

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on May 7, 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 Engineer Grant Lischka, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, Assistant City Manager-Chief Financial Officer Carolyn Miller, Susan Nienstedt, Director of Community Services Wende Ragonis, Jennifer Eckermann, Assistant City Manager of General Government Rex Phelps, Interim Police Chief Dant Lange, Todd Jacobs, Chris Jackson, Billy Rich, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Manager Erik Smith, Angela Hahn, Judson Hall, Carrie Derkowski, Lloyd Powell, Justin Schiller, Tommy Kurie and Pam Ruemke

Citizens present:

Randy Wells, J.D. Young, Cynthia Hamrick, Rick Perkins, A.J. Smith, Judy Hyman, Lu Hollander, Jenny Mills, Bonnie Brinkmeyer, Courtney Mason, Lloyd Powell, Sharon Brass, Melinda Faubion and Elizabeth Price

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 – City Manager Terry Roberts**
3. **Service Recognitions**
 - Tommy Kurie, Police Department 25 Years
 - Judson Hall, Police Department 30 Years
4. **Proclamations**
 - National Historical Preservation Month
 - National Travel and Tourism Week
5. **Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

6. **Statutory Consent Agenda**
 - 6-a. **Ordinance No. O-15-012 on Its Second Reading for the Placement of a Stop Sign on Becker Drive at its Intersection with South Market Street**
 - 6-b. **Ordinance No. O-15-013 on Its Second Reading for the Placement of a Stop Sign on S. Chappell Hill Street at its Intersection with U. S. Highway 290 East**
 - 6-c. **Ordinance No. O-15-014 on Its Second Reading Amending the Rate Tariff Schedule(s) for the City of Brenham Collection Station Rates and Authorize the Mayor to Execute Any Necessary Documentation**
 - 6-d. **Ordinance No. O-15-015 on Its Second 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**
 - 6-e. **Ordinance No. O-15-016 on Its Second 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**

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve the Statutory Consent Agenda Item 6-a., 6-b., 6-c., 6-d., and 6-e. 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. Presentation and Discussion Regarding Wayfinding Signage

Director of Community Services Wende Ragonis presented this item. Ragonis explained the design phase of the wayfinding signage program is nearing completion, and staff has asked the vendor, fd2s, to present to Council the progress of the project to date. Ragonis reminded Council that during the December 18, 2014 Council meeting, staff along with Main Street committee member, Melinda Faubion, discussed the importance of a well designed and implemented wayfinding program. Ragonis advised that since December, the Main Street wayfinding sub-committee has worked closely with fd2s to identify design concepts, color palettes, informational hierarchy for signage and placement for both vehicular and pedestrian signs. Ragonis noted the wayfinding sub-committee along with fd2s hosted a well-attended public feedback forum on February 10, 2015 to assess the community needs and to gather feedback for the program. Ragonis informed Council that based on the information gathered at the public forum, from the wayfinding sub-committee, and the Main Street Advisory Board, fd2s has designed a comprehensive wayfinding program for the City of Brenham.

Curtis Roberts and Steven Stamper of fd2s gave the Council a brief presentation. They highlighted the importance of the signs and gave examples of how the signs would look. Mayor Tate asked if the placement of the signs could be done in phases. Mr. Roberts stated that it could be.

8. Presentation and Discussion Regarding the Status of a Lease Agreement Between the City of Brenham and Faith Mission and Help Center, Inc.

Director of Public Works Dane Rau presented this item. Rau advised in 2007 the City of Brenham and Faith Mission entered into a lease agreement for the use of the old “Wood Working Mill” building located on Key and Second St. Rau explained that the agreement allowed Faith Mission the opportunity to store items in the building that would be used in emergencies, to supply the homeless, or for the indigent population in Brenham. Rau explained it also was intended to store items for refurbishing and the resale of goods to benefit Faith Mission. Rau stated that Faith Mission pays the City \$1 per year for the use of the building.

Rau advised the Council that over the years the building has begun to be an eyesore for the community. Rau stated it is in desperate need of repair and has significant roof issues that no longer allow items in the building to remain clean. Rau stated that over the years no improvements have been made to the building that the City is aware of other than minor roof work that was conducted by city staff.

Rau explained the building currently is stacked full of possible resale items and indigent care items that cannot be stored at other Faith Mission sites. Rau noted even though these items are rotated out throughout the year, staff feels that this building creates a nuisance to the neighborhood and supplies a home to many rodents and pests. Rau also advised that with the broken windows and dilapidated siding it also allows a place for squatters to take refuge and encourages a bad place for unattended activity in our community. Rau noted the main doors are locked at all times, but due to the integrity of the building it is hard to keep rodents, pests, and unwanted visitors from the inside of the building.

Rau stated that staff is appreciative of the service that Faith Mission provides, but feels that the City may need to opt out of this lease agreement and provide Faith Mission with its 180 day notice to terminate the agreement. Rau advised staff has spoken with Faith Mission staff and this building does supply a great need for their continued service that they offer to our community. Rau noted that Faith Mission would like to have a discussion with council and staff before the lease is terminated.

Randy Wells with the Faith Mission thanked the City Council for use of the building and stated that Faith Mission is willing to do whatever needs to be done to repair the building in order to maintain its use.

Councilmember Herring stated that he would like for the Facilities Sub-Committee of Council to continue to meet with Faith Mission and update the lease as needed to cover costs of repairs.

Councilmember Goss inquired about Faith Mission's new building on Market Street and questioned why they cannot use that building for storage. Mr. Wells explained that the facility on Market Street is currently leased to tenants and when they move it will need to be renovated in order to meet Faith Mission's needs.

Mayor Tate asked that the Facilities Sub-Committee look into this situation and then to bring the item back to Council with a recommendation on what to do.

PUBLIC HEARING

9. Public Hearing to Consider Amendment of the City of Brenham’s “Envision 2020” Comprehensive Plan Future Land Use Map to Change the Zoning District From a Single-Family District to a Commercial/Retail District for a Tract of Land Described as Section 1, Lot 1, Old Mill Creek Subdivision, Being a Corner Lot at the Intersection of Old Mill Creek Road and U. S. Highway 290 West in Brenham, Washington County, Texas

Development Services Manager Erik Smith presented this item. Smith advised this is a request for an amendment to the City’s “Envision 20/20” Comprehensive Plan. Smith stated the specific parcel is a tract of land located at the corner of Old Mill Creek Road and U. S. Highway 290 West. Smith explained the current zoning district designated by the Comprehensive Plan is Single Family; however, staff recommends that district be amended to designate the zoning for this parcel as Commercial/Retail.

10. Public Hearing to Consider Amendment of the City of Brenham’s “Envision 2020” Comprehensive Plan Future Land Use Map to Change the Zoning District From Single-Family District to a Commercial/Retail District for a Tract of Land Described as Section 2, Lots 1-4, Old Mill Creek Subdivision, Being 4 Lots Located at the Corner of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas

Development Services Manager Erik Smith presented this item. Smith explained this is a request for an amendment to the City’s “Envision 20/20” Comprehensive Plan. Smith stated the specific parcel is a tract of land located at the corner of Old Mill Creek Road and S. Saeger St. Smith explained that the current zoning district designated by the Comprehensive Plan is Single Family; however, staff recommend that district be amended to designate the zoning for this parcel as Commercial/Retail. Smith clarified that the change to a commercial/retail district does include apartments and townhomes, but would not allow for manufactured homes.

11. Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from a Residential Single Family (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as Section 1, Lot 1, Old Mill Creek Subdivision, Being a Corner Lot at the Intersection of Old Mill Creek Road and U. S. Highway 290 West in Brenham, Washington County, Texas

Development Services Manager Erik Smith presented this item. Smith advised this is a request by the City to rezone a tract of land located at the corner of Old Mill Creek Road and U. S. Highway 290 West from an R-1 District to a B-1 District for the purpose of potentially developing the site.

Smith explained that the corner of this property abuts Highway 290 and Old Mill Creek Road, which is a minor collector street. Smith stated from a transportation standpoint an intersection with these designations would allow for a parcel that would easily accommodate a commercial use.

A resident that lives at 304 South Dixie Street addressed the Council. He stated that his concerns are what type of businesses could potentially move to that location and he does not want to see South Dixie Street opened as a major thoroughfare. Smith advised that South Dixie Street is currently proposed to stay as a cul-de-sac. City Attorney Cary Bovey stated that any business-type restrictions that the Council would like to place on the property would have to be specified in the deed when the City sells the property.

12. Public Hearing to Consider an Amendment to the Official Zoning Map of the City of Brenham, to Change the Zoning District from a Residential Single Family (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as Section 2, Lots 1-4, Old Mill Creek Subdivision, Being 4 Lots Located at the Corner of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas

Development Services Manager Erik Smith presented this item. Smith advised this is a request by the City to rezone a tract of land located at the corner of Old Mill Creek Road and S. Saeger St. from an R-1 District to a B-1 District for the purpose of potentially developing the site as commercial. Smith noted the corner of this property abuts Old Mill Creek which is designated as a minor collector and S. Saeger St. which is designated as a major collector. Smith explained from a transportation standpoint an intersection with these designations would allow for a parcel that would easily accommodate a commercial use.

REGULAR AGENDA

13. Discuss and Possibly Act Upon Resolution No. R-15-012 Providing for an Amendment to the City of Brenham's "Envision 2020" Comprehensive Plan's Future Land Use Map to Change the Zoning District From a Single-Family District to a Commercial/Retail District for a Tract of Land Described as Section 1, Lot 1, Old Mill Creek Subdivision, Being a Corner Lot at the Intersection of Old Mill Creek Road and U. S. Highway 290 West in Brenham, Washington County, Texas

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve Resolution No. R-15-012 providing for an amendment to the City of Brenham's "Envision 2020" Comprehensive Plan's Future Land Use Map to change the zoning district from a single-family district to a commercial/retail district for a tract of land described as Section 1, Lot 1, Old Mill Creek Subdivision, being a corner lot at the intersection of Old Mill Creek Road and U. S. Highway 290 West in Brenham, Washington County, Texas

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 Resolution No. R-15-013 Providing for an Amendment of the City of Brenham’s “Envision 2020” Comprehensive Plan’s Future Land Use Map to Change the Zoning District From Single-Family District to a Commercial/Retail District for a Tract of Land Described as Section 2, Lots 1-4, Old Mill Creek Subdivision, Being 4 Lots Located at the Corner of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve Resolution No. R-15-013 providing for an amendment of the City of Brenham’s “Envision 2020” Comprehensive Plan’s Future Land Use Map to change the zoning district from single-family district to a commercial/retail district for a tract of land described as Section 2, Lots 1-4, Old Mill Creek Subdivision, being 4 lots located at the corner of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas

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. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from a Residential Single Family (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as Section 1, Lot 1, Old Mill Creek Subdivision, Being a Corner Lot at the Intersection of Old Mill Creek Road and U. S. Highway 290 West in Brenham, Washington County, Texas

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve an ordinance on its first reading amending the official zoning map of the City of Brenham, to change the zoning district from a residential single family (R-1) district to a local business/residential mixed use (B-1) district on a tract of land described as Section 1, Lot 1, Old Mill Creek Subdivision, being a corner lot at the intersection of Old Mill Creek Road and U. S. Highway 290 West in Brenham, Washington County, Texas.

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 Act Upon an Ordinance on Its First Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from a Residential Single Family (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as Section 2, Lots 1-4, Old Mill Creek Subdivision, Being 4 Lots Located at the Corner of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve an ordinance on its first reading amending the official zoning map of the City of Brenham, to change the zoning district from a residential single family (R-1) district to a local business/residential mixed use (B-1) district on a tract of land described as Section 2, Lots 1-4, Old Mill Creek Subdivision, being 4 lots located at the corner of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas.

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

17. 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 19, 2015 from 7:00 p.m. - 11:00 p.m. and June 20, 2015 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 Kacey Weiss presented this item. Weiss advised that 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 19, 2015 from 7:00 p.m. – 11:00 p.m. and June 20, 2015 from 12:00 p.m. – 4:00 p.m. at Fireman’s Park. Weiss noted they will have one band, one Dj and will be using sound amplification equipment. Weiss stated both the Police Department and the Fire Department have approved the noise variance request.

A motion was made by Councilmember Williams and seconded by Councilmember Herring to approve a request for a noise variance from Washington County Historical Juneteenth Association to celebrate Emancipation Day to be held on June 19, 2015 from 7:00 p.m. – 11:00 p.m. and June 20, 2015 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

18. Discuss and Possibly Act Upon an Ordinance on Its First Reading to Grant a Non-Exclusive Franchise to General Site Services (GSS) to Operate a Roll-Off Container Service for Residents, Businesses, and Industries Inside Brenham City Limits

Deputy City Secretary Kacey Weiss presented this item. Weiss advised Council that on May 1, 2015 the city received a letter from General Site Services (GSS) requesting to do business within the City of Brenham. Weiss stated that GSS has never had a sanitation franchise in Brenham.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve an ordinance on its first reading to grant a non-exclusive franchise to General Site Services (GSS) to operate a roll-off container service for residents, businesses, and industries inside Brenham city limits

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

19. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Sales tax is up and is higher at this point than it was last year at this time
- Chappell Hill Street is open to traffic
- Contracts for the library and animal shelter have been signed by the Mayor
- Two members of the Brenham Fire Department are in Pueblo, Colorado for special training with BNSF Railway
- A copy of the City's annual report is placed around the dais
- Municipal Court will close at Noon on May 8th to prepare the lobby as a polling place for the May 9th election
- Election returns will be canvassed on May 12th at 7:30 a.m. during a Special Council meeting

Director of Public Works Dane Rau reported the following:

- City crews are continuing to pick up brush from the recent storms

Assistant City Manager of General Government Rex Phelps reported on the following:

- There will be a carnival at the dog park this weekend
- There have been some citizens concerned about activities on Jackson and Mansfield Streets; the Police Department is checking on the situation

Director of Community Services Wende Ragonis reported the following:

- The Blue Bell Aquatic Center trained 564 area second graders on water safety
- The library staff will be hosting a resume tips workshop beginning in June

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary

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