

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on February 21, 2013 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 Mary E. Barnes-Tilley  
Councilmember Andrew Ebel  
Councilmember Danny Goss  
Councilmember Keith Herring

### Members absent:

Councilmember Weldon Williams, Jr.

### Others present:

City Manager Terry Roberts, Assistant City Manager Kyle Dannhaus, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Amanda Klehm, Chief Financial Officer Carolyn Miller, Stacy Hardy, Jamie Maurer, Kaci Konieczny, Darlene Konieczny, Wende Ragonis, Fire Chief Ricky Boeker, Police Chief Rex Phelps, David Doelitsch, Development Services Director Julie Fulgham, Pat Draehn, Public Works Director Dane Rau, Leslie Kelm, Casey Redman, Public Utilities Director Lowell Ogle, Angela Hahn, Kyle Branham, Grant Lischka, Janie Mehrens, and Gary Jeter

### Citizens present:

Casey Acker, Kim King, Terry Folsom, William Krueger, Paul Kendall, Judy Hyman, Lu Hollander, Clint Kolby, and Page Michel

### Media Present:

Arthur Hahn, Brenham Banner Press; Frank Wagner, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – City Attorney Cary Bovey**

**3. Citizens Comments**

There were no citizen comments.

**CONSENT AGENDA**

**4. Statutory Consent Agenda**

**4-a. Minutes from the January 10, 2013, January 31, 2013, and February 7, 2013 City Council meetings Council Meeting**

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Herring to approve the Statutory Consent Agenda Item 4-a. Minutes from the January 10, 2013, January 31, 2013, and February 7, 2013 City 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

**REGULAR AGENDA**

**5. Discuss and Possibly Act Upon a Contract with Ricoh for Leased Office Automation Equipment and Authorize the Mayor to Execute Any Necessary Documentation**

Purchasing Services Manager Wende Ragonis presented this item. Ragonis stated that the team looked at costs on the aggregate for leased office automation equipment. Ragonis explained the project team worked with each department head and performed a needs assessment identifying each department’s office automation requirements. After needs were determined, Purchasing Services utilized the BuyBoard to select the supplier, Ricoh USA, Inc. Ragonis stated the proposed lease agreement reduces the copier fleet from the existing 24 machines to 15. These 15 copy machines have increased functionality including the ability to print, copy, scan and fax. The City can realize a leased equipment cost savings of approximately \$1,250.51 per month for leased office automation equipment. Ragonis stated the monthly lease payment would be \$3,971.44 for a term of 36 months.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve contract with Ricoh for leased office automation equipment 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

**6. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 2, Administration, of the Code of Ordinances of the City of Brenham to Repeal Article V, Open Records and Records Management and Provide for a New Article V, Records Management and Public Information**

City Secretary Jeana Bellinger and Records Coordinator Angela Hahn presented this item. Bellinger explained the changes in both the Public Information Act and Records Management Act necessitate amending the City's existing Ordinance. Staff intends to bring to Council a formal records management policy at the first meeting in March in accordance with the Ordinance. Bellinger stated public records and number of records are increasing, which brings forth the need to implement policies and procedures for staff on how to handle records and public records requests. Hahn further explained the provision in the law provides the right to charge for personnel hours spent fulfilling open records requests.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve an Ordinance on its first reading amending Chapter 2, Administration, of the Code of Ordinances of the City of Brenham to repeal Article V, Open Records and Records Management and provide for a new Article V, Records Management and Public Information.

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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

**7. Discuss and Possibly Act Upon the Purchase of a 2013 International 7400 Chassis with a Debris Vacuum for the City of Brenham’s Wastewater Treatment Department from the Houston Galveston Area Council Cooperative and Authorize the Mayor to Execute Any Necessary Documentation**

Public Utilities Director Lowell Ogle presented this item. Ogle stated during the budget process Council approved the purchase of a new Jet/Vacuum truck for the Wastewater Department. Ogle explained the truck will be used to clear sewer stoppages, routine maintenance of sewer lines, removing debris from manholes and cleaning lines prior to them being inspected by the City’s camera. Ogle stated this unit will replace a 1996 model that has begun to have many maintenance issues.

Ogle stated the unit was budgeted at \$302,000 and appears to be coming in at \$298,723, which will be purchased using the Houston Galveston Area Cooperative purchasing process and will be funded through a lease-purchase. Ogle stated the lease for funding will be brought to Council at a later date.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Ebel to approve the purchase of a 2013 International 7400 Chassis with a Debris Vacuum for the City of Brenham’s Wastewater Treatment Department from the Houston Galveston Area Council Cooperative in the amount of \$298,723 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

**8. Discuss and Possibly Act Upon Bid No 13-004 for 2013 Mowing and Cleanup Services for Various City Departments and Authorize the Mayor to Execute Any Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau explained this year’s mowing and cleanup services were bid out due to the scope of work changing. The changes include the addition of Linda Anderson Park open area (#20), Hattie Mae Flowers Park (#18), Jerry Wilson Park (#21), Hasskarl Tennis Courts (#19), and the Hike and Bike Trail (#22).

Rau explained that staff has been shifting these services to a third party over the last couple of years which allows the Parks Department to spend more time on specialty items such as maintaining and making improvements to athletic fields and infrastructure in the Parks System. By making this move it will cut down on the Parks Department fleet when it comes to large mowers, fuel and staff.

Rau stated that last year the City awarded the bid in the amount of \$27,520; however, the new bid for 2013 will be \$59,860. Rau explained that after bid review, staff feels that Gene's Services offers the best overall value to the City.

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to award Bid No. 13-004 to Gene's Services in the amount of \$59,860 as the best value for the City for the 2013 mowing and cleanup services contract 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

**9. Discuss and Possibly Act Upon Bid No 13-005 for the Purchase of Refuse Bags for the Sanitation Department and Authorize the Mayor to Execute Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau stated opened bids for the purchase of 12,500 refuse bags. Rau explained these bags will be an inventory item and will not be dispensed until they are released from inventory. Currently these bags are passed out twice per year to our residential customers and are also sold at two locations.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to award Bid No. 13-005 to Central Poly, Inc. for 12,500 rolls of refuse bags (at \$7.10 a roll) for the Sanitation Department 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

**10. Discuss and Possibly Act Upon the Purchase of a 2012 John Deere Cab Tractor with a 2012 Diamond Boom Mower for the City of Brenham's Street Department from the Houston Galveston Area Council and the Buy Board Local Government Purchasing Cooperatives and Authorize the Mayor to Execute Any Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau stated the tractor will be bought through the HGAC purchasing cooperative and the boom mower will be bought off of the BuyBoard purchasing cooperative for a total amount of \$106,406.65. Rau explained this purchase is over the budgeted amount of \$90,000 that was proposed 8 months ago and that staff will be auctioning the old John Deere on Govdeals.com and based on recent history of similar units, he expects to receive around \$12,000 or more for the old tractor. Rau explained the remainder of the over budget difference approximately \$4,000-\$5,000 will be made up by savings within the department. Rau stated the unit is commonly used in the mowing of creeks, steep embankments, brush lines and drainage areas throughout the city.

A motion was made by Councilmember Herring and seconded by Councilmember Goss to approve the purchase of a 2012 John Deere Cab Tractor with a 2012 Diamond Boom Mower for the City of Brenham's Street Department from the Houston Galveston Area Council and the Buy Board Local Government Purchasing Cooperatives in the amount of \$106,406.65 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 Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

**11. Discuss and Possibly Act Upon a Variance Request from Adolph Wehmeyer from Section 23-25(3), Subdivision Ordinance of the Code of Ordinances to Allow the Development of a New Mobile Home Park on Approximately 19.3 Acres Located on FM 389 and Situated Directly West of the Eight Star Corporation's Mobile Home Park (Formerly Known as Wehmeyer Mobile Home Park)**

Development Services Director Julie Fulgham presented this item. Fulgham stated Mr. Wehmeyer has submitted a request for a variance from Section 25-23(3) of the Subdivision ordinance to vary from the requirement that a mobile home park has a minimum frontage of 200 feet to allow the development of a new mobile home park on Mr. Wehmeyer's land directly east of the former Wehmeyer Mobile Home Park, with only 131 feet of frontage.

William Krueger with Jones & Carter was present at the Council meeting on behalf of Adolph Wehmeyer. He stated that Mr. Wehmeyer is prepared to follow all regulations and rules outlined in the Ordinance regarding the building of the new mobile home park. Krueger explained that Mr. Wehmeyer wanted to make sure that Council would approve the new mobile home park variance before proceeding any further with plans and investing more money into the project. Krueger stated that he has asked the City to explain where the 200-400 feet regulations came from and no one seems to have an answer.

Citizen Paul Kendall addressed Council with concerns relating to the creation of another mobile home park near his property on FM 389. Kendall addressed the traffic flow on FM 389, the size of the variance being at 35% does not meet the requirements of the City's subdivision ordinance, and how property owners who own the required acreage could apply for a variance to compete with the non-conforming property.

Councilmember Goss indicated that he was not in favor of the variance because the City's Ordinance clearly states a frontage requirement and that Mr. Wehmeyer's variance does not meet the requirement. Goss reminded Council that the ordinance currently states minimum frontage of 200 feet and a maximum frontage of 400 feet.

Councilmember Barnes-Tilley asked Fulgham where the 200 feet requirement came from. Fulgham stated she was unable to find the answer to this question in her research.

Councilmember Goss stated that he would like to know where the 200-400 feet came from because once Council deviates from the Ordinance for one person; they will have to do the same for others in the future. Goss would like staff to research the Ordinance and try to determine how the 200-400 feet frontage distance was determined.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to table Item 11 so that staff can provide Council with more information relating to this issue.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Gloria Nix	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

## **CLOSE REGULAR SESSION**

### **WORK SESSION**

#### **12. Presentation of the First Quarter Report by the Washington County Convention and Visitors Bureau**

Lu Hollander, with the Washington County Convention and Visitors Bureau, presented this report. She focused on the highlights featured in the *First Quarter Report – October – December 2012*, pointing out the visitor statistics, major tourism events, advertising placements, and editorial coverage.

Ms. Hollander stated the Visitor Center greeted 400 walk-ins in October, 564 walk-ins in November and 414 walk-ins in December. The Washington County Convention and Visitors Bureau mailed 1,749 visitor information in October, 1,346 in November and 1,236 in December. The website was viewed 18,900 times in October, 16,496 in November and 10,622 in December. and approximately 150,000 Visitor Guides were printed and distributed. The State of Texas Tourism Research Department estimated the overall “travel impact” through “total direct spending” in Washington County for 2010 was \$84.91 million.

Ms. Hollander presented advertisement and publication reports. She pointed out items of broadcast coverage and provided samples of publicity Washington County received in 2012.

There were no questions.



### **13. Presentation of the 2012 Annual Report by the Administration Department**

City Manager Terry Roberts and Assistant City Manager Kyle Dannhaus presented the 2012 Annual Report for Administration. Roberts discussed the overview of the City Services and the major projects handled within Administration, including the U.S. Highway 290 Project. Roberts explained the relationship with City Council, the City Attorney's role for the City and the Interlocal Agreements with the County that are currently being reviewed and discussed in hopes of being completed and ready for Council's review in 6 months. Roberts also explained that with the reorganization, reassignments and staffing changes, the City Administration's Office includes the information technology department and emergency communications. Dannhaus highlighted the new employees, functions and accomplishments of the information technology department and Brenham emergency communications. Dannhaus recognized his staff and expressed his appreciation for their hard work.

There were no questions.

### **14. Presentation of the 2012 Annual Report by the Finance and Administrative Services Division**

Chief Financial Officer Carolyn Miller presented this report. Miller stated that Recreation superintendent Jamie Maurer will be returning to discuss a Recreation Update at the April 4<sup>th</sup> Council meeting. Municipal Court Administrator Rhonda Kuehn will also present Municipal Court Statistics for 2012 at the April 4<sup>th</sup> Council meeting.

Miller reviewed the Blue Chip Stocks, Building Equity, Winning Market Strategies and Annual Stock Performance for the following departments: Purchasing Services, Accounting, Budget and Risk Management, Human Resources, Recreation and Aquatics, City Secretary, Municipal Court, and Nancy Carol Roberts Memorial Library. She explained that the City received, for a fourth consecutive year, the *Certificates of Achievement for Excellence in Financial Reporting* from the Government Finance Officers Association for the City's annual financial reports as well as the *Distinguished Budget Presentation Award* for the third consecutive year. Miller expressed her division's strive for leadership and accountability through performance in order to provide excellent service for the City's internal and external customers.

There were no questions.

## **15. Presentation of the 2012 Annual Report by the Development Services Department**

Development Services Director Julie Fulgham presented this report. Fulgham reviewed the awards, accomplishments, training/certifications, and seminars that her departmental employees completed throughout the fiscal year. Fulgham explained the projects and plan review committee progress as well as discussed the parade/event permits and noise variances. Fulgham stated that the City Secretary's office will handle parade/event permits and noise variances in the upcoming year. Fulgham reviewed the accomplishments and projects for the following departments and boards: Building Permits and Inspection Division, Building Standards Commission, Planning Division, Board of Adjustments and Appeals, Planning and Zoning Commission, Mapping, Airport, Airport Advisory Board, Main Street Department.

There were no questions.

## **16. Administrative/Elected Officials Report**

City Manager Terry Roberts reported on the following:

- Chamber of Commerce Forum is on February 22<sup>nd</sup>
- February 26, 2013 is Washington County Day at the Capital in Austin
- Al Gomez's retirement party will be held next Friday, March 1, 2013 at 3:00pm at the Brenham Police Department's Community Room.
- Westwood traffic light issue is currently being worked out with TXDOT.
- Utility Extension Committee has a meeting this afternoon.
- Preliminary Utility Cost Study has been received and there will be a possible workshop in the future.

City Engineer Grant Lischka reported on the following:

- The Overlay Project is ongoing around town.
- TXDOT is on call in regards to the issues with the Westwood light. They will be working on resolving the issue with a projected completion of another week.
- The Aviation Division met with TXDOT to go over the Hangar Project. TXDOT Airport Hangar Project will be listed as a Work Session Item on the March 7, 2013 Council meeting.

Public Works Director Dane Rau reported on the following:

- Land had been acquired behind the Recycling Center to expand the Recycling Center. The property was bought and closed yesterday.
- Work is still progressing at Linda Anderson and Hohlt Parks. The Parks Department employees have been working late to get the improvements completed before Opening Day of Little League on March 23<sup>rd</sup>.
- Next week, Staff and Parks Advisory Board will meet to discuss the maintenance cost of the fields, who uses the fields and how often, and seeking recommendations for the future.

Fire Chief Ricky Boeker report on the following:

- City of Brenham participated in the Memorial Service for the City of Bryan fire fighters killed last week in the line of duty.

Mayor Pro Tem asked about an update on Judge Wright.

- Angela Hahn stated that Judge Wright was at home and would be starting physical therapy soon, but she did not know any other information.

The meeting was adjourned.

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Milton Y. Tate, Jr.  
Mayor

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Jeana Bellinger, TRMC  
City Secretary

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