

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on April 3, 2014 beginning at 8:00 a.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 K. 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, Crystal Locke, Wende Ragonis, Andria Heiges, Susan Nienstedt, Will Felder, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Development Services Director Julie Fulgham, Public Works Director Dane Rau, Casey Redman, Public Utilities Director Lowell Ogle, Alton Sommerfield, Kevin Bogus, Pam Ruemke, and Grant Lischka

### Citizens present:

Janna Haevischer, Evelynia Graves, Julie Overstreet, Donna Keeling, Gary Kimble, Marcus Overstreet

### 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 Herring**

3. **3-a. Service Recognitions**  
➤ Will Felder – Library – 10 years

4. **Proclamation**  
➤ **Child Abuse Prevention Awareness Month**

The proclamation was accepted by Julie Overstreet, Janna Haevischer and Donna Keeling as representatives of CASA for Kids and CPS.

5. **Citizens Comments**

There were no citizen comments.

## **CONSENT AGENDA**

6. **Statutory Consent Agenda**

- 6-a. Minutes from the February 20, 2014 and February 27, 2014 City Council Meetings**

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Goss to approve the Statutory Consent Agenda Items 6-a. as 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**

7. **Presentation, Update, and Discussion Regarding the Simon Theater Facility and Associated Project Improvements, Status of Project, and Future Operation and Ownership of Said Facility**

Mayor Tate passed on this item until the next Council meeting.

**8. Discussion and Update Concerning the Issuance, Sale and Other Matters Related to the City of Brenham, Texas General Obligation Refunding Bonds Approved at the February 20, 2014 City Council Meeting**

The City's Financial Advisor Garry Kimball presented this item. Kimball stated Specialized Public Finance received six bids for the GO Refunding bonds, and the savings are reflected on the attached summary. Bids were submitted by TIB (winner at 2.09%), Chase (2.10%), Zion's (2.11%), Regions (2.24%), BOSC (2.27%) and BBT (2.31%). Kimball explained the debt service savings were \$455,000, which exceeded 7%. Kimball advised this will close next month.

**REGULAR AGENDA**

**9. Discuss and Possibly Act Upon Resolution R-14-009 of the City Council of the City of Brenham, Texas, Authorizing the Giving of Notice of Intention to Issue City of Brenham, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2014; and Declaring an Effective Date**

The City's Financial Advisor Garry Kimball presented this item. Kimball stated when preparing the FY13-14 budget, Staff included the purchase of a fire rescue truck and a fire pumper truck. Kimball explained the purchase orders for the trucks were issued in late October, 2013 and the City Council approved a reimbursement Resolution at the October 17, 2013 meeting to authorize the reimbursement from bond proceeds when the sale occurred.

Kimball explained on February 27, 2014 the City held a Council Workshop titled "Financial Puzzle" in which Staff presented options for 50/50 public-private partnerships to address two impaired buildings: (1) animal shelter and (2) library. Kimball advised with the public-private partnerships, the City's 50% match would equal \$1 million for the animal shelter and \$1.5 million for the library.

Kimball explained the \$4.1 million in Certificates of Obligation to be incurred are for the following purposes: (a)(i) the acquisition of land for the construction of a fire substation and the acquisition of a fire rescue truck and a fire pumper truck for the City; (ii) the construction and equipping of a new City animal shelter; and (iii) the expansion, renovation and equipping of the City library (collectively, the "Project"); and (b) to pay professional services of attorneys, engineers, financial advisors and other professionals in connection with the Project; and to pay the costs associated with the issuance of the Certificates. Kimball explained the initial step in the financing process is to give notice of the City's intent to issue the Certificates of Obligation. Kimball advised upon Council's approval, the notice itself will be published in the Brenham Banner. Kimball explained that he will handle securing the pricing and bring it back to Council for action at the May 15, 2014 Council meeting.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve Resolution R-14-009 of the City Council of the City of Brenham, Texas, authorizing the giving of notice of intention to issue City of Brenham, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2014 and declaring an effective date.

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 Bid No. 14-006 for the Annual Wood Pole Inspection and Reinforcement Project and Authorize the Mayor to Execute Necessary Documentation**

Public Utilities Director Lowell Ogle presented this item. Lowell stated on March 24, 2014 the Purchase Department opened bids for the 2014 Wood Pole Inspection/Reinforcement Project. Lowell explained this project will allow for the reinforcement of between 175 and 200 wood poles that have been identified over the past couple of years as being a candidate for reinforcement. Lowell advised these poles typically have integrity issues at the ground level. Lowell stated the contractor will re-inspect the poles and verify that they can be reinforced and then will attach the reinforcing mechanism. Lowell explained this process will make these poles safe and extend the life for another 10 to 15 years. Lowell stated Staff budgeted \$75,000 for this project and will reinforce as many poles as possible with the available funds. Lowell explained bids were advertised and four (4) packets were requested, but Staff only received one bid for the project. Lowell advised the prices are comparable to quotes Staff has received in the past.

Councilmember Goss questioned in what is the comparison in the cost of wood poles and attaching reinforcement to steel poles. Ogle stated it is much more expensive to use steel poles than wood poles; however, Staff has started to use steel poles in certain situations. Electric Superintendent Alton Sommerfield stated the cost is approximately \$1000-\$1200 per pole. Ogle explained the manufacturers states the reinforcement will enhance the life of the pole 20-25 years, but Staff feels comfortable starting in 10-15 years.

Councilmember Goss questioned if the reinforcement places any stress on the poles. Ogle explained the process to attach and engineer the reinforcement is made to extend the life of the pole, not cause stress to the pole. Councilmember Goss questioned about turbulent weather. Ogle stated the reinforcement on the pole is as strong as or stronger with the mechanism than it is without it. Ogle stated it would cost the City approximately \$300,000 to change out all poles.

Councilmember Goss questioned how far the mechanism goes on the pole. Sommerfield stated 10 feet total, but 4.5 to 5 feet is driven in. Ogle explained the problems are usually at ground level. Sommerfield explained during a storm, the mechanisms do what they are supposed to do.

Councilmember Williams questioned what is the cost comparison between underground and overhead lines. Sommerfield stated \$15.00 per feet for single compared to \$5.00 per feet for single and they must be tripled. Ogle advised everything new is going underground, but replacing existing is more expensive.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to approve Bid No. 14-006 and award contract to Midwest Pole Inspection for the amount not to exceed \$75,000 for the annual Wood Pole and Reinforcement 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 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 a Request for a Noise Variance from Washington County Historical Juneteenth Association to Celebrate Emancipation Day to be Held on June 13, 2014 from 6:00 p.m. – 11:00 p.m. and June 14, 2014 from 12:00 p.m. – 4:00 p.m. at Fireman’s Park and Authorize the Mayor to Execute Any Necessary Documentation**

Deputy City Secretary Amanda Klehm presented this item. Klehm stated Darron Smith from Washington County Historical Juneteenth Association has requested a noise variance to hold a two-day event to celebrate Emancipation Day on June 13, 2014 from 6:00 p.m. – 11:00 p.m. and June 14, 2014 from 12:00 p.m. – 4:00 p.m. at Fireman’s Park. Klehm explained they will have one band and one DJ. Klehm advised they will be using sound amplification equipment. Klehm stated although Staff is not seeking Council approval, but for information only, they have also filled out a parade permit requesting closure of Main, Baylor, Austin, Ross, Clinton, Douglas, and Charles Streets for June 14, 2014 from 8:30 a.m. -12:00 p.m. Klehm advised the Brenham Police Department and the Brenham Fire Department have approved both the noise variance and parade permit requests.

A motion was made by Councilmember Williams and seconded by Mayor Pro Tem Nix to approve a request for a noise variance from Washington County Historical Juneteenth Association to celebrate Emancipation Day to be held on June 13, 2014 from 6:00 p.m. – 11:00 p.m. and June 14, 2014 from 12:00 p.m. – 4:00 p.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

**12. Discuss and Possibly Act Upon a Request for a Noise Variance from Evelynia and Joseph Graves for a Family Reunion at 906 Armbrister Street to be Held on April 12, 2014 from 9:00 a.m. – 9:00 p.m. and Authorize the Mayor to Execute Any Necessary Documentation**

Deputy City Secretary Amanda Klehm presented this item. Klehm stated Evelynia Graves is requesting a noise variance for a family reunion gathering at 906 Armbrister Street on April 12, 2014 from 9am-9pm for DJ/Band. Klehm explained they will have speakers, microphones, drums and turntable, which requires a Noise Variance. Klehm advised the Brenham Police Department and the Brenham Fire Department have approved the noise variance request.

Mayor Tate questioned the amount of people they expect to attend the event. Citizen Evelynia Graves stated they expected around 50 people. Councilmember Goss questioned if she has contacted her neighbors. Graves stated she has notified all of her neighbors through a letter with no complaints or concerns from them.

Councilmember Williams questioned if the DJ will be playing all day from 9:00am to 9:00pm. Graves stated that the music will not start until 2:00pm that afternoon.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve a request for a noise variance from Evelynia and Joseph Graves for a family reunion at 906 Armbrister Street to be held on April 12, 2014 from 9:00 a.m. – 9:00 p.m. 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

**WORK SESSION**

**13. Discuss and Review the FY2013-14 First Quarter Financial Report**

Chief Financial Officer Carolyn Miller presented this item. Miller advised the status of the General Fund and the five major utility funds in the report. Miller reported that the City experienced favorable performance in the General Fund and all utility funds posted positive net revenues over expenditures, with the exception of the Gas Fund which posted a net loss for the quarter due to the timing of the “true-up” for gas purchased costs for the first quarter of FY2013-14.

**FINANCIAL PERFORMANCE SUMMARY**

Fund	1 <sup>st</sup> QTR Actual Performance		
	Revenues	Expenditures	Net Revenues
<b>General Fund</b>	\$ 3,773,271	\$ 3,468,106	\$ 305,165
<b>Electric Fund</b>	\$ 5,865,242	\$ 5,710,576	\$ 154,666
<b>Gas Fund</b>	\$ 789,189	\$ 841,809	\$ (52,620)
<b>Water Fund</b>	\$ 1,006,135	\$ 924,150	\$ 81,985
<b>Wastewater Fund</b>	\$ 920,941	\$ 797,666	\$ 123,275
<b>Sanitation Fund</b>	\$ 831,344	\$ 656,799	\$ 174,545

Miller explained at the end of the first quarter, the General Fund posted net reserves of \$305,165. Miller advised the Electric Fund had favorable net revenues of \$154,666 at the end of the first quarter. Miller stated for the first quarter, the Gas Fund posted unfavorable net revenues of (\$52,620). Miller explained the Water Fund experienced positive net revenues of \$81,985 for the first quarter, which is near break-even. Miller advised net revenues for the Wastewater Fund were \$123,274 for the first quarter. Miller advised the combined operations of the Sanitation Fund posted favorable net revenues of \$174,545 for the first quarter.

#### **14. Discussion and Update Regarding the Parks Master Plan**

Administrative Services Manager Wende Ragonis presented this item. Ragonis stated the Parks Advisory Board has tasked staff with the development of a Parks and Recreation Master Plan document compliant to the Texas Parks and Wildlife Department. Ragonis explained for a Master Plan to be compliant, a municipality must provide the opportunity for community stakeholder's to have input to the master planning process. Ragonis advised Staff will meet this community input requirement by hosting multiple community meetings in the month of April. Ragonis stated the dates of these meetings will be published to the community through the local media.

Councilmember Barnes-Tilley questioned how they plan to have 6-8 meetings in a tentative two day period. Ragonis explained that they will conduct all of the meetings during two days to accommodate everyone throughout the day. Ragonis advised Staff plans to have morning, lunch and evening meetings on each day.

#### **15. Presentation of the 2013 Annual Report by the Public Works Department**

Public Works Director Dane Rau presented this report. Rau laid a summary sheet of his presentation around the Dias. Rau covered the highlights for his department and also expressed his appreciation for all of the people in his department and for Council's support. Rau explained in 2013, the Public Works Division for the City of Brenham had some major projects including: land acquired behind the Recycling Center for expansion, Linda Anderson and Hohlt Park improvements, Presentation of the FY2013-14 Street Improvement Program, and Presentation of the Vegetation Control for the City, State, and Railroad Right-of-Ways. Rau explained the highlights for each of his departments within the Public Works Division which include: Street Department, Facility Maintenance, Fleet Maintenance, Parks Department, and the Sanitation Department.

Councilmember Williams questioned where the work on Wilkins Street fits into this presentation. Rau explained it goes under the Street Department and will be included in next year's annual report.

Councilmember Barnes-Tilley stated she would like to see recycling increase and sanitation decrease. Councilmember Herring stated he would like to see figures on the amount of money brought in and quantity that is recycled. Councilmember Barnes-Tilley stated she would like to see curbside recycling. Councilmember Barnes-Tilley questioned if the Recycling Center accepts cooking oil and suggested Rau work with Blinn College regarding the blue box and reselling the used cooking oil.

## 16. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- After Council meeting, there will be a reception with goodies in celebration of Councilmember Barnes-Tilley's birthday.
- The next Council meeting is April 24<sup>th</sup> at 1:00pm. We will resume a normal meeting schedule in May.
- The morning of May 15<sup>th</sup> will be the Pre-Budget Workshop.
- Spring Clean-Up started today.
- Conceptual Process for the Animal Shelter and Library will be completed by May-June 2014 and an update on both will be made at a July Council meeting. Staff will be ready to go for bids on both projects in the Fall 2014.
- Ground breaking for PPE was yesterday.
- Personal tours to view the progress at the Simon Theater are available to any Councilmember who is interested. They will need to call the office to set up a tour.

The meeting was adjourned.

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Milton Y. Tate, Jr.  
Mayor

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Jeana Bellinger, TRMC  
City Secretary

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