

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on October 13, 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, Assistant City Manager of General Government Ryan Rapelye, 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, Cynthia Longhofer, Rhonda Kuehn, Director of Community Services Wende Ragonis, Crystal Locke, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Dant Lange, Chris Jackson, Public Works Director Dane Rau, Bobby Branham, Casey Redman, Assistant City Manager of Public Utilities Lowell Ogle, Debbie Gaffey, Development Services Manager Erik Smith, Lori Lakatos, Kenneth McGehee, Norma Rodriguez, Tiwana Brown, Mark Pierce, Ginger Bishop, Ande Bostain, Angela Hahn, Joe Moore and Paula Shields

Citizens present:

Doris Koehne, Rev. George Nelson, Jr., Theresa Nelson, Angela Chatman, Page Michel, Judith Finke, Karen Morgan, Tara Lancaster, Doug French, Matt Childers and Randy French

Media Present:

Arthur Hahn, Brenham Banner Press; Caitlin Hahn, Brenham Banner Press; and Noelle Buffam, KWHI

1. **Call Meeting to Order**
2. **Invocation and Pledges to the US and Texas Flags – Councilmember Ebel**
3. **Service Recognitions**
 - **Paula Shields, Administration** **5 Years**
 - **Angela Hahn, Police Department** **20 Years**
 - **Joe H. Moore, Gas Department** **20 Years**
 - **Rhonda Kuehn, Municipal Court** **20 Years**
4. **Special Recognition**
 - **GFOA Certificate of Achievement for Excellence in Financial Reporting**
 - *Eighth Consecutive Year*
5. **Proclamations**
 - **Overseer Dr. George Nelson, Jr. Day**
 - **Breast Cancer Awareness Month**
 - **Pilots Club of Brenham**
6. **Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

7. **Statutory Consent Agenda**
 - 7-a. **Minutes from the August 18, 2016, September 1, 2016 Regular City Council Meetings and September 12, 2016 Special Meeting**
 - 7-b. **Ordinance No. O-16-027 on Its Second Reading Amending Chapter 8, Fire Protection and Prevention, Sec. 8-3, Possession, Selling, Etc. of Fireworks, of the Code of Ordinances of the City of Brenham, Texas, Regarding the Sale of Fireworks**
 - 7-c. **Ordinance No. O-16-028 on Its Second Reading for the Abandonment of a Portion of Day Street Right-Of-Way**

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to approve the Statutory Consent Agenda Items 7-a., 7-b. and 7-c. 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

8. Discussion and Presentation on the Current Zoning Ordinance and Possible Future Planned Development District Projects

Development Services Manager Erik Smith presented this item. Smith explained that Staff has been working with Stylecraft Builders for the past few months on a possible future project for a tract of land that is currently in the City's Extra Territorial Jurisdiction "E.T.J." Smith stated that upon annexation, the property's initial zoning designation would be R-1 Single Family Residential.

Smith advised that Stylecraft has inquired about a couple of different possible options for their project to make it feasible. Smith noted that one of those options is looking at creating a Planned Development District which is a possibility for them, but they would have to go through the zoning amendment process to accomplish this goal. Smith noted the second option is looking at zoning classifications in general. Smith stated that looking through records, 1995 was the last time a zoning ordinance amendment of significance had taken place and this ordinance is what Staff uses currently.

Randy French, co-owner of Stylecraft Builders, addressed Council. French explained that side set backs are most crucial and that is what they look at. City Manager Terry Roberts stated that the City's design standards are from the late 1990's and Staff may need to look at other communities to see what their ordinances state.

Mr. French stated that his company does not want to "GAP" out between building Ralston Creek and the new subdivision. French stated that he would like to use this project as a Planned Development while Staff looks at the ordinances.

The Council requested that staff work with Stylecraft on their plans for the new subdivision and bring back a Planned Development ordinance for consideration.

REGULAR SESSION

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

Sanitation Supervisor Bobby Branham presented this item. Branham explained that during the 2016-17 budget process, the Sanitation Department requested a replacement haul truck for their fleet. Branham stated that this truck will replace a 1995 haul truck that has been a part of the fleet for 21 years and has made an estimated 10,000+ trips to the landfill. Branham noted that Staff evaluated three different types of trucks and have all agreed that the Kenworth T880 will be suitable for the rough conditions in which the trucks will operate.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve the purchase of a 2017 Kenworth Haul Truck from Performance Truck – Bryan, using BuyBoard Contract No. 430-13, in the amount of \$119,875.00 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 Three (3) Mowers Using BuyBoard Contract No. 447-14, for the City of Brenham's Parks Department and Authorize the Mayor to Execute Any Necessary Documentation

Parks Superintendent Casey Redman presented this item. Redman explained that during the 2016-17 budget process the Parks Department requested the replacement of three mowers, these being a 10' rotary mower, a 6' rotary mower, and an 8' reel mower. Redman advised that these mowers will replace similar units which are approaching 20 years old with the exception of the reel mower which is 10 years old and currently has 3310 hours on it. Redman stated the rotary mowers are used weekly and the reel mowers are used daily.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to approve the purchase of three (3) mowers from Professional Turf Products, L.P., using BuyBoard Contract No. 447-14, in the amount of \$151,122.47 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 the Purchase of a Scoreboard Using BuyBoard Contract No. 423-13, for the Baseball Field Located in Fireman's Park and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau explained that during the 2016-17 Brenham Community Development Corporation budget process, the Parks Department asked BCDC to support the purchase of a new scoreboard for Fireman's Park. Rau stated the current scoreboard was put into place in 2004. Rau noted that parts of the scoreboard have faded causing it to become unsightly and the components have begun to fail when it comes to consistently operating.

Rau advised that this purchase will be split between the BCDC and the money that was raised over the last two years with the Fireman's Park Advertising Program.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve the purchase of a scoreboard from Nevco, Inc., using BuyBoard Contract No. 423-13, in the amount of \$60,983 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 the Acceptance of a Donation in the Amount of \$25,000.00 to the Brenham Police Department and Authorize the Mayor to Execute Any Necessary Documentation

Police Chief Craig Goodman presented this item. Goodman advised that The Pegasus Foundation has offered a donation to the police department for \$25,000 to assist in needed training and equipment costs.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to accept a donation in the amount of \$25,000.00 from the Pegasus Foundation to the Brenham Police Department for training and equipment costs 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-16-027 Reauthorizing an Investment Policy for the City of Brenham

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that in April 2016, the Council approved changes to the Investment Policy. Miller stated that no additional changes are being proposed at this time, just the annual reauthorization of the Policy which is required by the Public Funds Investment Act.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve Resolution No. R-16-027 Reauthorizing an Investment Policy for the City of Brenham dated October 13, 2016.

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-16-028 Approving the Brenham Community Development Corporation's Acquisition of Industrial Park Land and Approving a Promissory Note with the Brenham Community Development Corporation (BCDC) for a Portion of the Cost to Purchase Said Industrial Park Land and Authorize the Mayor to Execute Any Necessary Documentation

City Manager Terry Roberts presented this item. Roberts explained that at the September 22, 2016 meeting, the BCDC board authorized him to enter into an earnest money contract for the purchase of approximately 44.9 acres for industrial park purposes. Roberts stated that the land purchase will be financed by a \$500,000 promissory note to the City and by utilizing \$400,000 in BCDC fund balance reserves. Roberts noted the terms of the borrowing that Staff recommended to the BCDC was a 10 year note at a 3.25% interest rate with the first two years of payments being interest only.

Councilmember Goss inquired if BCDC acquires the property will it be annexed into the city. Roberts stated that is the intention.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve Resolution No. R-16-028 approving the Brenham Community Development Corporation's acquisition of industrial park land and approving a promissory note with the Brenham Community Development Corporation (BCDC) for a portion of the cost to purchase said industrial park land 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

15. Discuss and Possibly Act Upon a Request for a Noise Variance from Christ Lutheran Church and Day School for a Carnival and Fundraiser to be Held on October 15, 2016 from 2:00 p.m. – 6:00 p.m. at Christ Lutheran Church and Authorize the Mayor to Execute Any Necessary Documentation

Deputy City Secretary Kacey Weiss presented this item. Weiss explained that Shelley Scheffer with Christ Lutheran Church and Day School has requested a noise variance to hold a fall carnival and fundraiser. Weiss stated that they will be using sound amplification equipment to play music for the games.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve a request for a noise variance from Christ Lutheran Church and Day School for a carnival and fundraiser to be held on October 15, 2016 from 2:00 p.m. – 6:00 p.m. at Christ Lutheran Church 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

19. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- The Cubs Hall of Honor Program will be held October 14th at Blinn College
- The new Brenham Pet Adoption Center's ribbon cutting will be November 7th at 2:00 p.m. and an open house is scheduled for November 13th.
- The library located here at City Hall will close on October 15th and will re-open at the new facility on November 14th with a ribbon cutting and open house from 2:00-4:00 p.m.
- The Texas Arts and Music Festival will be held this weekend in conjunction with the Brew Step
- Walk with a Doc is October 22nd
- The Christmas Stroll and Lighted Parade will be held December 2-3rd

Council adjourned into Executive Session at 3:01 p.m.

EXECUTIVE SESSION

16. Section 551.086 – Texas Government Code – Utility Competitive Matters – Discuss and Possibly Act Upon the Awarding of the City of Brenham's Gas Supply and Gas Transportation Contracts and Authorize the Mayor to Execute Any Necessary Documentation Once Approved by the City Attorney

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

Executive Session adjourned at 3:52 p.m.

RE-OPEN REGULAR SESSION

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

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to renew the City Manager’s contract for one year beginning February 1, 2017 and to include a 4% pay increase with half (2% of the 4%) being effective immediately and the remaining half (2% of the 4%) being effective at mid-budget year (April 1, 2017) 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

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC, CMC
City Secretary

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