

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on October 20, 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 Weldon Williams, Jr.

### Members Absent:

Councilmember Keith Herring

### Others present:

City Manager Terry Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Chief Financial Officer Carolyn Miller, Stacy Hardy, Adam Griffin, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Public Works Director Doug Baker, Kim Hodde, Leslie Kelm, Allen Jacobs, Casey Redman, Public Works Director Lowell Ogle, Assistant Public Utilities Director Dane Rau, Jamie Maurer, Lin Hartstack

### Citizens present:

Ted Telford, Page Michel, Clint Kolby, Willy Dilworth, Milton Bosse, Kathy Miller

### Media Present:

Allison Smith, Brenham Banner Press; Frank Wagner, KWHI

- 1. Mayor Tate Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Mayor Milton Y. Tate, Jr.**
- 3. Citizens Comments**

There were no citizen comments.

## CONSENT AGENDA

### 4. Statutory Consent Agenda

#### 4-a. Minutes from the September 29, 2011 Council Meeting

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve the Statutory Consent Agenda Item 4-a. minutes from the September 29, 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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes

## REGULAR AGENDA

### 5. Discuss and Possibly Act Upon Ordinance No. O-11-017 on its Second 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

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve Ordinance No. O-11-017 on its second 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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**6. Discuss and Possibly Act Upon Resolution No. R-11-016 Authorizing the Execution of Tax Phase-In Agreement Between the City of Brenham and Valmont Industries**

A motion was made by Councilmember Goss and seconded by Councilmember Williams to approve Resolution No. R-11-016 authorizing the execution of Tax Phase-In agreement between the City of Brenham and Valmont Industries.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**7. Discuss and Possibly Act Upon Resolution No. R-11-017 Nominating Valmont Industries to the Office of the Governor, Economic Development and Tourism for Designation as a Texas Enterprise Project**

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve Resolution No. R-11-017 nominating Valmont Industries to the Office of the Governor, Economic Development and Tourism for designation as a Texas Enterprise Project.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**8. Public Hearing Regarding a Request for a Zoning District Change for Property Currently Zoned as R-1, Single-Family Residential District to B-1, Local Business/Residential Mixed Use District Located At or Near the 1600 Block of Longhofer Street (A Vacant Lot) with a Legal Description Being Altman's Subdivision, Lot 4, 0.254 Acres to Construct a Professional Office on this Property**

Allen Jacobs presented a proximity map to mayor and councilmembers. On October 3, 2011 the Planning and Zoning Commission held a regularly scheduled meeting. At this meeting a public hearing was held in reference to a request for a change of zoning at this location from an R-1 zone to a B-1 zone in order to construct a professional office building. Mr. Jacobs indicated no objections to this request were heard during the public hearing.

Mayor Tate went into a public hearing at 1:08 p.m.

Citizen Milton Bosse cited no objections and approved the request on condition that only a professional office is constructed at this location.

Mayor Tate closed the public hearing at 1:10 p.m.

**9. Discuss and Possibly Act Upon an Ordinance on its First Reading Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas; Amending the Official Zoning Map to Change Property Currently Zoned as R-1, Single-Family Residential District to B-1, Local Business/Residential Mixed Use District Located At or Near the 1600 Block of Longhofer Street (Vacant Lot) with a Legal Description Being Altman’s Subdivision, Lot 4, 0.254 Acres to Construct a Professional Office on this Property**

A motion was made by Councilmember Goss and seconded by Councilmember Williams to approve an Ordinance on its First Reading Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas; Amending the Official Zoning Map to Change Property Currently Zoned as R-1, Single-Family Residential District to B-1, Local Business/Residential Mixed Use District Located At or Near the 1600 Block of Longhofer Street (Vacant Lot) with a Legal Description Being Altman’s Subdivision, Lot 4, 0.254 Acres to Construct a Professional Office on this Property

Councilmember Williams requested the addition of specific language to this ordinance indicating only the construction of a professional building be permitted on this site.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**10. Public Hearing Regarding a Request for Specific Use Permit at 1404 North Park Street (Legal Description Being O'Malley Subdivision, Section 1, Lot 1-B), to Operate a Full Service Car Wash, Car Detail, and Lube Center Business**

Allen Jacobs presented a proximity map to mayor and councilmembers. A public hearing was held during the Planning and Zoning Commission on October 3, 2011 in reference to a request for a specific use permit to allow for a full service car wash and car detail business at 1404 North Park Street. Mr. Jacobs indicated no objections to this request were heard during the public meeting.

Mayor Tate questioned traffic related conflicts related to the school entrance. Mr. Jacobs informed the Mayor no site plans have been submitted at this time, but they will address these concerns if they arise.

City Manager Terry Roberts asked Mr. Jacobs to explain the process and need for a specific use permit. Mr. Jacobs explained the City of Brenham's Zoning ordinance in the B-1 local district has many allowable uses, but the specific uses outlined in the ordinance require a public hearing and council approval. Upon request of a specific use permit, notice is given to all property owners within 200 feet so they have an opportunity to approve or object the request.

Mayor Tate went into a public hearing at 1:16 p.m.

No Comments were heard.

Mayor Tate closed the hearing at 1:21 p.m.

**11. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas; Amending the Official Zoning Map to Allow a Specific Use Permit at 1404 North Park Street (Legal Description Being O’Malley Subdivision, Section 1, Lot 1-B), for the Operation of a Full Service Car Wash, Car Detail, and Lube Center**

City Attorney Cary Bovey suggested additional language be included in the ordinance for second reading concerning the hours of operation.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve an ordinance on its first reading Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas; amending the official zoning map to allow a specific use permit at 1404 North Park Street (Legal Description Being O’Malley Subdivision, Section 1, Lot 1-B), for the operation of a full service car wash, car detail, and lube center.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**12. Public Hearing Regarding Amendment of Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, to Provide for Sexually Oriented Businesses as Specific Uses in I – Industrial Districts, in Accordance with the Specific Use Permit Approval Process and Chapter 16, Occupational Licenses and Business Regulations, City of Brenham Code of Ordinances**

Mr. Jacobs informed council of the public hearing held at the October 3, 2011 Planning and Zoning Commission in reference to a request for additional language to the City of Brenham Zoning Ordinance. This is submitted in an effort to include terminology that complements the City of Brenham’s Occupational Licenses and Business Regulations specifically related to Sexually Oriented Businesses. In addition sexually oriented businesses shall be allowed as a specific use in the I-Industrial District, in accordance with the specific use permit approval process.

Mayor Tate went into a public hearing at 1:25 p.m.

No comments were heard.

Mayor Tate closed the public hearing at 1:26 p.m.

**13. Discuss and Possibly Act Upon an Ordinance on its First Reading Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas to Provide for Sexually Oriented Businesses as Specific Uses in I – Industrial Districts, in Accordance with the Specific Use Permit Approval Process and Chapter 16, Brenham Code of Ordinances Regulating Occupational Licenses and Business Regulations**

A motion was made by Councilmember Williams and seconded by Councilmember Goss to approve an Ordinance on its First Reading Amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas to provide for sexually oriented businesses as specific uses in I – Industrial Districts, in accordance with the specific use permit approval process and Chapter 16, Brenham Code of Ordinances regulating occupational licenses and business regulations

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**14. Discuss and Possibly Act Upon an Ordinance on its First Reading Amending Chapter 16, Occupational Licenses and Business Regulations, of the City of Brenham’s Code of Ordinances to Provide for the Regulation of Sexually Oriented Businesses within the City Limits**

City Secretary Jeana Bellinger presented this item. Ms. Bellinger reminded council of the Ordinance amending Chapter 16, providing for the regulation of sexually oriented businesses that was approved by council at the July 25, 2011 council meeting. Since the adoption of this Ordinance, staff determined a few more regulations were needed. This new ordinance will add additional regulations and language as follows:

- Adds hotels and other similar commercial establishments to protected classes and a detailed explanation of the term “family oriented recreation facility” to Sec. 16-25;
- Adds language to allow certain forms of nudity when it is in conjunction with a modeling class operated by a state licensed school, college, junior college, or university;
- Adds exemption language for certain medical treatments and massage therapy programs; and
- Adds a new section allowing for amortization (Sec. 16-45) for any existing sexually oriented businesses that are annexed into the city limits.

Ms. Bellinger asked city attorney Cary Bovey to explain the amortization section of the new ordinance. Mr. Bovey explained if the city engages in a re-zoning action where the sexually oriented business is no longer allowed it would be considered a non-conforming use. The amortization clause would allow the city to approve a permit for that business, on a contingent basis, in an effort for that business to recoup its investment for a period of time. At the end of that period the business would have to re-locate and terminate the use of that location as a sexually oriented business.

A motion was made by Councilmember Williams and seconded by Councilmember Ebel to approve an Ordinance on its First Reading Amending Chapter 16, Occupational Licenses and Business Regulations, of the City of Brenham's Code of Ordinances to Provide for the Regulation of Sexually Oriented Businesses within 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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**15. Discuss and Possibly Act Upon an Order Calling a Special Election to be Held on January 21, 2012 for the Purpose of Electing One (1) Council Member to fill the Unexpired Term for the Place 5 – At Large Position**

**Considerar y Posiblemente Actuar Sobre una Orden para una Elección Especial que se efectuara el 21 de Enero, 2012 Con el Propósito de Elegir Un (1) miembro del Concejal para llenar el resto del termino de Lugar 5-Distrito Abierto.**

City Secretary Jeana Bellinger presented this item. Due to the recent resignation of the Place 5 At Large Councilmember, a Special Election is required to fill this vacancy. Ms. Bellinger presented the proposed election calendar with an election date set for Saturday January 21, 2012.

Ms. Bellinger pointed out a minor change in polling places for this special election. The Ward 4 polling place has been moved to the Blinn Student Center. Ms. Bellinger also discussed the possibility of this location becoming the permanent Ward 4 polling place for future elections, pending approval from the Department of Justice (DOJ).

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve an order calling a special election to be held on January 21, 2012 for the purpose of electing one (1) council member to fill the unexpired term for the Place 5 – At Large Position.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**16. Discuss and Possibly Act Upon Resolution No. R-11-018 Nominating Candidates for Election to the Washington County Appraisal District Board of Directors**

City Manager Terry Roberts presented this item. Mr. Roberts informed council of the vacancies on the Washington County Appraisal District Board. Of the five current members, three have expressed their willingness to serve another term (Delton Keorth, Johanna Fatheree, and John Schaer) and two members (John Garnett and Albert Wright) do not want to be considered for re-election. Charles Gaskamp and Joel Romo are the candidates, in addition to those willing to stay on the board, being presented for consideration. Both have been contacted and are willing to have their names placed for nomination.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve Resolution No. R-11-018 nominating candidates, as presented, for election to the Washington County Appraisal District Board of Directors

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**17. Discuss and Possibly Act Upon an Ordinance on its First Reading Providing for Taxation of Goods-in-Transit that are Otherwise Exempted from Taxation by Texas Tax Code, Section 11.253**

Chief Financial Officer Carolyn Miller presented this item. In November 2007, the city council approved Ordinance O-07-027 providing for the taxation of goods-in-transit that are otherwise exempted from taxation by Tax Code Section 11.253. However, the 82<sup>nd</sup> Legislature recently enacted Senate Bill 1, amending Property Tax Code Section 11.253. The definition of goods-in-transit has been narrowed and in order to continue taxing these, another Ordinance must be approved.

Ms. Miller advised council of a joint public hearing held on October 11, 2011 by all taxing units in Washington County for the purpose of hearing opinions expressed by citizens on the subject. No citizen comments were made.

Ms. Miller turned the presentation over to Chief Appraiser, Willy Dilworth. Mr. Dilworth informed council that five (5) of the seven (7) Washington County taxing units have opted for the taxation of goods-in-transit. Unlike House Bill 621 in 2007, Senate Bill 1 allows the option to tax goods-in-transit and at a future date, if an entity changes their decision, they can opt out at that time. Mr. Dilworth further explained if an entity decides not to tax, but changes their decision at a later date, a public hearing must first be held.

A motion was made by Councilmember Williams and seconded by Councilmember Ebel to approve an ordinance on its first reading providing for Taxation of Goods-in-Transit that are otherwise exempt from taxation by Texas Tax Code, Section 11.253

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**18. Discuss and Possibly Act Upon Bid No. 12-002 for the Purchase of Road Base Materials for the Street Department and Authorize the Mayor to Execute any Necessary Documentation**

Leslie Kelm presented this item. Two bids were received for road base materials (crushed limestone). Staff is recommending the road base material contract be awarded to Lhoist North America who submitted the lowest bid in the amount of \$16.50 per ton.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve bid No. 12-002 and award contract to Lhoist North America for the purchase of road base materials at \$16.50 per ton for the street department 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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**19. Discuss and Possibly Act Upon Bid No. 12-001 for Concrete Work for the Street Department and Authorize the Mayor to Execute any Necessary Documentation**

Leslie Kelm presented this item. Two bids were submitted for the 2011-2012 annual concrete work contract. Staff is recommending the concrete work contract be awarded to lowest bidder, LaBu, Inc.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve Bid No. 12-001 for concrete work for the street department to LaBu, Inc. 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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**20. Discuss and Possibly Act Upon Resolution No. R-11-019 for Approval and Acceptance of the Dr. Bobbie M. Dietrich Memorial Amphitheater and Authorize the Mayor to Execute any Necessary Documentation**

Public Works Director Doug Baker presented this item. Mr. Baker advised council of Dr. Dietrich's request to turn ownership, operation and maintenance of the amphitheater over to the City of Brenham. The Bill of Sale, Affidavit of All Bills Paid, and Release of Lien were included in the documents presented to council. The plans and specifications have been met and staff is recommending the acceptance of the Dr. Bobbie M. Dietrich Memorial Amphitheater.

A motion was made by Councilmember Williams and seconded by Mayor Pro Tem Nix to approve Resolution No. R-11-019 for approval and acceptance of the Dr. Bobbie M. Dietrich Memorial Amphitheater and authorize the mayor to execute any necessary documentation.

Councilmember Goss questioned the O&M cost on this facility. Mr. Baker said an annual amount has not been calculated, but maintenance should be relatively low.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**21. Discuss and Possibly Act Upon a Recommendation from the Parks and Recreation Advisory Board for Rental Rates of the Dr. Bobbie M. Dietrich Memorial Amphitheater**

Jamie Maurer presented this item. Ms. Maurer noted a typo in the memo regarding the rate for a full day rental. The full day rental recommendation is \$125.00 and half day rental is \$75.00. The Parks and Advisory Board looked at various options including profit vs. nonprofit rates and determined it would be best to start basic and reevaluate rates every 6-8 months of use after determining how the facility will be most used.

A motion was made by Councilmember Williams and seconded by Councilmember Ebel to approve rental rates for the Dr. Bobbie M. Dietrich Memorial Amphitheater as stated above with the understanding that the rates will be reevaluated in 6-8 months.

Councilmember Goss questioned the city's noise ordinance and if approval will be needed for events extending beyond 10:00 p.m. Ms. Maurer responded the parks operating hours are until 11:00 p.m. and Ms. Bellinger informed council an amendment to the current noise ordinance will be presented at a future meeting, creating an exemption for events held at the amphitheater pertaining to noise variances.

Mayor Pro Tem Nix inquired about increased security during events. Ms. Maurer indicated discussions have been held with the Police Department and an agreement is being considered for different security levels at certain events.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**22. Discuss and Possibly Act Upon Final Payment to Mercer Construction Company for the Utility Line Extensions Along State Highway 36 North and Authorize the Mayor to Execute any Necessary Documentation**

Public Utilities Director Lowell Ogle presented this item. Property along State Highway 36 North was recently annexed and the property owners requested water and sewer services. During the last budget year, bids were submitted and Mercer Construction was awarded the contract for these utility line extensions. Mr. Ogle asked for final payment in the amount of \$19,035.61 to Mercer Construction Company for their completion of this project.

A motion was made by Councilmember Goss and seconded by Councilmember Williams to approve final payment to Mercer Construction Company in the amount of \$19,035.61 for the utility line extensions along state highway 36 north 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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**23. Discuss and Possibly Act Upon Bid No. 12-003 for the Purchase of a 53' Aluminum Refuse Trailer and Authorize the Mayor to Execute any Necessary Documentation**

Assistant Public Utilities Director Dane Rau presented this item. On October 11, 2011 bids were opened for the purchase of an aluminum refuse trailer. Travis Body & Trailer was the only bid received.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Ebel to approve Bid No. 12-003 and award contract to Travis Body & Trailer in the amount of \$60,653 for the purchase of a 53' aluminum refuse trailer along with options #3, #4, #5, and #6 and authorize the mayor to execute any necessary documentation.

Councilmember questioned where the funds would come from since the bid was slightly over budget. Mr. Rau indicated the sanitation fund would be used to make up the difference. He also noted an increased savings with the use of the Austin landfill as opposed to the College Station landfill. The Austin landfill is currently \$10/ton less than College Station.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

**24. Administrative/Elected Officials Report**

City Manager Terry Roberts reported on the following:

- Vulcan Street Railroad Crossing Closure Update
- Amphitheater Dedication – October 28, 2011
- Toubin Park Dedication – November 8, 2011
- Drought/ Lake Level Update

Chief Financial Officer Carolyn Miller reported on the following:

- The City of Brenham was recently awarded, for the third straight year, the certificate of achievement for excellence in financial reporting. Ms. Miller credited Stacy Hardy with her help in achieving this award.
- Audit begins the week of Thanksgiving

The meeting was adjourned.

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Milton Y. Tate, Jr.  
Mayor

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Jeana Bellinger, TRMC  
City Secretary

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