

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on September 19, 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 E. 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, Stacy Hardy, Kaci Konieczny, Wende Ragonis, Susan Nienstedt, Crystal Dahlquist, Cynthia Longhofer, Fire Chief Ricky Boeker, Deputy Fire Chief Alan Finke, Police Chief Rex Phelps, Todd Jacobs, Billy Rich, Dant Lange, Casey Thumann, Development Services Director Julie Fulgham, Jennifer Eckermann, Kim Hodde, Public Works Director Dane Rau, Public Utilities Director Lowell Ogle, Debbie Gaffey, Gary Jeter, Angela Hahn, Janie Mehrens, Pam Ruemke, Stephen Draehn, Richard Magjarevich, and Grant Lischka

Citizens present:

Susan White, Lauren Turnbill, Leigh Linden, Traci Pyle, Billy Ruemke, Suzy Hankins, Keith Hankins, John Gunn, Ricky Abernathy, Mat Kolajajak, Aaron Markizer, Tiffany Weiss, Teri Parkison, Michael Kmiec, Randy Parkison, Carrie Marsh, Mary Schulte Barnes, Rick Rakin, Tommy Traylor, Ted Dinkins, Dennis Mahlmann, Rosemary Mahlmann, Rom Whitehead, Debbie Bartley, Tom Bartley, Charlie Pyle, Lindi Pind, Ryan Eisworth, Jose Canales, Susan Cantey, Joy Fuchs, Leslie Harrell, Melinda Faubion, Luther Hueske, Don Voelter, Vicky Briones, Tami Redshaw, Alan Gerson, Francy Gerson, Elizabeth Price, Tommy Upchurch, and Jay Petrash

Media Present:

Arthur Hahn and Caitlin 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. **Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

4. **Statutory Consent Agenda**
 - 4-a. **Minutes from the August 29, 2013 Special Council Meeting and September 5, 2013 Regular City Council Meeting**
 - 4-b. **Discuss and Possibly Act Upon Ordinance No. O-13-019 on Its Second Reading Approving an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning from a Residential Single Family (R-1) District to an Industrial Use (I) District on a 0.783 Acre Tract, Being a Portion of a Called 19.687 Acre Tract Out of the John Carrington Survey, Abstract No. 120, Addressed as 50 Kuhn Lane, and Located South of Salem Road Adjacent to the Mark Schulte Tract and the Burlington Northern Santa Fe Railroad in Brenham, Texas**
 - 4-c. **Discuss and Possibly Act Upon Ordinance No. O-13-020 on Its Second Reading Approving an Amendment to the Official Zoning Map of the City of Brenham to Change the Zoning from a Residential Single Family (R-1) District to Establish a Planned Development (PD) District for Single-Family Residential Uses on Approximately 11.905 Acres Located North of the Intersection of South Blue Bell Road and Mustang Road, and Tract 251 Within the James Walker Survey in Brenham, Texas**
 - 4-d. **Discuss and Possibly Act Upon Ordinance No. O-13-021 on Its Second Reading Approving a Text Amendment to Part II, Division 2, Section 6 (Industrial District), of Appendix A: Zoning of the City of Brenham’s Code of Ordinances, Amending the List of Permitted Uses and Adding Uses Allowed with Specific Use Approval**

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve the Statutory Consent Agenda Items 4-a, 4-b, 4-c, and 4-d as previously read.

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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

WORK SESSION

5. Discussion and Presentation Regarding Amendments to the City of Brenham Sign Ordinance

Development Services Director Julie Fulgham presented this item. Fulgham stated the presentation is concerning amendments to the sign ordinance. Michelle Audenaert of Perceptive Planning provided a comprehensive overview of the proposed amendments to the sign ordinance.

Councilmember Goss questioned digital signs that are currently erected, but do not meet the current Ordinance. Fulgham stated with the new, proposed Ordinance, anything that is not listed in the Ordinance will be prohibited. Fulgham stated if the current sign was permitted previously, it will need to come into compliance with the new Ordinance. Fulgham stated those items will have to go before Board of Adjustments for approval.

Councilmember Herring questioned why digital is not listed in the definitions. Fulgham stated digital is listed as changeable copy in the definitions section, but stated they can make that change if he would like.

