

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on January 19, 2012 beginning at 1:00 p.m. in the Brenham City Hall, City Council Chambers, at 200 W. Vulcan Street, Brenham, Texas.

### Members present:

Mayor Pro Tem Gloria Nix  
Councilmember Andrew Ebel  
Councilmember Danny Goss  
Councilmember Keith Herring  
Councilmember Weldon Williams, Jr.

### Members absent:

Mayor Milton Y. Tate, Jr.

### Others present:

City Manager Terry Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Jennifer Salsgiver, Chief Financial Officer Carolyn Miller, Public Works Director Lowell Ogle, Assistant Public Utilities Director Dane Rau, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Public Works Director Doug Baker, Adam Griffin, Kim Hodde, Jamie Maurer, Tammy Jaster, Debbie Gaffey, Alton Sommerfield, Kevin Boggus, and Susan Nienstedt

### Citizens present:

Perry Thomas, Nathan Wade, Harold Nolte, Emanuel Glockzin, David Sommer, Douglas Borchardt, Mary Barnes-Tilley, Jason Kiemsteadt, Van Miller, Richard O'Malley, Brian Herzog, Glen Jones, Nancy Fritz, Ethan Kuhn, Mackenzie Roberts, Lisbeth Radcliff, Kara Freeman, Gregg Appel, Jeff Appel, Ann Morgan, and Clint Kolby

### Media Present:

Allison Smith, Brenham Banner Press; Frank Wagner, KWHI

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

**3. Special Recognition**

Special Recognition was given to the Blue Bell Aquatics Center for two awards won at the Texas Public Pool Council. The awards were for Class 3 Agency of the Year and Water Safety Program of the Year.

**4. Proclamation**

Mayor Pro Tem Nix read a proclamation designating January 31, 2012 as First Baptist Church School 100<sup>th</sup> School Day Celebration. It was accepted by Nancy Fritz, Lisbeth Radcliff, Ethan Kuhn, and Mackenzie Roberts.

**5. Citizens Comments**

There were no citizen comments.

**CONSENT AGENDA**

**6. Statutory Consent Agenda**

**6-a. Minutes from the January 5, 2012 Council Meeting**

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve the Statutory Consent Agenda Item 4-a. minutes from the January 5, 2012 council meeting.

Mayor Pro Tem Nix called for a vote. The motion passed with Council voting as follows:

<b>Mayor Milton Y. Tate, Jr.</b>	<b>Absent</b>
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

**WORK SESSION**

**7. Discuss and Review FY 2010-11 Fourth Quarter Financial Report**

Chief Financial Officer Carolyn Miller reviewed the financial performance for the fiscal year ending September 30, 2011. The City experienced favorable performance in the General Fund, and with the exception of the Wastewater Fund, posted net revenues over expenditures in the Utility Funds.

The FY2010-11 4<sup>th</sup> quarter actuals indicate the following:

<b>Fund</b>	<b>Revenues</b>	<b>Expenditures</b>	<b>Net Revenues</b>
General Fund	\$15,520,547	\$14,983,608	\$536,939
Electric Fund	\$28,079,062	\$27,248,713	\$830,349
Gas Fund	\$3,185,925	\$3,159,133	\$26,791
Water Fund	\$5,148,534	\$4,288,318	\$860,216
Wastewater Fund	\$3,701,778	\$3,748,694	\$ (46,916)
Sanitation Fund	\$3,384,317	\$3,368,256	\$16,061

In summary Ms. Miller stated that the City experienced favorable performance in all major funds, with the exception of the Wastewater Fund and managed to grow fund balance/working capital reserves throughout these challenging economic times. She credited the favorable performance to the division directors and senior management who monitor department expenditures and overall fund performance and make necessary adjustments during the year.

## **REGULAR AGENDA**

### **8. Discuss and Possibly Act Upon an Election Services Contract Between the City of Brenham and Washington County Related to Election Responsibilities for the February 25, 2012 Run-Off Election, if Necessary, and Authorize the Mayor to Execute any Necessary Documentation**

City Secretary Jeana Bellinger presented the Charter requirements associated with a run-off election. She pointed out that due to the number of candidates that have filed for the Place 5 – At Large position, a run-off election is very likely. In preparation for a possible run-off, Ms. Bellinger explained that a new Election Services Contract with the County must be approved by Council that outlines what the City and/or the County will be responsible for during the February 25, 2012 Run-Off Election. This contract mirrors the one approved by Council for the Special Election except that the City would provide our own E-Pollbooks for both Early Voting and Election Day.

Ms. Bellinger pointed out that there was one typographical error in the contract on Page 2 under “Term”. The date should have been amended to read February 25, 2012.

A motion was made by Councilmember Goss and seconded by Councilmember Williams to approve the election services contract between the City of Brenham, Texas and Washington County, Texas, with the change as indicated by City Secretary Bellinger, for the February 25, 2012 Special Run-Off Election and authorize the Mayor Pro Tem to execute any necessary documents.

Mayor Pro Tem Nix called for a vote. The motion passed with Council voting as follows:

<b>Mayor Milton Y. Tate, Jr.</b>	<b>Absent</b>
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

**9. Discuss and Possibly Act Upon a Request to Extend Utilities Outside the City Limits to 1555 Highway 36 North and Authorize the Mayor to Execute any Necessary Documentation**

Assistant Director of Public Utilities, Dane Rau, presented this item to Council. He indicated that the City had received a request to extend utilities to the new facility of Premier Metal Buyers located at 1555 HWY 36 North. Mr. Rau advised Council that to serve this facility, the water and sewer lines must be extended up Blue Bell Rd towards Highway 36 North approximately 2300 feet. He advised Council that the total cost for these utility extensions is estimated between \$90,000 and \$100,000.

Mr. Rau stated that Mike Brannon, owner of Premier Metal Buyers, will petition for annexation into the City and has also agreed to pay \$11,000 of these extensions. Mr. Rau explained that the city budgeted approximately \$50,000 for unplanned water line extensions and \$80,000 for unplanned sewer line extensions. With this project, water expenditures for unplanned projects fall below the budgeted amount and unplanned sewer projects exceed roughly \$12,000 above the budgeted amount. The anticipated begin date is March 2012. Staff recommends that Council approve the utility extensions to 1555 HWY 36 North.

Councilmembers Herring and Goss requested additional time to consider the impact on other projects such as Aloise Lane and Salem Road. A citizen interested in developing a RV Park in this area voiced her support for the extensions.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to table this item until the next council meeting in order to evaluate all aspects of this request.

Mayor Pro Tem Nix called for a vote. The motion passed with Council voting as follows:

<b>Mayor Milton Y. Tate, Jr.</b>	<b>Absent</b>
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Weldon Williams</b>	<b>No</b>

**10. Discuss and Possibly Act Upon Approval of a Proposal from Mike Pietsch, P.E., for Professional Consulting Services to Prepare the I.S.O Pre-Survey Packet – Phase II, and Authorize the Mayor to Execute any Necessary Documentation**

Fire Chief Ricky Boeker explained that ISO intends to survey the City of Brenham in March, 2012 to determine the Public Protection Classification for the City. Mr. Boeker stated that to ensure the best possible score, he is requesting that Mike Pietsch Consulting Services be hired to assist the City through this process. He also explained to Council that the ISO rating results are expected to lock-in Brenham’s insurance rates for 10 years. Mr. Boeker assured Council that cost for Phase II, which consists of helping the City prepare the ISO Pre-Survey Packet, will not exceed \$8,000.

A motion was made by Councilmember Williams and seconded by Councilmember Goss to approve the proposal from Mike Pietsch, P.E., for Professional Consulting Services in the amount of \$8,00 to prepare the I.S.O Pre-Survey Packet– Phase II and authorize the Mayor Pro Tem to execute any necessary documentation.

