

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on July 14, 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 Weldon Williams, Jr.

Members absent:

Councilmember Mary E. Barnes-Tilley

Others present:

City Manager Terry Roberts, Assistant City Manager of General Government Ryan Rapelye, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, Susan Nienstedt, Director of Community Services Wende Ragonis, Crystal Locke, Andria Heiges, Tammy Jaster, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Dant Lange, Trey Gully, Amanda Carker, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Manager Erik Smith, Kim Hodde, Lori Lakatos, Kevin Boggus, Janie Mehrens, Kelvin Raven, Joseph Merkley, Angela Hahn, Judson Hall and Terrence Johnson

Citizens present:

Grady Hardeman, Jr., Jeannette Parry, Perry Thomas, Jennifer Cox, John Schroeter, Glenn Schroeter, Drue Banta, Howard Tomlinson and Clint Kolby

Media Present:

Arthur Hahn, Brenham Banner Press; and Mark Whitehead, KWHI

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

3. **Special Presentation**
 - **American Red Cross Life Saving Award Presented to Blue Bell Aquatic Center Employee**
4. **Service Recognition**
 - **Kelvin C. Raven, Police Department 20 Years**
5. **Special Recognition**
 - **Andria Heiges, Attainment of Masters in Information Science**
6. **Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

7. **Statutory Consent Agenda**
 - 7-a. **Minutes from the May 19, 2016 and June 2, 2016 Regular City Council Meetings**

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve the Statutory Consent Agenda Item 7-a. as amended.

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	Absent
Councilmember Weldon Williams	Yes

PUBLIC HEARING

8. **Public Hearing Considering an Amendment of Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham Granting a Specific Use Permit to Alma Carrillo to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use on Property Located at 1002 E. Blue Bell Road in a B-1, Local Business/Residential Mixed Use Zoning District, and Being Described as Tract 70 of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas**

Mayor Tate opened the Public Hearing.

Development Services Manager Erik Smith presented this item. Smith explained that Alma Carrillo, Owner of Tuchi's Furniture and Party Rental, has requested to place a "Bounce House" outside of the strip center business located at 1002 E. Blue Bell Road. Smith advised that Mrs. Carrillo is a tenant of the building and has provided Staff with a letter from the property manager giving their permission to place the bounce house outside in the grassy area at the front of the center on a limited basis.

Smith noted that Staff's recommendation to the Planning and Zoning Commission was to give approval to the applicant for a period of 30 days from the date of City Council approval, after which time the applicant would no longer be allowed to place the bounce house in front of the premise. Smith stated that the Planning and Zoning Commission recommended unanimous approval of their request with the condition that a 30 day time period be placed on the granting of the specific use permit after which time the specific use permit will expire. Smith noted that once the specific use permit expires the applicant will no longer be able to display the bounce house outside of the business.

Smith also stated the Comprehensive Plan lists this property as being Commercial/Retail District and the zoning ordinance lists this as B-1 Local Business/Residential Mixed Use District. Smith explained that open (outdoor) display or storage of retail merchandise as an accessory use to uses permitted in the B-1 District are within the allowed requests for special use permits in the B-1 Local Business/Residential Mixed Use District. Smith stated that Staff has not received any public concerns at this time.

WORK SESSION

9. Discussion and Presentation Related to Chapter 5, Animals and Fowl, of the Code of Ordinances of the City of Brenham

City Secretary Jeana Bellinger presented this item. Bellinger explained that during the past 2 years she has been working with various staff members on rewriting all of Chapter 5, Animals and Fowl, in the City's Code of Ordinances. Bellinger stated the current Chapter 5 was codified into our Code in October, 1998 and has only had one minor revision since then. Bellinger presented a brief overview of the new ordinance and discussed some of staff's recommendations for new sections to the ordinance. She explained that the first reading of the ordinance would be coming back to Council at a future meeting in September.

Councilmember Goss asked how the new changes would affect the children that have 4-H and FFA projects. Bellinger stated that there is an exemption for those projects and the owners would need to contact animal control.

REGULAR SESSION

- 10. Discuss and Possibly Act Upon an Ordinance on Its First Reading Granting a Specific Use Permit to Alma Carrillo to Allow for Open (Outdoor) Display or Storage of Retail Merchandise as an Accessory Use on Property Located at 1002 E. Blue Bell Road in a B-1, Local Business/Residential Mixed Use Zoning District, and Being Described as Tract 70 of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas**

A motion was made by Councilmember Herring and seconded by Councilmember Goss to approve an Ordinance on its first reading granting a specific use permit to Alma Carrillo to allow for open (outdoor) display or storage of retail merchandise as an accessory use on property located at 1002 E. Blue Bell Road in a B-1, Local Business/Residential Mixed Use Zoning District, and being described as Tract 70 of the A. Harrington Survey, A-55, in Brenham, Washington County, Texas for thirty days.

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	Absent
Councilmember Weldon Williams	Yes

- 11. Discuss and Possibly Act Upon Ordinance No. O-16-015 on Its Second Reading Granting a Specific Use Permit to Grady Hardeman, Jr. to Allow for a Church and Related Auxiliary Uses on Property Located at 515 Martin Luther King, Jr. Parkway in an R-2, Mixed Residential Zoning District, and Being Described as Part of Lot 89 of the James A. Wilkins Addition, West Block in Brenham, Washington County, Texas**

Development Services Manager Erik Smith presented this item. Smith explained that Grady Hardeman has requested a special use permit (SUP) for Wilkins, J-West Blk, Lot 89 which is addressed as 515 Martin Luther King Jr. Parkway to allow him to have a church and auxiliary use including philanthropic and educational facility. Smith stated the building is currently vacant. Smith advised that site plans and updates to the building will be submitted to staff after the applicant knows if the use will be permitted or not. Smith explained that there is an amendment from the ordinance submitted to Council for first reading that indicates the applicant will have one year to begin the use or the specific use permit will expire.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve Ordinance No. O-16-015 on its second reading granting a specific use permit to Grady Hardeman, Jr. to allow for a church and related auxiliary uses on property located at 515 Martin Luther King, Jr. Parkway in an R-2, Mixed Residential Zoning District, and being described as part of lot 89 of the James A. Wilkins Addition, West Block in Brenham, Washington County, Texas.

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	Absent
Councilmember Weldon Williams	Yes

12. Discuss and Possibly Act Upon Resolution No. R-16-018 Adopting the 2016-2026 Long Range Strategic Plan for the Nancy Carol Roberts Memorial Library

Community Services Specialist Crystal Locke presented this item. Locke explained that the Texas State Library and Archives Commission requires an approved Long Range Strategic Plan for library services accreditation.

A motion was made by Councilmember Williams and seconded by Mayor Pro Tem Nix to approve Resolution No. R-16-018 adopting the 2016-2026 Long Range Strategic Plan for the Nancy Carol Roberts Memorial Library.

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	Absent
Councilmember Weldon Williams	Yes

13. Discuss and Possibly Act Upon Resolution No. R-16-019 Authorizing the Acceptance of a Grant in the Amount of \$35,000 from the Texas Parks and Wildlife Department for the Expansion of the Skateboard Park Located in Fireman’s Park

Community Services Specialist Crystal Locke presented this item. Locke explained that at the Council meeting on September 17, 2015, Community Services Director Wende Ragonis presented a funding opportunity through the Texas Parks and Wildlife Department (TPWD) Community Grant Program for an expansion of the Brenham Skate Park facility. Locke advised that on June 4, 2015, the Brenham Community Development Board (BCDC) approved \$35,000 for a skate park expansion project. Locke noted these funds were used as a match to apply for additional funding through TPWD which would have a total impact of \$70,000.00 for a skate park expansion project. Locked stated the City of Brenham was notified of the grant award on March 24, 2016.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve Resolution No. R-16-019 authorizing the acceptance of a grant in the amount of \$35,000 from the Texas Parks and Wildlife Department for the expansion of the Skateboard Park located in Fireman’s Park.

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	Absent
Councilmember Weldon Williams	Yes

14. Discuss and Possibly Act Upon the Approval of a Professional Services Agreement with Gunda Corporation, LLC for Engineering Services Related to Burleson Road Culvert Replacement and Authorize the Mayor to Execute Any Necessary Documentation

City Engineer Lori Lakatos presented this item. Lakatos explained that the Burleson Street crossing, at an unnamed tributary to Sandy Creek, was washed out in the April 2016 storm event. Lakatos stated that the road was almost repaired when the May 2016 storm event washed out the road and most of the base repairs that were made. Lakatos advised that due to the potential of no access or limited access to the citizens that live along Burleson Street during a storm event, it is recommended to design and construct a crossing that is more reliable. Lakatos noted the waterline will also be redesigned for the new road section.

Lakatos stated that the FEMA reimbursement will be 75% of the repairs and the City will be responsible for 25%.

A motion was made by Councilmember Goss and seconded by Councilmember Ebel to approve a Professional Services Agreement with Gunda Corporation, LLC in the amount of \$73,232.00 for engineering services related to Burleson Road Culvert Replacement 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	Absent
Councilmember Weldon Williams	Yes

15. Discuss and Possibly Act Upon Bid No. IFB 16-009 for Bulk Water Treatment Chemicals and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that on June 10, 2016 Staff opened bids related to bulk water treatment chemicals. Ogle stated that 6 bids were received. Ogle noted that the contract would be for one (1) year with firm bid pricing allowing two (2) one-year renewals.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to award Bid No. IFB 16-009 to Brenntag Southwest for Liquid Aluminum Sulfate in the amount of \$192.80 per ton for a total of \$67,480 and DXI Industries for Chlorine in the amount of \$0.2915 per pound for a total of \$47,223 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	Absent
Councilmember Weldon Williams	Yes

16. Discuss and Possibly Act Upon a Consulting Services Contract with Public Management, Inc. for Grant Management Services Related to a Texas Department of Agriculture Grant for the Rehabilitation of the Church Street Water Tower and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that in February 2015, Resolution No. R-15-005 was passed authorizing Public Management, Inc. to submit a grant to the Texas Department of Agriculture for potential funding to be used for the Church Street Water Tower Rehabilitation Project.

Ogle stated that on June 2, 2016, the city solicited proposals for qualified professional administrators or service providers to administer the rehabilitation contract. Ogle noted that the only proposal received was from Public Management, Inc. Ogle advised that Public Management assisted the City of Brenham in obtaining the grant and upon execution of this agreement, Public Management will provide administrative assistance in all areas of grant management, including financial management, record keeping, environmental clearance procedures, contract close-out assistance, etc. Ogle stated the fee for this grant management is \$25,000.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve a consulting services contract with Public Management, Inc. in the amount of \$25,000 for grant management services related to a Texas Department of Agriculture Grant for the rehabilitation of the Church Street Water Tower, with amended changes, 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	Absent
Councilmember Weldon Williams	Yes

17. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Budget Workshops will be July 20th-22nd at 8:30 a.m.
- Photos of the storm damages will be shown to service clubs and organizations
- Washington County Forum will be August 3rd at Blinn College
- Fireman's Fiesta will be August 13th

Director of Community Services Wende Ragonis reported on the following:

- Hot Nights Cool Tunes started last Saturday
- Walk with a Doc will be held at Jackson Street Park

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC, CMC
City Secretary

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