

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on May 5, 2011, 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 Weldon Williams, Jr.
Council member Andrew Ebel
Councilmember Charlie Pyle
Councilmember Danny Goss

Members absent:

Councilmember Keith Herring

Others present:

City Manager Terry Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Chief Financial Officer Carolyn Miller, Debbie Gaffey, Rhonda Kuehn, Wanda Whitener, Adam Griffin, Gerry Hartstack, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Public Works Director Doug Baker, Leslie Kelm, Public Utilities Director Lowell Ogle, Dane Rau, Bobby Branham, Wanda Kramer, Community Services Director Wesley Brinkmeyer, Lin Hartstack, Casey Redman, Angela Hahn, Becky Squyres, Janie Mehrens, Susan Nienstedt, Joyce Mahaney

Citizens present:

Zeb Heckmann, Rachael Greve, Charles Keese, Nelda Keese, Bonnie Talley, Peter Emerson, Clint Kolby

Media Present:

Arthur Hahn, Brenham Banner Press; Frank Wagner, KWHI

- 1. Mayor Tate called the meeting to order**
- 2. Invocation and Pledges to the US and Texas Flags – Mayor Milton Tate**

3. Proclamations

- Mayor Tate read a proclamation designating May 1-7, 2011 as Municipal Clerks Week. It was accepted by Jeana Bellinger.
- Mayor Tate read a proclamation designating May 2011 as Motorcycle Awareness Month. It was accepted by the Leathernecks Confederation of Texas.

4. Service Recognitions

Service Recognitions were presented to the following employees:

Wanda Whitener	Municipal Court	5 Years
Lin Hartstack	Parks	20 Years
Janie Mehrens	Human Resources	25 Years
Wanda Kramer	Public Utilities	35 Years

5. Citizen Comments

There were no citizen comments

6. Consent Agenda

Statutory Consent Agenda

6-a. Minutes from the April 7, 2011 and April 21, 2011 Council Meetings

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve the Statutory Consent Agenda Item 6-a. Minutes from the April 7, 2011 and April 21, 2011 Council Meetings.

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 Keith Herring	Absent
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

WORK SESSION

7. Presentation and Update on the Brenham Heritage Museum

Zeb Heckmann, Board Chairman for the Brenham Heritage Museum, opened the presentation by introducing Gloria Nix, City Representative on the Museum Board, Bonnie Talley, Board Secretary, Peter Emerson, Board Member and Charles and Nelda Keese of Keese and Associates and thanked them for all the work they have done. Mr. Heckmann then turned the presentation over to Museum Director Rachael Greve.

Mrs. Greve explained the decade long history of the museum renovation project.

- In 1999 the museum contacted Southwest Museum, an exhibit firm organization in Houston, for initial interior exhibit redesign of the main gallery in the museum.
- In 2000 the concept was developed.
- In 2001 this project was published. However, due to lack of funding and interest this project never got started.
- In 2009 Ms. Greve re-opened this project and presented the earlier concepts to the Board of Directors.
- In 2010 a task force was created to help move the project forward.
- Last summer the museum put out a Request for Proposal for the renovation of the museum; Keese & Associates was awarded the bid.

Ms. Greve advised Council that board members will begin working with Mr. Keese and exhibition experts from Southwest Museum to create a timeline for completion. Construction is anticipated to last only two months. She is planning for the construction during the downtimes of January and February so that the museum can be and open by Texas Independence Day in March 2012.

Ms. Greve then asked Charles Keese to discuss the Museum building. Mr. Keese reviewed the Building Evaluation Report and advised Council that the even though the building is 95 years old, it is in excellent condition.

Mayor Tate questioned the down spouts originality to the building. Mr. Keese informed him these were not original to the building but installed later. Kyle Dannhaus, Assistant City Manager, explained that the Museum had trouble in the past with water in the basement. Determining the condition of the drain pipes is a challenge since they are located internally in the walls, so instead of refurbishing these pipes, it was easier to re-route water by installing these down spouts. Mr. Keese said if they would like to redo this, it can be decided later.

Mayor Pro Tem Nix mentioned the historical significance of the museum. She asked if these renovations or changes would jeopardize the historical status of the building. Mr. Keese stated it would not, and that he would be working closely with the Historical Commission.

Mayor Tate asked they keep the council informed on the project.

8. Discussion and Update on 2010-2011 Street Overlay and Street Reconstruction

Doug Baker, Public Works Director, presented this item. He stated that the street department is currently in the second year of the street overlay project. He explained the streets were prioritized and rated by condition. Mr. Baker informed council that due to the amount of work that had to be done in Hillside, there was not any money left in the FY2010-11 budget to do any more street overlay projects.

Mayor Tate asked if the work in Hillside could be completed. Mr. Baker said that feels they can finish the Hillside project, but it may deplete more money than would be safe to take out of the Street Department budget since there is still five months remaining in this budget cycle.

Mr. Baker noted his intent to utilize the mixer that is currently rented. One option he suggests is to stabilize all the streets and seal coat them. Councilmember Goss asked instead of doing the seal coat, would it be better to leave them as they are and then after the new budget year to come in and complete them correctly. Mr. Baker responded that every street will have a seal coat prior to the overlay in order to create a moisture barrier between the base and the surface.

Councilmember Williams asked if there will be a plan to incorporate into the budget a way to fix the streets properly. Mr. Baker used Martin Luther King Street has an example to respond to Mr. William's question. He stated this street could be a nice, smooth street if an overlay contractor came in completed the overlay. However, the budget has not allowed us to hire someone to come in and do the job that really needs to be done to these streets.

REGULAR AGENDA

9. Discuss and Possibly Act Upon an Ordinance on its First Reading Amending Chapter 2 of the City of Brenham's Code of Ordinances to Include Section 2 - 12.4 Municipal Court - Collection Services Contracts and Fees

Rhonda Kuehn, Municipal Court Clerk, presented this item. Ms. Kuehn explained that the proposed ordinance would allow the City to contract with a third party collections vendor; thereby giving Municipal Courts another tool help them collect on outstanding cases. Ms. Kuehn also advised Council of Article 103.0031 of the Code of Criminal Procedures which allows for courts for contract with collection companies.

If council approves this ordinance on the first reading, it will be brought back for second reading at the next council meeting. At that time a contract for collection services will also be presented for council's approval. This contract would allow for collection of other outstanding city debt. Ms. Kuehn noted that other city departments could utilize this contract.

Councilmember Pyle asked if Article 103.0031 specifies a percentage that can be charged. Ms. Kuehn stated that thirty percent can be charged. She further explained that each outstanding case could have a different amount of fees assessed due to the amount that person owes. Ms. Kuehn mentioned the other two collection services currently in use: Warrant collection by the City Marshall and the Omni based DPS program. She feels enacting this third collection service would help close more cases.

Councilmember Pyle wanted to confirm that a portion of the thirty percent would go to the collection firm, and Ms. Kuehn stated that the entire thirty percent would go to the collection firm. The municipal court would assess this fee and then pay the collection firm.

City Manager, Terry Roberts confirmed this ordinance prohibits the court from turning a case over to a collection firm for sixty days. He asked if it is procedure to contact them after a court ruling to do this prior to sending them to collections. Ms. Kuehn stated that a reminder letter is not sent, but Blackboard Connect will be utilized to contact people as a reminder.

Councilmember Ebel asked how much collection money we are expecting. Ms. Kuehn stated that the city is looking at \$1.1 Million. Councilmember Pyle asked what success rate of collection these firms have. Ms. Kuehn noted that some firms have a sixty percent rate while others have a lower amount depending on what area of the state they are in.

Councilmember Pyle questioned if accounts would be retroactive. Ms. Kuehn said they could be on all cases after January 1, 2003.

Lowell Ogle, Director of Public Utilities, said he would be interested in this as well. In the last five years there has been about \$300,000 in uncollected debt in the utility department. This contract could also help them collect on outstanding debt.

Councilmember Goss asked what these firms do differently than what the City Marshall or DPS does to collect fees. Ms. Kuehn responded that different people respond to different methods of collection. These firms have call centers so they notify on a regular basis. This is another collection tool the state has given to attempt closure on cases.

A motion was made by Councilmember Pyle and seconded by Councilmember Ebel to approve an Ordinance on its first reading amending Chapter 2 of the City of Brenham's Code or Ordinances to Include Section 2-12.4 Municipal Court – Collection Services Contracts and Fees.

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 Keith Herring	Absent
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes
Councilmember Danny Goss	Yes

10. Administrative/Elected Officials Report

- City Manager Terry Roberts reminded everyone about the Pre-Budget Meeting next Thursday, May 12th, at 8:30 a.m.
- Mr. Roberts also reminded everyone about the Maifest Parade on Friday and Saturday mornings.
- Chief Financial Officer, Carolyn Miller, informed Council that the City of Brenham has been awarded the GFOA Budget Award. Ms. Miller expressed her appreciation of the hard work Budget Officer Debbie Gaffey does in the budget process
- Bobby Branham informed every one of the Annual Spring Cleaning Event. City residents can participate on May 12th – 14th and County residents can participate from May 19th – 21st

Council adjourned into Executive Session at 1:48 p.m.

EXECUTIVE SESSION

11. Texas Government Code Section 551.086 – Utility Competitive Matters – Discuss and Consider an Amendment to the Wholesale Power Agreement with the Lower Colorado River Authority

Executive session adjourned at 2:05 p.m.

No action was taken

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary