

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on May 17, 2012 beginning at 5:00 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

### Members absent:

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, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Development Services Director Julie Fulgham, Public Works Director Doug Baker, Leslie Kelm, Public Utilities Director Lowell Ogle, and Pam Ruemke

### Citizens present:

Jeremy Klinker, Dillon Hagemann, Blaine Tamez, Kaden Miller, Kendall Swonke, Tyler Lewis, Jake Gaskamp, John Schocodez, Ed Muensler, Kathryn Tamez, Sheila Hagemann, Gene Swonke, Landon Krase, Henry Kettler, Ryan Middleton, Doug Middleton, Tim Robertson, Kelly Hajek, Michael Willez, Valene Willez, Zebulon McCorkle, Kimberly McCorkle, Hank Dawson, and George Dawson

### 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 – Councilmember Barnes-Tilley**

Mayor Tate welcomed the Boy Scouts in attendance.

### **3. Proclamation**

#### **➤ Hurricane Preparedness Week**

Mayor Tate read a proclamation designating May 27 – June 2, 2012 as Hurricane Preparedness Week. It was accepted by Fire Chief Ricky Boeker.

### **4. Citizens Comments**

There were no citizen comments.

## **CONSENT AGENDA**

### **5. Statutory Consent Agenda**

**5-a. Minutes from the April 19, 2012 and May 3, 2012 Council Meetings**

**5-b. Second Reading of Ordinance O-12-008 Amending Chapter 2 of the Code of Ordinances of the City of Brenham for the Purpose of Achieving Best Practices Recognition Status from the Texas Police Chief Association's Law Enforcement Best Practices Recognition Program**

**5-c. Second Reading of Ordinance O-12-009 Repealing Ordinance O-07-016 Relating to a Non-Exclusive Franchise with Complete Container Service, LLC to Operate a Roll-off Container Service for Residents, Businesses and Industries Inside Brenham City Limits**

**5-d. Second Reading of Ordinance O-12-010 Granting a Non-Exclusive Franchise to A&K Waste Removal, Inc. to Operate a Roll-Off Container Service for Residents, Businesses, and Industries Inside Brenham City Limits**

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve the Statutory Consent Agenda Items 5-a. Minutes from the April 19, 2012 and May 3, 2012 Council Meetings; 5-b. Ordinance O-12-008; 5-c. Ordinance O-12-009; and 5-d. Ordinance O-12-010.

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           |
| <b>Councilmember Weldon Williams</b> | <b>Absent</b> |

## REGULAR AGENDA

**6. Discuss and Possibly Act Upon a Request for a Noise Variance from Diane Lindsey for the Ebony Class of 1974 to Hold a Gospel Fest Scholarship Fundraiser at Jackson Street Park on June 2, 2012**

Deputy City Secretary Jennifer Salsgiver presented a request from the Ebony Class of 1974 for a noise variance for their scholarship fundraiser gospel fest to be held at Jackson Street Park on June 2. Salsgiver recommended approving the noise variance since the Brenham Police Department and the Brenham Fire Department do not object to granting the variance.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve a request for a noise variance from Diane Lindsey for the Ebony Class of 1974 to hold a gospel fest scholarship fundraiser at Jackson Street Park on June 2, 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 Mary E. Barnes-Tilley  | Yes           |
| Councilmember Andrew Ebel            | Yes           |
| Councilmember Danny Goss             | Yes           |
| Councilmember Keith Herring          | Yes           |
| <b>Councilmember Weldon Williams</b> | <b>Absent</b> |

**7. Discuss and Possibly Act Upon Bid No. 12-007 and Award an Annual Contract for the Purchase of Refuse Bags for the Sanitation Department and Authorize the Mayor to Execute Necessary Documentation**

Public Utilities Director Lowell Ogle presented the bids received for refuse bags. Ogle recommended that Council award the bid to Central Poly, Inc., the lowest bidder, for the purchase of 11,000 rolls at \$6.95 each for a total expenditure of \$76,450.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Ebel to award Bid No. 12-007, for the purchase of refuse bags for the Sanitation Department, to Central Poly, Inc. for 11,000 rolls at \$6.95 each and authorize the Mayor to execute 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           |
| <b>Councilmember Weldon Williams</b> | <b>Absent</b> |

**8. Discuss and Possibly Act Upon Bid No. 12-008 and Award an Annual Contract for Bulk Water Treatment Chemicals for the Water Plant and Authorize the Mayor to Execute Any Necessary Documentation**

Public Utilities Director Lowell Ogle presented the bids received for bulk water treatment chemicals. Ogle recommended that Council award an annual contract to Altivia Corporation, the lowest bidder, for Liquid Aluminum Sulfate for \$204.80 per dry ton.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to award Bid No. 12-008 and an annual contract for bulk water treatment chemicals for the water plant to Altivia Corporation for \$204.80 per dry ton 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           |
| <b>Councilmember Weldon Williams</b> | <b>Absent</b> |

**9. Discuss and Possibly Act Upon Bid No. 1006.073-WG/WH for Water Distribution System Improvements and Authorize the Mayor to Execute Any Necessary Documentation**

Public Utilities Director Lowell Ogle presented the bids received for water distribution system improvements. Ogle presented the base bid to replace existing 6” AC water lines with 6” PVC water lines along Bormann Street, Reimer Street, Longhofer Street, Westwind Drive, and Windy Drive. Ogle explained that the alternate bid, which would replace an existing 8” AC water line along South Day Street with a new 8” PVC water line, came in higher than expected. Ogle recommended not awarding the alternate bid; however, he explained that staff narrowed the project’s scope and prepared a change order to replace the worst sections. Ogle recommended that Council award the base bid to Supak Construction Inc. in the amount of \$299,978.50 for water distribution system improvements.

A motion was made by Councilmember Goss and seconded by Councilmember Herring to award Bid No. 1006.073-WG/WH for water distribution system improvements to Supak Construction in the amount of \$299,978.50 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           |
| <b>Councilmember Weldon Williams</b> | <b>Absent</b> |

**10. Discuss and Possibly Act Upon Change Order No. 1 for Water Distribution System Improvements and Authorize the Mayor to Execute Any Necessary Documentation**

Public Utilities Director Lowell Ogle presented Change Order No. 1 for water distribution system improvements along South Day Street. Ogle explained that the alternate bid, as presented in Item 9, came in higher than anticipated so staff narrowed the project’s scope to replace the worst sections while remaining within the budget. The City obtained a change order from Supak Construction Inc. to replace the main line between Spinn Street and Atlow.

A motion was made by Councilmember Goss and seconded by Councilmember Barnes-Tilley to approve Change Order No. 1 for \$36,892.50 with Supak Construction for water distribution system improvements 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           |
| <b>Councilmember Weldon Williams</b> | <b>Absent</b> |

**11. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 2, Administration, of the Code of Ordinances of the City of Brenham Providing for the Organization and Renumbering of the Chapter**

City Secretary Jeana Bellinger explained that Chapter 2, Administration, of the Code of Ordinances needed to be renumbered and re-organized to accommodate adding Ordinance O-12-008 (Consent Item 5b) to Chapter 2. Bellinger noted that the Ordinance in this agenda form is nothing more than renumbering and re-organizing all of Chapter 2 to make it consistent with other parts of the Code.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve an Ordinance on its first reading amending Chapter 2, Administration, of the Code of Ordinances of the City of Brenham providing for the organization and renumbering of the Chapter.

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           |
| <b>Councilmember Weldon Williams</b> | <b>Absent</b> |

## 12. Administrative/Elected Officials Report

Terry Roberts reported on the following:

- Thanked the Boy Scouts for their attendance.
- Valmont water extension will be discussed during work session and regular session at the next meeting.
- Reminded Council about the election of a Mayor Pro Tem at the next meeting.
- Thanked Council and staff for their participation in the FY2012-12 budget kick-off.
- Advised Council that there were cupcakes in the lobby to celebrate Mayor Tate's birthday.

Mayor Tate also thanked the Boy Scouts for their attendance.

The meeting was adjourned.

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Milton Y. Tate, Jr.  
Mayor

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Jean Bellinger, TRMC  
City Secretary