

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on June 4, 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, Assistant City Manager of General Government Rex Phelps, 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, Stacy Hardy, Susan Nienstedt, Cynthia Longhofer, Rhonda Kuehn, Director of Community Services Wende Ragonis, Jennifer Eckermann, Fire Chief Ricky Boeker, Todd Jacobs , Trey Gully, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Manager Erik Smith, Stephen Scheffer, Angela Hahn, Kelvin Raven, Billy Rich, Bobby Keene, Kelvin Raven and Heather Sowders

Citizens present:

Lu Hollander, Page Michel and Clint Kolby

Media Present:

Arthur Hahn, Brenham Banner Press and Caitlin Hahn, Brenham Banner Press

1. Call Meeting to Order

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

3. Service Recognitions

- **Stephen C. Scheffer, Wastewater Treatment** **20 Years**
- **Patrick T. Jacobs, Police Department** **25 Years**

4. Citizens Comments

Assistant City Manager of General Government Rex Phelps recognized Captain Billy Rich on his 34 years of service to the city and congratulated him on his upcoming retirement.

CONSENT AGENDA

5. Statutory Consent Agenda

5-a. Minutes from the May 7, 2015 Regular City Council Meeting and the May 12, 2015 Special City Council Meeting

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to approve the Statutory Consent Agenda Item 5-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	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

WORK SESSION

6. Presentation of the Second Quarter Report by the Washington County Convention and Visitors Bureau

Lu Hollander, with the Washington County Convention and Visitors Bureau, presented this item. Hollander stated packets were laid around the Dias with more information. She focused on the highlights featured in the *Second Quarter Report – January – March 2015*, pointing out the visitor statistics, major tourism events, advertising placements and editorial coverage.

7. Presentation of the 2014 Municipal Court Statistics

Municipal Court Administrator Rhonda Kuehn presented this item. Kuehn reviewed the report and advised that the numbers shown in 2011 and 2012 are during the time in which Highway 290 was in construction. Kuehn also noted that since October 2014 the city has been participating in the STEP grant.

REGULAR AGENDA

8. Discuss and Possibly Act Upon the Election by Council of Mayor Pro Tem

City Secretary Jeana Bellinger presented this item. Bellinger explained Article III, Section 12 of the City Charter sets forth the powers and duties of the Mayor Pro Tem. Bellinger noted the appointment of the Mayor Pro Tem typically takes place at the first meeting in June following the May election cycle.

Mayor Tate asked for nominations and Councilmember Williams nominated Mayor Pro Tem Nix. There were no other nominations made.

A motion was made by Councilmember Williams and seconded by Councilmember Ebel to appoint Gloria Nix to serve as Mayor Pro Tem.

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

9. Discuss and Possibly Act Upon a Waste Disposal Agreement between Clean Harbors Environmental Services, Inc. and the City of Brenham and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau advised that in November of 2015, the City of Brenham will no longer be utilizing the Sunset Farms Landfill in Austin, TX for its disposal needs due to TCEQ closing that landfill.

Rau advised that staff has visited with BVSWMA Inc., who owns the landfill in Carlos, Texas, to try and negotiate a lower rate with them but has not had any luck. Their current gate rate is \$26.69 per ton. Rau advised his department still does truck some waste to this landfill on an as needed basis due to the close proximity compared to Austin.

Rau advised Council that there is a landfill in Altair, Texas that is operated by Clean Harbors Environmental Services Inc. that staff would like to begin using. Rau noted it is 120 miles round trip compared to 180 miles to Austin and 110 miles to Carlos. Rau explained that his department has negotiated a rate with Clean Harbors of \$16.86/ton. Rau stated that staff has visited the site and met with representatives of the landfill and feels comfortable with the rate and the routes to the facility. Rau advised his staff feels that with this rate and the closer distance, it will be a good savings for the Transfer Station.

Rau explained that his department is asking council to approve the rate of \$16.86/ton from Clean Harbors Environmental Services Inc. since the total expenditures throughout the year will be around \$350,000. Rau advised this will ultimately reduce the budgeted disposal costs and could lessen the fuel budget if the yearly weights stay about the same. Rau stated the annual budget for disposal costs is \$365,000.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve a Waste Disposal Agreement between Clean Harbors Environmental Services, Inc. and the City of Brenham for a disposal rate of \$16.86/ton 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

10. Discuss and Possibly Act Upon an Ordinance on Its First Reading to Repeal Ordinance No. O-15-008 Relating to the Designation of Approximately 31.2869, 2.099, and 0.7201 Acres in the Phillip Coe Survey 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 March 19, 2015 the City Council passed Ordinance No. O-15-008 designating approximately 31.2869, 2.099 and 0.7201 acres in the Phillip Coe Survey as Reinvestment Zone Number Forty for Commercial Tax Phase-In Incentive as provided in Chapter 312 of the Texas Tax Code.

Bellinger stated a few weeks ago the City was notified by Economic Development Corporation's Project Manager Clint Kolby that Valmont Coatings, Inc. had decided not to relocate their galvanizing plant to Brenham so no reinvestment zone of the area would be needed. Bellinger advised due to Valmont's decision, the City Attorney recommends that Ordinance No. O-15-008 be repealed.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve an Ordinance on its first reading to repeal Ordinance No. O-15-008 relating to the designation of approximately 31.2869, 2.099, and 0.7201 acres in the Phillip Coe Survey 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

11. Discuss and Possibly Act Upon Resolution No. R-15-016 to Repeal Resolution No. R-15-010 Relating to the Adoption of a Commercial Tax Phase-In Agreement with Valmont Coatings, Inc.

