

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on October 4, 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, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Chief Financial Officer Carolyn Miller, Jamie Maurer, Public Utilities Director Lowell Ogle, Public Works Director Dane Rau, Leslie Kelm, Development Services Director Julie Fulgham, Doug Baker, Kevin Boggus, Pam Ruemke, Doug Maurer, Andrew Jozwiak, Justin Schroeder, Justin McDonald, and Brian Scheffer

Citizens present:

Larry Joe Doherty, Shelley Schaffer, Carol Muegg, Clint Kolby, and Kenneth Goesler

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 – City Attorney Cary Bovey**

3. Proclamations

- **Lone Star Water Forum Day: October 13, 2012**
- **Fire Prevention Week: October 7, 2012 - October 13, 2012**

Mayor Tate read a proclamation designating October 13, 2012 as Lone Star Water Forum Day. The proclamation was accepted by Larry Daugherty, Carol Muegge, Richard Thames, and Public Works Director Dane Rau.

Mayor Tate read a proclamation designating October 7, 2012 - October 13, 2012 as Fire Prevention Week. Fire Chief Ricky Boeker accepted the proclamation and advised Council that the Brenham Fire Department will present fire safety to children at every school in Brenham from Pre-Kindergarten to fourth grade.

4. Recognition

- Brenham Fire Department Badge Pinning Ceremony
- Brian Scheffer - Promotion to Fire Captain

Fire Chief Ricky Boeker explained that a promotion to Captain in the Brenham Fire Department does not happen very often and that Brian Scheffer earned this promotion to Captain of C Shift. Boeker explained that Scheffer was selected unanimously by everyone involved in the extensive interview and selection process.

Scheffer's wife, Shelley, pinned the badge and Boeker presented Captain Brian Scheffer to Council. Captain Scheffer thanked the Mayor and Council.

5 New Employee

- Deborah Taylor – Communications

Communications Supervisor Pam Ruemke introduced Deborah "Christy" Taylor to Council. City Manager Terry Roberts welcomed Taylor to the city.

6. Citizens Comments

There were no citizen comments.

CONSENT AGENDA

7. Statutory Consent Agenda

7-a. Minutes from the September 6, 2012 Council Meeting

- 7-b. Discuss and Possibly Act Upon Ordinance O-12-024 on Its Second Reading to Repeal Ordinance O-12-010 Relating to a Non-Exclusive Franchise Granted to A&K Waste Removal, Inc. to Operate a Roll-off Container Service for Residents, Businesses and Industries Inside Brenham City Limits**
- 7-c. Discuss and Possibly Act Upon Ordinance O-12-025 on Its Second Reading Granting a Non-Exclusive Franchise to Texas Disposal System to Operate a Roll-Off Container Service for Residents, Businesses, and Industries Inside Brenham City Limits**

Mayor Tate asked if Council required clarification on Item 7-b. or Item 7-c. since Council discussed these items during the previous meeting. No clarification was requested.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve the Statutory Consent Agenda Item 7-a. Minutes from the September 6, 2012 Council Meeting, 7-b. Ordinance O-12-024, and 7-c. Ordinance O-12-025.

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

WORK SESSION

8. Discussion and Presentation on Establishing a No Parking Zone on West Alamo Street in the Downtown Area

Special Projects Engineer Doug Baker asked Council to consider establishing a no parking zone on a section of West Alamo Street near the BNSF Railroad track. Baker explained that cars parked next to the curb on the left (north) side of West Alamo Street near the BNSF Railroad track restrict the width of the travel lane, thereby causing motorists to move to the right, cross over the centerline, and encroach into the right lane. Baker added that in addition to the parking situation on Alamo Street, motorists approaching the BNSF Railroad track tend to move to the left because the centerline of Alamo Street on the west side of the track is offset approximately five (5) feet further south than the centerline on the east side of the track, which is not conducive to the free flow of traffic.

Baker also noted that TxDOT has not corrected this by moving the strip because it would require additional pavement near the tracks. Baker explained that he discussed the no parking zone idea with property owners and two (2) property owners supported it and one (1) did not.

Baker pointed out that each property can provide off-street parking, noting that while parking on the street is convenient, it is not necessary.

Baker recommended moving the centerline north since moving the centerline south would worsen the offset difference between the west side and the east side of the track.

Baker stated that the situation is aggravated by the location of the centerline and the ideal situation involves making room for parking on the right side of West Alamo Street, which will also straighten the lanes up. Baker added that it is not particularly dangerous for cars to cross over the centerline and encroach onto the right lane to avoid the parked cars, but it hinders the free flow of traffic and he explained that this is no different than wider radius returns at street intersections to improve traffic flow. Baker noted that he sent property owners a letter explaining the situation and he did receive voluntary compliance for a while.

Councilmember Barnes-Tilley explained that while one (1) property owner did not support the idea, the City should be proactive to prevent accidents and inquired about the no parking zone length required to improve traffic flow.

Baker explained that the no parking zone can be a short distance, beginning at the BNSF Railroad track and ending before or at Sewer Street, so individuals can park a short walking distance from their residences.

Baker recommended establishing the no parking zone near the railroad's flashing lights, noting that extending it past Sewer Street was needlessly burdensome. Baker explained that if TxDOT moves the centerline over when the lines are repainted, people can park on the south side of West Alamo Street.

Mayor Tate asked Baker to send a letter to the property owners notifying them that this item will be on the regular agenda in two (2) weeks.

REGULAR AGENDA

9. Discuss and Possibly Act Upon Change Order No. 1 for the Stringer Street Realignment Project and Authorize the Mayor to Execute Any Necessary Documentation

Special Projects Engineer Doug Baker explained that four (4) driveways need to be extended in conjunction with the Stringer Street realignment project: two (2) of these driveways are for HD Supply and two (2) are for the Dairy Bar.

Baker further explained that one (1) HD Supply driveway is gravel and the original idea was to match the extension with the existing driveway material. However, Baker stated that using a crushed limestone base with asphalt surface is about \$6,000 cheaper than using the existing driveway material (river gravel).

Baker added that this change order for a different type of driveway material will save the City about \$6,000 while providing the property owner (HD Supply) a better driveway.

Mayor Tate asked if the driveways of the other businesses will be extended. Baker explained that the gravel situation applies to only one (1) driveway and the other three (3) driveways are concrete so they will have concrete extensions.

A motion was made by Councilmember Herring and seconded by Councilmember Goss to approve Change Order No. 1 in the amount of \$6,821.10 for the Stringer Street Realignment Project 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 the Appointment of a New Member to the Brenham-Washington County Hotel Occupancy Tax (HOT) Board

City Secretary Jeana Bellinger explained that HOT Board member Susan White has been out of state for an extended period of time and White's absence will continue for an undesignated period of time. Bellinger explained that, at Mayor Tate's request, she visited with Ant Street Inn owner Keith Hankins about serving on the HOT Board. Since then Hankins has submitted a Request for Appointment form to fill the unexpired term of White.

City Attorney Cary Bovey asked whether White submitted a letter of resignation. Bellinger explained that the City received no response from White despite various attempts to contact her, noting that the City sent her a letter certified mail on June 1st and that White had not attended a meeting since November 2011.

City Manager Terry Roberts explained that White was notified of the attendance issue and asked Bovey if the motion should include language to formally remove her. Bovey explained that Council can remove White from the board and appoint Hankins in one motion.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to remove Susan White from the Brenham-Washington County Hotel Occupancy Tax (HOT) Board and replace her with Keith Hankins as a member to the Brenham-Washington County Hotel Occupancy Tax (HOT) Board.

Mayor Tate called for a record 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

11. Discuss and Possibly Act Upon Resolution R-12-015 Establishing Board Member Positions on the City of Brenham's Library Advisory Board

City Secretary Jeana Bellinger explained that Council approved an Ordinance in August providing for the reorganization of the Library Board under the new board policy Council adopted in January. Bellinger explained that the Library Board established staggered three-year terms for its members before three year terms were mandated by Council so the only action required of Council is to officially assign current board members to member positions as outlined in the Ordinance.

Bellinger further explained that Library Board member terms will not change since the Library Board was already on staggered three-year terms and they only need to be assigned member positions to match the new policy, as outlined in the Ordinance.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve Resolution R-12-015 establishing board member positions on the City of Brenham's Library Advisory Board.

Mayor Tate called for a record 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 1:40 p.m.

EXECUTIVE SESSION

- 12. Section 551.072 - Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding Potential Sale of Approximately 0.912 Acres of Land Being Reserve No. 3, in the L. D. Brown Addition Located in the 100 Block of S. Chappell Hill Street in the City of Brenham, Washington County, Texas**
- 13. Section 551.072 - Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding Potential Sale of Approximately 0.3455 Acres of Land Being the East Part of Lot 1-A and Part of Lot 1-B, of the Davidson Addition Located in the 100 Block of N. Chappell Hill Street in the City of Brenham, Washington County, Texas Land**
- 14. Section 551.072 - Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding Potential Sale of Approximately 200 Acres Located on Chadwick – Hogan Road More Commonly Identified as the Old Landfill Property**
- 15. Section 551.072 - Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding Potential New Park Land**

Executive Session adjourned at 2:37 p.m.

RE-OPEN REGULAR AGENDA

- 16. Discuss and Possibly Act Upon the Sale of Approximately 0.912 Acres of Land Being Reserve No. 3, in the L. D. Brown Addition located in the 100 Block of S. Chappell Hill Street in the City of Brenham, Washington County, Texas and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to authorize staff to go out for proposals, as authorized in state law, for the sale of 0.912 acres of land being Reserve No. 3, in the L. D. Brown Addition, located in the 100 Block of S. Chappell Hill Street in the City of Brenham, Washington County, Texas and authorize the Mayor to execute any necessary documentation.

Mayor Tate called for a record 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

17. Discuss and Possibly Act Upon the Sale of Approximately 0.3455 Acres of Land Being the East Part of Lot 1-A and Part of Lot 1-B, of the Davidson Addition located in the 100 Block of N. Chappell Hill Street in the City of Brenham, Washington County, Texas Land and Authorize the Mayor to Execute Any Necessary Documentation

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to authorize staff to go out for proposals, as authorized in state law, for the sale of 0.3455 acres of land being the east part of Lot 1-A and part of Lot 1-B of the Davidson Addition located in the 100 Block of N. Chappell Hill Street in the City of Brenham, Washington County, Texas and authorize the Mayor to execute any necessary documentation.

Mayor Tate called for a record 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

18. Administrative/Elected Officials Report

Parks and Recreation Manager Jamie Maurer reported on the following:

- Music in the Park Series every Saturday in October from 8:00 p.m. -10:00 p.m. at the Amphitheatre
- Kid Fish scheduled for October 20, 2012

Chief Financial Officer Carolyn Miller reported on the following:

- Clean sweep week at the Blue Bell Aquatics Center. The indoor pools were drained for maintenance.

Assistant City Manager Kyle Dannhaus reported on the following:

- Two thirds of the old municipal building is down with no major complaints. The state investigated one complaint involving some debris not picked up before the end of the work day. That complaint was corrected.

City Manager Terry Roberts reported on the following:

- Dane Rau was promoted to Public Works Director and Doug Baker assumed the role as Special Projects Engineer in preparation for Baker's retirement in February. Rau will oversee Parks, Maintenance, Recycling, Collection, Sanitation, and Streets.

- Board appointment nominations will be brought to Council by December
- Bid award for the overlay project will be brought to Council at the next meeting
- The certificate of obligation notice of intent for the Stringer Street to Chappell Hill Street connection will be brought to Council at the next meeting
- Reminded Council to connect with Paula Shields about attending the Cub Hall of Fame Luncheon and the Texas Municipal League's Annual Conference.
- The American Planning Association awarded the City for the Downtown Master Plan
- Reminded council that the second meeting in November was moved to the 29th at 1:00 p.m.
- By the end of the year, there needs to be a joint meeting with the Washington County Commissioners to discuss the city and county interlocal agreements.
- A Parks Board sub-committee and staff are preparing to discuss interlocal agreements with Brenham Independent School District (BISD)
- The land acquisition for the Handley Street widening project was finalized

Special Projects Engineer Doug Baker reported on the following:

- Westwood project is moving forward - AT&T and Bluebonnet Electric have relocated phone and electric lines.
- Legacy Concrete began working on Stringer Street

Mayor Pro Tem Nix reported on the following:

- The Brenham Heritage Museum lease was reviewed by City Attorney Cary Bovey and will need to be updated in the near future.

City Attorney Cary Bovey reported on the following:

- Smesney case was dismissed and plaintiff has thirty (30) days to appeal the courts decision.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary

THIS PAGE INTENTIONALLY LEFT BLANK