

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on February 7, 2013 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 Andrew Ebel
Councilmember Danny Goss
Councilmember Keith Herring
Councilmember Mary Barnes-Tilley
Councilmember Weldon Williams, Jr.

Members Absent:

None

Others present:

City Manager Terry Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Amanda Klehm, Chief Financial Officer Carolyn Miller, Kaci Konieczny, Wende Ragonis, Fire Chief Ricky Boeker, Development Services Director Julie Fulgham, Public Works Director Dane Rau, Leslie Kelm, Casey Redman, Public Utilities Director Lowell Ogle, Gary Jeter, Kevin Boggus, Randall Spradlin, Jeff Betts, Will Felder, Kevin Schmidt, Janie Mehrens, Pam Ruemke, Grant Lischka, Clark Akers, Stephen Draehn, Richard Magjarevich

Citizens present:

Clint Kolby, Josh Bass, Page Michel, FCCLA students from Brenham High School, and Virginia Boeker.

Media Present:

Arthur Hahn, Brenham Banner Press; Frank Wagner, KWHI

- 1. Mayor Tate Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Mayor Milton Y. Tate, Jr.**

3. **3-a. New Employees**
 - Clark Akers – Street Dept.
- 3-b. Service Recognitions**
 - . Ricky Boeker , Fire Department – 5 years
 - Stephen Draehn, Central Communications – 5 years
 - Will Felder Jr., Library – 5 years
 - Richard Magjarevich, Central Communications - 10 years

4. **Proclamation**
 - **FCCLA Week: “Make Your Mark”- February 10-16,2013**

Mayor Tate read a proclamation designating the week of February 10-16, 2013 as FCCLA “Make Your Mark” Week. The Proclamation was accepted by FCCLA students from Brenham High School.

5. **Citizens Comments**

Councilmember Herring thanked the Council and staff for their well wishes and prayers while he was in the hospital. He said he is feeling better and is glad to be back.

CONSENT AGENDA

6. **Statutory Consent Agenda**

- 6-a. **Discuss and Possibly Act Upon Ordinance No. O-13-002 on Its Second Reading for the Creation of Reinvestment Zone Number 36 Requested by Brazos Valley Brewing Company for Commercial-Industrial Tax Phase-In Incentive on a Two (2) Certain Tracts of Land Containing a Total of 0.526 Acres, More or Less, Being Located at 201 West First Street, Brenham, Texas, with Boundaries Further Described in Exhibit “A” of Said Ordinance, and Designating This Property as Qualifying for Tax Phase-In**

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve the Statutory Consent Agenda Items 6-a. Ordinance No. O-13-002 relating to the creation of Reinvestment Zone Number 36 as requested by Brazos Valley Brewing 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 Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

REGULAR AGENDA

7. Discuss and Possibly Act Upon Resolution No. R-13-001 of the City Council of the City of Brenham, Texas, Adopting a Commercial Tax Phase-In Agreement with Brazos Valley Brewing Company, LLC

Economic Development Foundation Project Manager Clint Kolby introduced Josh Bass with Brazos Valley Brewing Company. Bass stated that they are hoping to begin business in late May or early June. They are planning to have an open house for the public as soon as they are up and running.

A motion was made by Councilmember Goss and seconded by Councilmember Herring to approve a Resolution No. R-13-001 of the City Council of the City of Brenham, Texas, adopting a Commercial Tax Phase-In Agreement with Brazos Valley Brewing Company, LLC.

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

8. Discuss and Possibly Act Upon Final Payment to Collier Construction, LLC for Westwood Drive Improvements and Authorize the Mayor to Execute any Necessary Documentation.

City Engineer Grant Lischka presented this item. Lischka explained that Collier Construction, Inc. has completed the work on the Westwood Lane Paving Improvements.

Lischka explained that the construction came in \$6,825.51 over budget due to contractor delays in the project. Lischka stated that the contractor is responsible for any defects in materials and workmanship that may occur in the above described improvements for a period of one year, beginning on the date of acceptance by the City.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve a final payment in the amount of \$36,422.11 to Collier Construction, LLC for Westwood Drive 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 Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

9. Discuss and Possibly Act Upon Authorization of Final Payment to 1 Priority Environmental Services, Inc. for Asbestos Abatement and Structural Demolition of the Former Municipal Building Located at 210 N. Park Street and Authorize the Mayor to Execute Any Necessary Documentation.

Assistant City Manager Kyle Dannhaus presented this item. Dannhaus stated that Council awarded the contract for the 210 N. Park structural demolition and asbestos abatement project on August 16, 2012 to 1 Priority Environmental Services, Inc. Dannhaus said that work began at the site on Tuesday, September 4, 2012 and during the demolition phase of the project, additional asbestos material was discovered and due to the additional asbestos a Change Order was issued on October 12, 2012.

Dannhaus advised Council that the original contract and change order have been completed with the final payment due to 1 Priority Environmental Services, Inc. in the amount of \$110,619.75.

City Attorney Cary Bovey stated in his opinion that all documents related to the first contract and change order are in order.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve a final payment in the amount of \$110,619.75 to 1 Priority Environmental Services, Inc. for asbestos abatement and structural demolition of the former 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 Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

10. Discuss and Possibly Act Upon Recommendations for Appointments to Various City Advisory Boards

City Secretary Jeana Bellinger presented this item. Bellinger stated that in December, 2012, the Council appointed several citizens to various City advisory boards. However, at that time staff was still trying to fill two (2) alternate positions on the Board of Adjustment, one position on the HOT Board, and was waiting on a recommendation for the Library Board from the membership of the Fortnightly Club. Bellinger advised that the past several weeks, staff has received the following requests for appointments:

- Board of Adjustment – Alternate: Richard Heiges
- Board of Adjustment – Alternate: Jon Hodde
- Library Advisory Board: Alana Winkelmann, elected by the Fortnightly Club

Bellinger advised Council that under the direction of Mayor Tate, she had been trying to reach Steve James about possibly serving on the HOT Board. Bellinger said that she just received a reply back that Steve James would be willing to serve on the Board. Bellinger requested that Council also approve Mr. James to the HOT Board.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve the following board appointments:

Board of Adjustment

- Alternate Position 1: Richard Heiges; term to expire December, 31, 2014
- Alternate Position 2: Jon Hodde; term to expire December 31, 2014

Library Advisory Board

- Member Position 5: Alana Winkelmann; term to expire on December 31, 2015

HOT Board

- Member Position 4: Steve James; term to expire on December 31, 2015

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

11. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Chamber of Commerce Forum is on February 22nd, if anyone would like to attend, please see Paula Shields. The Mayor of Houston will be the guest speaker.
- February 26, 2013 is Washington County Day at the Capital in Austin.
- Due to rain, the contractor on the overlay project was delayed.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary