

Brenham City Council Minutes

A special meeting of the Brenham City Council was held on February 27, 2014 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 K. Roberts, Assistant City Manager Kyle Dannhaus, City Secretary Jeana Bellinger, Deputy City Secretary Amanda Klehm, Chief Financial Officer Carolyn Miller, Kaci Konieczny, Wende Ragonis, Fire Chief Ricky Boeker, and Police Chief Rex Phelps

Citizens present:

None.

Media Present:

Arthur Hahn, Brenham Banner Press; Tom D. Whitehead, KWHI

1. Call Meeting to Order

WORK SESSION

2. Presentation and Discussion of Financing Options for Firefighting and Rescue Equipment, and Capital Improvements Related to the Brenham Pet Adoption and Animal Care Facility and the Nancy Carol Roberts Memorial Library

Chief Financial Officer Carolyn Miller presented this item. Miller addressed the current funded project, Public/Public Partnership, City/County ILA Agreement, Public/Private Partnership, proposed capital projects, and debt service. Miller explained that we increased the tax rate to cover the debt of \$1.5 million dollars to purchase new rescue and pumper trucks.

Miller explained the Public/Public Partnership refers to the ILA Agreement with the County. Miller explained the Public/Private Partnership refers to the City incurring 50% of the cost while private donations will cover the remaining 50%. Miller advised the City received an anonymous donation of \$500,000 at the end of last year.

Miller stated the proposed Capital projects are a new Animal Shelter facility and a new Library facility. Miller advised the new Animal Shelter facility is projected to cost \$2 million with the City funding 50% and donations will cover the remaining 50%. Miller stated Assistant City Manager Kyle Dannhaus and Police Chief Rex Phelps are currently working with the architect and Task Force regarding the new Animal Shelter facility.

Miller advised the new Library facility renovation and expansion is projected to cost \$3 million with the City funding 50% and donations will cover the remaining 50%. Miller advised Council an update from the Library and Animal Shelter architects will be on the March 20th Council meeting.

Milles explained the total 2014 Certificates of Obligation to cover these projects would be \$4.0 million dollars, of which \$1.5 million dollars has already been covered by the tax increase. Miller advised the County's reimbursement money to the General Fund from January – September 2014 will equal \$371,359, which can be used for 2 years of debt service on the new facilities. Miller stated when they worked with Gary Kimble's schedule of financing, it appears that some debt payments will roll off, which can make the proposed payments without a tax increase.

Mayor Tate questioned when the 290 debt will be rolling off. Miller stated the debt should roll off in the FY2018-19 time period because the City is getting repayments earlier than expected from TxDOT. City Manager Terry Roberts explained they have not seen the new debt maturing schedule, but the BVWACS radio contract will be rolling off. Roberts stated Gary Kimble says they can adjust the timing and layering of debt so that it goes smoothly. Roberts advised there is paperwork regarding the 205 acres of landfill property in Chappell Hill is laid around the Dias. Roberts advised Assistant City Manager Kyle Dannhaus is looking at engaging services of a real estate broker. Roberts explained this is one-time money only, so the \$1.5-\$2.0 million would need to be applied to capital projects or improvements.

Roberts explained the most cost effective plan for the Library renovations is to move the Library temporarily. Roberts advised they could downsize and move the Library into City Hall's big utility lobby because it presents some options. Roberts stated the renovation period should last 12-18 months.

Mayor Tate stated the fire truck is already approved and financed for this year. Miller stated this is correct because they increased the tax rate by \$0.02 this year to cover the 2 Police Department officers, Fire Marshall, and fire trucks.

Councilmember Williams stated Staff is looking at all aspects of the Library. Councilmember Williams stated they are considering moving Genealogy to the Museum to try to make it work. Mayor Pro Tem Nix questioned how the Library is going to use the Museum when they want to renovate their building as well. Administrative Services Manager Wende Ragonis stated the Library Staff has started a good relationship with the Museum and they will have to work together to make it all work. Ragonis stated they are also looking at the Texana location as an option as well because the Bus Stop/Depot is first in line for renovations. Mayor Pro Tem Nix explained the Museum has the funds now for the Bus Stop renovations, but it's on hold for now. Ragonis advised the Library wants to partner efforts with the Museum to not duplicate efforts in the community.

Roberts stated the Boettcher building was ideal, but we do not have the funds to relocate temporarily. Roberts explained the Library would use 5000-7500 square feet in City Hall for the Library temporarily. Roberts advised David Price is a consultant who is looking at the space to determine if the Utility Lobby is doable for a temporary location. Roberts stated some City Hall Staff would relocate to sublet offices or locations.

Councilmember Barnes-Tilley questioned if parking would be an issue. Roberts stated some say access and parking will be easier at City Hall. Miller advised City Staff will be moved to the adjacent parking lot to accommodate for additional patron parking.

Councilmember Herring questioned the budget for relocation. Ragonis stated the Library budgeted for the consultant for space planning, furniture and fixtures for this year and could use that money for temporary relocation instead. Roberts stated the City Hall renovations would be small and could come out of contingency fund because the costs should be \$25,000 or less.

Mayor Pro Tem Nix questioned if the Simon Center could be used for book storage. Mayor Tate stated he thought that was doubtful because they are still renovating the building. Ragonis stated a lot of the books can be stored at Central Warehouse because 94% are not being checked out. Ragonis explained Central Warehouse is climate controlled and doable in this situation to store books.

Councilmember Williams stated he has received good responses to the Library and Animal Shelter facilities, which are all positive. Councilmember Williams explained he has only received a few reservations on endowments from citizens. Mayor Tate explained the City renovations are contingent on the citizens' contributions and commitment.

Councilmember Barnes-Tilley stated she is for both projects and thinks we should move forward and get them done.

Councilmember Barnes-Tilley left the meeting.

3. Presentation and Discussion on the City of Brenham's Charter

City Secretary Jeana Bellinger presented this item. Bellinger stated the City's Charter has not been updated since May, 1995. Bellinger explained it contains obsolete language and is inconsistent with many Federal and/or State laws. Bellinger advised that after discussing the Charter with Mayor Tate, he asked that she present information on the Charter to the full Council so that a decision can be made about a possible Charter Election in 2015. Bellinger discussed what is a Charter, the history of our Charter, Charter Amendments, issues with our Charter, steps to a Charter Amendment, and things to consider when planning Charter Amendments.

Roberts stated there have been detailed discussions between himself, the Mayor, Jeana, and the City Attorney relating to the Charter. Roberts explained things in the current Charter are not applicable anymore, but is questioning if this is the right time for a detailed Charter review. Roberts advised they are bringing this before Council to determine if they want to move forward with a Charter review and Charter amendment Election in May 2015. Roberts explained the Charter can only be changed by the voters. Roberts advised to put the Charter amendments on the next election, Charter review would need to begin now because it's only 14 months away and it will take time to work through the entire Charter. Roberts explained it has been over 19 years since the last changes have been made to the Charter.

Bellinger stated some older language does contradict the Charter currently. Bellinger advised there have been 6 amendments since the first Charter. Bellinger stated the last amendment to the Charter was in 1995. Bellinger advised Article VII, Section 6 relating to Wards needs to be removed because it does not apply anymore. Bellinger stated some sections of the Charter do not coincide with State and Federal Law. Bellinger explained the language needs to be updated. Bellinger explained currently, when the City has annexations, the Charter states the City should have a Charter amendment election.

Bellinger asked the Council to give direction on how they would like to proceed. Bellinger advised Council that they are not obligated to make any changes based on the recommendations of the Charter Review Committee. Bellinger stated the project will be time consuming, but it is important for the running of the City.

Bellinger advised the estimated cost is \$25,000. Bellinger estimates there will be approximately 30 propositions on the Charter amendment election. Bellinger stated she does have some legal fees to get her started now and she will budget for the rest in the FY2014-15 budget.

Bellinger stated there are several ways to accomplish the Charter Review Committee. Bellinger advised the three ways: (1) 100% Staff, which would be headed by City Secretary, (2) Council Sub-Committee with 3 Council members or less and the City Secretary, and (3) Citizens would be appointed to the committee. Bellinger explained it can be any one of these choices or a combination of the three. Bellinger stated herself and the City Attorney will categorize each section as Administrative or Legislative then will bring all recommendations back to Council for approval. Bellinger advised there are 7 articles and 95 sections for review. Roberts questioned if updates would be presented to the Council regularly on the review recommendations. Bellinger stated yes, she would present review updates every other month and more frequent updates starting in November or December as the election approaches.

Mayor Tate questioned if it was possible to have the Charter Amendment Election on years that the City does not have spots running and if there would be cost savings. Bellinger stated there are cost savings in having the Charter Amendment Election during the regular Election because the poll workers are already there and the City will not have to pay for polling places or ballots again because they will already have to be paid for with the regular Election. Bellinger explained having an additional Election would cost the City more due to additional Staff time and efforts. Bellinger advised it will be 20 years by the 2015 Election since the last review of the Charter. Bellinger stated if the City decides to wait until an even-numbered year for the Charter Amendment Election, they could run into similar issues that caused the City of Brenham to change term limits.

Councilmember Herring stated he thinks the City is overdue for review and now is an especially good time since Jeana has a strong right hand with Amanda Klehm in her office. Councilmember Herring states to go ahead with the Charter review. Mayor Pro Tem Nix questioned how many are Administrative and how many are Legislative. Mayor Pro Tem Nix agrees with Councilmember Herring and says let's do it. Bellinger advised that she has not reviewed the sections yet, so she does not know the exact count of each at this point, but she thinks most will be Administrative changes. Councilmember Ebel agrees to go ahead with the Charter review.

Councilmember Goss stated it needs to be reviewed, but questioned if Ordinance review will be placed on the backburner. Bellinger stated this is a possibility due to the amount of time the Charter review will consume. Bellinger advised the Council needs to make a decision on how they want to proceed. Bellinger stated that she can have Amanda Klehm work on Ordinances. Councilmember Goss stated the City has a lot of Ordinances that need attention. Councilmember Goss suggested putting together a Charter Review Committee with Council and citizens, so that will free up Bellinger to work on Ordinances because otherwise everything else will be put to the side. Mayor Tate stated the committee will review the Charter, but a lot of the work will still fall on the City Secretary's office.

Mayor Tate questioned if citizens could be added to the committee so that the City can add their comments and opinions to the Charter review. Bellinger stated the Council can make any combination of people for the Charter Review Committee. Bellinger explained the Charter review can be designed however the Council chooses to do so. Mayor Tate reiterated the majority of the work will fall on the City Secretary's office, but he knows Jeana and Amanda can handle the work. Bellinger stated most of the work will fall on herself and City Attorney.

Councilmember Herring stated if the Council feels that Ordinances are being pushed off once the review begins, then they can postpone the Charter review. Bellinger stated they would need to come up with a time table in order to complete the review and recommendations in time for the May 2015 Election. Bellinger stated she will create an Administrative and Legislative table to bring to the March Council meeting with how much time the review will take. Bellinger stated the City Secretary's office will be involved and working with the City Attorney.

Councilmember Herring stated the whole Charter is a lot to get done by the May 2015 Election. Councilmember Herring suggested breaking the Charter election into 2 elections. Councilmember Ebel stated he thinks the City will be better off having one Charter election. Councilmember Ebel stated can do it in May 2015 or wait until May 2017. Mayor Tate stated he thinks the City will save some money if we do one Charter election. Councilmember Williams stated with City Secretary's Office, he thinks Amanda and Jeana can get it done in time for the May 2015 Election. Mayor Tate stated he is for the second option with citizens included in the review.

Bellinger stated she will look at the 95 sections and see where they all fit. Mayor Tate stated they will need to come up with a Council sub-committee and add citizens to the Charter Review Committee.

Roberts stated all recommendations for Charter amendments will be separate ballot items. Roberts advised City Attorney Cary Bovey recently went through a total Charter review in Navasota. Bellinger stated the Local Government Code has a lot of requirements and moving pieces to the puzzle. Mayor Tate stated the City Secretary's Office should move forward with the Charter review and the election time can be determined at a later date.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary