

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on October 15, 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, City Attorney Cary Bovey, Deputy City Secretary Kacey Weiss, Assistant City Manager-Chief Financial Officer Carolyn Miller, Stacy Hardy, Susan Nienstedt, Director of Community Services Wende Ragonis, Tammy Jaster, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Public Works Director Dane Rau, Casey Redman, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Manager Erik Smith, and Angela Hahn

### Citizens present:

Lewis Blount, Leonard Davis, Dell Brandt and Garrett Allred

### Media Present:

Arthur Hahn, Brenham Banner Press; Caitlin 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 Williams**

3. **Proclamation**
  - **Breast Cancer Awareness**

4. **Citizens Comments**

There were no citizen comments.

## **CONSENT AGENDA**

5. **Statutory Consent Agenda**

- 5-a. **Ordinance No. O-15-030 on Its Second Reading Providing for Updated Service Credit and an Increase in Retirement Annuities in the Texas Municipal Retirement System**

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring 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

## **PUBLIC HEARING**

6. **Public Hearing Considering an Amendment of Appendix A – “Zoning” of The Code of Ordinances of the City of Brenham Granting a Specific Use Permit to True Believers Christian Fellowship Church to Allow for a Church and Related Auxiliary Uses on Property Located on Clay Street in an R-2, Mixed Residential Zoning District, and Being Described as Part of Lots 4 and 29 of the College Heights Addition and the Portion of Porter Street Adjacent to These Lots in Brenham, Washington County, Texas**

Mayor Tate opened the Public Hearing.

Development Services Manager Erik Smith presented this item. Smith explained that True Believer Christian Fellowship has requested a special use permit (SUP) for a portion of lots 4 & 29 of the College Heights Addition subdivision. Smith advised that there is currently city right-of-way that runs through the property and has been abandoned by council pending a plat being filed. Smith explained that the church decided to purchase additional land and needed to come back to Council to get all of their property under the same zoning regulation.

Smith also noted that the rezoning of this property complies with the City's comprehensive plan and the thoroughfare plan. Smith stated that Staff has not received any public concerns at this time.

## REGULAR AGENDA

**7. Discuss and Possibly Act Upon an Ordinance on Its First Reading Granting a Specific Use Permit to True Believers Christian Church to Allow for a Church and Related Auxiliary Uses on Property Located on Clay Street in an R-2, Mixed Residential Zoning District, and Being Described as Part of Lots 4 and 29 of the College Heights Addition and the Portion of Porter Street Adjacent to These Lots in Brenham, Washington County, Texas**

Councilmember Goss asked how many total lots there will be. Smith stated that the total is eight and that the whole plat will be re-platted.

Leonard Davis with the True Believers Christian Church stated that parking should not be an issue and the plan is to build a church on the lots.

A motion was made by Councilmember Herring and seconded by Councilmember Williams to approve an Ordinance on its first reading granting a specific use permit to True Believers Christian Fellowship Church to allow for a church and related auxiliary uses on property located on Clay Street in an R-2, Mixed Residential Zoning District, and being described as part of lots 4 and 29 of the College Heights Addition and the portion of Porter Street adjacent to these lots 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

**8. Discuss and Possibly Act Upon the Purchase of Infield Turf for Several of the City's Baseball and Softball Fields and Authorize the Mayor to Execute Any Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau explained that currently the City of Brenham utilizes red infield clay that is very affordable for the playing surface on all the local fields. Rau stated this product costs about \$18/ton and is mixed with a soil enhancement material to provide a loose infield playing surface. Rau noted that this process costs around \$2,700-\$2,800 for a softball field such as Stark or Clayton.

Rau advised that over the years Staff has witnessed that this material, although very affordable, does not perform well in any amount of rainfall. Staff continually sees that even with rainfall amounts within the .02 tenths or more, games have to be cancelled and postponed. Rau noted that this material becomes very slick due to the clay material and does not evaporate well even on fields that drain well.

Rau explained that in 2014 Staff replaced the red clay material on Schwartz and VanDyke Fields with a new material called Masterseal Infield Mix. Rau stated that Staff has seen a 100% improvement on playing availability compared to the red clay material. Rau noted that there has been several times in which the fields have received .50 - 2.0" of rainfall and these are the only two fields that remain open.

Rau explained that BCDC has agreed to fund improvements using this same material on Clayton, Stark, Boehm, Schulte, Dallmeyer, Matthies, Cooper and Schroeder fields. Rau stated this process involves tilling in Masterseal Conditioner 2-3" inches deep, semi-grading the surface and then adding 54-80 tons of Masterseal Infield Mix followed by a final laser grading.

Rau advised that Staff has consulted with numerous grounds masters from municipalities, high schools, and colleges and when speaking of an infield surface, this is the newest advancement that still allows a great playing surface and the best opportunity to play even when moisture presents itself. Rau stated that there are many facilities that are using this and if the City wants to stay competitive with other facilities, the City really needs to change the infields to allow a better playing surface during those times when it rains.

Rau explained that BCDC has approved \$100,000 for these upgrades and if approved by Council, the work will begin in late October and will conclude by the end of December. Rau noted that this product is a sole source and can only be installed and applied by Master Turf Products and Services, Inc.

Councilmember Barnes-Tilley asked if Staff has tracked the amount of time it takes to manage the fields that already have the turf compared to the fields without turf. Rau stated that they have not tracked it, but just by witnessing when his crews are working on the fields; the fields with the turf require less work.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Ebel to approve the purchase of infield turf from MasterTurf Products and Services, Inc. for the city's baseball and softball fields 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

**9. Discuss and Possibly Act Upon the Purchase of a Residential Garbage Truck, Using BuyBoard Contract No. 430-13, for the City of Brenham's Sanitation Department and Authorize the Mayor to Execute Any Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau explained that during the 2015-16 budget process the Sanitation Department requested a replacement residential refuse truck for their fleet. Rau advised that this replacement was part of the 10 year capital improvement plan and will replace a 1998 residential refuse truck that has been a part of the fleet for 17 years. Rau noted that Staff budgeted \$165,000 for this replacement. Rau advised that the quotes received are slightly over the budgeted amount due to mostly extended warranties on the truck. Rau noted that Staff feels that these extended warranties are needed and that the City would pay less for these warranties now rather than having to pay for repairs to the truck at a later date. Rau stated that the warranties cover exhaust/after treatment on the new emissions standards, engine, engine electronics and injectors for 84 months or 150,000 miles or 5,400 hours. Rau advised that Staff could decrease these warranties, but it would only save \$3,000 and it would take off two additional years. Rau explained that the remaining amount is due to a dumpster reeving system that will be needed to empty dumpsters at the Recycling Center.

Rau advised that even though this truck is quoted at \$174,510 and is \$9,510 over the budgeted amount, the City will have the resale revenue from the 1998 truck that will offset this overage. Rau noted that in 2008 the City received \$25,000 for a used residential garbage truck and should see numbers close to that this time.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve the purchase of a 2016 residential garbage truck through the BuyBoard Local Government Purchasing Cooperative for \$174,510.00 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 the Purchase of Water Play Features, Using BuyBoard Contract No. 451-14, for the Leisure Pool at the Blue Bell Aquatic Center and Authorize the Mayor to Execute Any Necessary Documentation**

Director of Community Services Wende Ragonis presented this item. Ragonis explained that each budget cycle staff seeks out guidance, support and funding for various Parks and Recreation initiatives from the Brenham Community Development Corporation (BCDC) Board. Ragonis stated that for the FY16 budget cycle, the Blue Bell Aquatic Center (BBAC) requested funding to replace two outdoor water features in the Leisure Pool area. Ragonis stated that BCDC granted this funding request at their June 4, 2015 meeting and staff seeks Council's approval of this purchase. Ragonis noted that Staff has engaged Purchasing Services to ensure this purchase is compliant with procurement procedures and governmental codes. Ragonis explained that Staff received a quote in the amount of \$89,950 from Progressive Commercial Aquatics for a Mystical Super Splash and Wet Play Structure. Ragonis stated these new features will replace original play scapes at the BBAC.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve the purchase of a Mystical Super Splash and Wet Play Structure from Progressive Commercial Aquatics in the amount of \$89,950.00 for the leisure pool at the Blue Bell Aquatic Center 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

**11. Discuss and Possibly Act Upon Resolution No. R-15-028 Nominating Candidates for Election to the Washington County Appraisal District Board of Directors**

City Manager Terry Roberts presented this item. Roberts explained that the governing body of the Washington County Appraisal District is nominated and appointed by the governing bodies that levy and collect a property tax. Roberts advised that Chief Appraiser Willy Dilworth has provided information on the process and reported on the status of the five current board members. Roberts stated that all five have expressed a willingness to serve and an additional two-year term if the Council approves. The current five members are: John Schaer, Charles Gaskamp, Johanna Fatheree, Leslie Boehnemann, Jr., and Delton Koerth.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve Resolution No. R-15-28 nominating five individuals to serve on the Washington County Appraisal District Board of Directors.

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 for Relay for Life to Be Held on November 7, 2015 from 6:00 P.M. to 12:00 A.M. at Fireman’s Park and Authorize the Mayor to Execute Any Necessary Documentation**

Deputy City Secretary Kacey Weiss presented this item. Weiss explained that Holly Johnson with Washington County Relay for Life submitted a noise variance request for their annual event at Fireman’s Park. Weiss advised that the event will have a sound system with speakers, which requires the noise variance. Weiss stated the event will be held on Saturday, November 7, 2015 from 6:00 P.M. - Midnight at Brenham Fireman’s Park.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem to approve a request for a noise variance from Relay for Life to be held on November 7, 2015 from 6:00 P.M. to 12:00 A.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

Council adjourned into Executive Session at 1:35 p.m.

### **EXECUTIVE SESSION**

#### **13. Section 551.086 – Texas Government Code – Utility Competitive Matters – Deliberation Regarding the City of Brenham’s Gas Supply Contract**

Executive Session adjourned at 1:57 p.m.

### **RE-OPEN REGULAR SESSION**

#### **14. Administrative/Elected Officials Report**

City Manager Terry Roberts reported on the following:

- The employee Health Fair will be November 17<sup>th</sup> and 18<sup>th</sup>.
- Business After Hours will be held on Thursday, October 22 at the Brenham Clinic’s Haskaarl Center

Director of Community Services Wende Ragonis reported on the following:

- The Library will be receiving a grant from LCRA in the amount of \$20,000 for the outdoor reading room.
- Brewstep will be held in Downtown this weekend
- The “Step Into the Past” Program has started in Downtown

The meeting was adjourned.

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Milton Y. Tate, Jr.  
Mayor

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Kacey A. Weiss  
Deputy City Secretary