

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on August 16, 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, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Jennifer Salsgiver, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Chief Financial Officer Carolyn Miller, Wende Ragonis, Danny Romo, Public Works Director Doug Baker, Leslie Kelm, Public Utilities Director Lowell Ogle, Dane Rau, and Kevin Boggus

Citizens present:

Clint Kolby, Carol Muegge, Fredericka Deberry, Ed Addicks, Tammy Diehl, Jean Shoup, Joanne Doherty, and Ronnie Becker

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 Andrew Ebel**

3. Proclamation

➤ **The Big Read of Washington County: August 16, 2012 - October 11, 2012**

Mayor Tate read a proclamation designating August 16, 2012 - October 11, 2012 as the official period for the Big Read of Washington County in which all residents of Washington County are encouraged to read “The Time It Never Rained” by Elmer Kelton. The Proclamation was accepted by Carol Muegge, Fredericka Deberry, Tammy Diehl, Jean Shoup, and Joanne Doherty.

4. Citizens Comments

None

CONSENT AGENDA

5. Statutory Consent Agenda

5-a. Minutes from the July 19, 2012 Council Meeting and July 25-27, 2012 Budget Workshop Meetings

Mayor Pro Tem Nix pointed out corrections on pages fifteen (15), seventeen (17), and nineteen (19) in the July 25-27, 2012 Budget Workshop minutes; former Councilmember Charlie Pyle’s name is shown in the minutes instead of current Councilmember Mary Barnes-Tilley.

A motion was made by Councilmember Mayor Pro Tem Nix and seconded by Councilmember Williams to approve the Statutory Consent Agenda Item 5-a. Minutes from the July 19, 2012 Council Meeting and the July 25-27, 2012 Budget Workshop Meetings with corrections as noted.

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

6. Discuss and Possibly Act Upon a Proposal to Adopt a Tax Rate of \$0.5432 per \$100 Valuation for the 2012 Tax Year, Take Record Vote and Set the Public Hearings on the Proposed Tax Rate in Accordance with State Law

Chief Financial Officer Carolyn Miller explained that developing an annual budget and adopting a property tax rate to support that budget must be accomplished in compliance with property tax code, local government code, and the City Charter. Miller stated that Council finalized the proposed FY2012-13 budget during the July 25-27, 2012 Budget Workshop. Miller added that the City maintained the property tax rate of \$0.5432 per \$100 valuation and experienced a 3.55% increase in taxable values with \$21,235,787 in new properties and \$15,755,064 in increased property values. Miller said that although the proposed budget maintains the current maintenance and operations (M&O) tax rate of \$0.3420, the increase in property values will generate additional tax.

Miller explained that Council must take a record vote to place a proposal to adopt the proposed property tax rate on the agendas of future meetings and schedule two public hearings on the proposed tax rate. Miller noted that a separate public hearing will be held on the proposed budget and House Bill 2291 requires a specific motion to be made for the record vote on the proposed tax rate.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley that the property tax rate be increased by the adoption of a tax rate of \$0.5432 per \$100 valuation, which is effectively a 1.31% increase in the tax rate, to be considered by the governing body on the agendas of the September 17, 2012 and September 20, 2012 meetings and to schedule public hearings on the proposed tax rate for August 30, 2012 and September 6, 2012 in accordance with state law.

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

7. Discuss and Possibly Act Upon Bid No. 12-011 and Award a Contract for the Demolition and Abatement of the Abandoned Municipal Building Located at 210 N. Park Street and Authorize the Mayor to Execute Any Necessary Documentation

Purchasing Manager Wende Ragonis stated that seven (7) bids were opened for the 210 N. Park re-bid of structural demolition and asbestos abatement on August 8, 2012. Ragonis explained that the City enlisted the services of Charlie Staffeld of ESESIS Environmental Partners, Corp., an expert in asbestos abatement and building demolition, to evaluate bids for compliance and technical delivery. Ragonis specified that the number of days to complete this project impacts the cost since the State of Texas requires air quality monitoring in abatement projects, which ESESIS could conduct at about \$915 per day. Ragonis noted that 1 Priority Environmental Services, Inc. submitted the lowest demolition and abatement bid. Ragonis expressed that \$100,000 was allocated in the FY11-12 Revised Annual Estimated (RAE) Budget using Above Budget Net Revenue (ABNR) and the remaining funding will come from fund reserves unless ABNR exceeds RAE.

City Manager Terry Roberts directed Council's attention to a memo regarding an interest in the property in which the developer has no interest in salvaging the building. Roberts explained that Council can discuss selling the property at a future meeting in executive session and Council has the option to table or pass on the demolition and abatement item if they wish.

Councilmember Goss asked if the demolition of the building will remove everything down to the foundation and if the developer was interested in the superstructure. Ragonis confirmed that the bid includes the red iron. Roberts explained that the bidders took the salvageable material into account when submitting their bids, the foundation removal is a separate bid, and the only party interested in the property explained that they are not interested in the superstructure.

Councilmember Goss asked if ESESIS charged the going rate for monitoring the project and if the City looked into other companies. Chief Financial Officer Carolyn Miller stated the City went through a selection process. Maintenance Supervisor Danny Romo confirmed that it was a comparable rate and explained that ESESIS was the most recommended company.

Mayor Tate asked about the number of days the project will take to complete. Ragonis explained that each company listed a different time frame and 1 Priority Environmental Services, Inc. listed twenty (20) days for the structural demolition and asbestos abatement and ten (10) days for the foundation removal.

Councilmember Barnes-Tilley requested information on the funding option. Miller explained that if the City comes in ahead of what was expected at budget time, the City will have additional ABNR to cover expenses.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to award Bid No. 12-011 to 1 Priority Environmental Services, Inc. for \$147,500 for the demolition and abatement of the abandoned municipal building located at 210 N. Park Street 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

8. Discuss and Possibly Act Upon the Award of a Contract for the Realignment of Stringer Street Associated with the Improvements Related to the U.S. Highway 290 Project and Authorize the Mayor to Execute Any Necessary Documentation

City Manager Terry Roberts reminded Council that they received the bid information through email August 15, 2012 and directed Council's attention to the memo.

Public Works Director Doug Baker explained that O'Malley Engineers, L.L.P. and the City reviewed five (5) bids for the realignment of Stringer Street on August 14, 2012 and Legacy Concrete Works, LLC was the low bidder. Legacy Concrete Works, LLC, formally known as Labu Concrete, is operated by Larry Schulz. Baker expressed his confidence in Legacy Concrete Works, LLC and explained that they have done work for city for a long time and there is no reason to question this bid. Baker recommended awarding the bid to Legacy Concrete Works, LLC in the amount of \$213,764.14.

Mayor Tate asked if there were add on costs. Baker confirmed that there was not.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to award a contract to Legacy Concrete Works, LLC for the realignment of Stringer Street associated with the improvements related to the U.S. Highway 290 Project in the amount of \$213,764.14 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

9. Administrative/Elected Officials Report

City Manager Terry K. Roberts reported on the following:

- Special council meetings will be held August 30, 2012 and September 17, 2012 at 1:00 p.m. due to the budget adoption process.
- TML Region 10 meeting will be held August 23, 2012.
- TML Annual Conference will be held November 13-16, 2012.
- B.I.S.D. luncheon to recognize students will be held September 7, 2012.
- Let Paula Shields know if you plan to attend the TML Region 10 meeting, the TML Annual Conference, or the B.I.S.D. luncheon.
- Birthday celebration for Councilmembers Ebel and Goss after meeting.
- Contractor for AT&T involved in the Westwood Project, planning to issue a notice to precede to Collier Contractor to start on that job September 4, 2012.
- Welcomed Police Chief Rex Phelps back from vacation.
- Reminded council that Assistant City Manager Kyle Dannhaus is out due to his son's wedding.
- Advised Council that the property adjacent to the recycling plant may be available for purchase. This property acquisition would be an outstanding addition to the recycling plant by providing an entrance on Market Street and exit on Clinton Street.

Fire Chief Ricky Boeker reported on the following:

- Fireman's Fiesta fundraiser met their goal with 1283 tickets sold to benefit the fire department with the purchase of new air bags.

Public Utilities Director Lowell Ogle reported on the following:

- Attended a Brazos River Authority (BRA) meeting held August 9, 2012 for permitting with the Texas Commission on Environmental Quality (TCEQ) for the Brazos River.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeanne Bellinger, TRMC
City Secretary

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