Councilmember Goss questioned LED signs and if the new, proposed Ordinance goes into effect, will each business be notified on what can be displayed. Fulgham stated the businesses will be notified and the Ordinance would bring them into compliance.

Councilmember Barnes-Tilley suggested there be language in the new Ordinance that stated those signs previously approved would be grandfathered in unless changes are made. City Attorney Cary Bovey stated that issue is addressed in Section 21.15. Fulgham stated mainly the Ordinance addresses those that are not in compliance and bring into compliance.

A citizen voiced her concerns about the new Ordinance removing the use of sandwich boards in the Downtown area. The citizen stated the sandwich boards are used to tell people where their businesses are located. The citizen questioned what happens with a property owner to know if they are in compliance. Fulgham stated the current signs should be in compliance if permitted and if they are not digital or temporary, then they would be in compliance.

Mayor Pro Tem Nix questioned if Staff has this many problems that the new Ordinance is needed. Fulgham stated yes, because the current Ordinance is vague and does not address all types of signs; therefore, the new sign Ordinance is necessary.

Councilmember Barnes-Tilley questioned if sandwich boards should be addressed now. Fulgham stated the sandwich boards are currently located in the public right-of-way and Council has to approve the use of the right-of-way. Fulgham stated this issue may be too big to tackle with the sign Ordinance. Bovey stated encroachment in the right-of-way would need to be addressed in a license agreement due to liability issues, so they would be need to be determined or approved on an individual basis by Council.

Citizen Dennis Mahlmann questioned the issue that the new Ordinance states hanging signs have to have 8ft clearance. Fulgham stated the clearance amount is listed in the current building code under canopy signs, but those currently in place would be grandfathered in. Fulgham stated if those signs change or new signs would need to be approved.

Citizen Keith Hankins stated the City needs a new sign Ordinance, but the City needs more input by those affected by the new Ordinance. Hankins requested a public meeting because he feels vindicated when it is stated the City Attorney has not looked over the new sign Ordinance. Hankins stated the new sign Ordinance will diminish business opportunities especially in the Downtown area. Hankins stated the City should allow public input, which would be helpful to business owners. Hankins would like the opportunity to give thoughts and input on the Ordinance.

Mayor Tate requested Fulgham have a public hearing either with Board of Adjustments or Planning and Zoning Committee to hear citizen concerns and comments. Fulgham stated the current Ordinance is too restrictive and new one is less restrictive. Fulgham stated this is the process and they have given the Main Street Board the same presentation. Fulgham explained this information has been available through Planning and Zoning, EDF and on the website. Bovey clarified that he has reviewed and commented for changes to the new Ordinance.

Councilmember Herring questioned where election signs fall in the new sign Ordinance. Fulgham stated she would look into it further, but currently they meet state regulations. Bovey stated constitutional issues and State Government Legislature just took up Election Law, which allows posting election signs on public property (electioneering).

A citizen stated adding to the Ordinance seems to be more restrictive especially the possible removal of sandwich boards. Audenaert stated the largest section changed is the definitions to allow for more signs. Audenaert stated since more there are more definitions and signs allowed, the matrices take up a lot of room in the Ordinance. The citizen explained to remove the sandwich boards from the Downtown area would do damage to the Downtown businesses and the town.

Citizen Tommy Traylor stated in the new Ordinance, it seems that little to nothing is grandfathered. Traylor stated hotels can't have billboards, handmade signs are prohibited, only commercial signs allowed, off premise signs prohibited, and sandwich boards prohibited. Traylor stated the new Ordinance states if the City finds a mistake made during permitting, the mistake will need to be changed even though previously permitted. Traylor stated the Ordinance should be to enhance business, not stifle it. Traylor stated the new Ordinance states signs inside a business will be permitted and a fee charged. Traylor stated a \$2000.00 a day fee will be implemented for having letters too large on signs. Traylor explained the Ordinance further states any signs not in Ordinance are prohibited. Traylor stated he found objections to almost every paragraph in the new Ordinance due to the consequences.

Councilmember Goss stated plans must be submitted when applying for permit; however, if a business deviates from those approved plans, then must resubmit plan for review. Traylor stated in the Ordinance it states if a tenant changes a sign and skips town, the owner of the property will be charged fees. Tate questioned if the leasor is out of town and the leasee makes mistake then the leasor is liable. Fulgham stated the building permit requires the property owner's signature. Councilmember Barnes-Tilley stated she does not want to get into further discussion without hearing from the citizens. Fulgham questioned if the Council would like to allow signs in the right-of-way. Barnes-Tilley stated she needs additional information first. Mayor Pro Tem Nix stated Downtown is struggling so Council needs to keep level head and not go overboard.

Mayor Tate stated to get Planning and Zoning to hold a public hearing to hear comments before coming back to Council for solution.

REGULAR AGENDA

6. Discuss and Possibly Act Upon a Recommendation from the Main Street Board Asking for 2013 Swirl Net Revenue of \$12,250 Be Transferred to Downtown Donations Fund with \$10,000 to be Designated for Funding of Incentive Grant Policy

Development Services Director Julie Fulgham presented this item. Fulgham stated Main Street Board Chair Traci Pyle will be presenting this item to request Council's approval of transferring the 2013 Uptown Swirl net revenue of \$12,250 to the Main Street Donations Fund, with \$10,000 to be Designated for funding of the new Incentive Grant Policy. Pyle stated the Main Street Design Committee did a petition with 140 signatures from those who volunteer and support Downtown in favor of Council approving the transfer of Downtown Swirl net revenue to fund the Incentive Grant Policy. The signed petition was given to City Secretary, Jeana Bellinger, for review.

Councilmember Goss stated he spoke with Chief Financial Officer, Carolyn Miller, regarding the indirect costs incurred for the Downtown Swirl event. Miller stated the indirect costs totaled \$1,413.00 and the actual revenue from the event was \$10,841.00. Miller explained the direct expenditures were \$11,508.00, which includes the time spent by Main Street Manager and her salary related to the event. Mayor Tate stated this event is part of her job; therefore, those costs should not be considered. Tate stated the event generates sales tax, which is the goal. Goss stated the people on the City's Staff are paid by taxpayers and the surplus money cannot be used for personal gain and improvements to their businesses. Goss stated he has a concerned citizen that does not want taxpayer money going for personal gain or to promote/change personal property. Goss asked the Council to exclude Main Street Manager, Jennifer Eckermann's salary from the revenue gain.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve the recommendation from the Main Street Board asking for 2013 Swirl net revenue of \$12,250 be transferred to downtown donations fund with \$10,000 to be designated for funding of Incentive Grant Policy.

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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

7. Discuss and Possibly Act Upon Ordinance No. O-13-022 on Its Second Reading Adopting the Budget for Fiscal Year Beginning October 1, 2013 and Ending September 30, 2014 and Take Record Vote

Chief Financial Officer Carolyn Miller presented this item. Miller stated the Fiscal Year 2013-14 Proposed Budget has been developed in compliance with the Property Tax Code, Local Government Code and the City Charter. Miller explained a property tax rate of \$0.5632 per \$100 valuation is necessary to fund the proposed budget, which is on the City's website, on file with the City Secretary, Washington County Clerk, and at the Nancy Carol Roberts Memorial Library. Miller stated because of the recent passage of Senate Bill (S.B.) 656, City Council's vote to adopt a budget is required to be a record vote.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve Ordinance O-13-022 on its second reading adopting the budget for fiscal year beginning October 1, 2013 and ending September 30, 2014 and take a record vote.

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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

8. Discuss and Possibly Act Upon Ordinance No. O-13-023 on Its Second Reading Levying Taxes for the Tax Year 2013 for the City of Brenham at \$0.5632 per \$100 Valuation and Take Record Vote

Chief Financial Officer Carolyn Miller presented this item. Miller stated the FY2013-14 Proposed Budget includes a tax rate of \$0.5632 per \$100 valuation which has two components: maintenance and operations (M&O) and interest and sinking (I&S). Miller explained the proposed tax rate of \$0.5632 will allocate \$0.3579 to the General Fund for M&O expenditures and the balance of \$0.2053 will be allocated to the Debt Service Fund for principal and interest obligations. Miller stated the proposed tax rate of \$0.5632 is above the effective rate of \$0.5250, but below the rollback rate of \$0.5665. Miller explained the City has complied with all of the notices, publications, and public hearings as required by the Tax Code.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to move that property taxes be increased by the adoption of a tax rate of \$0.5632 per \$100 valuation, which is effectively a 7.28% increase in the tax rate.

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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

9. Discuss and Possibly Act Upon Renewal with Texas Municipal League Intergovernmental Risk Pool for General Liability, Law Enforcement Liability, Public Officials Liability, Mobile Equipment, Airport Liability, Property, Auto Liability and Physical Damage, Crime, Animal Mortality and Theft and Workers' Compensation Coverage for the City of Brenham for Fiscal Year 2013-14 and Authorize the Mayor to Execute Any Necessary Documentation

Risk Management Manager Janie Mehrens presented this item. Mehrens presented the renewal of various property, liability and workers' compensation coverage with Texas Municipal League Intergovernmental Risk Pool for FY 2014. Mehrens stated the increase for 2014 contributions is a very modest \$ 1,592 or 0.5% over FY13. Mehrens explained the Pool's rates continue to remain stable. Mehrens stated there were no FY14 rate increases for General Liability, Law Enforcement Liability, Automobile Liability or Property coverage. Mehrens stated any increases can be contributed to additional or expanded exposure in the liability category. Mehrens explained the only significant increase is for Errors & Omissions Liability (Public Officials Liability) with a rate increase of 4.35%. Mehrens stated although there were increases in several class codes, the Workers' Compensation contribution was reduced by \$9,413 or 10.8% primarily because of a decrease in the experience modifier and a slight decrease in estimated payroll. Mehrens stated an equity return of \$6,516 will be applied to property coverage; however, no equity return will be given for any liability coverage, which is a significant change over last year. Mehrens explained in addition pool members who pay the contribution annually will receive a 2% discount for FY14. Mehrens stated the increase in base contributions before any equity return or early pay discounts are applied is \$1,592 or 0.5%. Mehrens explained after applying equity returns and discount the net increase in cost over FY 13 is \$28,273 or 10.1%.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve the renewal with Texas Municipal League Intergovernmental Risk Pool for General Liability, Law Enforcement Liability, Public Officials Liability, Mobile Equipment, Airport Liability, Property, Auto Liability and Physical Damage, Crime, Animal Mortality and Theft and Workers' Compensation Coverage for the City of Brenham for fiscal year 2013-14 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 Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

10. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) of Small and Large Industrial Customers for the City of Brenham Electric Rates

Public Utilities Director Lowell Ogle presented this item. Ogle stated in August of 2012, J. Stowe & Company was engaged to conduct an Electric and Natural Gas Cost of Service and Rate Design Study. Ogle explained the purpose of the study was to ensure sufficient revenue recovery and to determine that the revenue requirement was equitably allocated among customer classes. Ogle stated for the Electric Fund, the study recommended an increase in the wires charge for small and large industrial customers' rate classes. Ogle explained this increase in the wires charge is expected to generate an additional \$184,407 in Electric Fund revenue during FY14.

Councilmember Barnes-Tilley questioned if the increases could be put into an amount. Ogle stated for small businesses the increase will be \$500.00 a year, while larger industrial businesses will be higher. Ogle stated Blue Bell would be looking at an increase of \$60,000.00 to \$70,000.00 a year.

A motion was made by Councilmember Williams and seconded by Councilmember Ebel to approve an Ordinance on its first reading amending the Rate Tariff Schedule(s) of small and large industrial customers for the City of Brenham electric rates 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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

11. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham Natural Gas Rates

Public Utilities Director Lowell Ogle presented this item. Ogle stated in August of 2012, J. Stowe & Company was engaged to conduct an Electric and Natural Gas Cost of Service and Rate Design Study. Ogle explained the purpose of the study was to ensure sufficient revenue recovery and to determine that the revenue requirement was equitably allocated among customer classes. Ogle stated for the Gas Fund, the study recommended a 25% increase in the customer charge for all rate classes. Ogle explained this increase in the customer charge is expected to generate an additional \$127,904 in Gas Fund revenue during FY14. Ogle stated more importantly, the rate change will help bring more revenue stability to the Gas Fund which has struggled during market fluctuations in commodity prices since the loss of Mount Vernon Mills. Ogle stated additionally, the City is lowering the base city rate used in calculating the Gas Cost Adjustment Charge, from \$7.87 per mcf to \$5.00 per mcf. Ogle explained this base city rate better reflects current market price.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve an Ordinance on its first reading amending the Rate Tariff Schedule(s) for the City of Brenham Natural Gas Rates 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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

12. Discuss and Possibly Act Upon Bid No. B0039-025-00 for a Utility Line Extension Along State Highway 36 North and Burleson Street and Authorize the Mayor to Execute Any Necessary Documentation

Public Utilities Director Lowell Ogle presented this item. Ogle stated a water project for 36 North and Burleson St area was to provide service to an area that was annexed within the last few years while also providing another feed into the High Pressure Plane. Ogle stated there are bond funds available to fund the entire project.

Ogle stated on August 28, 2013 bids were opened by Jones & Carter and City of Brenham staff for this project. Ogle explained the project will consist of over 4,000 feet of 12” C900 PVC water main, 3,500 feet of 8” C900 PVC water main, 8 fire hydrant assemblies, and numerous miscellaneous valves and fittings. Ogle stated the base bid includes the installation of an 8” PVC water main along Burleson St and a 12” PVC tie-in to Lounge Rd, which also includes a bore under the railroad tracks. Ogle explained Alternate Bid No. 1 is for a 12” creek crossing along Hwy 36 near Burleson St. Ogle explained Alternate Bid No. 2 will extend the 12” PVC main from Blue Bell Rd to the creek.

Ogle stated four bids were received on the project with Dudley Construction, Ltd. submitting the low bid for both the base bid and the alternate bids No. 1 and No. 2. Staff recommends awarding the base bid along with Alternate No. 1 and No. 2 to the low bidder, Dudley Construction, Ltd. for a total amount of \$573,227.51.

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate Bid #1</u>	<u>Alternate Bid #2</u>	<u>Total Bid</u>
Dudley Construction, Ltd.	\$360,552.97	\$25,000.00	\$187,674.54	\$573,227.51
Texcon General Contractors	\$395,002.00	\$41,400.00	\$197,588.00	\$633,990.00
Scohil Const Svcs, LLC	\$477,587.50	\$69,000.00	\$231,719.20	\$778,306.70
M&C Fonseca Construction	\$528,867.70	\$16,800.00	\$258,546.50	\$804,214.20

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to award the Bid No. B0039-025-00 to include Alternate Bids No. 1 and No. 2 to Dudley Construction, Ltd. for a utility line extensions along State Highway 36 North and

Burleson Street in the amount of \$573,227.51 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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

13. Discuss and Possibly Act Upon the Approval of the Routine Airport Maintenance Program (RAMP) Grant Agreement No. M1417BRENM with TxDOT for Fiscal Year 2013-14 and Authorize the Mayor to Execute any Necessary Documentation

Planning Technician Kim Hodde presented this item. Hodde stated this item is a grant agreement with TxDOT for participation in the Routine Airport Maintenance Program (RAMP) for September 1, 2013 to August 31, 2014. Hodde stated as in prior years, this agreement allows the City to be reimbursed for 50% of the cost of monthly AWOS monitoring (AviMet Data Link connection fees and continued scheduled maintenance), annual AWOS Maintenance Contract, as well as 50% of the City's replacement lamps for the airport lighting system, herbicides, general maintenance, and a contingency for emergency repairs. Hodde explained in FY 2013, the City got about half of the game fence installed, so the City will complete the fencing in the current budget year. Hodde explained the City has budgeted funds of \$50,000.00 and with TxDOT's match of \$50,000.00, the City will be able to do \$100,000.00 worth of maintenance and fencing for half of the cost.

A motion was made by Councilmember Williams and seconded by Mayor Pro Tem Nix to approve the Routine Airport Maintenance Program (RAMP) Grant Agreement No. M1417BRENM with TxDOT for fiscal year 2013-14 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 Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

14. Discuss and Possibly Act Upon a Request for a Noise Variance for Relay for Life to be Held from 6:00 P.M., October 4, 2013 to 12:00 A.M., October 5, 2013 at Fireman’s Park and Authorize the Mayor to Execute Any Necessary Documentation

Deputy City Secretary Amanda Klehm presented this item. Klehm stated Holly Johnson requested a noise variance to hold an event for Relay for Life on October 4, 2013 from 6:00 P.M. to 12:00 A.M. at Fireman’s Park. Klehm explained they will have a walk-a-thon for cancer prevention and fundraising. Klehm stated at the event, there will be walking, child’s games, music, and dancing. Klehm explained they will be using sound amplification equipment. Klehm stated the Brenham Police Department and the Brenham Fire Department have approved the noise variance request.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve a request for a noise variance for Relay for Life to be held October 4, 2013 from 6:00 P.M. to 12:00 A.M. at Fireman’s Park 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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

15. Discuss and Possibly Act Upon an Interlocal Agreement Between the City of Brenham and Washington County Related to the Operation of and Improvements to Linda Anderson Park and Authorize the Mayor to Execute Any Necessary Documentation

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to remove this item from the table.

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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

City Manager Terry Roberts presented this item. Roberts stated this ILA is not related to the other ILAs.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve an Interlocal Agreement between the City of Brenham and Washington County related to the operation of and improvements to Linda Anderson Park 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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

Mayor Tate stated Council will move to Item #20.

20. Discuss and Possibly Act Upon an Exchange of Services Interlocal Agreement Between the City of Brenham and Washington County For the Comprehensive Exchange of Services and Authorize the Mayor to Execute Any Necessary Documentation

Mayor Tate stated the Council will pass this item until a future date and it will remain on the table to explore options for alternatives. No discussion.

16. Discuss and Possibly Act Upon an Interlocal Agreement Between the City of Brenham and Washington County for Animal Control Services and Authorize the Mayor to Execute Any Necessary Documentation

A motion was made by Councilmember Ebel and seconded by Councilmember Herring to remove this item from the table.

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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

City Manager Terry Roberts presented this item. Roberts stated Staff recommends that Council extend the current ILAs for 90 dates with the expiration date moved to December 31, 2013 to allow the Council to explore alternative options for the Exchange of Services ILAs.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to extend an Interlocal Agreement to December 31, 2013 between the City of Brenham and Washington County for animal control services 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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

17. Discuss and Possibly Act Upon an Interlocal Agreement Between the City of Brenham and Washington County for Animal Shelter Services and Authorize the Mayor to Execute Any Necessary Documentation

A motion was made by Councilmember Ebel and seconded by Mayor Pro Tem Nix to remove this item from the table.

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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

City Manager Terry Roberts presented this item. Roberts stated Staff recommends that Council extend the current ILAs for 90 dates with the expiration date moved to December 31, 2013 to allow the Council to explore alternative options for the Exchange of Services ILAs.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to extend an Interlocal Agreement to December 31, 2013 between the City of Brenham and Washington County for animal shelter services 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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

18. Discuss and Possibly Act Upon an Interlocal Agreement Between the City of Brenham and Washington County for Fire Protection and Rescue Services and Authorize the Mayor to Execute Any Necessary Documentation

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to remove this item from the table.

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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

City Manager Terry Roberts presented this item. Roberts explained the last two items are stated in six (6) month totals, but Cary will adjust for 3 month totals. Roberts stated Staff recommends that Council extend the current ILAs for 90 dates with the expiration date moved to December 31, 2013 to allow the Council to explore alternative options for the Exchange of Services ILAs.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to extend an Interlocal Agreement to December 31, 2013 between the City of Brenham and Washington County for fire protection and rescue services 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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

19. Discuss and Possibly Act Upon an Interlocal Agreement Between the City of Brenham and Washington County Related to the Jail Services and 9-1-1 Emergency Communication Services and Authorize the Mayor to Execute Any Necessary Documentation

Mayor Tate stated Council will pass on this item because the current expiration date is December 31, 2013.

21. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Staff will bring back Chappell Hill extension at an upcoming Council meeting.
- The City and County have a meeting with TxDOT tomorrow morning at 10am in Conference Room 2A to discuss improvements.

Councilmember Barnes-Tilley thanked everyone for their support and reassured everyone of the process. Barnes-Tilley stated she appreciates the calls, emails, and feedback and, as representatives, they are listening. Barnes-Tilley stated the City and County are working together with everyone's safety in mind. Barnes-Tilley reassured citizens the Council is working to serve the needs of the citizens.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary