

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on May 19, 2016 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 Roberts, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Assistant City Manager-Chief Financial Officer Carolyn Miller, Stacy Hardy, Director of Community Services Wende Ragonis, Jennifer Eckermann, Fire Chief Ricky Boeker, Fire Marshal Brent Sauble, Police Chief Craig Goodman, Public Works Director Dane Rau, Casey Redman, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Manager Erik Smith, Allen Jacobs and Lori Lakatos

Citizens present:

Bob Schmidt, Page Michel, Robbie Gail Charette Owsley, Lu Hollander, Clint Kolby, Jenny Mills and Courtney Powell

Media Present:

Arthur Hahn, Brenham Banner Press; and Codi Rynn, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Goss**

3. Citizens Comments

There were no citizen comments.

CONSENT AGENDA

4. Statutory Consent Agenda

4-a. Minutes from the March 24, 2016, April 7, 2016 and April 21, 2016 Regular City Council Meetings

4-b. Ordinance No. O-16-013 on Its Second Reading Authorizing a Variance to Residential Lot Requirements, as Outlined in Section 23-22(5)(a) of the City of Brenham’s Code of Ordinances, on a Tract of Land Being Described as Tract 95, 19.94 Acres, Out of the Phillip Coe Survey, A-31, Located at 940 Farmers Road, in Brenham, Washington County, Texas

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to approve the Statutory Consent Agenda Items 4-a. and 4-b. as presented.

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

| | |
|-------------------------------------|-----|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem 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

5. Presentation of the Second Quarter Report by the Washington County Convention and Visitors Bureau

Lu Hollander, with the Washington County Convention and Visitors Bureau, presented this item. Hollander focused on the highlights featured in the *Second Quarter Report – January – March 2016*, pointing out the visitor statistics, major tourism events, advertising placements and editorial coverage.

REGULAR SESSION

6. Discuss and Possibly Act Upon Change Order No. 002 for the Nancy Carol Roberts Memorial Library Expansion, Modernization and Renovation Project and Authorize the Mayor to Execute Any Necessary Documentation

Director of Community Services Wende Ragonis presented this item. Ragonis stated that Collier Construction was awarded Bid # 15-006 for the construction and rehabilitation of the Nancy Carol Roberts Memorial Library at the April 2, 2015 Council meeting. Ragonis explained that the total bid amount awarded to Collier Construction was \$3,108,000 which included \$25,000 for an outdoor reading room.

Ragonis advised that Change Order No. 002 includes four Project Modification Proposals (PMPs).

| | |
|------------------|---------------------|
| PMP No. 1151-005 | \$ 33,498.00 |
| PMP No. 1511-007 | \$ 8,686.72 |
| PMP No. 1511-009 | \$ 14,108.64 |
| PMP No. 1511-010 | <u>\$ 22,224.00</u> |
| | \$ 78,517.36 |

Ragonis noted that Collier has also added 17 days for the project for completion due to the weather conditions. Councilmember Barnes-Tilley asked where Collier is in completing the project. Ragonis stated that the projected date for completion is at the end of September.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve Change Order No. 002 from Collier Construction in the amount of \$78,517.36, with an increase in the contract for seventeen (17) days, for the Nancy Carol Roberts Memorial Library Expansion, Modernization and Renovation Project and authorize the Mayor to execute any necessary documentation.

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

| | |
|-------------------------------------|-----|
| Mayor Milton Y. Tate, Jr. | Yes |
| Mayor Pro Tem 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 |

7. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Section 21-3, Definitions and Section 21-7, Variances, of the Code of Ordinances of the City of Brenham

Development Services Manager Erik Smith presented this item. Smith stated Staff was recently approached by a company interested in having the Ordinance changed to allow for digital billboards. Smith noted that Staff is in the beginning stages of preparing wording regarding digital billboard signs for Council to review. Smith explained that in the past applicants have been allowed to request variances for prohibited signs, which are typically spectacular signage, but would not prohibit an applicant from requesting a variance for digital billboards and off-premise signage. Smith explained that while preparing new wording for digital billboards, Staff should also define what types of signs are allowed variance requests in general. Smith noted that Staff would also like to further define prohibited signs as types of signs that variance requests are not allowed to be considered.

Smith explained that the proposed amendment would not allow applicants to request variances for signs listed as prohibited in the existing ordinances, not including the B-3 Historical Central Business District. Smith advised that this would directly affect signs such as spectacular signs, billboard signs and off-premise commercial signs.

A motion was made by Councilmember Goss and seconded by Councilmember Williams to approve an Ordinance on its first reading amending Section 21-3, Definitions and Section 21-7, Variances, of the Code of Ordinances of the City of Brenham.

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 |

8. Discuss and Possibly Act Upon Bid No. 3900.038 Related to the M. M. Owsley Memorial Serenity Garden and Park Improvements and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau explained that on May 12, 2016 the Purchasing Department, along with O'Malley Strand, opened bids related to M.M Owsley Memorial Serenity Garden and Park Improvements.

Rau stated 2 bids were received. Rau advised that the bid was broken out into a base bid and had additive alternate options as well. Rau stated that City staff, O'Malley-Strand Associates Project Manager, and Robbie Gail Charrette are all agreeable that the base bid plus additive alternates A1, A2, A4, and A6 be awarded in the amount of \$453,980.00 to Coons Construction, Inc. Rau noted that all costs associated with the project will be taken from donated funds.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve Base Bid No. 3900.038, plus the Additive Alternates A1, A2, A4, and A6 to Coons Construction, Inc. in the amount of \$453,980.00 for work related to the M. M. Owsley Memorial Serenity Garden and Park Improvements 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 |

9. Discuss and Possibly Act Upon a Request for a Noise Variance from St. Mary's Immaculate Conception Catholic Church for an Annual Church Summer Festival to be Held on May 22, 2016 from 9:00 a.m. – 5:00 p.m. at 701 Church Street and Authorize the Mayor to Execute Any Necessary Documentation

Deputy City Secretary Kacey Weiss presented this item. Weiss stated that St. Mary's Annual Church Summer Festival will be held on May 22nd at 701 Church Street. Weiss advised that they will be using a sound amplification system for the live auction.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve a request for a noise variance from St. Mary's Immaculate Conception Catholic Church for an annual church summer festival to be held on May 22, 2016 from 9:00 a.m. – 5:00 p.m. at 701 Church Street 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 |

Council adjourned into Executive Session at 1:30 p.m.

EXECUTIVE SESSION

- 10. Section 551.071 – Consultation with Attorney – Consultation with City Attorney Regarding a Substandard Building Located at 209 South Market Street, Brenham, Texas, said Property also Described as Noel’s Addition, Lot 1C in a Deed Recorded in Volume 1167, Page 717 of the Official Records of Washington County, Texas**
- 11. Section 551.074 – Texas Government Code – Deliberation Regarding Personnel Matters – Discussion Regarding the Compensation of the City Prosecutor and an Update on the Brenham Municipal Court Judge and Associate Judge**

Executive Session adjourned at 2:30 p.m.

RE-OPEN REGULAR SESSION

- 12. Discuss and Possibly Act Upon the Compensation of the City Prosecutor for the Brenham Municipal Court**

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve the compensation of the City Prosecutor for the Brenham Municipal Court in the amount of \$20,000 per year.

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 |

13. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- TML Region 10 will be held on June 14th at the Barnhill Center at Simon Theatre
- Business After Hours today at Blinn Alumni House
- Chamber Event at Fireman's Training Center on June 1st
- Emergency Generator at Lake Somerville is not working properly and a temporary generator is being used until an assessment can be made
- Repairs are being made on the light poles at the Blue Bell Aquatic Center

Fire Chief Ricky Boeker reported on the following:

- Introduced Brent Sauble as the new Fire Marshal

Public Works Director Dane Rau reported on the following:

- Issues with a water line at the Burleson Creek crossing being looked at

Development Services Manager Erik Smith reported on the following:

- Needs volunteers for the Billboard Committee; Councilmembers Goss and Herring volunteered

Director of Community Services Wende Ragonis reported on the following:

- New water features now installed at the Blue Bell Aquatic Center
- Main Street is hosting an informational meeting about Main Street activities on May 24th at 5:30 at the Barnhill Center

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

- Grant was approved for recoating the Church Street water tower

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary

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