

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on August 7, 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 Attorney Cary Bovey, Deputy City Secretary Amanda Klehm, Chief Financial Officer Carolyn Miller, Stacy Hardy, Rhonda Kuehn, Cynthia Longhofer, Kaci Konieczny, Susan Nienstedt, Wende Ragonis, Fire Chief Ricky Boeker, Police Chief Rex Phelps, Barbara Martin, David Doelitsch, Development Services Director Julie Fulgham, Jennifer Eckermann, Kim Hodde, Public Works Director Dane Rau, Bobby Branham, Casey Redman, Public Utilities Director Lowell Ogle, Kevin Schmidt, Tony Tavary, Pam Ruemke, Andria Heiges, Kevin Boggus, and Grant Lischka

Citizens present:

Stephen Stuckert, Sally Clinton, Katie Carr, Gregg Appel, Connie Jarnagin, Tanner Jongin, Anthony Smith, Willy Dilworth, Clarence Gerke, Heather Ruemke

Media Present:

Arthur Hahn, Brenham Banner Press; Ed Pothul, KWHI

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

3. **3-a. Service Recognitions**
 - **Barbara Martin – Public Utilities – 5 years**
 - **Kevin Schmidt – Information Technology – 5 years**

- 3-b. **Awards**
 - **GFOA Distinguished Budget Presentation Award**

Chief Financial Officer Carolyn Miller presented the award in Council and stated this is the Finance Department’s Fifth Consecutive Year to receive the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA) for the City’s annual financial report for the period ending September 30, 2013.

4. **Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

5. **Statutory Consent Agenda**

- 5-a. **Minutes from the July 15, 2014 Special City Council Meeting and July 17, 2014 Regular City Council Meeting**

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Herring to approve the Statutory Consent Agenda Item 5-a. July 15, 2014 Special City Council Meeting and July 17, 2014 Regular City Council Meeting.

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

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|-------------------------------------|-----|
| 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

6. **Discussion and Update on FY2014-15 Budget Workshop**

Chief Financial Officer Carolyn Miller presented this item. Miller stated compared to the 2013 amount, the 2014 certified property valuations were higher by 2.21%.

Miller explained that the City's tax rate will be lower by \$0.0720 due to the impact of the October 1, 2014 implementation of the Comprehensive Exchange of Services Interlocal Agreement and the transfer of emergency communications function to the County. Miller advised the proposed FY14-15 tax rate is decreasing from \$0.5632 per \$100 valuation to \$0.4912 per \$100 valuation (\$0.0720 or 12.78% reduction). Miller explained if Council approves the proposed tax rate of \$0.4912, the City would be under the rollback rate of \$0.4921.

Miller advised that Council decided to add the following items, which will impact the FY14-15 budget:

- Vehicle for Deputy Fire Marshal in the amount of \$36,100
- Allocate General Fund reserves of \$225,000 for Street Reconstruction (\$900,000 over four years)
- Lease purchase of Asphalt Zipper for \$39,500 per year over five years
- Include mid-year 2% COLA in department budgets with approval subject to General Government revenues and expenditures trends (General Fund \$57,801; Utility Funds \$28,154).

7. Discussion and Presentation Regarding the Potential Sale of Several Parcels of Land Located Along Wilkins and Jefferson Streets

City Engineer Grant Lischka presented this item. Lischka stated the City has recently installed underground storm sewer in a drainage way that parallels Burleson Street between Jefferson Street and MLK Jr. Parkway. Lischka explained along portions of this drainage way, the City owns several parcels. Lischka explained now that the drainage way has been covered, staff believes that these parcels are no longer necessary for the City to own. Lischka stated a sanitary sewer line is installed within an easement that parallels the drainage way. Lischka asked that if additional easements are required, they will be obtained before the sale of the property.

Councilmember Herring questioned if the ditch was in the flood plan. Lischka stated no and he is unsure of why the Street Department used to maintain the ditch. Councilmember Herring questioned if the lot could be subdivided into a larger lot. Lischka stated yes into 2 lots, so there would be 3 total lots to sell. Councilmember Williams questioned about the small lot at Wilkins and Jefferson. Councilmember Williams stated the City took it over for taxes, but it's overgrown and the City needs to sell it. Lischka stated that he will look into it. Code Enforcement Officer David Doelitsch stated that the Street Department recently went out and cleaned up that lot. Public Works Director Dane Rau explained that the City does not own that lot, but has a lien on it.

Lischka questioned if it was okay to get a survey done to size up the lots. Mayor Tate stated yes.

8. Discussion and Presentation Regarding the Potential Sale of Several Parcels of Land Located Along Old Mill Creek Road and the Possible Future Extension of the U.S. Highway 290 Frontage Road from Old Mill Creek Road to W. Main Street

City Engineer Grant Lischka presented this item. Lischka stated that as discussed with Council in April, Staff has hired a surveyor to layout developable lots within the old railroad right-of-way along Old Mill Creek. Lischka advised that Staff was provided with a preliminary layout and would like to discuss with Council. Lischka stated as shown on the layout, the Dixie Street right-of-way is currently extending to Old Mill Creek Road. Lischka explained while Staff believes that a straight connection between Old Mill Creek Road and W. Main Street is necessary, we would like to find alternatives other than Dixie Street. Lischka stated one alternative is to extend the frontage road on the east side of U.S. Highway 290 from Old Mill Creek Road to W. Main Street. Lischka explained Staff believes this is better than extending Dixie Street. Lischka advised the right-of-way would need to be acquired and Staff is currently coordinating meetings with property owners. Lischka stated the existing off ramp and its tie-in to W. Main Street would also require reconfiguration.

Councilmember Barnes-Tilley questioned if there is that much of a traffic problem that can't use Saegar Street. Lischka explained yes it is an alternative. Lischka stated it would cut ones mile off drive time, if the City were to extend. Lischka advised that if the City ever transitioned to one way frontage then that would eliminate the entrance to 290 on that frontage road.

Councilmember Herring questioned if the City could make a cul-de-sac on Dixie and maintain the right of way. Lischka advised that this is an option. City Attorney Cary Bovey stated that the City could maintain the right of way and abandon later if Staff determined that they don't need it at a later date.

Councilmember Barnes-Tilley questioned if we are facing traffic issues at this point. Lischka stated no, but if Old Mill Creek frontage road changes to one way, then there will be issues. However, Lischka stated that this is not a high volume traffic road at this point. Councilmember Barnes-Tilley stated if we open up Dixie then could cause traffic problems for those residents.

Mayor Tate questioned if the property that is needed to purchase within the white lines on the map. Lischka stated we may possibly need property on the back of those lots, but Staff has not spoken to residents yet. Lischka explained the big issue is how to tie into and go to W. Main.

Councilmember Barnes-Tilley questioned if TxDOT has any interest in funding this project. Lischka stated not at this time. Councilmember Barnes-Tilley stated that she does not want to do anything to Dixie because it would be a problem for those residents. Mayor Tate stated to keep the right of way for now in case need later. Councilmember Goss stated that the would never approve upgrading a state right of way unless the City was going to be reimbursed because it doesn't really benefit the residents, but rather those traveling through.

REGULAR AGENDA

9. Discuss and Possibly Act Upon an Amendment to the Development Agreement Related to the Donation of Land for Future Park Purposes and Authorize the Mayor to Execute Any Necessary Documentation

