

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on October 17, 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, Chief Financial Officer Carolyn Miller, Stacy Hardy, Wende Ragonis, Kaci Konieczny, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Development Services Director Julie Fulgham, Public Works Director Dane Rau, Public Utilities Director Lowell Ogle, Angela Hahn, Janie Mehrens, and Grant Lischka

Citizens present:

Misty Acton, Lynden Acton, Landon Kruse, Kaden Miller, Brian Miller, Lu Hollander, Ed Muehler, Barbara Ross, Jim Kruse, Blake Kruse, Ryan Middleton, Kris Zissa, Connor Broesche, and Doug Middleton

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 Williams**
- 3. Awards**
 - GFOA Certificate of Achievement for Excellence in Financial Reporting

Chief Financial Officer Carolyn Miller presented the award in Council and stated this is the Finance Department's Fifth Consecutive Year to receive the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA) for the City's annual financial report for the period ending September 30, 2012.

4. Citizens Comments

There were no citizen comments.

Mayor Tate asked that the Boy Scouts each introduce themselves whom attended the meeting. Boy Scouts present include: Kris Zissa, Lynden Acton, Ryan Middleton, Connor Broesche, Blake Kruse, and Kaden Miller, whom were accompanied by Jim Kruse, Misty Acton, Doug Middleton, and Ed Muehsler.

CONSENT AGENDA

5. Statutory Consent Agenda

5-a. Minutes from the September 19, 2013 and October 3, 2013 City Council Meetings

Councilmember Herring asked that Staff make a correction on the motion on Page 13 to include the alternatives.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve the Statutory Consent Agenda Item 5-a. minutes from the September 19, 2013 and October 3, 2013 city council meetings.

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

6. Presentation of the Fourth Quarter Report by the Washington County Convention and Visitors Bureau

Lu Hollander, with the Washington County Convention and Visitors Bureau, presented this report. She focused on the highlights featured in the *Fourth Quarter Report – July – September 2013*, pointing out the visitor statistics, major tourism events, advertising placements, and editorial coverage.

There were no questions.

REGULAR AGENDA

7. Discuss and Possibly Act Upon Resolution No. R-13-014 Expressing Official Intent to Reimburse Certain Costs Related to the Construction of a Fire Substation and the Purchase of Firefighting and Rescue Equipment

Chief Financial Officer Carolyn Miller presented this item. Miller stated in the FY13-14 Adopted Budget, the I&S tax rate was increased by \$0.0075 to fund debt service payments on 20 year Certificates of Obligation for public safety initiatives. Miller explained in order for the City to issue purchase orders for the replacement rescue truck and the replacement pumper truck (to preempt a price increase from the manufacturer), the Council must approve the Reimbursement Resolution to declare reimbursement of certain costs related to these capital expenditures from the issuance of Certificates of Obligation.

A motion was made by Councilmember Goss and seconded by Councilmember Herring to approve Resolution No. R-13-014 expressing official intent to reimburse certain costs related to the construction of a fire substation and the purchase of firefighting and rescue equipment.

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 Resolution No. R-13-015 Renaming a Portion of Stringer Street to South Chappell Hill Street

Public Works Director Dane Rau presented this item. Rau handed out a redlined version of the Resolution that was not included in the original agenda packet. Rau stated work will soon begin on the Chappell Hill Street Extension project, which will provide a direct crossover of Chappell Hill Street across South Market and connecting to what now is known as Stringer Street at the 2400 block. Rau explained in order to consistently make the transition from South Chappell Hill Street to Stringer, Staff is recommending renaming a section of Stringer Street to South Chappell Hill Street, which will begin in the 2400 block and end at the 290 feeder road in the 2700 block.

Rau explained by renaming this portion of Stringer Street it will allow a uniform name from one end of Chappell Hill Street to the other, which Staff feels that this will be most beneficial for public safety and the continuity of Chappell Hill Street from one end of town to the other. Rau stated Staff has spoken to the three property owners (Brenham Oaks Apt., Dairy Bar, and HD Supply) who will be affected by this name change and no concerns were raised. Rau explained residents and businesses were notified by letter on September 12th indicating this proposed name change along with the date and time of the council meeting where comments could be made, which includes the tenants of Brenham Oaks Apartments which have multiple unit numbers within the complex.

Rau stated Staff is currently speaking with TXDOT about the Stringer Street exit signs on Highway 290E/W to see what type of obligations we may incur. Rau explained it is expected that the costs to replace the signs on 290 will be the responsibility of the City, which TXDOT will require an AFA agreement with the City. Rau explained from what Staff has been told, TXDOT will design the signs based on the City’s name change submittal and they will control the project which includes bidding of the project and inspections of sign replacement.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve Resolution No. R-13-015 renaming a portion of Stringer Street to South Chappell Hill Street.

Citizen Barbara Ross addressed Council about her concerns regarding the street renaming and the impact it will have on traffic and property values. Ross has some reservations about the street renaming because she doesn’t feel that Staff has a done a study on the impact the rename will have on traffic and the decrease in property value that it will cause.

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 Resolution No. R-13-016 Nominating Candidates for Election to the Washington County Appraisal District Board of Directors

City Manager Terry Roberts presented this item. Robert stated the governing body of the Washington County Appraisal District is nominated and appointed by the governing bodies that levy and collect a property tax. Roberts explained a ballot will be prepared for one of Council’s November meetings based on the nominations received from the governmental entities. Roberts stated attached is a letter from Chief Appraiser Willy Dilworth outlining the process and reporting on the status of the five current board members. Roberts stated all five have expressed a willingness to serve an additional two-year term if it is Council’s desire. Roberts explained the current five members are: John Schaer, Delton Koerth, Charles Gaskamp, Johanna Fatheree and Joel Romo.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve Resolution No. R-13-016 nominating five individuals to serve on the Washington County Appraisal District Board of Directors.

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 Health Insurance Funding Rates Effective January 1, 2014 and Authorize the Mayor to Execute Any Necessary Documentation

Risk Manager Janie Mehrens presented this item. Mehrens stated in December 2012 after much analysis and discussion, the City Council approved purchase of a fully-funded group medical plan from Texas Municipal League Intergovernmental Employee Benefit Pool (TML IEBP) effective January 1, 2013. Mehrens explained although the fully-funded plan has been in place only nine months, the City has realized the benefits we had anticipated in adopting the plan: fixed costs, reduction of staff time in processing payment of claims, initial higher premium cost with more modest rate increase after first year and no increased costs for lasered individuals. Mehrens stated the renewal rates received from TML IEBP for Calendar 2014 show a small average increase of 1.7% in dependent coverage premiums. Mehrens explained because no across the board salary increases are being given this year, Staff is recommending that employee costs remain at the current level and that City contribution rates increase by the amounts shown on the spreadsheet, which will provide adequate funding for the 2014 group health plan costs.

Councilmember Herring questioned the definition of a lasered individual. Mehrens explained a lasered individual is one whose medical condition is such that the underwriters feel the stop loss will be higher than the average person.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve health insurance funding rates effective January 1, 2014 as presented 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 Providing for Updated Service Credit and an Increase in Retirement Annuities in the Texas Municipal Retirement System Effective January 1, 2014

Risk Manager Janie Mehrens presented this item. Mehrens stated for many years, City Council has approved on an annual basis an Ordinance providing for updated service credit and an increase in retirement annuities of 70% of the Consumer Price Index as provided through the Texas Municipal Retirement System. Mehrens explained the funding rate for the City of Brenham will increase from 6.75% to 6.98% effective January 1, 2014. Mehrens stated there was a type on the agenda form and the correct percentage is 6.98%, not 6.89%.

A motion was made by Councilmember Williams and seconded by Councilmember Herring to approve an Ordinance on its first reading providing for updated service credit and an increase in retirement annuities in the Texas Municipal Retirement System effective January 1, 2014.

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 the Renewal of the Contract with Legacy Concrete Works LLC for Concrete Work for the Street Department and Authorize the Mayor to Execute any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau stated within the contract that was approved on Oct 18, 2012, it gave both the City of Brenham and Legacy Concrete Works LLC the option to extend after the first year up to (2) additional (1) year terms. Rau explained when approached by the City of Brenham about extending the contract, Legacy agreed to the extension but asked Staff to consider the section of the contract dealing with price escalation. Rau stated Legacy would like Staff and Council to consider a 3% rate increase for 2013-14. Rau explained in 2012-2013, the City of Brenham spent roughly \$300,000 with Legacy Concrete Works LLC. A 3% increase would mean an additional \$9,000 in 2013-14 based off of history.

Councilmember Williams stepped out of Council Chambers briefly and was not present during the vote on this item.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve the renewal of the contract with Legacy Concrete Works LLC for concrete work for the Street Department to include the 3% rate increase 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	Absent

Councilmember Williams returned to Council Chambers after the vote had taken place.

Council adjourned into Executive Session at 4:50pm.

EXECUTIVE SESSION

- 13. Section 551.074 – Texas Government Code – Personnel Matters – Discuss and Consider City Manager’s Employment Agreement and Related Issues**
- 14. Texas Government Code Section 551.072 – Deliberation Regarding Real Property – Discuss and Consider the Acquisition of Properties Related to the Extension of Chappell Hill Street**

Executive Session adjourned at 5:48pm.

RE-OPEN REGULAR SESSION

- 15. Discuss and Possibly Act Upon City Manager’s Employment Agreement and Related Issues**

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve the City Manager’s renewed contract period from February 2014 to January 31, 2015 and retroactive October 1, 2013 as effective date and authorize legal to reword Section 7 to include additional two (2) weeks on his vacation carryover time and additionally increase, in recognition of all of the time and effort put in ILAs, his salary from \$141,000.00 to \$143,000.00 effective immediately.

Councilmember Barnes-Tilley wanted to state that they are trying to get Terry’s salary in line with Comp Study and other cities’ salaries for City Manager’s position.

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

16. Discuss and Possibly Take Action as a Result of Executive Session Regarding Real Property Acquisition for the Chappell Hill Street Extension Project and Authorize the Mayor to Negotiate and Execute Any Necessary Documentation

No action taken.

17. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Blinn Hall of Honor luncheon has a time change.
- Staff is currently talking to businesses who will be affected by the possible closure of the Hwy 290 crossover.
- Kid Fish will be held 10/26/2013 at the Blue Bell Aquatic Center.

Dane Rau reported on the following:

- Rau showed photos and discussed improvements at the Recycling Center.
- November 15th will be Recycling Center Open House.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary