Healthy Living, Goodfellows, or any other organization experiencing hardships. Councilmember Goss addressed the contingency that was recently removed from the Community Services Committee Budget. He inquired about the possibility of reinstating the contingency fund and redirecting these funds to these organizations.

Assistant City Manager Kyle Dannhaus addressed the contingency issue. Typically a contingency is put in a budget and it is not allocated to other entities, however the recommendation of the committee was to remove the contingency plan and allocate the entire \$100,000 to the various organizations, instead of leaving money in the contingency fund.

Councilmember Herring commented on the request proposed by council to reduce funding by 20%. If a contingency plan was included then the committee would not have complied with what was requested.

Councilmember Williams commented on the emotions and work that went into the decision that was made regarding funding of these organizations. He believes every organization that presented requests was deserving and worthy of funding.

Mayor Tate suggested council's further review of this item in the future if needed.

A motion was made by Councilmember Pyle and Seconded by Councilmember Ebel to approve the recommendation from the Community Services Committee related to funding allocations in the FY2011-12 Budget.

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

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

8. Discuss and Possibly Act Upon Ratification of the Property Tax Increase Reflected in the Proposed Budget for Fiscal Year Beginning October 1, 2011 and Ending September 30, 2012, which Raises More Revenue from Property Taxes than the Previous Year's Budget

Chief Financial Officer Carolyn Miller presented this item. In compliance with the Texas Local Government Code, City Council must formally ratify a property tax increase if a Municipal budget raises more property taxes than in the previous year's budget. Ms. Miller noted a vote must be taken to ratify the property tax increase reflected in the budget.

A Motion was made by Councilmember Herring and seconded by Councilmember Pyle to ratify the property tax increase reflected in the proposed budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012, which raises more revenue from property taxes than the previous year's budget.

Councilmember Williams commented the proposed tax increase is primarily to fund infrastructure, such as street and road repair. He noted the city has made an effort in prior years not to increase taxes and relative to other communities the same size and income as Brenham, our city is right in the middle of the tax rate.

Mr. Harvey responded to Councilmember Williams regarding street repair. He mentioned a comment was made several years ago, that any work that was to be done on street repairs would be done through a bond issue and taken to the voters.

Mayor Tate agreed a bond issue would be needed if new roads were to be constructed within the city, but a twenty year bond issue is not necessary for current street repair needs.

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

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

9. Discuss and Possibly Act Upon an Ordinance on its First Reading Adopting the Budget for Fiscal Year Beginning October 1, 2011 and Ending September 30, 2012

Chief Financial Officer Carolyn Miller presented this item. The proposed FY2011-12 Budget has been developed in compliance with the property tax code, local government code, and City Charter. A property tax of \$0.5432 per \$100 valuation is necessary to fund the proposed budget. Ms. Miller noted the proposed budget is on file with the City Secretary, the Washington County Clerk, and at the Nancy Carol Roberts Memorial Library.

A Motion was made by Councilmember Herring and Seconded by Councilmember Williams to approve an Ordinance on its first reading adopting the budget for fiscal year beginning October 1, 2011 and ending September 30, 2012.

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

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

10. Discuss and Possibly Act Upon an Ordinance on its First Reading Levying Taxes for the Tax Year 2011 for the City of Brenham at \$0.5432 per \$100 Valuation

A Motion was made by Councilmember Williams and seconded by Councilmember Ebel to approve property taxes be increased by the adoption of a tax rate of \$0.5432 per \$100 valuation, which is effectively a 7.6% increase in the tax rate.

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

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

11. Discuss and Possibly Act Upon an Ordinance on its First Reading Approving the Annexation of Approximately 124.44 Acres of Land Located South of and Adjacent to the South Boundary Line of Southwest Industrial Park, Sections I & II and West of and Including a Portion of the Burlington Northern Santa Fe Railroad Right of Way into the City Limits

Public Works Director Doug Baker presented this item. Mr. Baker reminded council of the two previous public hearings held on this issue. If there are no issues or comments today, the second reading will be held at the next council meeting.

A Motion was made by Councilmember Pyle and seconded by Councilmember Ebel to approve an Ordinance on its first reading approving the annexation of approximately 124.44 acres of land located south of and adjacent to the south boundary line of Southwest Industrial Park, Sections I & II and west of and including a portion of the Burlington Northern Santa Fe Railroad right of way into the city limits.

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

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

12. Discuss and Possibly Act Upon Resolution No. R-11-011 Approving an Interlocal Agreement with Brazos Valley Council of Governments for E9-1-1 Public Safety Answering Point (PSAP) Services

Communication Supervisor Pam Ruenke presented this item. Ms. Ruenke discussed the 9-1-1 Services contract between the Commission on State Emergency Communication (CSEC) and the Brazos Valley Council of Government (BVCOG) and the required inter-local agreement with the City of Brenham. The current agreement was executed in 2009 and is scheduled to be terminated on August 14, 2014. However CSEC had policy changes and is requesting that all agreements expire every two years. The City of Brenham has been requested to execute a new agreement that will be effective September 1, 2011 and terminate August 31, 2013.

Councilmember Pyle asked if there were any changes to the new agreement other than the time frame. Ms. Ruenke confirmed this was the only modification to the agreement. The preceding agreement executed in 2009 included services for a five year period, the new agreement will provide for a two year period.

A motion was made by Councilmember Pyle and seconded by Mayor Pro Tem Nix to approve Resolution No. R-11-011 approving an inter-local agreement with Brazos Valley Council of Governments for E9-1-1 Public Safety Answering Point (PSAP) Services.

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

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

13. Discuss and Possibly Act Upon Renewal with Texas Municipal League Intergovernmental Risk Pool for General Liability, Law Enforcement Liability, Public Officials Liability, Mobile Equipment, Airport Liability, Property, Auto Liability and Physical Damage, Crime, Animal Mortality and Theft and Workers' Compensation Coverage for the City of Brenham for Fiscal Year 2011-12 and Authorize the Mayor to Execute any Necessary Documentation

Human Resources/Risk Manager Janie Mehrens presented this item. Ms. Mehrens noted an estimated \$35,687 reduction in rates for property and liability coverage for FY 2011-12. This decrease is due to an 8% reduction of workers' compensation rates for paid police officers and a 3% reduction for paid firefighters as well as a 2.1% reduction in overall liability and a 10% reduction in aviation rates. In addition, the City of Brenham will receive an equity return of \$21,194 on 2010-2011 contributions.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve the renewal with Texas Municipal League Intergovernmental Risk Pool for General Liability, Law Enforcement Liability, Public Officials Liability, Mobile Equipment, Airport Liability, Property, Auto Liability and Physical Damage, Crime, Animal Mortality and Theft and Workers' Compensation Coverage for the City of Brenham for Fiscal Year 2011-12 and Authorize the Mayor to Execute any Necessary Documentation

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

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

14. Discuss and Possibly Act Upon a Ground Space Lease Agreement with Grant Meschewitz at the Brenham Municipal Airport and Authorize the Mayor to Execute any Necessary Documentation

Kim Hodde presented this item. Grant Meshewitz contacted the city about constructing a 70x70 hangar at the Brenham Municipal Airport. Ms. Hodde asked that council consider and approve this standard lease agreement with Mr. Meshewitz.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Ebel to approve a ground space lease agreement with Grant Meschewitz at the Brenham Municipal Airport and authorize the Mayor to execute any necessary documentation.

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

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

15. Discuss and Possibly Act Upon Resolution No. R-11-012 Approving a Grant Agreement for the Acquisition of Additional Land for the Runway Protection Zone (RPZ) at the Brenham Municipal Airport

Kim Hodde presented this item. In 2009, TxDOT identified an area of land south of the airport that is in the Runway Protection Zone (RPZ) that the City needs to acquire. On July 3, 2009, a letter of interest was submitted to TxDOT for funding for the acquisition of this additional property. The request was approved by TxDOT at an estimated cost of \$275,000 with the City of Brenham's share being \$27,500.

Ms. Hodde informed council of TxDOT's desire to include this project in their FY 2012 Capital Improvement Program (CIP). A list of documents were provided to council, for their approval, as the necessary steps to get this project included on the next transportation commission agenda for approval of the project. Once the Transportation Commission grants approval of the project, a Grant agreement will be sent to the City of Brenham for execution then TxDOT will begin the acquisition process.

Mayor Tate questioned the amount of land that would be acquired. Ms. Hodde stated an exact amount has not been identified as of yet.

Councilmember Herring questioned if the city's portion (\$27,500) includes the appraisal fees of this land. Ms. Hodde confirmed this would cover appraisal fees, surveying, and any additional fees; the total project.

A Motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve Resolution No. R-11-012 approving a grant agreement for the acquisition of additional land for the Runway Protection Zone (RPZ) at the Brenham Municipal Airport.

Councilmember Goss questioned how the city is funding this project. Ms. Hodde and Chief Financial Officer Carolyn Miller confirmed this is a budgeted item for the Airport Capital Improvement Fund.

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

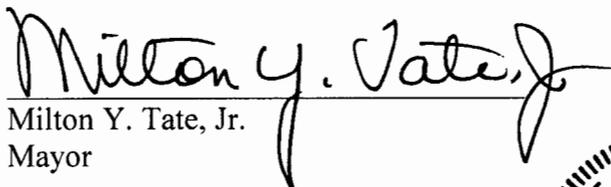
Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

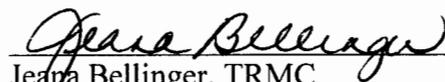
16. Administrative/Elected Officials Report

- City Manager reported on the following items:
 - Washington County Appraisal District Board Appointments;
 - Next Council meeting scheduled for September 22, 2011;
 - Rescheduled council meeting from October 6, 2011 to September 29, 2011;
 - Water restrictions update; and
 - Blinn Tech Center open house on October 11, 2011

- Public Works Director reported on the following:
 - The Railroad Quiet Zone and the approval by BNSF for a \$25,000 reimbursement for the Vulcan Street Crossing Closure; and
 - Highway 290 project

The meeting was adjourned.


Milton Y. Tate, Jr.
Mayor


Jeanne Bellinger, TRMC
City Secretary

