

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on September 29, 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 Andrew Ebel
Councilmember Danny Goss
Councilmember Charlie Pyle
Councilmember Weldon Williams, Jr.

Members Absent:

Councilmember Keith Herring

Others present:

City Manager Terry Roberts, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Tammy Cook, Chief Financial Officer Carolyn Miller, Stacy Hardy, Debbie Gaffey, Christi Korth, Brandon Plumb, Rhonda Kuehn, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Public Works Director Doug Baker, Kim Hodde, Leslie Kelm, Allen Jacobs, Charles Suessmuth, Will Felder, Andrew Felder, Assistant Public Utilities Director Dane Rau, Ande Bostain, Bobby Branham, Joe Moore, Dinnie Hicks, Janie Mehrens, Susan Nienstedt, Gary Jeter

Citizens present:

Perry Thomas, Mike Brannon, Delbert Boeker, Paul Rudledge, Page Michel, Clint Kolby, Calvin Brown, Matthew Strickland, Dave Koziol, Douglas Price, Alfred Fischer, Shawna Goerlitz, Darren Heine, Traci Pyle, Jay T. Alexander, Tom Whitehead, Melinda Fabian, Leslie Harrell, Carissa Cox, Tommy Upchurch

Media Present:

Arthur Hahn, Brenham Banner Press; Frank Wagner, KWHI

- 1. Mayor Tate Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – City Manager Terry Roberts**

3. Service Recognitions

Service recognitions were presented to the following employees:

Andrew Felder	Streets	5 Years
Gary Jeter II	Information Technology	10 Years
Joe Moore	Gas Department	15 Years
Rhonda Kuehn	Municipal Court	15 Years
Dinnie Hicks	Sanitation	36 Years (RETIREMENT)

Bobby Branham expressed his appreciation to Mr. Hicks for his hard work and dedication to the City of Brenham.

4. Proclamations

- Mayor Tate read a proclamation declaring October 2011 as Domestic Violence Awareness Month. The Proclamation was accepted by Shawna Goerlitz. Ms. Goerlitz informed everyone of an upcoming candlelight vigil to be held on October 25th for Domestic Violence Awareness.
- Mayor Tate read a proclamation declaring October 6, 2011 as German American Day. The proclamation was accepted by Alfred Fischer of the Texas German Society.
- Mayor Tate read a proclamation declaring October 9 – 15, 2011 as Fire Prevention Week. The proclamation was received by Fire Chief Ricky Boeker.

5. Citizens Comments

There were no citizen comments.

CONSENT AGENDA

6. Statutory Consent Agenda

6-a. Minutes from the September 15, 2011 Council Meeting and the September 22, 2011 Special Council Meeting

A motion was made by Councilmember Pyle and seconded by Mayor Pro Tem Nix to approve the Statutory Consent Agenda Item 6-a. minutes from the September 15, 2011 council meeting and the September 22, 2011 special 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	Absent
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

PUBLIC HEARING

7. Public Hearing, Discussion and Receipt of Input Related to the Proposed Creation of Reinvestment Zone Number 33 Requested by Valmont Industries for Commercial-Industrial Tax Phase-In Incentive on Certain Real Property Containing 80.088 Acres, More or Less, Being Located at 2551 Valmont Drive, Brenham, Texas

Clint Kolby with the Economic Development Foundation of Brenham introduced the project and the Valmont representatives in attendance. Mr. Kolby turned the hearing over to Dave Koziol, Plant Controller, of Valmont Industries. Mr. Koziol explained this expansion would create 90 to 100 jobs which consist primarily of highly skilled welding positions. Mr. Koziol opened the floor to discussion.

Councilmember Williams questioned where the highly skilled workers would be acquired. Mr. Koziol stated an outside recruiter was obtained and the Human Resource department is looking locally and outside the area as well.

Mayor Tate closed the public hearing.

REGULAR AGENDA

8. Discuss and Possibly Act Upon an Ordinance on its First Reading for the Creation of Reinvestment Zone Number 33 Requested by Valmont Industries for Commercial-Industrial Tax Phase-In Incentive on Certain Real Property Containing 80.088 Acres, More or Less, Being Located at 2551 Valmont Drive, Brenham, Texas, with Boundaries Further Described in Exhibit “A” of Said Ordinance, and Designating This Property as Qualifying for Tax Phase-In

City Manager Terry Roberts explained a Tax Phase-In requires the creation of a Reinvestment Zone that is approved by Ordinance on two readings and a Resolution is then approved for the Tax Phase-In.

A motion was made by Councilmember Pyle and seconded by Councilmember Ebel to approve an ordinance on its first reading for the Creation of Reinvestment Zone Number 33 Requested by Valmont Industries for Commercial-Industrial Tax Phase-In Incentive on Certain Real Property Containing 80.088 Acres, More or Less, Being Located at 2551 Valmont Drive, Brenham, Texas, with Boundaries Further Described in Exhibit “A” of Said Ordinance, and Designating This Property as Qualifying for Tax Phase-In

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	Absent
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

9. Discuss and Possibly Act Upon a Recommendation from the Downtown Master Plan Consultant Selection Committee for the Selection of a Downtown Master Planning Consulting Firm and Authorize the Mayor to Execute any Necessary Documentation

Jennifer Eckermann presented this item. Ms. Eckermann informed council of the creation of a Selection Committee which interviewed various consulting firms. After interviews and reference checks, the Selection Committee is recommending a Downtown Master Plan service agreement with MESA Design Associates. Ms. Eckermann introduced chairman of the Selection Committee, Tommy Upchurch, to explain their decision in choosing MESA Design Associates.

Mr. Upchurch expressed his excitement about the Downtown Master Plan. The Selection Committee felt MESA Design Associates best addressed the priorities of the city such as building on the historic character of downtown, their economic vision for the city, and their experience in this type of planning. Mr. Upchurch then introduced Carissa Cox, project manager for MESA.

Ms. Cox briefly explained the background of the MESA Design Associates and the firms that will oversee the different areas involved in the process. Ms. Cox opened the floor to questions. Councilmember Goss questioned if MESA was asked to be involved in anything outside the scope of downtown. Ms. Cox confirmed only the downtown area will be addressed at this time. Councilmember Goss asked what MESA can bring to Brenham that no other firms can. Ms. Cox feels from a planning perspective MESA provides, not only, a high quality of design work but an understanding of the economic development process.

A motion was made by Councilmember Williams and seconded by Councilmember Ebel to approve the contract between MESA Design Associates, Inc. and the City of Brenham for services pertaining to the creation of a downtown revitalization plan and authorize the mayor to execute a professional services agreement.

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	No
Councilmember Keith Herring	Absent
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

10. Discuss and Possibly Act Upon a Request for a Noise Variance from Ashley Hausman and Jason Brocato for an Outdoor Wedding Ceremony and Reception at 614 S. Austin Street on October 8, 2011

Kim Hodde presented this item and asked for council's approval of this noise variance request.

A motion was made by Councilmember Pyle and seconded by Councilmember Williams to approve the request for a noise variance from Ashley Hausman and Jason Brocato for an outdoor wedding ceremony and reception at 614 S. Austin Street on October 8, 2011.

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	Absent
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

11. Discuss and Possibly Act Upon the Approval of the Routine Airport Maintenance Program (RAMP) Grant Agreement No. M217BRENM with TxDOT for Fiscal Year 2011-12 and Authorize the Mayor to Execute any Necessary Documentation

Kim Hodde presented this item. Ms. Hodde informed council this is the Standard RAMP Agreement with TxDOT for the date of September 30, 2011 to August 31, 2012. As in previous years this agreement allows for the reimbursement of the cost of the monthly AWOS monitoring. Ms. Hodde also noted \$30,000 has been budgeted and with the 50% match by TxDOT, \$60,000 of maintenance can be completed at half the cost.

A motion was made by Councilmember Williams and seconded by Councilmember Ebel to approve Routine Airport Maintenance Program (RAMP) Grant Agreement No. M217BRENM with TxDOT 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 Danny Goss	Yes
Councilmember Keith Herring	Absent
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

12. Discuss and Possibly Act Upon a Ground Space Lease Agreement with John Startz dba Brenham Hanger, LLC at the Brenham Municipal Airport and Authorize the Mayor to Execute any Necessary Documentation

Kim Hodde presented this item. Ms. Hodde distributed a corrected ground space lease agreement that was not included in the council packet.

A motion was made by Councilmember Pyle and seconded by Mayor Pro Tem Nix to approve a ground space lease agreement with John Startz dba Brenham Hanger, LLC 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 Danny Goss	Yes
Councilmember Keith Herring	Absent
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

13. Discuss and Possibly Act Upon Resolution No. R-11-013 Authorizing the Acceptance of Woodbridge Subdivision, Section II

Allen Jacobs presented this item. Mr. Jacobs informed council of the recent construction, by Stylecraft Builders, of forty-two new single family residential lots in section II of the Woodbridge Subdivision. All requirements and inspections have been completed and council was asked to approve the acceptance of this subdivision.

A motion was made by Councilmember Pyle and seconded by Councilmember Williams to approve Resolution No. R-11-013 authorizing the acceptance of Woodbridge Subdivision, Section II.

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	Absent
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

14. Discuss and Possibly Act Upon Approval of a Memorandum of Understanding with the Metropolitan Austin Interactive Network (MAIN) Regarding the Grant of Public Access Computers for the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute any Necessary Documentation

Charles Suessmuth presented this item. The Department of Commerce recently awarded a grant to the Texas Connects Coalition in collaboration with Austin Free-Net and the Metropolitan Austin Interactive Network (MAIN) to enhance public computer centers throughout Texas and provide computer access, technical support, and other services. The City of Brenham was awarded fourteen (14) computers to be used at the Nancy Carol Roberts Memorial Library. Due to lack of space at the Library, training will be held at the Blinn College Technical Center.

Mr. Suessmuth turned the floor over to Will Felder. Mr. Felder explained the Grant Period would continue through December 2012, after this time, the computers will be housed at the Nancy Carol Roberts Memorial Library.

A motion was made by Councilmember Williams and seconded by Mayor Pro Tem Nix to approve a memorandum of understanding with the Metropolitan Austin Interactive Network (MAIN) regarding the Grant of public access computers for the Nancy Carol Roberts Memorial Library 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 Danny Goss	Yes
Councilmember Keith Herring	Absent
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

15. Discuss and Possibly Act Upon Request for Proposal No. 11-016 and Recommendation from Holmes Murphy and Associates to Enter into Group Benefit Services Agreement for Third Party Administration of Group Health Plan for the City of Brenham and Authorize the Mayor to Execute any Necessary Documentation

Janie Mehrens presented this item. As in the previous years, the services of Holmes Murphy and Associates have been utilized in obtaining Group Medical, Life and AD&D and Long Term Disability coverage. Holmes Murphy and Associates handles the request for the proposal process, response analysis, and recommendations for the purchase of various employee group benefits. Ms. Mehrens briefly explained the various employee group benefits and at this time is only requesting the selection of a Third Party Administrator to seek quotes for stop loss coverage on behalf of the City of Brenham.

A motion was made by Councilmember Pyle and seconded by Mayor Pro Tem Nix to approve request for proposal No. 11-016 and recommendation from Holmes Murphy and Associates to enter into a Group Benefits Services Agreement with Texas Municipal League Intergovernmental Employee Benefits Pool as the third party administrator for group health plans for the City of Brenham 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 Danny Goss	Yes
Councilmember Keith Herring	Absent
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

16. Discuss and Possibly Act Upon Resolution No. R-11-014 Changing the City's General Election Schedule to Odd-Numbered Year Elections and Changing Councilmember Terms to Four (4) Years, Pursuant to Senate Bill 100

City Secretary Jeana Bellinger presented this item. Ms. Bellinger reminded council of previous discussions pertaining to Senate Bill (SB) 100. Due to changes by the Texas Legislature, in an effort to comply with the Military and Overseas Voters Empowerment Act, SB 100 was enacted.

In a recap of previous discussions, council recommended changing councilmember term limits to four years on a staggered schedule. Some positions would need a one year holdover and one or two positions would need to be elected to a short two year term in order to get all positions on a staggered schedule. This option would create a 3/4 election cycle.

Ms. Bellinger recapped council's decision of the new election schedule which will require an election for the following positions in May, 2013 for a 4-year term:

- Ward 1
- Ward 3
- At-Large, Place 5
- At-Large, Place 6

Council also determined Ward 2 would run in a special election for a short 2-year term in May, 2013 to get on the 2015 election cycle with the Mayor and Ward 4. Ms. Bellinger reminded council no election will be held in 2012 therefore creating a one year holdover for certain positions.

A motion was made by Councilmember Williams and seconded by Councilmember Goss to approve Resolution No, R-11-014 changing the City's general election schedule to odd-numbered year elections and changing councilmember terms to four (4) years, pursuant to Senate Bill 100.

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	Absent
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

17. Discuss and Possibly Act Upon Resolution No. R-11-015 Extending the Current Moratorium on the Processing, Approval, and Issuance of Sexually Oriented Business Licenses/Permits and Related Applications

City Secretary Jeana Bellinger presented this item. In an effort to comply with the regulations outlined in the new sexually oriented business ordinance, passed on July 25, 2011, it was recommended the zoning ordinance be amended as well. The requested moratorium would be extended an additional thirty (30) days to November 22, 2011 so these zoning changes and revisions to the July Ordinance could go into effect at the same time.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Goss to approve Resolution No. R-11-015 extending the current moratorium on the processing, approval, and issuance of sexually oriented business licenses/permits and related applications.

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	Absent
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

18. Administrative/Elected Officials Report

- Doug Baker updated council on the Railroad Quiet Zone
- Citizen Perry Thomas expressed his appreciation to Mayor and Council for their help in creating the Railroad Quiet Zone
- Chief Financial Officer reminded council of Fiscal Year End

City Manager Terry Roberts Reported on the following:

- Tuesday – National Night Out
- BCDC Update on Southwest Industrial Park pond.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary