

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on October 20, 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, Assistant City Manager of General Government Ryan Rapelye, City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, Assistant City Manager – Chief Financial Officer Carolyn Miller, Stacy Hardy, Susan Nienstedt, Director of Community Services Wende Ragonis, Crystal Locke, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Public Works Director Dane Rau, Leslie Kelm, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Manager Erik Smith, Lori Lakatos and Judson Hall

### Citizens present:

Joe Al Picone, Jane Hinze, Shae Janner and Willy Dilworth

### Media Present:

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

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

3. **Proclamation**
  - **Texas Chamber of Commerce Week**

4. **Citizens Comments**

There were no citizen comments.

## **REGULAR SESSION**

12. **Discuss and Possibly Act Upon a Request from the Washington County Appraisal District for Disaster Reappraisal of Properties Located Within the Declared Disaster Area in the City Resulting from the May 2016 Flood Event, as Authorized by Section 23.02 of the Texas Tax Code, and Authorize the Mayor to Execute Any Necessary Documentation**

City Manager Terry Roberts presented this item and introduced Willy Dilworth, Chief Appraiser with Washington County Appraisal District (WCAD). Dilworth explained that the Texas Tax Code allows for the reappraisal of properties located within an area declared a natural disaster by the governor; however, the reappraisal process must be authorized by the local taxing entities. Dilworth stated that his staff is prepared to perform the reappraisal of those properties located within the city limits that sustained major damage in the May 2016 flooding, if the City Council approves that to be done.

Dilworth explained that if the reappraisals are approved by all of the taxing entities, his staff would notify all of the property owners of the steps to take in order to have their property, which sustained major damage, reappraised. Dilworth stated it is anticipated the financial impact of granting this opportunity for reappraisal will be minimal.

Dilworth stated that the reappraisal only applies to houses and buildings (structures) and does not include driveways, fences, etc. Dilworth stated that appraisers will meet with the owners to assess the damages and if repairs have already been made, appraisers can use photos, insurance repair estimates and receipts of repairs. Dilworth said that there are approximately 135 properties in the city that are affected.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve the request from the Washington County Appraisal District for disaster reappraisal of properties located within the declared disaster area in the City resulting from the May 2016 flood event, as authorized by Section 23.02 of the Texas Tax Code, 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

## **WORK SESSION**

### **5. Discussion and Presentation on Street Improvement Program**

Public Works Director Dane Rau presented this item. Rau explained that during the budget process, City Council dedicated \$225,000 a year from the sale of the Chappell Hill property and authorized another \$135,000 to remain in the operating budget for street reconstruction. Rau stated that this will give the Street Department a total of \$360,000 a year to bring “poor” streets to a “satisfactory” stage. Rau stated the last time the street inventory was conducted was 2013 and at that time it was determined that 20% of the 85 miles of streets in the City were in the “poor” category with 35% in the “fair” category.

Rau advised that the Street Department has outlined sections of roadways that will be targeted for reconstruction utilizing the \$1.46 million dollars over a 4 year period.

Rau explained that his staff will begin reconstruction projects very soon and continue into the next year with the streets identified in the 2017-2020 Street Improvement Program. Rau stated that without some sort of additional funding in the years to come, it will take over nine years to complete the 22.5 miles of “poor” roadways.

Rau stated that a copy of the “2017-2020 Street Improvement Program” information will be on file in the City Secretary’s office for any citizens that would like to review it.

**6. Discussion and Presentation on the Federal Emergency Management Agency's (FEMA's) Mitigation Project from the May 2016 Flood Event**

City Engineer Lori Lakatos presented this item. Lakatos explained that during the May 2016 flood event multiple sites were damaged throughout the City. Lakatos stated that FEMA declared Washington County a disaster area thus making the City eligible for public assistance. Lakatos advised that as part of the recovery relief FEMA provides for hazard mitigation for projects that meet the requirements. Lakatos explained that FEMA's hazard mitigation will help reduce the risk of damages occurring in the future. Lakatos stated that there is a 75/25 cost split with FEMA if the mitigation of a project is approved.

Councilmember Barnes-Tilley explained that the ultimate concern is to keep these types of damages from happening in the future. Barnes-Tilley stated that she would like for staff to be proactive with the repairs instead of going back at a later date and paying again.

Mayor Tate advised that staff should proceed with the FEMA mitigation process.

**REGULAR SESSION**

**7. Discuss and Possibly Act Upon Resolution No. R-16-029 Authorizing the Execution of an Agreement with TxDOT for the Temporary Closure of State Right of Way in Connection with the 2016 Christmas Stroll and Lighted Parade to be Held on Saturday, December 3, 2016**

Community Services Specialist Crystal Locke presented this item. Locke explained that the 2016 Christmas Stroll and Lighted Parade is sponsored by the City of Brenham and their goal is to create a family friendly holiday environment and attract people to the downtown area. Locke advised that this year's stroll will be held December, 2-3, 2016. Locke stated that the times are Friday from 5:00pm until 9:00pm and Saturday from 8:00am until 9:00pm. Locke noted that Main Street and Alamo Street will be closed between Market Street and Austin Street from 5:00pm until 9:00pm on Friday and 4:00pm until 9:00pm on Saturday. Locke stated there will be live entertainment, a lighted parade, Holiday hayride, horse-drawn carriage rides, kids' activities, and more. Locke explained that due to an agreement with TxDOT, closures over four hours need approval, while closures four hours and less do not need approval.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Nix to approve Resolution No. R-16-029 authorizing the execution of an agreement with TxDOT for the temporary closure of state right of way in connection with the 2016 Christmas Stroll and Lighted Parade to be held on Saturday, December 3, 2016.

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 an Ordinance on Its First Reading Providing for Annually Repeating Updated Service Credits and an Increase in Retirement Annuities in the Texas Municipal Retirement System Effective January 1, 2017**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that for many years, City Council has approved, on an annual basis, an ordinance providing for updated service credit (USC) and an increase in retirement annuities of 70% of the CPI as provided through the Texas Municipal Retirement System. Miller stated that in order to make any changes in the City’s plan provisions, an ordinance must be approved by Council.

Miller advised that in the FY17 budget workshops, staff discussed transitioning to “best business practices” to advance fund the promised benefit to City employees during their working years which is known as “generational equity”. Miller stated the ordinance prepared by TMRS allows for updated service credits on an annually repeating basis, while the increases in retirement annuities are for one year. Miller noted that in the FY17 budget, staff included the rate of 9.62% which is Plan 2 rate in the TMRS Plan Change Study.

A motion was made by Mayor Pro Tem Nix and seconded by Councilmember Williams to approve an Ordinance on its first reading providing for annually repeating updated service credits and an increase in retirement annuities in the Texas Municipal Retirement System effective January 1, 2017.

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 Resolution No. R-16-030 Expressing Official Intent to Reimburse Certain Costs Related to the Water Treatment Plant Rehabilitation and Protective Coatings Project**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that during the FY17 Budget Workshops, capital projects requiring the issuance of Certificates of Obligation were discussed along with the timing of the related debt issuances. Miller advised that included in this discussion was the Water Treatment Plant Rehabilitation and Protective Coatings Project (Raw Water Tank & Clarifier Rehab) for \$677,000. Miller stated this project was slated to require debt funding to be obtained in calendar year 2017. Miller explained that in order to issue purchase orders for this project, the Council must approve the Reimbursement Resolution to declare reimbursement of certain costs related to these capital expenditures from the issuance of Certificates of Obligation to be repaid thru Water rates.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve Resolution No. R-16-030 expressing official intent to reimburse certain costs related to the water treatment plant rehabilitation and protective coatings project.

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

**10. Discuss and Possibly Act Upon Bid No. 3900.042/050 Related to the 2016 Water Treatment Plant Protective Coatings Project and Authorize the Mayor to Execute Any Necessary Documentation**

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that on September 28, 2016, bids were opened by O’Malley Strand Associates, Inc. and staff for the 2016 Water Treatment Plant Protective Coatings project. Ogle stated that six bids were received for this project. Ogle advised that the low bidder, Hydro Concrete Tank Solutions of TX, LLC, is qualified and experienced in this type of work and has been recommended by O’Malley Strand. Ogle noted that this is Phase 1 of 2 of the overall project.

A motion was made by Councilmember Herring and seconded by Councilmember Barnes-Tilley to award Bid No. 3900.042/050 to Hydro Concrete Tank Solutions of TX, LLC in the amount of \$357,400.00 for the 2016 water treatment plant protective coatings 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

**11. Discuss and Possibly Act Upon the Approval of a Purchase Related to the Emergency Repairs to the Raw Water Intake Pump No. 1 at the Lake Somerville Pump Station and Authorize the Mayor to Execute Any Necessary Documentation**

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that in June 2016, Lake Raw Water Pump 1 required emergency repair. Ogle stated a quote was received from Weisinger Incorporated in the amount of \$47,975.00 with alternate costs for a mechanical seal (\$2,400). Ogle advised that at this time, staff believed the repairs would not exceed the original estimate and a Purchase Order was issued to Weisinger Incorporated in that amount. Ogle explained that after the repairs began, staff decided that the mechanical seal would be a beneficial upgrade and authorized that addition. Ogle explained that upon reinstallation, the repaired pump would not seat properly. Ogle stated that as a result of the pump not setting in place properly, there were some necessary modifications made to the pump. Ogle advised that with the mechanical seal, added installation attempts and pump modifications, the final invoice amount was \$58,125.00.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Herring to approve a purchase from Weisinger Incorporated in the amount of \$58,125.00 related to the emergency repairs to the raw water intake pump no. 1 at the Lake Somerville Pump Station 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

### 13. Administrative/Elected Officials Report

#### ➤ Parks and Recreation Update

Public Works Director Dane Rau addressed Council regarding the parks and recreation update. Rau stated that the Hohlt Park walking trail has been completed. Rau advised that at the Michael Owsley Park plants will be planted on Monday and the shade structure will be erected next week. Rau stated that the skate park equipment installation has been completed.

City Manager Terry Roberts reported on the following:

- The ribbon cutting for the animal shelter will be on November 7<sup>th</sup> from 2:00 p.m. to 4:00 p.m. The open house will be November 13<sup>th</sup> from 2:00 p.m. to 4:00 p.m.
- Retirement party for city employee, Linda Mooney, will be on November 3<sup>rd</sup> from 11:00 a.m. to 2:00 p.m. at City Hall.
- The annual Health Fair will be held on November 15<sup>th</sup> and 16<sup>th</sup>

Director of Community Services Wende Ragonis reported on the following:

- November 2<sup>nd</sup> at 4:00 p.m. there will be a reception at the library for elected officials and donors
- The ribbon cutting for the library will be November 14<sup>th</sup> from 2:00 p.m. to 4:00 p.m.
- Walk with a Doc will be this Saturday at Jackson Street Park

Fire Chief Ricky Boeker reported on the following:

- The new fire prevention program was a huge success and the Fire Department will be presenting it again at their upcoming Open House in November.

The meeting was adjourned.

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Milton Y. Tate, Jr.  
Mayor

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Jeana Bellinger, TRMC, CMC  
City Secretary