City Secretary Jeana Bellinger presented this item. Bellinger advised on March 19, 2015 the City Council passed Resolution No. R-15-010 authorizing a Tax Phase-In Agreement with Valmont Coatings, Inc. for the location of a galvanizing plant in Brenham; however, on April 20th the City was notified by Economic Development Corporation's Project Manager, Clint Kolby, of Valmont's decision to not locate in Brenham at this time. Bellinger stated due to Valmont's decision, the City Attorney recommends that Resolution No. R-15-010 be repealed.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve Resolution No. R-15-016 to repeal Resolution No. R-15-010 relating to the adoption of a commercial tax phase-in agreement with Valmont Coatings, Inc.

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 in Connection with the 2015 Downtown Summer Concert Series (Hot Nights, Cool Tunes) to be Held from 4:00 P.M. to 11:00 P.M. on July 11, 18 and 25, 2015 and Authorize the Mayor to Execute Any Necessary Documentation

Deputy City Secretary Kacey Weiss presented this item. Weiss advised Main Street Brenham submitted a request for a Noise Variance for the 3-night concert series this year. Weiss stated the dates and times include Saturday, July 11; Saturday, July 18; and Saturday, July 25, 2015; from 4:00 p.m. (when sound set-up begins) to 11:00 p.m. Weiss noted there will be a free concert, children's activities, food and beverage sales, and a classic car cruise-in. Weiss explained they will have bands and a sound amplification system, which require a Noise Variance. Weiss stated the Brenham Police Department and the Brenham Fire Department have approved the noise variance request.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Ebel to approve a request for a noise variance in connection with the 2015 Downtown Summer Concert Series (Hot Nights, Cool Tunes) to be held from 4:00 P.M. to 11:00 P.M. on July 11, 18 and 25, 2015 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 Resolution No. R-15-017 Authorizing Execution of an Agreement with TxDOT for the Temporary Closure of State Right-of-Way in Connection with the 2015 Downtown Summer Concert Series (Hot Nights, Cool Tunes) to be Held on July 11, 18 and 25, 2015

Main Street Director Jennifer Eckermann presented this item. Eckermann explained the Hot Nights, Cool Tunes Summer Concert Series, being sponsored for the 11th year by Main Street Brenham, will again offer free concerts on the courthouse square. Eckermann advised with July 4th falling on a Saturday, there will be three concerts this year and they are scheduled for July 11, July 18 and July 25, from 7:00 – 10:30 p.m. Eckermann stated one lane of Alamo Street closes by 3:00 p.m. for stage setup, and all of Alamo is closed at 4:30 p.m. Eckermann noted as in years past, food and beverage booths will be set up at locations around the square, a classic car cruise-in will be located on W. Alamo, and people will be sitting and standing in the area to enjoy the entertainment

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to approve Resolution No. R-15-017 authorizing execution of an agreement with TxDOT for the temporary closure of state right-of-way in connection with the 2015 Downtown Summer Concert Series (Hot Nights, Cool Tunes) to be held July 11, July 18 and July 25, 2015.

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 Interlocal Agreement Between the City of Brenham and Washington County to Share Costs Related to the Everbridge Mass Notification Software and Authorize the Mayor to Execute Any Necessary Documentation

City Manager Terry Roberts presented this item. Roberts explained that the City of Brenham and Washington County previously utilized two separate mass notification software vendors; however, in the last few months, both entities have determined a different vendor, Everbridge, is the best company to provide this service. Roberts advised operating under a single contract for both entities saves some money. Roberts explained that the proposal is for the County to enter into the contract for the service and enter into this interlocal agreement with the City to reimburse the County for the City's portion of the cost.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve an interlocal agreement between the City of Brenham and Washington County to share costs related to the Everbridge Mass Notification Software 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

Council adjourned into Executive Session at 1:50 p.m.

EXECUTIVE SESSION

15. Section 551.072 – Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding Potential Sale of Approximately 0.022 Acres of Land Along Martin Luther King, Jr. Parkway

Executive Session adjourned at 1:56 p.m.

RE-OPEN REGULAR SESSION

16. Discuss and Possibly Act Upon Potential Sale of Approximately 0.022 Acres of Land Along Martin Luther King, Jr. Parkway

A motion was made by Councilmember Williams and seconded by Councilmember Ebel to approve the sale of approximately 0.022 acres of land along Martin Luther King Jr. Parkway in the amount of \$1,375.90 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

17. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Retirement party for Captain Billy Rich will be held on June 12th from 3:00 p.m.- 5:00 p.m. in the Community Room at the Police Department
- Assistant City Manager Kyle Dannhaus will be retiring and his last day is June 26th.
- FY2015-16 budget workshops are scheduled for July 20th and 23rd.
- Brenham Community Development Corporation and the Economic Development Foundation are working on a grant application to expand the Hodde Technical Center
- The next Council meeting will be on June 25th. The July meeting will be on the 16th.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary

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