

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on April 5, 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 Milton Y. Tate, Jr.
Mayor Pro Tem Gloria Nix
Councilmember Mary E. Barnes-Tilley
Councilmember Andrew Ebel
Councilmember Danny Goss
Councilmember Keith Herring
Councilmember Weldon Williams, Jr.

Others present:

City Manager Terry K. Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Jennifer Salsgiver, Chief Financial Officer Carolyn Miller, Adam Griffin, Deputy Fire Chief Alan Finke, Police Chief Rex Phelps, Development Services Director Julie Fulgham, Public Works Director Doug Baker, Kim Hodde, Leslie Kelm, Public Utilities Director Lowell Ogle, Wanda Kramer, and Kevin Boggus

Citizens present:

Clint Kolby, Willy Bilworth, Ebony Adams, Jacqueline Coto, Tyishia Austin, Renee Joswiak, Amanda Konieczny, Amanda Konieczny, Terrence Johnson, Holly Johnson, and Rebecca Winburn

Media Present:

Arthur Hahn, Brenham Banner Press; Frank Wagner, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Danny Goss**

3. 3-a. Service Recognitions

Andrew Jozwiak – Fire Department 5 years
Shane Winkler – Street Department 5 years

3-b. New Employees

Mandy Hodde – Central Communications
Elizabeth Menjares – Utility Billing
Melissa Wilkerson – Utility Billing

Mayor Tate presented service recognitions and welcomed new employees.

4. Proclamation

➤ **Relay For Life – Paint the Town Purple**

Mayor Tate read a proclamation designating April 20-21, 2012 as Relay for Life Week. It was accepted by Renee Joswiak, Amanda Konieczny, Amanda Konieczny, Terrence Johnson, Holly Johnson, and Rebecca Winburn.

5. Citizens Comments

There were no citizen comments.

CONSENT AGENDA

6. Statutory Consent Agenda

6-a. Minutes from the March 22, 2012 Council Meeting

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve the Statutory Consent Agenda Item 6-a. Minutes from the March 22, 2012 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

REGULAR AGENDA

7. **Discuss and Possibly Act Upon the Acceptance of the 2011 Audit of Washington County Appraisal District by Seidel, Schroeder & Company**

Chief Financial Officer Carolyn Miller presented the audit for the Washington County Appraisal District budget year ending on August 31, 2011. Miller explained that Seidel, Schroeder & Company performed the audit and found that the appraisal district came in under the budgeted amount for the year.

Chief Appraiser Willy Dilworth, from the Washington County Appraisal District, explained plans to have a budget committee investigate the best uses for the surplus funds and present their findings to Council.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to accept the 2011 Audit of Washington County Appraisal District by Seidel, Schroeder & Company.

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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Abstain
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

8. **Discuss and Possibly Act Upon an Ordinance on Its First Reading Granting a Specific Use Permit to the Washington County Healthy Living Association for a Senior Citizens Center (Philanthropic Use) to be Located at Block I, Lot 5 of the Kenjura Subdivision, Section I (Said Property Consisting of 4.482 Acres and Being Situated at the Northwest Corner of East Tom Green Street and Loesch Street), in an R-1, Residential District**

Public Works Director Doug Baker presented an ordinance to Council concerning a specific use permit for the Washington County Healthy Living Association. Baker noted that, in accordance with the motion that was approved following the public hearing, the ordinance states that: there will be two entrance/exit locations; there will be no restriction on the hours of operation; and Council reserves the right of the City to review complaints and amend the ordinance as necessary.

A motion was made by Councilmember Goss and seconded by Mayor Pro Tem Nix to approve an ordinance on its first reading granting a Specific Use Permit to the Washington County Healthy Living Association for a senior citizens center (philanthropic use) to be located at Block I, Lot 5 of the Kenjura Subdivision, Section I (said property consisting of 4.482 acres and being situated at the northwest corner of East Tom Green Street and Loesch Street), in an R-1, residential district.

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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

9. Discuss and Possibly Act Upon the Award of a Contract for Westwood Drive Improvements and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Doug Baker presented the bids received for construction on Westwood Drive and recommended the contract be awarded to Collier Construction, LLC as the lowest bidder at \$257,140.

Councilmember Goss questioned if the Westwood Drive Project allowed the City to remain within budget. Chief Financial Officer Carolyn Miller explained that the City will be \$55,000 out of balance and the City will do a budget amendment. Councilmember Barnes-Tilley questioned the project's impact on the City's reserve. Miller explained that this project will not cause the general fund to fall below the 90 day reserve.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to award a contract for Westwood Drive improvements to Collier Construction, LLC for the amount of \$257,140 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

10. Discuss and Possibly Act Upon Ordinance No. O-12-005 on Its Second Reading Amending Chapter 24, Taxation, of the Code of Ordinances of the City of Brenham Providing for the Powers, Duties, Organization, Operation, Board Membership and Additional Matters Related to the Brenham-Washington County Hotel Occupancy Tax Board

City Secretary Jeana Bellinger presented two changes to the ordinance on its second reading. Bellinger explained that one change sets up a minimum number of members to draw the short term December, 2012 expiration date and creates a 2-3-2 staggering of members appointed by the City Council. Bellinger also recommended adding a Vice-Chairman position because if the Chairman should resign, it makes it difficult on the staff liaison to work with a different board member for each meeting. City Attorney Cary Bovey clarified that Member Position 7 expires December 31, 2012.

City Manager Terry Roberts pointed out that the Ordinance requires board members to be residents of Washington County and requested Council feedback on this requirement. Councilmember Williams expressed his preference to have board members reside within Washington County.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve Ordinance No. O-12-005 on its second reading as presented amending Chapter 24, Taxation, of the Code of Ordinances of the City of Brenham providing for the powers, duties, organization, operation, board membership and additional matters related to the Brenham-Washington County Hotel Occupancy Tax Board with changes of Member Position 7 to a two (2) year term.

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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Weldon Williams	Yes

Council adjourned into Executive Session at 1:50 p.m.

EXECUTIVE SESSION

11. Texas Government Code Section 551.071 – Consultation with the City Attorney Regarding Legal Issues Involved with a Building Set Back Encroachment to the Saeger Street Right Of Way

Executive Session adjourned at 2:10 p.m.

RE-OPEN REGULAR SESSION

12. Discuss and Possibly Take Action Regarding a Building Set Back Encroachment to the Saeger Street Right Of Way

No action was taken on this item.

13. Administrative/Elected Officials Report

Carolyn Miller reported on the following:

- Government Finance Officers Association Distinguished Budget Presentation Award

Alan Finke reported on the following:

- Maifest Fireworks- permit will be issued if qualifications met: licensed pyrotechnic contactor, liability insurance, and site survey.

Doug Baker reported on the following:

- Will review hanger waiting list

Terry Roberts reported on the following:

- TXDOT Airspace Report
- TXDOT meeting next week to discuss hangers
- Maifest parade May 5, 2012 at 10 a.m.
- TML Region 10 meeting RSVP by April 16th to Jeana
- Next Tuesday Down Town Master Plan in lobby at 5:30 p.m.
- Vacation next week
- Library Board up and running

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary