

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on April 16, 2015 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, Kaci Konieczny, Cynthia Longhofer, Director of Community Services Wende Ragonis, Jennifer Eckermann, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Public Works Director Dane Rau, Casey Redman, Public Utilities Director Lowell Ogle, Development Services Manager Erik Smith and Angela Hahn

Citizens present:

Felisha Green, Rhonda James, Tami Redshaw, Edward Smith III, Carol Hutchens, Suzy Hankins, Linda Loggins, Susan Cantey, Mary B. Ragland, Tom Whitehead, Melinda Faubion, Brad Stufflebeam and Debbie Bartley

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 Barnes-Tilley**

- 3. **Proclamation**
 - *Motorcycle Awareness Month*

- 4. **Special Presentation**
 - *GFOA Budget Award*

- 5. **Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

- 6. **Statutory Consent Agenda**

- 6-a. **Minutes from the March 5, 2015 and March 19, 2015 Regular City Council Meetings**

- 6-b. **Ordinance No. O-15-011 on Its Second Reading Amending Chapter 12, Health and Sanitation, Article III, Junked Vehicles, of the Code of Ordinances of the City of Brenham**

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to approve the Statutory Consent Agenda Items 6-a and 6-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	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

WORK SESSION

7. Discussion and Presentation Regarding Parklets in the Downtown Area

Director of Community Services Wende Ragonis presented this item. Ragonis explained that in many communities across the United States there is a focus on providing green spaces in downtown areas to make the pedestrian experience more pleasing. Ragonis stated these green spaces provide opportunities for the public to sit, relax and enjoy the downtown experience. Ragonis noted that one program that allows for additional green space in a downtown area is a parklet. Ragonis explained that parklets are public seating platforms that convert curbside parking spaces into vibrant community spaces.

Ragonis explained that the authority to extend into the right of way is granted by the owner of the right of way, and for the purposes of the parklet program in downtown Brenham the owner of the right of way is the City of Brenham. Ragonis explained that a license is issued to an applicant, and the costs to build the parklet structure are the responsibility of the applicant. Ragonis noted applicants are typically business owners of whose property fronts the parklet space. Ragonis explained that several studies have been done that verify the benefits of parklets and that Texas, cities like Austin, San Marcos, Waco and Houston have implemented a parklet programs.

Ragonis explained to Council that she has been approached by one local business owner about building a parklet in Downtown. Ragonis advised that the local business owner has been working with a local architect to design a parklet and that they have already obtained the support of the businesses on their block. Ragonis stated that the Main Street Advisory Board is supportive of implementing a parklet program in downtown Brenham and hopes the Council will seriously consider the issue

Councilmember Barnes-Tilley asked if the parklet area will be part of the business and only for their customers or if it will be for anyone. Ragonis stated that because the business owner is funding the parklet then their patrons will get to use it, but it will also be a public space.

Mayor Tate questioned the time frame for a parklet license. Ragonis advised that due to the parklet being the business owner's investment, the license would be good for two years. Ragonis noted that only streets with City of Brenham right-of-way would be issued a license for a parklet.

Councilmember Ebel asked who would be responsible for the drainage and trash issues. Ragonis stated that those things would be the responsibility of the applicant. Ragonis advised that the applicant would be working with a licensed architect to design the parklet and therefore, there should be a plan for drainage issues.

Councilmember Herring asked if there would be a deposit required in case the business would close. Attorney Cary Bovey stated that would need to be written into the contract as to how the City would handle an issue like that.

Councilmember Goss questioned how the applicant would reserve the parklet area for their patrons if the area was to also be open to the public. Ragonis stated that the applicant would need to reserve the area for when they would be using it in regards to their hours of operation. Ragonis advised that they do want to keep the concept of the parklet being open to the public as well. Ragonis noted that there are some details that would need to be addressed.

Mayor Tate advised Ragonis to continue looking into the idea of the parklet and bring back the details at a future Council meeting.

8. Discuss and Review the FY2014-15 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 FY2014-15.

REGULAR AGENDA

9. Discuss and Possibly Act Upon an Ordinance on Its First Reading for the Placement of a Stop Sign on Becker Drive at its Intersection with South Market Street

Public Works Director Dane Rau presented this item. Rau explained that with the Chappell Hill Street improvements nearing completion, the signal at the intersection of Becker Drive and South Market Street will be removed and replaced with a stop sign. Rau explained that the traffic on South Market Street will not have a stop sign or a signal at Becker Drive.

A motion was made by Councilmember Herring and seconded by Councilmember Williams to approve an ordinance on its first reading authorizing the placement of a stop sign on Becker Drive at its intersection with South Market Street.

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 for the Placement of a Stop Sign on S. Chappell Hill Street at its Intersection with U.S. Highway 290 East

City Engineer Grant Lischka presented this item. Lischka advised the new section of Chappell Hill Street on the south side of U.S. Highway 290 requires a stop sign to regulate the traffic traveling north. Lischka explained that traffic traveling on the 290 frontage road will not have a stop sign.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve an ordinance on its first reading authorizing the placement of a stop sign on S. Chappell Hill Street at its intersection with U.S. Highway 290 East.

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 Collection Station Rates and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau stated that over the last year staff has been evaluating their operations at the Collection Station. Rau explained that one area that is operating at a deficit is the brush grinding operation; therefore he would like to recommend the following rate changes:

- Allocating 18% of the brush grinding costs to our Residential Collection Department. (\$33,000 in expected revenue to Collection Station).
- Raising commercial brush rates an additional \$7.50 per ton, to a total of \$22.50/ton, \$17.50/min/ton (\$27,000 in expected revenue to Collection Station).
- Establish a rate of \$10/ton for the Washington County Work Crew and the Washington County Road and Bridge for material brought to Collection Station. (\$6,000 in expected revenue to Collection Station based off of history).

Rau noted that his department would also look at raising the disposal rates on tires as follows:

<u>Size</u>	<u>Current Rate</u>	<u>Recommended Rate</u>
15" and below	\$2.00/tire	\$3.00/tire
16" and above	\$5.00/tire	\$7.50/tire
Large Truck and Tractor	\$35.00/tire	\$45.00/tire

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve an ordinance on its first reading amending the Rate Tariff Schedule for the City of Brenham Collection Station Rates.

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 One-Year Contract Extension with Gene's Services, LLC for the Mowing and Cleanup Services for Various City Departments and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau advised that on February 21, 2013, the City Council awarded the annual Mowing and Cleanup Services contract to Gene's Services. Rau stated this contract pertains to numerous sites that are city parkland, right-of-way/medians and city properties. Rau noted it also contains the code enforcement lots that David Doelitsch oversees.

Rau advised Council that Gene's Servicers has performed these services very well for the past two years and that staff would like to recommend that Council extend the contract with Gene's Services for the additional year.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve a one-year contract extension with Gene's Services, LLC for mowing and cleanup services for various city departments 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 an Ordinance on Its First Reading Authorizing a Variance to Building Setback Requirements as Outlined in Section 23-22(1) of the City of Brenham's Code of Ordinances, for the Old Mill Creek Subdivision Sections 1 and 2

Development Services Manager Erik Smith presented this item. Smith stated that staff is requesting a building line variance for all lots abutting Old Mill Creek Road in the Old Mill Creek Subdivision, Sections 1 & 2.

Smith explained that Chapter 23, Subdivisions, of the Code of Ordinances requires that the building setback line on arterial and collector streets should not be closer than 25 feet from the side of a lot that abuts a collector or arterial street.

Smith advised that the Old Mill Creek Subdivision consists of 14 lots, 10 of which abut Old Mill Creek Road, which is considered a minor collector street. Smith noted the subdivision is being platted for single family residential units and the typical single family residential lots are only required to have a 10 foot side yard which is why staff is requesting the variance for Old Mill Creek Subdivision.

Smith advised Council that the Planning and Zoning Commission approved the variance request unanimously and also approved the plat, but requested that a deed be filed for the properties to not allow a driveway along Old Mill Creek Road for all lots except Lot 1.

A motion was made by Councilmember Goss and seconded by Councilmember Williams to approve an ordinance on its first reading authorizing a variance to building setback requirements as outlined in Section 23-22(1) of the City of Brenham's Code of Ordinances, for the Old Mill Creek Subdivision Sections 1 and 2.

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 an Ordinance on Its First Reading Authorizing a Variance to Rural Lot Size Requirements, as Outlined in Section 23-21(3)(b) of the City of Brenham's Code of Ordinances, for the Strangmeier Subdivision Section Two

Development Services Manager Erik Smith presented this item. Smith advised that Jones and Carter, on behalf of Felix Andrade, have submitted a request for a variance to Chapter 23 – Subdivisions of the City's Code of Ordinances. Smith stated the subdivision is located within the City's extra territorial jurisdiction (ETJ) therefore the City is allowed to enforce the subdivision ordinance. Smith advised the request is for a reduction in lot depth for a rural lot in the Strangmeier Subdivision, Section Two subdivision. Smith advised Council that the front of the property is bounded by Strangmeier Road and the rear of the property is bounded by BNSF Railroad. Smith stated the property does not have sufficient depth to comply with the 200 foot depth requirement and additional property cannot be acquired.

Smith stated the Planning and Zoning Commission met on April 6, 2015 and were in favor of the variance.

A motion was made by Councilmember Williams and seconded by Councilmember Ebel to approve an ordinance on its first reading authorizing a variance to rural lot size requirements, as outlined in section 23-21(3)(b) of the City of Brenham's Code of Ordinances, for the Strangmeier Subdivision, Section Two.

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. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Monday, April 20th is the Council Pre-Budget Retreat
- Business After Hours will be today at Brenham National Bank
- Brenham Independent School District will be introducing their new superintendent today
- There will be a retirement party for Janie Mehrens on Thursday, April 23rd
- City Secretary Jeana Bellinger will be holding a charter information meeting on Thursday, April 23rd beginning at 5:15 in Council Chambers
- There will be a candidate forum on Thursday, April 23rd at the Brenham National Bank
- Maifest will be held May 1st through May 3rd
- The Chappell Hill Street construction project is in its final stages of completion

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary

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