

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on August 17, 2017 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 Andrew Ebel
Councilmember Susan Cantey
Councilmember Keith Herring
Councilmember Weldon Williams, Jr.

Members absent:

Councilmember Danny Goss
Councilmember Charlie Pyle

Others present:

City Manager Terry Roberts, Assistant City Manager of General Government Ryan Rapelye, City Attorney Cary Bovey, Deputy City Secretary Kacey Weiss, Assistant City Manager – Chief Financial Officer Carolyn Miller, Comptroller Stacy Hardy, Cynthia Longhofer, Director of Community Services Wende Ragonis, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Dant Lange, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Director Erik Smith, City Engineer Lori Lakatos, Christi Korth, Brandi Garcia, Kevin Boggus, Todd Ashorn and Kelvin Raven

Citizens present:

Perry Thomas, Willy Dilworth, Kelly Hajek, Roddy Williams, Barry Blue, Marcy Tran, Hoang “Alex” Tran, Lu Hollander and Doug Price

Media Present:

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

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – City Manager Terry Roberts**

3. **Special Recognitions**
 - **Brenham Police Department’s Best Practices Award**
 - **GFOA Certificate of Achievement for Excellence in Financial Reporting**
 - *Ninth Consecutive Year*

4. **Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

5. **Statutory Consent Agenda**

- 5-a. **Ordinance No. O-17-008 on Its Second Reading Granting a Specific Use Permit to Redeemer Church Brenham to Allow for a Church and Related Auxiliary Uses on Property Located at 2111 S. Blue Bell Road in an R-1, Single Family Residential Zoning District, Said Property Being Described as 44.876 Acres Out of the James Walker Survey, A-106 (WCAD Tract 309), in Brenham, Washington County, Texas**

A motion was made by Councilmember Herring and seconded by Councilmember Cantey 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Absent
Councilmember Weldon Williams	Yes

WORK SESSION

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

Lu Hollander with the Washington County Convention and Visitors Bureau presented this item. Hollander focused on the highlights featured in the Awareness Reports for April – June 2017, pointing out the visitor statistics, major tourism events, advertising placements and editorial coverage.

PUBLIC HEARING

7. Proposed Tax Rate of \$0.5170 per \$100 Valuation for Fiscal Year Beginning October 1, 2017 and Ending September 30, 2018

Mayor Tate opened the Public Hearing.

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller advised a property tax rate of \$0.5170 per \$100 valuation is proposed. Miller stated that \$0.3200 will be for maintenance and operations and the balance of \$0.1970 will be for debt service.

Miller explained that the increase in property taxes will cover various infrastructure projects along with the addition of several part-time positions needed to maintain general government services.

Miller advised that as outlined in the Property Tax Code, the Council must hold two public hearings to receive citizen comments on the proposed property tax rate. Miller stated that at each hearing, the Council must announce the date, time, and place of the meeting at which they will vote on the tax rate.

Mayor Tate announced that the first reading of the Ordinance to adopt the tax rate will be during a Special Council meeting on Monday, September 18, 2017 at 8:30 a.m. at City Hall, located at 200 W. Vulcan Street. The second reading of the Ordinance and adoption of the tax rate is scheduled for a Regular Council meeting on Thursday, September 21, 2017 at 1:00 p.m. at City Hall, located at 200 W. Vulcan Street.

Mayor Tate closed the Public Hearing.

REGULAR SESSION

8. Discuss and Possibly Act Upon the Approval of the FY2017-18 Proposed Budget for the Washington County Appraisal District

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item and introduced Willy Dilworth, Chief Appraiser with Washington County Appraisal District (WCAD). Dilworth explained the WCAD budget shows an increase of \$19,151 over the prior year's budget due to a 3% salary increase adopted by the Brenham Independent School District Board and several other smaller line item increases. Miller noted the impact for the City of Brenham is an increase of \$6,930 for FY17-18 which was included in the General Fund proposed budget already reviewed with Council.

A motion was made by Councilmember Williams and seconded by Mayor Pro Tem Ebel to approve the FY2017-18 Proposed Budget for the Washington County Appraisal District.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Absent
Councilmember Weldon Williams	Yes

9. Discuss and Possibly Act Upon Ordinance No. O-17-009 on Its Second Reading Granting a Specific Use Permit to On Site Restoration, Inc. dba On Site Clean Car to Allow for an Auto Detail Shop on Property Located at 1414 W. Main Street in a B-1, Local Business Residential Mixed Use Zoning District, Said Property Being Described as 0.407 Acres Out of the Phillip Coe Survey, A-31 (WCAD Tract 231), in Brenham, Washington County, Texas

Development Services Director Erik Smith presented this item. Smith explained that On Site Restoration, Inc. has requested a special use permit (SUP) for 1414 West Main Street to allow for an auto detail shop. Smith advised the applicant will be required to follow all other local ordinances currently required for businesses located in the B-1 Local Business/Residential Mixed Use District. Smith noted this would include all of the materials used for this business to be located inside the business when not in operation. Smith stated that this item was presented at the Council meeting on August 3rd. Smith explained that Staff added some text to the SUP ordinance after that meeting.

Alex Tran, owner of On Site Restoration, addressed Council and stated that he is concerned that by installing a screening device it will affect his customers because they will not be able to see the shops work. Tran stated that he does not take on more vehicles than he can handle and his shop has enough room for five large vehicles. Tran also noted that he is planning to install a fence, but would like to do some work on the building before installing a fence.

Mayor Tate stated that if the area becomes unsightly a screen would need to be installed and he would like to impose a six-month expiration period on the SUP.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve Ordinance No. O-17-009 on its second reading granting a Specific Use Permit to On Site Restoration, Inc. dba On Site Clean Car to allow for an Auto Detail Shop on property located at 1414 W. Main Street in a B-1, Local Business Residential Mixed Use Zoning District, said property being described as 0.407 Acres out of the Phillip Coe Survey, A-31 (WCAD Tract 231), in Brenham, Washington County, Texas, with the wording of said Ordinance No. O-17-009 being revised: 1) to state that the Specific Use Permit expires six (6) months after its effective date; and 2) to omit any requirement related to a screening device being installed on the property.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Absent
Councilmember Weldon Williams	Yes

10. Discuss and Possibly Act Upon Ordinance No. O-17-010 as an Emergency Measure for the Immediate Preservation of Public Property, Health and Safety, Regulating Network Providers, Network Nodes Node Support Poles and Associated Matters, Including But Not Limited to the Installation of Network Nodes, Node Support Poles and Other Network Related Infrastructure in City of Brenham Rights-Of-Way

Development Services Director Erik Smith presented this item. Smith explained that with the passing of Senate Bill 1004, Staff needed to draft a right-of-way management ordinance regarding network node and network node poles. Smith stated this ordinance will give network providers direction when they submit applications for installation.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve Ordinance No. O-17-010 as an Emergency Measure for the Immediate Preservation of Public Property, Health and Safety, Regulating Network Providers, Network Nodes Node Support Poles and Associated Matters, including but not limited to the Installation of Network Nodes, Node Support Poles and Other Network Related Infrastructure in City of Brenham Rights-Of-Way

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Absent
Councilmember Weldon Williams	Yes

11. Discuss and Possibly Act Upon Resolution No. R-17-013 Adopting Design and Construction Standards Regarding Network Providers, Network Nodes, Node Support Poles, and Other Network Related Infrastructure in the City of Brenham Rights-Of-Way

Development Services Director Erik Smith presented this item. Smith explained that with the passing of Senate Bill 1004, Staff needed to draft a design manual regarding network node and network node poles. Smith stated this design manual will be given to network providers and gives direction for submitting applications for installation.

A motion was made by Councilmember Cantey and seconded by Councilmember Herring to approve Resolution No. R-17-013 adopting Design and Construction Standards Regarding Network Providers, Network Nodes, Node Support Poles, and Other Network Related Infrastructure in the City of Brenham Rights-Of-Way.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Absent
Councilmember Weldon Williams	Yes

12. Discuss and Possibly Act Upon Bid No. 3900.0420/050 Related to the 2016 Water Treatment Plant Protective Coatings Project and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that on June 29, 2017, O'Malley Strand Associates, Inc. along with Staff opened bids. Ogle stated that six bids were received with the lowest bid submitted by Gulf States Protective Coatings, Inc. Ogle advised that this company is qualified and experienced in this type of work and has been recommended by O'Malley Strand.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to award Bid No. 3900.0420/050, including Additive Alternate Bid Numbers 1-10, to Gulf States Protective Coatings, Inc. in the amount of \$543,675.00 related to the 2016 Water Treatment Plant Protective Coatings 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Absent
Councilmember Weldon Williams	Yes

13. Discuss and Possibly Act Upon Bid No. 3900.051 Related to the Texas Community Development Block Grant Program for the Rehabilitation of the Church Street Water Tower and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that on June 29, 2017, O'Malley Strand Associates, Inc. along with Staff opened bids. Ogle noted that thirteen bids were received. Ogle stated that based on O'Malley's review of references, they determined that the second low bidder, Tankez Coatings, Inc, of Sumner, Texas is better qualified and experienced in this type of work and therefore, recommend to award Tankez Coatings, Inc the project.

A motion was made by Councilmember Cantey and seconded by Councilmember Herring to award Bid No. 3900.051 to Tankez Coatings, Inc. in the amount of \$346,000.00 related to the Texas Community Development Block Grant Program for the Rehabilitation of the Church Street Water Tower, as it represents the best value for the City, 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Absent
Councilmember Weldon Williams	Yes

14. Discuss and Possibly Act Upon an Ordinance on its First Reading Amending the Rate Tariff Schedule(s) for the City of Brenham Transfer Station Rates

Public Works Director Dane Rau presented this item. Rau explained that after reviewing the Transfer Station budget this year and looking forward in relation to revenues and expected expenses, along with funding capital items, it is evident that rates will need to increase slightly. Rau advised it has been 5 years since the last increase. Rau stated the additional revenue will allow the Sanitation Fund to remain healthy and buy much needed equipment for this operation.

A motion was made by Councilmember Williams and seconded by Mayor Pro Tem Ebel to approve an Ordinance on its first reading amending the rate tariff schedule(s) for the City of Brenham Transfer Station Rates.

Mayor Tate called for a vote. The motion passed with Council voting as follows:

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Absent
Councilmember Weldon Williams	Yes

17. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- The next Council meeting is September 7th and the Council group photo will be taken before the meeting
- Ribbon cutting for the new work force facility at Hodde Tech Center is September 14th at 9:00 a.m.
- Special Council meeting on September 18th at 8:30 a.m.

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

- Chlorine maintenance started on August 1st and will end August 30th

Police Chief Craig Goodman reported on the following:

- Nationwide pet adoption event on Saturday at the animal shelter from 10:00 a.m. until 2:00 p.m.

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

EXECUTIVE SESSION

15. **Section 551.071 and Section 551.072, Texas Government Code – Consultation with Attorney and Deliberation Regarding Real Property – Discussion and Deliberation, and Consultation with City Attorney, Regarding the Lease Between City of Brenham and Brenham Heritage Museum, Inc. Concerning the Real Property Located at 105 S. Market Street, and Associated Issues**

Executive Session adjourned at 3:28 p.m.

RE-OPEN REGULAR SESSION

16. **Discuss and Possibly Take Action as a Result of Executive Session Regarding the Lease Between City of Brenham and Brenham Heritage Museum, Inc. Concerning the Real Property Located at 105 S. Market Street, and Associated Issues**

This item was passed.

The meeting was adjourned.

Milton Y. Tate, Jr.

Mayor



Kacey A. Weiss

Deputy City Secretary

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