Mayor Pro Tem Nix called for a vote. The motion passed with Council voting as follows:

<b>Mayor Milton Y. Tate, Jr.</b>	<b>Absent</b>
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

**11. Discuss and Possibly Act Upon Approval of a Proposal from Mike Pietsch, P.E., for Professional Consulting Services to Assist the I. S. O Field Representative During the I.S.O. Survey – Phase III, and Authorize the Mayor to Execute any Necessary Documentation**

Fire Chief Ricky Boeker explained that ISO intends to survey the City of Brenham in March, 2012 to determine the Public Protection Classification for the City. Mr. Boeker said that in order to ensure the best possible score, he would like the City to hire Mike Pietsch Consulting Services to assist the City through this process. Mr. Boeker advised Council that Phase III involves assisting the ISO Field Representative during the actual site visit. Mr. Boeker assured Council that the cost for Phase III will not to exceed \$5,000.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve the proposal from Mike Pietsch, P.E., for Professional Consulting Services in the amount of \$5,000 to prepare the I.S.O Pre-Survey Packet– Phase III, and authorize the Mayor Pro Tem to execute any necessary documentation.

Mayor Pro Tem Nix called for a vote. The motion passed with Council voting as follows:

<b>Mayor Milton Y. Tate, Jr.</b>	<b>Absent</b>
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

**12. Discuss and Possibly Act Upon Resolution No. R-12-004 Declaring Support for the Bluebonnet Square Apartments, Ltd. Joint Housing Tax Credit and Home Program Funds Application to the Texas Department Housing and Community Affairs (TDHCA) for the year 2012 and Authorize the Mayor to Execute any Necessary Documentation**

Public Works Director Doug Baker explained the intent of Bluebonnet Square Apartments, Ltd. Is to submit an application for HOME Program funds from Texas Department of Housing and Community Affairs (TDHCA) for an affordable rental housing development located at the intersection of S. Saeger Street and Old Mill Creek Road. Mr. Baker stated that fifty-six units will be constructed with the majority rented to individuals or families whose incomes are within TDHCA's prescribed guidelines.

Project Developer Emanuel Glockzin explained that rental rates will depend on the tenants' income and stressed that this development is not a housing voucher program. Mr. Glockzin stated that the City's support helps in the scoring process.

Blinn Junior College President, Harold Nolte, requested that Council table this item to allow his Board additional time to consider how this development will affect Blinn College due to its close proximity to the campus..

A motion was made by Councilmember Ebel and seconded by Councilmember Williams to table this item until the next council meeting in order to allow Blinn time to review this project and to ensure all their concerns are fully addressed.

Mayor Pro Tem Nix called for a vote. The motion passed with Council voting as follows:

<b>Mayor Milton Y. Tate, Jr.</b>	<b>Absent</b>
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

**Mayor Pro Tem Nix deferred the Executive Session items until the next council meeting.**

### **EXECUTIVE SESSION**

- 13. Section 551.074 – Personnel Matters – Discuss and Consider City Manager’s Employment Agreement and Related Issues**

### **RE-OPEN REGULAR AGENDA**

- 14. Discuss and Possibly Act Upon City Manager’s Employment Agreement and Related Issues**

- 15. Administrative/Elected Officials Report**

Terry Roberts reported on the following:

- Changing the March council meeting dates because of Spring Break
- January 23, 2012 Downtown Master Plan Meeting at 5:30p.m.
- Holiday Party January 27, 2012 at 6:00pm at FTC
- February 10, 2012 Bluebonnet Electric’s Transportation Forum at Blinn

Carolyn Miller reported on the following:

- The Uptown Swirl was a success; Jennifer Eckermann will update Council as soon as all the numbers are finalized

Jeana Bellinger reported on the following:

- Clarified the run-off election date at February 25, 2012
- Asked Council to select a date to canvass the January 21<sup>st</sup> election returns; Council decided on Monday, January 30<sup>th</sup> at 1:00 p.m.;
- Introduced new employee Jennifer Salsgiver

Ricky Boeker reported on the following:

- Reminded Council about the Chili Supper at Fireman’s Training Center from 5:00p.m.-7:00p.m. today

The meeting was adjourned.

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Milton Y. Tate, Jr.  
Mayor

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Jeana Bellinger, TRMC  
City Secretary