

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on May 5, 2016 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, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, Assistant City Manager-Chief Financial Officer Carolyn Miller, Stacy Hardy, Sara Parker, Kaci Konieczny, Cynthia Longhofer, Director of Community Services Wende Ragonis, Jennifer Eckermann, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Alton Sommerfield, Wanda Kramer, Development Services Manager Erik Smith, Kim Hodde, Lori Lakatos, Shelley Addison, Angela Hahn, Don Bolenbar, Ande Bostain, Jordan Prigge, Dillon Miertschin, Luke Ongudu and Captain Lloyd Powell

Citizens present:

Thomas Whisnant, Daniel J. Creel, Rick Perkins, Henry de la Garza, Miss Lette (Diamond Lil Actress), Bryan Bryant, Page Michel, Terry Ward, Marc Millis, Diamond Lil, Matt Childers, Judy Smith, Donald W. Lampe and Clint Kolby

Media Present:

Arthur Hahn, Brenham Banner Press; and Codi Rynn, KWHI

1. **Call Meeting to Order**
2. **Invocation and Pledges to the US and Texas Flags – Councilmember Williams**
3. **Service Recognition**
 - **Wanda Kramer, Utility Department – 40 Years**
4. **a. Special Recognition**
 - **GFOA Distinguished Budget Presentation Award****b. Proclamation**
 - **Motorcycle Awareness Month**
 - **National Preservation Month & Local History Days**
5. **Citizens Comments**

There were no citizens comments.

CONSENT AGENDA

6. **Statutory Consent Agenda**
 - 6-a. **Ordinance No. O-16-009 on Its Second Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District From a Single Family Residential Use (R-1) District to a Mixed Residential Use (R-2) District on a Tract of Land Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas**
 - 6-b. **Ordinance No. O-16-010 on Its Second Reading Amending Appendix A – “Zoning” of the Code of Ordinances for the City of Brenham Granting a Specific Use Permit to Allow a Multifamily Development on a Site of Two (2) or More Acres of Land Being Described as 4.293 Acres Out of the Phillip Coe Survey, A-31, Located on the North Side of Old Mill Creek Road in Brenham, Washington County, Texas**
 - 6-c. **Ordinance No. O-16-011 on Its Second Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from a Single Family Residential Use (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as 2.119 Acres Out of the Phillip Coe Survey, Located on the Northwest Corner of the Intersection of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas**

6-d. Ordinance No. O-16-012 on Its Second Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District From a Single Family Residential Use (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as Lot 7A and Lot 11A, Block 9, Washington Terrace Addition, Out of the A. Harrington Survey, A-55, Located at the Southeast Intersection of Ewing Street and Rucker Street in Brenham, Washington County, Texas

A motion was made by Councilmember Herring and seconded by Councilmember Goss to approve the Statutory Consent Agenda Items 6-a. , 6-b. and 6-c. as presented.

Mayor Pro Tem Nix called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Abstain
Mayor Pro Tem Gloria Nix	Yes
Councilmember Andrew Ebel	No
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Goss to approve the Statutory Consent Agenda Item 6-d. 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 SESSION

11. Discuss and Possibly Act Upon an Ordinance on Its First Reading Authorizing a Variance to Residential Lot Requirements, as Outlined in Section 23-22(5)(a) of the City of Brenham’s Code of Ordinances, on a Tract of Land Being Described as Tract 95, 19.94 Acres, Out of the Phillip Coe Survey, A-31, Located at 940 Farmers Road, in Brenham, Washington County, Texas

Development Services Manager Erik Smith presented this item. Smith explained that citizen Donald Lampe has submitted a variance, on behalf of, H. A. and Judy Smith who own a 19.94 acre tract of land located within the City of Brenham Extra Territorial Jurisdiction that is addressed as 940 Farmers Road. Smith stated the subject property does not have road frontage, but has an access easement to Farmers Road. Smith advised that the applicant wishes to subdivide this property into two tracts and is specifically asking for a variance to remove the requirement to have property frontage on a City right-of-way. Smith noted the Planning and Zoning Commission recommended unanimous approval of this request.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve an Ordinance on its first reading authorizing a variance to residential lot requirements, as outlined in Section 23-22(5)(a) of the City of Brenham’s Code of Ordinances, on a tract of land being described as Tract 95, 19.94 acres, out of the Phillip Coe Survey, A-31, located on 940 Farmers Road, 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

WORK SESSION

7. Presentation and Discussion Regarding Digital Billboards within the City of Brenham’s City Limits and Extra Territorial Jurisdiction (ETJ)

Development Services Manager Erik Smith introduced SignAd representative, Thomas Whisnant. Smith explained that he was approached by Whisnant a few months back about installing digital billboards within the city limits and the city’s extra territorial jurisdiction (ETJ).

Smith advised that he explained to Mr. Whisnant that currently billboards, off premise signs and spectacular signs are prohibited in the City's Code of Ordinances.

Mr. Whisnant addressed the Council and explained that SignAd has changed some of their signs to digital billboards and have been recently allowed in cities that had historically not allowed digital billboards or billboards in general. Smith also advised Council that SignAD would allow the City to utilize their sign for forty (40) hours of free advertising space each year; which could be used for various city program, notifications and/or in times of emergencies.

Smith noted this item was presented to the Board of Adjustments at their meeting on April 11th as discussion only. Smith stated the comments that Staff received at the meeting were generally negative toward digital signs in general.

Councilmember Barnes-Tilley asked if we have any current digital billboards. Smith stated that there is one on Highway 290 that was approved by the Board of Adjustments due to the movement of the original billboard having to be relocated during the construction of the new highway.

Citizen Page Michel with "Keep Washington County Beautiful", a local chapter of "Keep Texas Beautiful", stated that their chapter is opposed to all billboards because it adds clutter to the community and can cause distracted driving.

Councilmember Goss stated that some citizens contacted him and indicated that they are not in support of digital billboards. Mayor Pro Tem Nix stated that several citizens had contacted her also and they were no in favor of billboards.

REGULAR SESSION

8. Discuss and Possibly Act Upon Bid No. 16-007 Related to Concrete for the Library Parking Lot Project and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau explained that on March 31, 2016 the Purchasing Department opened bids related to the Library parking lot concrete work. Rau stated 2 bids were received. Rau noted the bids were broken out into a base bid and had an alternate option. Rau explained that since the bid, there were minor adjustments made to the elevation and size of the library parking lot that helped on the elevations leading to the Owsley Playground area, which ultimately changed the quantities of the main parking lot slightly. Rau advised that with these adjustments and Collier Construction honoring the unit price bids, it was determined that there would be a difference of \$34,007.08 to go with concrete on the main parking lot versus asphalt.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to award Bid No. 16-007 for concrete for the Library Parking Lot Project to Collier Construction for the Base Bid Section I and Alternate Bid Section III for a total of \$167,951 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 a Contract with Ricoh USA, Inc. for Leased Office Automation Equipment and Authorize the Mayor to Execute Any Necessary Documentation

Purchasing Manager Sara Parker presented this item. Parker explained that in 2013 the City leased fifteen photocopiers from Ricoh, USA, Inc. Parker noted that the lease expires in 2016 and provides a \$1.00 Buyout option for City ownership of the copiers. Parker stated that a survey was performed concerning the condition and fitness of the current fleet to determine feasibility of keeping the machines in service. Parker advised that the Purchasing Department examined lease pricing and maintenance costs for copiers of various manufacturers and models. Parker explained that the best value was found to be a 3-year lease for two copiers from Ricoh USA, Inc. Parker noted that the two new copiers would be replacing the machines located in the Library and Administration. Parker stated that by retaining fourteen copiers from the expiring lease, the City will realize savings over the next twelve months of approximately \$23,385.00.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve a 3 year lease contract with Ricoh USA, Inc. for office automation equipment in the amount of \$29,340.00 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 Resolution No. R-16-016 Authorizing the Acceptance of Public Improvements in the Ralston Creek Subdivision, Phases 2 and 3, and Authorize the Mayor to Execute Any Necessary Documentation

City Engineer Lori Lakatos presented this item. Lakatos explained that BCS Development Company has completed infrastructure improvements (water, sanitary, storm, and streets) related to the development of Phase 2 and 3 of Ralston Creek Estates. Lakatos advised that the infrastructure improvements have been constructed and inspected according to the City of Brenham ordinances and regulations.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Herring to approve Resolution No. R-16-016 authorizing the acceptance of public improvements in the Ralston Creek Estates, Phases 2 and 3, 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

12. Discuss and Possibly Act Upon a Ground Space Lease Agreement with David Loendorf for Hangar Space at the Brenham Municipal Airport and Authorize the Mayor to Execute Any Necessary Documentation

Planning Technician Kim Hodde presented this item. Hodde explained that JC Umland owned the hangar addressed as 3175 Aviation Way. Hodde stated that Mr. Umland passed away and his hangar was left to David Loendorf and therefore a new lease agreement needs to be executed for Mr. Loendorf. Hodde advised that execution of this lease agreement with Mr. Loendorf will cancel the previous agreement with Mr. J.C. Umland.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve a ground space lease agreement with David Loendorf for hangar space at the Brenham Municipal Airport 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 a Request for a Noise Variance from Washington County Historical Juneteenth Association for a Juneteenth Celebration at Fireman’s Park to be Held on June 17, 2016 from 7:00 p.m. – 11:00 p.m. and June 18, 2016 from 12:00 p.m. – 4:00 p.m. and Authorize the Mayor to Execute Any Necessary Documentation

Deputy City Secretary Kacey Weiss presented this item. Weiss stated that the Juneteenth Celebration will be held on June 17th and 18th at Fireman’s Park. Weiss advised that activities include a band and a DJ playing music.

A motion was made by Councilmember Williams and seconded by Councilmember Barnes-Tilley to approve a request for a noise variance from Washington County Historical Juneteenth Association for a Juneteenth Celebration at Fireman’s Park to be held on June 17, 2016 from 7:00 p.m. – 11:00 p.m. and June 18, 2016 from 12:00 p.m. – 4:00 p.m. 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

14. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Maifest Parade will be on Saturday, May 7th
- Thanked Council for attending the Pre-Budget Retreat
- The hiring of the new Assistant City Manager for General Government will be announced in the next few days

Council adjourned into Executive Session at 2:21 p.m.

EXECUTIVE SESSION

15. Section 551.074 – Texas Government Code – Deliberation Regarding Personnel Matters – Discussion Regarding the Contract for City Prosecutor

Executive Session adjourned at 2:30 p.m..

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Kacey A. Weiss
Deputy City Secretary

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