

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on November 5, 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 of General Government Rex Phelps, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, Assistant City Manager-Chief Financial Officer Carolyn Miller, Stacy Hardy, Cynthia Longhofer, Rhonda Kuehn, Andria Heiges, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Public Works Director Dane Rau, Casey Redman, Assistant City Manager of Public Utilities Lowell Ogle, Kim Hodde, Becky Squyres, and Angela Hahn

Citizens present:

Woodrow Free, Joan Free, Leonard Davis, Tamara Beard, Helen Ladewig, Rayna Roeske, Kelly Hajek, Brenda Prestwood, Debbie Northrup, Donald W. Lampe, Robbie Charette, Misty Hodde-Maynard and Mandy Hodde

Media Present:

Arthur Hahn, Brenham Banner Press; Caitlin Hahn, Brenham Banner Press; and Mark Whitehead, KWHI

1. Call Meeting to Order

- 2. **Invocation and Pledges to the US and Texas Flags – Councilmember Goss**
- 3. **a. Special Recognitions**
 - **GFOA Certificate of Achievement for Excellence in Financial Reporting**
 - *Seventh Consecutive Year*
 - b. Proclamations**
 - **Relay for Life**
 - **Day of Thanksgiving Honoring All First Responders**
- 4. **Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

- 5. **Statutory Consent Agenda**
 - 5-a. **Minutes from the September 17, 2015 and October 1, 2015 Regular City Council Meetings**
 - 5-b. **Ordinance No. O-15-031 on Its Second 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**

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve the Statutory Consent Agenda Items 5-a. and 5-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

REGULAR AGENDA

6. Discuss and Possibly Act Upon an Ordinance on Its First Reading Disannexing a Tract of Land Described as a Tract or Parcel of Land Lying and Being Situated in Washington County, Texas, a Part of Jas. Walker League, Consisting of 1.0 Acre of Land on the North Side of Lauraine Street

Planning Technician Kim Hodde presented this item. Hodde explained that on August 18, 2005, the City of Brenham passed multiple annexation ordinances as part of an annexation plan. Hodde stated that Section No. 2005-3 of the annexation plan included a one acre tract that should not have been included in the annexation. Hodde explained that the property owner, Free Family Trust, recently had a survey of their land done and it was determined then that the property had been inadvertently annexed into the city limits. Hodde advised that Staff has discussed this issue with current and former employees and by all accounts this one acre tract of land was never intended to be annexed into the city limits. Hodde advised that the property owners do not want to be annexed into the City at this time and that the Washington County Appraisal District has never shown this property in the city limits for taxing purposes.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve an Ordinance on its first reading disannexing a tract of land described as a tract or parcel of land lying and being situated in Washington County, Texas, a part of Jas. Walker League, consisting of 1.0 acre of land on the North Side of Lauraine 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

7. Discuss and Possibly Act Upon the Acceptance of the Community Development Partnership Program Grant offered by the Lower Colorado River Authority (LCRA) in the Amount of \$20,000 for the Construction of an “Outdoor Reading Room” as part of the Nancy Carol Roberts Memorial Library Modernization and Renovation Project and Authorize the Mayor to Execute Any Necessary Documentation

Library Supervisor Andria Heiges presented this item. Heiges stated that the Nancy Carol Roberts Memorial Library applied for the LCRA grant in August and requested \$20,000 to fund the materials and labor to construct the outdoor space known as the “Outdoor Reading Room”, consisting of a concrete patio area; approximately 800 square foot in size with built in seating features, fencing, and masonry surrounding the area.

Heiges advised that the grant stipulates that the Nancy Carol Roberts Memorial Library must contribute at least a 20% match or \$5,000 towards project costs. Heiges noted that with the city funds currently committed to the project, this stipulation has been met.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve the acceptance of the Community Development Partnership Program Grant offered by the Lower Colorado River Authority (LCRA) in the amount of \$20,000 for the construction of an “Outdoor Reading Room” as part of the Nancy Carol Roberts Memorial Library Modernization and Renovation Project 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

8. Discuss and Possibly Act Upon Strand Project No. 3900.012 for the 2016 Surface Water Treatment Plant Rehabilitation and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle advised that on September 16, 2015 bids were opened by O’Malley Strand Associates, Inc. for the 2016 Surface Water Treatment Plant Rehabilitation project.

Ogle explained that the mechanical components of Clarifiers #2 and #3 have a significant number of hours on them and need to be replaced before failure occurs. Ogle stated that the weirs in all clarifiers need to be leveled to provide consistent, even flow. Ogle also advised that some of the catwalks, etc. are showing wear that could lead to structural issues and need to be re-habilitated.

Ogle noted that only one bid was received for this project and after discussions with other contractors, staff believes the pricing to be competitive.

Ogle advised that \$450,000 was budgeted for this project and the bid came in at \$447,800. Ogle stated this would leave no room for unforeseen items that could occur. Ogle explained that Staff has worked with the contractor to find some reductions and would recommend approval of Concurrent Change Order No. 1 for a reduction of \$22,500, reducing the project to \$425,300. Ogle stated that in continuing to work with the contractor, we believe that further reductions will be found.

A motion was made by Councilmember Goss and seconded by Councilmember Williams to approve Strand Project No. 3900.011/012 Base Bid and Concurrent Change Order No. 1 to R&B Group, Inc. for the 2016 Surface Water Treatment Plant Rehabilitation in the amount of \$425,300.00 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

9. Discuss and Possibly Act Upon the Acceptance of a Donation in the Amount of \$750,000.00 to the City of Brenham for a Planned Park Development Project Connecting Fireman’s Park and the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of General Government Rex Phelps presented this item. Phelps explained that this initiative will connect the new Nancy Carol Roberts Memorial Library grounds with Brenham’s Legacy Fireman’s Park. Phelps advised that this project will be honoring the life of Michael Mansfield Owsley. Phelps stated that Michael Mansfield Owsley’s wife wishes to honor her late husband’s memory by funding this park expansion project (to include: trail extension, fencing, landscaping, design, playground construction, etc.) through a personal donation.

A motion was made by Councilmember Herring and seconded by Councilmember Goss to accept a donation in the amount of \$750,000 to the City of Brenham for a planned park development project connecting Fireman’s Park and Nancy Carol Roberts Memorial Library 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 a Memorandum of Understanding Between the City of Brenham and Robbie Gail Charette Related to a Planned Park Development Connecting Fireman’s Park and the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of General Government Rex Phelps presented this item. Phelps explained that this MOU is an agreement to fund a new park expansion connecting the renovated Nancy Carol Roberts Memorial Library grounds to Fireman’s Park. Phelps advised that this expansion will include fencing, landscaping, trail extension, playground construction, and design. Phelps stated that Robbie Gail Charette has offered to fund this extensive and significant project estimated to cost between \$600,000.00 and \$750,000.00. Phelps advised that in exchange for the donation(s), Ms. Charette has requested the new proposed playground within the park expansion to be named the “Michael Mansfield Owsley Memorial Playground.”

A motion was made by Councilmember Herring and seconded by Councilmember Goss to approve a Memorandum of Understanding between the City of Brenham and Robbie Gail Charette related to a planned park development connecting Fireman’s Park and the Nancy Carol Roberts Memorial Library 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 1:26 p.m.

EXECUTIVE SESSION

- 11. Section 551.074 – Texas Government Code – Deliberation Regarding Personnel Matters – Discussion Regarding the Appointment and Compensation of a City Prosecutor for the Brenham Municipal Court, for an Unexpired Term Ending December 31, 2016**

- 12. Section 551.074 – Texas Government Code – Personnel Matters – Discuss and Consider City Manager’s Employment Agreement and Related Issues**

Executive Session adjourned at 2:28 p.m.

RE-OPEN REGULAR SESSION

13. Discuss and Possibly Act Upon City Manager’s Employment Agreement and Related Issues

A motion was made by Councilmember Ebel and seconded by Councilmember Goss to renew and extend the City Manager’s Employment Agreement for one (1) year, through January 31, 2017 and to include a raise in salary of five percent (5%) with two and one-half percent (2.5%) effective immediately and the remaining two and one-half percent (2.5%) to be effective on April 1, 2016; all other benefits will remain the same.

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 the Appointment and Compensation of a City Prosecutor for the Brenham Municipal Court, for an Unexpired Term Ending December 31, 2016

A motion was made by Councilmember Williams and seconded by Councilmember Ebel to appoint Russell Noe as the City Prosecutor effective immediately with a six (6) month probationary period with the term ending December 31, 2016 and compensation will be \$1,500.00 per month.

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:

- Police Department promotions have been finalized and those recognitions will be held at the Council meeting on December 3rd
- A retirement party for Heath Mahlmann will be on November 12th
- The Library Gala will be on November 12th
- The City received a grant from Bluebonnet Electric for \$20,000 to be used for technology at the Library

Public Works Director Dane Rau reported on the following:

- Texas Recycles Day will be November 14th

Assistant City Manager of Public Utilities Lowell Ogle reported on the following:

- A Utility Sub-Committee meeting will be held immediately following the Council meeting
- Notices are being sent to all water customers, per TCEQ requirements, due to low chlorite levels in the water. The levels have been corrected; however, notifications are still required.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Kacey A. Weiss
Deputy City Secretary