City Engineer Grant Lischka presented this item. Lischka stated the development agreement related to the donation of land for future park purposes currently states that the developer will construct Chappell Hill Street south of U.S. Highway 290. Lischka explained being that Chappell Hill Street is part of the City's thoroughfare plan, the City agreed to participate 25 percent of the cost of the street. Lischka advised the 25 percent is the cost for oversizing from a 31-foot local street to a 39-foot collector street. Lischka explained the engineer for this portion of Chappell Hill Street is the same engineer the City hired to prepare plans for the Chappell Hill Street Extension. Lischka stated in an effort to benefit from the economy of scale, Staff believes that bidding both projects together will possibly result in a lower total cost for the projects than if they were bid separately. Lischka stated the simplest way to bid the projects together is for the City to bid out the projects and be reimbursed by the developer. Lischka explained this scenario requires an amendment to the development agreement. Lischka stated instead of the developer constructing the road and being reimbursed 25 percent by the City, the City would now construct the road and be reimbursed 75 percent by the developer. Lischka explained the projects have been issued to contractors and are bids will be opened later this month.

City Attorney Bovey stated the City pays 25% and the Developer pays 75%, but City handles all payments with the Developer paying the City ahead of time in a fund and not reimbursement.

Councilmember Barnes-Tilley stated this is not a priority at this time because we have parks now. Councilmember Barnes-Tilley explained that she is not against parks, but want to make sure that we aren't putting any money into this project. Lischka stated the funds are coming from BCDC. Lischka explained the waterline and roads will handle in house and BCDC will reimburse the City from the work. Lischka advised that they are bidding out at the same time and will hopefully get a better price yet handle the projects separately.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve an amendment to the Development Agreement related to the donation of land for future park purposes and authorize the Mayor to execute any necessary documentation.

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

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|-------------------------------------|-----|
| 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 an Ordinance on Its First Reading Adopting a Revised City of Brenham Drought Contingency Plan and Water Conservation Plan for 2014

Public Utilities Director Lowell Ogle presented this item. Ogle stated this ordinance pertains to the City of Brenham Drought Contingency and Water Conservation Plan. Ogle advised this plan is mandated by the Texas Commission on Environmental Quality (TCEQ) and is required to be revised and adopted every 5 years. Ogle explained the Drought Contingency and Water Conservation Plan includes quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use, in gallons per capita per day. Ogle advised the plan also includes current rate schedules, statistics for domestic water usage and updated contracts from the Brazos River Authority and the Brenham State Supported Living Center. Ogle stated this plan establishes criteria for the initiation and termination of drought response stages, establishing restrictions on certain water uses, establishes penalties for the violation of and provisions for enforcement of these restrictions, establishes procedures for granting variances and provides severability and an effective date.

Ogle stated the changes in this plan compared to the 2011 Drought Contingency are as follows:

- Revised specific, quantified targets for water use reductions to be achieved during periods of water shortage and drought. The revised targets begin on Page 4 listed as “C” under each Stage and are highlighted in yellow.

Councilmember Goss questioned if the City had to initiate any stages of this plan and had a major fire where we would utilize a lot of water, would the City be penalized. Ogle stated no, we would just go to the next stage and take the steps outlined in that stage within the plan. Ogle explained that there are no penalties. Ogle stated the plan is based on 3 consecutive days. Ogle advised that goal of the plan is to have water for our consumers.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve an Ordinance on its first reading adopting a revised City of Brenham Drought Contingency Plan and Water Conservation Plan for 2014 and authorize the Mayor to execute any necessary documentation.

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

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|-------------------------------------|-----|
| 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 an Ordinance on Its First Reading Amending Chapter 23, Subdivisions, Section 23-36, Filing Fees, of the Code of Ordinances of the City of Brenham, Texas

Development Services Director Julie Fulgham presented this item. Fulgham stated currently, Section 23-26 requires filing fees for subdivisions to be adopted by ordinance. Fulgham explained this proposed ordinance changes this section to require filing fees for subdivision to be adopted by resolution, which is consistent with most ordinances of the City of Brenham and the preferred method for adopting fees.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve an Ordinance on its first reading amending Chapter 23, Subdivisions, Section 23-36, Filing Fees, of the Code of Ordinances of the City of Brenham, Texas.

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

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|-------------------------------------|-----|
| 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 a Professional Services Contract Between the City of Brenham and Bureau Veritas Group for Inspection and Permitting Services for the Development Services Department and Authorize the Mayor to Execute Any Necessary Documentation

Development Services Director Julie Fulgham presented this item. Fulgham stated the City has contracted with Texas First and Bureau Veritas to perform Building and Inspection duties as a result of a month-long absence of the Building Official. Fulgham explained this contract replaces a back-up inspection contract to allow a long term relationship with Bureau Veritas. Fulgham advised that Bureau Veritas services will be utilized on a request only basis as defined in the contract, which will allow the City to only utilize services as needed.

Fulgham stated in addition to contract with Bureau Veritas, the City has a short term contract with Texas First, an executive search firm catering to municipalities. Fulgham explained that John Brown, Interim Building Official started on Monday to perform various Building Official duties on a contract basis between August 4, 2014 and September 1, 2014.

City Attorney Bovey stated that they have been through several changes in the agreement to be agreeable by both parties. Bovey explained that he is waiting on the final draft.

Councilmember Barnes-Tilley questioned if this was coming out of the City Manager's contingency funds. Fulgham explained yes it was.

Councilmember Goss stated that this is kind of a wakeup call and that Council may want to revisit bringing back a 2nd inspector. Councilmember Goss explained that the City has been lucky to have Allen with his lack of health issues and being efficient, but now we are reaping issues with him being out. Councilmember Goss suggested the Council review the need for a 2nd inspector. Fulgham explained the numbers until this summer have not justified the need for a 2nd inspector, but this is a good backup alternative and more cost effective. Fulgham explained that summer is the highest volume. Mayor Tate stated that we need to gauge the usage and time to see if we need another inspector. Fulgham explained that yes, we will be able to gauge this. Mayor Tate questioned if the inspector would be full time while Allen is out. Fulgham stated yes, just while he is out.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve a Professional Services Contract between the City of Brenham and Bureau Veritas Group for inspection and permitting services for the Development Services Department, once approved by the City Attorney, and authorize the Mayor to execute any necessary documentation once approved by the City Attorney.

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

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|-------------------------------------|-----|
| 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 an Ordinance on Its First Reading Amending Chapter 12, Health and Sanitation, Article II, Cleanliness of Premises, of the Code of Ordinances of the City of Brenham, Texas

Court Administrator Rhonda Kuehn presented this item. Kuehn stated Municipal Court is requesting some minor changes to Article II in Chapter 12, Cleanliness of Premises, of the Code of Ordinances. Kuehn advised these changes will reflect current practices being conducted by City Staff when dealing with unclean premises and the abatement of nuisances on those premises. Kuehn advised the current Ordinance states that upon receiving notice to abate a nuisance, the property owner has the right to request an administrative hearing before the city manager or his designee by filing a written request for a hearing with the city secretary. Kuehn explained the requested changes would remove “city manager or his designee” and replace with “municipal court judge” as well as remove “city secretary” and replace with “municipal court clerk”.

Kuehn explained upon further review of Chapter 12, the City Secretary’s office wanted to make some changes to Section 12-11 to more properly reflect lien procedures currently being followed and to bring the section into compliance with State law.

Councilmember Barnes-Tilley questioned if these have been current practices and we are just updating the Ordinance to reflect current practices. Kuehn stated yes, that is correct.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to approve an Ordinance on its first reading amending Chapter 12, Health and Sanitation, Article II, Cleanliness of Premises, of the Code of Ordinances of the City of Brenham, Texas

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

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|-------------------------------------|-----|
| 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 the Acceptance of the Edge Reimbursement Implementation Grant from the Texas State Library and Archives Commission in the Amount of \$5,000 for New Computer Equipment for the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation

Administrative Services Manager Wende Ragonis presented this item. Ragonis stated the Edge Initiative was developed by a national coalition of leading library and local government organizations and is funded by the Bill and Melinda Gates Foundation.

Ragonis explained it was created with the vision that all people should have opportunities to enrich and improve their lives through open access to information, communication, and technology services provided by public libraries.

Ragonis explained the Nancy Carol Roberts Memorial Library was invited to participate in the Edge Program Technology Assessment. Ragonis advised once compiled, the assessment report is designed to help public libraries set a path for continuous improvement. Ragonis explained the Edge Initiative, working through the Texas State Library and Archives Commission, offers grants to public libraries for new technologies which can make a difference in the community.

Ragonis stated the Nancy Carol Roberts Memorial Library was awarded a **\$5,000** Edge reimbursement grant to purchase new technologies. Ragonis advised Library and IT Staff collaborated to research technologies which would be of greatest benefit to NCRML patrons while being compliant with the City's IT standards. Ragonis explained that Staff determined that the following devices would best align with current technology service offerings and allow for expansion of services provided:

- 1) ***One laptop at an estimated cost of \$1,800.*** The laptop would have integrated camera and audio capabilities for video conferencing. Staff will use this laptop for collecting electronic inventory data and as a presentation tool. The Library does not currently have a laptop in its inventory.
- 2) ***Five e-readers at an estimated cost of \$150 for a total cost of \$750.*** These devices are similar to the "Play-a-Ways" that are currently in circulation. The e-readers will have Ebooks downloaded onto the device by genre. According to a survey published by the Library Journal Ebooks are now offered in 9 out of 10 public libraries and Ebook demand will continue to increase, especially with younger patrons.
- 3) ***Seven Chromebooks at an estimated cost of \$325 for a total cost of \$2,275.*** The initial Chromebook deployment is for patron use in the library facility with a City of Brenham WiFi connection. Local area students will benefit from the use of Chromebooks as these are the standard technology tool in area classrooms. Students can access email and other school related assignments with these devices. As staff and patron's learn this new technology offering, changes may be implemented in the circulation of Chromebooks.

Ragonis advised the total amount staff anticipates spending is \$4,825. Ragonis explained the per device cost includes protective cases or covers for the devices.

Mayor Tate questioned if there were no strings attached. Ragonis stated that it is a reimbursement grant, so the City purchases the items and they reimburse the City. Councilmember Barnes-Tilley questioned if we could get another e-Reader with the funds since the bottom line has money left over. Library Supervisor Andria Heiges stated the leftover additional funds are for accessories and chargers, but if funds are available, we will get another one.

A motion was made by Councilmember Williams and seconded by Councilmember Herring to approve the acceptance of the Edge Reimbursement Implementation Grant from the Texas State Library and Archives Commission in the amount of \$5,000 for new computer equipment for the Nancy Carol Roberts Memorial Library and authorize the Mayor to execute any necessary documentation.

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

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|-------------------------------------|-----|
| 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 the Approval of the FY2014-15 Preliminary Budget for the Washington County Appraisal District

Chief Financial Officer Carolyn Miller presented this item. Miller stated the City has received a copy of the Washington County Appraisal District (WCAD) FY2014-2015 Proposed Budget. Miller explained the WCAD proposed budget shows an increase of \$55,460 over the prior year's budget mainly due to the addition of a Compliance Officer position and 2% salary increases for Staff. Miller advised the impact for the City of Brenham is an increase of \$9,274 for FY14-15 which was included in the General Fund proposed budget already reviewed with Council.

Mayor Pro Tem Nix stated that she has concerns a little bit because we didn't give our Staff 2% increase on our end and was deferred until mid-year and wondering if we can increase. Mayor Tate questioned when the last raise was. Chief Appraiser Willy Dilworth thinks last year there was a raise.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve the FY2014-15 preliminary budget for the Washington County Appraisal District.

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

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|-------------------------------------|-----|
| 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 |

16. Discuss and Possibly Act Upon an Ordinance on Its First Reading Repealing Chapter 25, Article III, Division 2, Section 25-57, Reserved Parking, of the Code of Ordinances of the City of Brenham, Texas

Main Street Manager Jennifer Eckermann presented this item. Eckermann stated Main Street has discussed reserved parking spaces downtown at numerous committee and board meetings. Eckermann advised that at the July meeting, the Board voted to recommend to City Council that Reserved Parking in the downtown area be repealed.

Mayor Pro Tem Nix questioned if this included handicap spots. Eckermann stated no, it does not include handicap spots. Councilmember Herring questioned about Courthouse parking. Mayor Tate stated that Courthouse parking was done many years ago by Council. Councilmember Herring stated that he can see the County Jail van having a reserved parking spot, but no other reserved parking spots at the Courthouse. Fulgham stated that she does not think that Courthouse parking spots are included in this Ordinance. Fulgham explained that this is for individual requests for reserved parking. Mayor Tate questioned about the ones that are already there. Eckermann stated their spots would remain until it expires next summer, but they have been made aware that this is coming. Councilmember Herring questioned if Hospice Boutique was made aware of today. Eckermann stated that no, but she will let her know for 2nd reading. Councilmember Barnes-Tilley questioned if Hospice Boutique was for ½ day. Eckermann stated yes, 1-5pm, but they have 3-5 spots at the back of the building for them solely.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve an Ordinance on its first reading repealing Chapter 25, Article III, Division 2, Section 25-57, Reserved Parking, of the Code of Ordinances of the City of Brenham, Texas.

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

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|-------------------------------------|-----|
| 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 |

17. Discuss and Possibly Act Upon RFQ No. 14-009 for a Refurbished Horizontal Cardboard Baler for the City of Brenham's Recycling Center and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau stated the City of Brenham Recycling Center relies heavily on one component to keep the center operating and bringing revenue into the department. Rau explained this component is the horizontal cardboard baler. Rau stated Staff has recently been experiencing major issues with the 1996 Cram-A-Lot baler and have had it worked on several times this year to keep it operating and producing cardboard.

Rau explained this baler was bought from Howell's Recycling when the City of Brenham assumed the recycling duties in early 2000. Rau advised this machine works 6 days a week and bales cardboard constantly as product is brought in by the citizens and from our internal cardboard collection routes. Rau stated when this machine is down it causes a severe mountain of cardboard very quickly.

Rau explained in February Staff experienced this baler malfunction and had to replace the tail guides which keep the baler in-line as it compacts cardboard. Rau explained Staff felt pretty good about this repair but after a few months we experienced the same thing happen. Rau stated due to the age and wear of the internal parts of the baler no company can guarantee us that this machine will last for any period of time. Rau explained that in a statement by one of the repair companies they said "We feel that due to the age and wear on this baler it is beyond repair economically, the press and the floor as well as the shear bars are all worn to the extreme. Rau advised all of the guide channels are worn very thin and we feel that it will be almost impossible to keep guides on this machine." Rau stated within the last few years the City has spent around \$9,000 in repair costs but all the internal parts are worn so thin that without total refurbishing we no longer have any good options. Rau explained this baler is a XH-72 Cram-A-Lot baler that produces on average a 1 ton bale. Rau stated Staff is able to get premium prices on cardboard due to the size and weight of these bales.

Rau stated Staff was hoping that this baler could last a few more years and even had it on the 5 year plan to replace in 2017. Rau explained it doesn't appear that the City can wait that long. Rau advised Staff has it as a decision package for 2015 at \$115,000 for a new baler but Staff feels that the City can save around \$55,000+ by buying a used baler and will produce a larger bale. Rau advised Staff has looked at several options which include either buying a new baler or buying a refurbished baler. Rau explained that a new baler would cost approx. \$115,000 off of the BuyBoard but would not allow Staff to get the same size bale nor weights as the City does with the current baler. Rau stated Staff has looked at refurbished balers and recently requested proposals for a similar baler as the City currently operate. Rau explained Staff has received three request for proposals for an identical baler which is a 2003 HX-72 Cram-A-Lot for approximately \$56,850.00

Rau explained that Staff would like to replace our 1996 Cram-A-Lot HX-72 baler with a 2003 completely refurbished Cram-A-Lot HX-72 baler from Rise Equipment LLC. Rau advised that Staff feels that replacing with alike baler will be beneficial to the City's center and the City's vendors and also save the City money. Rau explained this baler will be delivered to the City's facility from the Carolinas and will have a 90 day warranty on major parts.

Rau explained that Staff understands that with refurbished equipment the City is taking a risk, but it would be significantly lower than a new baler. Rau advised the new balers that Staff could purchase at \$115,000 will not make a comparable size bale as the HX-72.

Rau advised that if approved, Staff will buy this baler out of Sanitation reserves which is currently \$666,000 with a 45 working day reserve. Rau stated the old baler Staff would either put on Govdeals.com or sell to a refurbishing company. Rau explained several estimates range from \$6,000-\$15,000 for the old baler. Rau stated that Staff recommends awarding the RFQ to Rise Equipment LLC. in the amount of \$56,850.00 which includes equipment, delivery and installation on-site.

Councilmember Herring questioned how long it would take to switch to the new machine. Sanitation Superintendent Bobby Branham stated that it could be done in a day to day and a half with removal and installation.

Councilmember Williams questioned how much space would we lose if buy new. Rau explained that we would actually gain space. Councilmember Williams questioned if we bought new, we would gain space. Rau advised yes, but would get smaller bale and less money on our return.

Councilmember Herring questioned if 90 day warranty is lost, why not let them install. Rau stated we don't lose it, we just save money by unloading it ourselves.

Councilmember Goss questioned if he has inspected the machine. Rau stated no because it is in the Carolinas, but he has spoken with people and have received photos who operated the machine. Rau explained that he is comfortable with what he has seen and heard. Rau explained that the paper mill was going out of business and needed to sell the machine.

Mayor Pro Tem Nix questioned if the price included shipping and installation. Rau stated yes.

Councilmember Goss questioned why the size of the bale changes the money return. Branham stated the trucking is the difference. Branham stated the current bale size that City produces can get more on a truckload than the smaller bales. Branham advised currently the bales the City produces are between 2000-2500 pounds. Branham explained the smaller bales have to be broken down and rebaled into larger bales so we get more money because we have taken out the middle man and gone to the mill directly. Councilmember Barnes-Tilley questioned if next year's budget changed. Rau stated no, just buying the equipment earlier out of reserves.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve RFQ No. 14-009 for a refurbished horizontal cardboard baler for the City of Brenham's Recycling Center from Sanitation Reserves in the amount of \$56,850.00 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 |

18. Discuss and Possibly Act Upon a Contract Between the City of Brenham and Vaisala, Inc. Related to the Support and Maintenance of the Automated Weather Observation System (AWOS) Located at the Brenham Municipal Airport and Authorize the Mayor to Execute Any Necessary Documentation

Planning Technician Kim Hodde presented this item. Hodde stated that in the past, TxDOT has contracted with Vaisala for the AWOS maintenance and support services then billed the individual airports accordingly. Hodde explained that TxDOT is no longer doing this so all airports have to contract directly with the vendor. Hodde advised that Vaisala installed the City's AWOS and has serviced it since it was installed. Hodde stated that Vaisala's Preventative and Restorative maintenance cost is \$5,500 annually and the data service is \$780.00 annually for a total annual cost of \$6,280.00. Hodde explained that if the City signs a three-year contract, Vaisala is offering a 5% discount thus making the total \$5,966.00 per year. Hodde explained both of these services are eligible for 50% reimbursement under the City's RAMP Grant with TxDOT. Hodde advised that as an AWOS owner, the City is obligated to operate and maintain the system according to FAA AC No. 150/5220-16D. Hodde stated that Vaisala has been very quick to respond to any issues that Staff has had in the past; therefore, Staff requests approval of this three (3) year agreement.

Councilmember Goss questioned if this is the big one at the airport. Hodde stated no, that's the radar tower. Hodde explained that pilots can call in and get current weather conditions using this system.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve a contract between the City of Brenham and Vaisala, Inc. related to the support and maintenance of the Automated Weather Observation System (AWOS) located at the Brenham Municipal Airport for a three year term beginning September 1, 2014 at an annual cost of \$5,966.00 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 |

19. Discuss and Possibly Act Upon the Extension of a Contract Between the City of Brenham and Ron Stegemoller dba RS Aircraft Services for Mechanic Services at the Brenham Municipal Airport and Authorize the Mayor to Execute Any Necessary Documentation

Planning Technician Kim Hodde presented this item. Hodde stated the City of Brenham approved an agreement with Ron Stegemoller dba RS Aircraft Service for mechanic services at the Brenham Municipal Airport on the 16th day of September, 2004. Hodde explained that Article II of this agreement allows for a five (5) year renewal option if Lessee gives written notice of such desire to Lessor not less than sixty (60) days before the end of the current term. Hodde explained this agreement was extended on August 5, 2010 for a five (5) year term to expire on September 16, 2014; however, the City and Mr. Stegemoller desire to extend the lease for another five (5) year term by mutual agreement. Hodde advised that the Airport Advisory Board and Staff feels that Mr. Stegemoller is an asset to the airport and would ask that this five (5) year extension commencing September 16, 2014 be approved.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Herring to approve the extension of a contract between the City of Brenham and Ron Stegemoller dba RS Aircraft Service for mechanic services at the Brenham Municipal Airport a five (5) year term commencing September 16, 2014 and authorize the Mayor to execute any necessary documentation.

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

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|-------------------------------------|-----|
| 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 |

Short break was taken. Citizen expressed his interest in making a Citizen Comment.

4. Citizens Comments

Citizen Stephen Stuckert stated that he wanted to discuss the Saegar Street extension. Stuckert stated from 1840s until present, up to 5 generations have been buried in Prairie Lea Cemetery including veterans from all conflicts for residents of Brenham and Washington County. Stuckert expressed his opposition to bisecting the cemetery with a road. Stuckert advised that this may increase vandalism and litter increase by passing through of cars. Stuckert stated the City should use the \$2 million dollars in a better manner for the residents of Brenham than to create a bridge for the road going through the cemetery. Stuckert explained that just because the City can do it, doesn't mean that they should.

Council adjourned into Executive Session at 2:35pm.

EXECUTIVE SESSION

- 20. Section 551.071 - Texas Government Code – Consultation with the City Attorney – Consultation with City Attorney Regarding Legal Issues Concerning Platting of the Prairie Lea Cemetery and Possible Future Extension of Saeger Street**
- 21. Section 551.072 - Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding Potential Purchase of Real Property for Redevelopment**

Executive Session adjourned at 3:53

RE-OPEN REGULAR SESSION

- 22. Discuss and Possibly Act Upon the Purchase of Real Property for Redevelopment and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Herring and seconded by Councilmember Williams to approve the purchase of real property for redevelopment and approach surrounding property owners to purchase land and authorize the Mayor to execute any necessary documentation.

Councilmember Herring stated why spin our wheels and money to acquire property that can't be developed when we could see if others want 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 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 |

23. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Welcome back Councilmember Williams! We are glad to have him back.
- Refreshments will be served after the meeting for August birthdays – Councilmember Ebel and Councilmember Goss.
- September 9th at 6pm: TxDOT Public Hearing at Brenham Elementary School regarding the plan for the Clover Leaf.
- Fireman’s Fiesta is Saturday.

Public Works Director Dane Rau reported on the following:

- Mosquito Spraying has been taking place 3 times a week, but they are backing off now and will start spraying storm drains.

City Engineer Grant Lischka reported on the following:

- Pre-construction meeting this week and will start some activity next week.
- Brush clearing is currently taking place by the Street Department.
- Bid dates - will be formally out to bid on August 26th for Chappell Hill extension. The bid award for the project will come before Council at the 1st meeting in September.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary