

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on December 4, 2014 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 Keith Herring
Councilmember Mary E. Barnes-Tilley

Members absent:

Councilmember Danny Goss
Councilmember Weldon Williams, Jr.

Others present:

City Manager Terry K. Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Kacey Weiss, Chief Financial Officer Carolyn Miller, Stacy Hardy, Wende Ragonis, Susan Nienstedt, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Billy Rich, Development Services Manager Erik Smith, Public Works Director Dane Rau, Public Utilities Director Lowell Ogle, City Engineer Grant Lischka, Ande Bostain and Haney Wilkerson

Citizens present:

Lu Hollander

Media Present:

Arthur Hahn, Brenham Banner Press; and Mary-Janet Reyes, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Herring**

3. Service Recognitions

- W. Keith Herring, Administration 10 Years
- Haney Wilkerson, Gas Department 20 Years

4. Proclamation

90th Anniversary for Glissmann's Gift Gallery

5. Citizens Comments

There were no citizen comments.

WORK SESSION

6. Discussion and Update on the Tax Phase-In Compliance Review Committee and Findings Related to the Committee's Review of Tax Phase-In Projects

Clint Kolby presented this item. Kolby explained that the Tax Phase-In Compliance Review Committee meets every year to review all of the current tax phase-in recipients who were granted the incentive to ensure that value creation, employment and payroll criteria are being met. This year, the Committee reviewed the following eight companies for compliance: Advanced Data Storage, Stanpac, QuestVapco, Blue Bell Creameries, Valmont Industries, Longwood Elastomers, MIC Group and BrazosValley Brewing Company. The Committee has verified that all eight companies are in compliance with the criteria set forth in the Tax Phase-In Policy.

Kolby stated that the tax phase-in policy calls for existing companies to create at least \$150,000.00 in value to the property tax roll and for new companies the minimum requirement is \$300,000.00. They have to create or retain at least ten jobs at an average base salary of \$33,000.00 per year. He said that all eight companies were reviewed and all of them met the requirements. He said that next year they will be adding TPE, GSL and will be reviewing Tempur Sealy

7. 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 their fourth quarter report. Hollander stated that in an effort to be more cost efficient, a copy of the Washington County Convention and Visitors Bureau Fourth Quarter Report is not included in the agenda packet. However, a compact disc of this report will be distributed to Mayor and City Council Members. A complete copy of the Washington County Convention and Visitors Bureau Fourth Quarter Report is on file for review in the City Secretary's Office. A copy can also be downloaded from the Washington County Chamber of Commerce website.

CONSENT AGENDA

8. Statutory Consent Agenda

8-a. Ordinance No. O-14-038 on its Second Reading Providing for Updated Service Credit and an Increase in Retirement Annuities in the Texas Municipal Retirement System

8-b. Ordinance No. O-14-039 on Its Second Reading Authorizing the Placement of a Stop Sign on S. Day Street at its Intersection with Charles Lewis Street

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve Statutory Consent Agenda 8-a as presented.

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	Absent
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Absent

A motion was made by Mayor Pro Tem Gloria Nix and seconded by Councilmember Ebel to approve Statutory Consent Agenda 8-b as presented.

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

REGULAR AGENDA

9. Discuss and Possibly Act Upon Change Order No. 3 to Collier Construction, LLC for the Extension of Chappell Hill Street and Authorize the Mayor to Execute Any Necessary Documentation

City Engineer Grant Lischka presented this item. Lischka explained that staff has explored the possibility of continuing the improvements of Chappell Hill Street north between Lawndale Avenue and Stone Street. Lischka stated that the existing right-of-way is adequate to construct a 39-foot wide collector street; however, any reconstruction work would require installation of approximately 1,400 feet of new curb and gutter and new intersection valleys and driveway approaches. Lischka stated that the approximate cost for the concrete work is \$30,000 and he recommends that City personnel complete the remainder of the construction, which has an estimated cost of \$30,000, for a total project cost of approximately \$60,000. According to Lischka, one possible funding source is the 2012 Certificates of Obligations (CO), which have a balance of approximately \$600,000.

Councilmember Herring stated he would like the City to use the 2012 Certificates of Obligation (CO) funds instead of budgeted street funds.

City Manager Terry Roberts said the 2012 CO balance is approximately \$550,000.00-\$600,000.00 and that Chief Financial Officer Carolyn Miller would present a budget amendment at the appropriate time if the Council decides to use that source of funding.

Councilmember Barnes-Tilley noted that the change order is for \$27,700.50 and that with the additional \$30,000.00 the council would be responsible for approximately \$60,000.00. Lischka stated that she was correct and that the city would use the asphalt zipper to do some of the work. Councilmember Barnes-Tilley stated that \$60,000.00 has to come from somewhere and that she is fine with the project as long as another scheduled street project doesn't get postponed.

A motion was made by Councilmember Ebel and seconded by Councilmember Herring to approve Change Order No. 3 to Collier Construction, LLC for the extension of Chappell Hill 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	Absent
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Absent

10. **Discuss and Possibly Act Upon Bid No. 14-010 for Bulk Water and Wastewater Treatment Chemicals and Authorize the Mayor to Execute Any Necessary Documentation**

Public Utilities Director Lowell Ogle presented this item. Ogle explained that the City solicited bids for a service contract to provide on-site generation of Chlorine Dioxide at our lake pump station. The bids also included options for the city to purchase a bulk chemical tank, day tank, and vacuum regulators that are currently owned by the supplier. The contract will be inclusive of the chemical precursor sodium chlorite, the bulk storage tank already in place, chlorine dioxide generation equipment, and technical services associated with the chlorine dioxide process.

Ogle explained that the contract, if approved, will be for one (1) year with an option for to be renewed for up to two (2) additional one (1) year terms (three (3) years total). He stated that any renewals would have the same terms and conditions as the original contract. Ogle advised the Council that the contract has price escalation and price reduction clauses which will protect both the City and the vendor if the markets for these products become volatile. If there is ever a significant change in the price, he would come back to Council for approval.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve Bid No. 14-010 to Evoque Water Technologies for the purchase of the bulk water tank in the amount of \$6,553.00 and bulk water and wastewater treatment chemicals in the amount of \$0.74/lb. (with contract to include two additional one-year renewal options if all contract terms and conditions remain the same) 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	Absent
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Absent

11. Discuss and Possibly Act Upon the Purchase of New Vehicles for the City of Brenham Police Department from the BuyBoard Local Government Purchasing Cooperative and Authorize the Mayor to Execute Any Necessary Documentation

Police Chief Rex Phelps presented this item. Phelps stated that he is seeking the Mayor and Council’s approval to order the four (4) budgeted police vehicles. The department rotates older (high mileage and worn) vehicles from time to time for replacement to equip the patrol, investigative, and administrative divisions. In order to maintain the current service level with fleet, the department typically orders 4 patrol cars and 2 unmarked vehicles every year. The total for the four marked vehicles is \$93,215.88. The marked vehicles are purchased off the state contract.

A motion was made by Mayor Pro Tem Gloria Nix and seconded by Councilmember Ebel to approve the purchase of new four (4) new patrol vehicles for the City of Brenham Police Department from the BuyBoard Local Government Purchasing Cooperative 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	Absent
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Absent

The Council adjourned into Executive Session at 1:43 p.m.

EXECUTIVE SESSION

12. Texas Government Code Section 551.072 – Deliberation Regarding Real Property – Discuss and Consider Possible Acquisition of Real Property in the Downtown Area for Municipal Purposes

Executive Session adjourned at 1:51 p.m.

RE-OPEN REGULAR AGENDA

13. Discuss and Possibly Act Upon the Possible Acquisition of Real Property in the Downtown Area for Municipal Purposes and Authorize the Mayor to Execute Any Necessary Documentation

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to authorize the Mayor to negotiate the final terms of an agreement for the purchase of the real property in the downtown area (the Synagogue Property) and 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	Absent
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Absent

14. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Erik Smith, the new Development Services Manager, was introduced to the Council.
- Ricky Boeker gave an update on the arrival of the rescue and pumper trucks.
- Wende Ragonis gave an update on the Christmas Stroll activities which will be held December 5th and 6th.
- An agenda was posted at noon today to have an emergency meeting regarding the Ralston Creek crossing at Gun & Rod Road. The street is closed at this time and a meeting is needed to discuss repairs since the repairs will be in excess of \$50,000.00
- Due to January 1st being an observed holiday, the Council meeting will need to be changed. It was the consensus of Council that decided that the January council meeting dates would be on the 8th and 22nd.
- There are secondary buildings that the city owns and others that have tenants in them. The conditions of the buildings need to be discussed; therefore, a Committee will need to be formed to review the condition of each of the buildings. Roberts asked if any council members wanted to serve on this Committee to let him know otherwise the Mayor will be choosing members.

As posted on the agenda, the City Council meeting was adjourned and reconvened in Conference Room 2A, on the 2nd floor of City Hall for Work Session

WORK SESSION

15. Presentation and Update Regarding the Charter, Propositions, and Ballot Wording, and Proposed Voter Education Campaign for the May 9, 2015 Election

City Secretary Jeana Bellinger presented the following Charter information to the Council:

- **History**
Bellinger explained that it has been twenty years since the Charter was last reviewed. She reminded Council that they approved the 2015 review during the FY13-14 budget workshop.
- **Propositions**
Bellinger explained there would be 23 Propositions on the ballot in May. She stated that Proposition 1 includes correcting grammar, spelling, punctuation, and renumbering errors. Proposition 2 corrects references to state and federal laws and deletes obsolete language. Propositions 3 thru 23 include all other recommended revisions.
- **Ballot Wording**
Bellinger advised the Council that City Attorney Cary Bovey has composed the ballot wording for each proposition and she has prepared several informational documents related to each proposition in an effort to make them easy for the voters to understand.
- **Voter Education**
Bellinger stated that she is planning to do press releases, interviews, post the information on the City's website and have several PowerPoint presentations that will stream on the television in the lobby outside of Council Chambers on municipal court days or any other time there is an event going on in City Hall.
- **Election Information**
Bellinger explained to the Council that there will actually be two elections taking place on May 9, 2015. There will be the Regular Election for the positions of Mayor, Councilmember Ward 2, and Councilmember Ward 4. There will also be a Special Election for amendments to the Charter (23 Propositions).

➤ Important Dates

Bellinger advised the Council of some important upcoming dates related to the 2015 election:

The candidate filing period is January 28 – February 27

Last Day to Order the election is February 27

Early Voting is April 27 – May 5

After further discussion with Council, it was requested by the Council that Bellinger make the following revisions before moving forward with Charter election documents and materials:

- Change “FOR” or “AGAINST” wording on ballot and educational material to read ‘YES” or “NO” for easier understanding.
- Insert Spanish translation slides into voter education PowerPoint presentation.
- Add to the city’s website an interactive way for voters to ask questions about the election. The questions will be e-mailed to the City Secretary for response.
- Add a slide to the voter education material advising that only one proposed amendment (Proposition 12) has a fiscal impact on the City and if the amendment is approved, it will save the City money.
- Expand language contained in the “*Why is this Proposition on the ballot?*” section of the voter education materials to make them easier to understand.

Councilmember Barnes-Tilley noted that if the voters care enough they will come out to vote, but it appears to her that Bellinger is headed in the right direction as far as educating voters. Barnes Tilley also stated that she thinks it may be a good idea for Bellinger to give presentations at the City’s advisory board meetings.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary

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