

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on November 6, 2014 beginning at 2:00 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 Danny Goss
Councilmember Keith Herring
Councilmember Andrew Ebel
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, Kacey Weiss, Paula Shields, Chief Financial Officer Carolyn Miller, Stacy Hardy, Cynthia Longhofer, Kaci Konieczny, Sara Parker, Crystal Locke, Susan Nienstedt, Fire Chief Ricky Boeker, Public Works Director Dane Rau, Casey Redman, Public Utilities Director Lowell Ogle, Janie Mehrens, Kevin Schmidt, Kevin Boggus, Pam Ruemke, Andria Heiges, City Engineer Grant Lischka, Christi Korth, Florence Bentke, Judy Wagner, Kristi Jackson, Amanda Carker, Chris Jackson, Trey Gulley, Eddie Ocanas, Alton Sommerfield, Jodie Kapchinski, and Kim Mueller

Citizens present:

Peggy Sefcik, Catherine Kenjura, William Krueger, Sherrie Winkelmann, Page Michel, and Clint Kolby

Media Present:

Daniel Hukel, Brenham Banner Press; and Mary-Janet Reyes, KWHI

1. Call Meeting to Order

2. Invocation and Pledges to the US and Texas Flags – Councilmember Danny Goss

3. Service Recognitions

- Christi Korth, Finance - 5 Years
- Eddie Ocanas, Police Department - 10 Years
- Kim Mueller, Maintenance Department - 15 Years
- Susan K. Nienstedt, Human Resources - 15 Years
- Kyle D. Dannhaus, Administration - 30 Years
- Alton W. Sommerfield, Electric Department - 35 Years

4. Citizens Comments

None

CONSENT AGENDA

5. Statutory Consent Agenda

5-a. Minutes from the October 9, 2014 Regular City Council Meeting

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve the Statutory Consent Agenda Item 5-a.

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

9. Discussion and Presentation Related to the Possible Placement of Stop Signs Along S. Day Street at its Intersection with College Avenue and Charles Lewis Street

Public Works Director Dane Rau presented this item. Rau stated that there have been concerns about safety related to two intersections along S. Day Street; College Avenue and Charles Lewis.

- **S. Day Street at College Avenue:** The City received a request from St. Paul's Christian Day School outlining their concerns and requesting support from the City and assistance with approaching TxDOT about placing stop signs on College Avenue where it intersects with S. Day Street.

Rau explained that the Brenham Police Dept. compiled information on accidents at this intersection. The report indicates that there were eleven accidents within the last two years. Rau and Police Chief Phelps reviewed the findings and, based on the statistical numbers and the activity at this intersection; support the idea of a stop sign.

Rau also explained that he spoke with Mark Shaffer at TxDOT about the possibility of placing stop signs at this location. Shaffer said that the placement of the stop sign would be acceptable to TxDOT if the City Council is agreeable.

- **S. Day Street at Charles Lewis Street:** The City received a request to consider converting Charles Lewis and S. Day Street from a 2-way stop to a 4-way stop. The additional stop sign would be placed on S. Day. This would slow down vehicles leaving Tom Green St. and W. Fifth St. There were no reported accidents at this location over the last several years.

Rau advised Council that he spoke with the property owners in the area and they are supportive of the stop sign. Citizen Carol Dippel-Webber addressed the Council, she indicated her support of the stop sign.

6. Discussion and Presentation Related to the Future Expansion, Renovation and Modernization of the Nancy Carol Roberts Memorial Library

Community Services Director Wende Ragonis presented this item. Ragonis explained that the last update regarding the facility modernization project was provided March 20, 2014. Ragonis explained that at that meeting, staff was tasked with: (1) planning and implementing the relocation of the Nancy Carol Roberts Memorial Library into its temporary location within City Hall; and (2) securing the public and private funding partnership equal to the project budget. Once these steps were complete, the project was able to move into the design phase. Through a public-private effort, the funding of \$3 Million has been secured (\$1.5 Million each).

Ragonis explained that the facility design was a collaborative effort between City Staff, the Library Advisory Board and the citizens in attendance at the Library Advisory Board meetings. Ragonis showed Council the exterior elevation, the interior conceptual design plan and the site plan for this project. Ragonis explained that the project is on target and should go out for bidding on the asbestos removal and construction in January. The cost for abatement is estimated to be \$75,000 and site preparation will be done in-house.

7. Discussion and Presentation Related to the Future Brenham Pet Adoption and Animal Care Facility

Police Chief Rex Phelps presented this item. Phelps explained that the Animal Shelter Task Force has been engaged in fundraising efforts. The new facility will be approximately two times the square footage of the current shelter with three times the sheltering. Phelps showed Council the facility layout and the exterior elevation; he explained that the facility will look similar to the Police Station.

Phelps stated that, like the library, is funded through a public/private partnership and the project is ninety-five percent funded. The projected cost of the shelter will be \$1,995,000 and funds secured to date are \$1,887,555.82. Phelps explained that the Task Force is continuing to fund raise for the difference (\$107,444.18) and they have applied for several grants. Phelps advised Council that the bid phase should be completed by the end of the year, with construction beginning in early 2015.

8. Discussion and Presentation Related to the Exit Signs Along U.S. Highway 290 in Relation to the S. Chappell Hill Street Extension

Public Works Director Dane Rau presented this item. Rau explained at the October 17, 2014 Council meeting, Council passed a resolution changing the name of Stringer St. to S. Chappell Hill St. Rau stated that Public Works then sent a letter to TxDOT requesting that the eastbound and westbound exit signs for Stringer St. be changed to display the new name.

Rau explained that according to TxDOT a sign on the westbound lane, mounted on the overpass, similar to the Highway 36 Business sign would cost the City between \$40,000 and \$65,000. Rau stated that he inquired about mounting the westbound sign on the same cantilever structure that the Highway 36 sign but was told by TxDOT that destinations signs, route signs and city street exit signs cannot be mixed.

Council advised Rau to follow-up with TxDOT on costs estimates but at this time the City does not want to spend that much money on new signage. Rau advised that he would double check with TxDOT to see if there are any other options available.

REGULAR AGENDA

10. Discuss and Possibly Act Upon an Ordinance on Its First Reading Authorizing a Variance to Minimum Setback Requirements as Outlined in Chapter 14, Mobile Homes, Manufactured Homes and Manufactured Home Parks, of the City of Brenham's Code of Ordinances

City Engineer Grant Lischka presented this item. Lischka explained that this is a request for a variance from Country Side Manufactured Home Community to allow open-air carports to be constructed over the existing parking pads. Section 14-9(4)(b) of the City's Code states that carports cannot be located closer than 10 feet to a manufactured home and installing carports over the existing parking pads will encroach slightly into the 10 feet. Lischka explained to Council that if the variance is approved it would alleviate placing carports between manufactured homes, provide a uniform location for carports throughout the park, provide covered parking for all spaces, and be consistent with similar carports within the adjoining park. Lischka stated that the Owner agrees to move the carports, if necessary, to the City to allow work in the utility easement; therefore, staff recommends approval of the variance.

Lischka advised Council that there is ambiguity in the current Manufactured Home ordinance and a revised ordinance with clearer language will be brought back to Council at a later date.

Councilmember Barnes-Tilley asked if the current requirements do not make sense, shouldn't a change be made to the ordinance so that more of these variances would be brought to Council. Lischka explained that former Development Services Director, Julie Fulgham, was working on the language for this ordinance but did not get it completed prior to her leaving the City. Lischka explained that Staff is currently working on the ordinance but this variance is needed sooner than a new ordinance can be prepared by staff and adopted by the Council.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve an ordinance on its first reading authorizing a variance to minimum setback requirements as outlined in Chapter 14, Mobile Homes, Manufactured Homes and Manufactured Home Parks, of the City of Brenham's Code of Ordinances.

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	No
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	No

11. Discuss and Possibly Act Upon the Appointment of Kacey Weiss as Deputy City Secretary

City Secretary Jeana Bellinger presented this item. Bellinger introduced Kacey Weiss and explained that in October, Amanda Klehm resigned her position as Deputy City Secretary to pursue other interests. Bellinger said that after posting the open position on the City's website, Municipal Court Clerk Kacey Weiss applied.

Bellinger advised the Council that since March 2014, Kacey has been working one day a week in the City Secretary's office assisting with various special projects. During this time Kacey has been a great addition to the City Secretary's office. Bellinger recommended that Council approve her appointment as Deputy City Secretary.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve the appointment of Kacey Weiss as Deputy City Secretary.

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 an Ordinance on Its First Reading to Repeal Ordinance No. O-14-027 Relating to the Designation of Approximately 1.4 Acres in the Arabella Harrington League as Reinvestment Zone Number Forty for Commercial Tax Phase-In Incentive as Provided in Chapter 312 of the Texas Tax Code

City Secretary Jeana Bellinger presented this item. Bellinger explained that on September 4, 2014 the City Council passed Ordinance No. O-14-027 designating approximately 1.4 acres in the Arabella Harrington League as Reinvestment Zone Number Forty for Commercial Tax Phase-In Incentive for Independence Coffee, as provided in Chapter 312 of the Texas Tax Code.

Bellinger said the City was notified in September that Independence Coffee had decided not to relocate to downtown Brenham so the Reinvestment Zone would not be needed; therefore, the City Attorney recommends that Ordinance No. O-14-027 be repealed.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve an ordinance on its first reading to repeal Ordinance No. 0-14-027 relating to the designation of approximately 1.4 acres in Arabella Harrington League as Reinvestment Zone Number Forty for Commercial Tax Phase-In Incentive as provided in Chapter 312 of the Texas Tax Code.

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 Resolution No. R-14-024 to Repeal Resolution No. R-14-018 Relating to the Adoption of a Commercial Tax Phase-In Agreement with Independence Coffee Company, LLC.

City Secretary Jeana Bellinger presented this item. Bellinger explained that on September 4, 2014 the City Council passed Resolution No. R-14-018 authorizing a Tax Phase-In Agreement with Independence Coffee for the relocation of their facility to downtown Brenham; however, in September the City was notified of Independence Coffee's decision to not relocate to Brenham at this time. Due to Independence Coffee's decision to not relocate, the City Attorney recommended that Resolution No. R-14-018 be repealed.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Herring to approve Resolution No. R-14-024 to repeal Resolution No. R-14-018 relating to the adoption of a Commercial Tax Phase-In Agreement with Independence Coffee, 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 E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

The Council adjourned into Executive Session at 3:14 p.m.

EXECUTIVE SESSION

14. Section 551.072 – Texas Government Code – Deliberation Regarding Real Property – Discuss and Consider Various Properties in the Downtown Area for Possible Future Acquisition

Executive Session adjourned at 4:15 p.m.

REGULAR AGENDA

15. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Presented the Council with a handout regarding the upcoming board appointments. Roberts stated that the handout includes board members whose terms are expiring and that appointments will be presented to Council in December.
- The Chamber is presenting a Legislative Forum next Friday, November 14th
- PPE completed the construction of their new facility in the Brenham Business Center and production should start next week.
- A new Development Services Manager, Eric Smith, will start on December 1st.

Mayor Pro Tem Nix advised that Council that her store, Glissmann's is celebrating their 90th anniversary.

Councilmember Herring reminded the Council about November 10th being the Marine Corp's 239th Birthday.

Councilmember Williams advised that he will be out in December due to a medical issue.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary