

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on March 22, 2018 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 Andrew Ebel  
Councilmember Susan Cantey  
Councilmember Danny Goss  
Councilmember Keith Herring  
Councilmember Weldon Williams, Jr.

### Members absent:

Councilmember Charlie Pyle

### Others present:

City Attorney Cary Bovey, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, Assistant City Manager – Chief Financial Officer Carolyn Miller, Comptroller Stacy Hardy, Human Resources Director Susan Nienstedt, Sara Parker, Kaci Konieczny, Cynthia Longhofer, Director of Community Services Wende Ragonis, Jennifer Eckermann, Tammy Jaster, Fire Chief Ricky Boeker, Interim Police Chief Rusty Pancoast, Dant Lange, Jared Campbell, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Debbie Gaffey, Allison Harper, Darlene Konieczny, Jo Ann Hynes, Kristi Jackson, Tara Wellmann, Christi Korth, Angeline Howard, Ande Bostain, Terry Fielder, Kelsey Toy, Dylan Hohlt, Shawn Bolenbarr, Jaquan Busby, Josh Daniels, Josh Gonzales, Ty Spivey and Terrence Hancock

### Citizens present:

Gloria Nix, Page Michel, Candi Eaton, Jenny Mills, Michele Kwiatowski, David Bockhorn and Beth Rothermel

### 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 – Councilmember Herring**
3. **Special Presentation – Blue Bell Aquatic Center**
  - **Best of Aquatics Award for Community Outreach by Aquatics International**
  - **Recognition by the Texas Public Pool Association**
4. **Service Recognitions**
  - **Angeline Howard, Finance** **5 Years**
  - **Terry Fielder, Sewer Construction** **30 Years**
5. **Special Introduction**
  - **Animal Services Manager, Allison Harper**
6. **Citizens Comments**

There were no citizen comments.

## **CONSENT AGENDA**

### **7. Statutory Consent Agenda**

#### **7-a. Minutes from the February 1, 2018 and February 15, 2018 Regular City Council Meetings and the March 1, 2018 Special City Council Meeting**

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Ebel to approve the Statutory Consent Agenda Item 7-a. 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Charlie Pyle</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes

## REGULAR SESSION

### 8. **Discuss and Possibly Act Upon the Acceptance of the Audit from Seidel Schroeder for Fiscal Year 2017**

Assistant City Manager – Chief Financial Officer Carolyn Miller and Seidel Schroeder Audit Partner, Michele Kwiatowski, presented this item. Kwiatowski advised Council that state law requires that all general-purpose local governments publish, within six months of the close of the fiscal year, a complete set of financial statements presented in conformity with generally accepted accounting principles (GAAP) and audited in accordance with generally accepted auditing standards by a firm of licensed certified public accountants. Kwiatowski advised the financial statements present fairly, in all material aspects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Brenham, Texas. Kwiatowski stated that pursuant to State requirements, and on behalf of the Finance Department, she would like to present the Comprehensive Annual Financial Report (CAFR) of the City of Brenham for the fiscal year ended September 30, 2017.

A motion was made by Mayor Pro Tem Ebel and seconded by Councilmember Cantey to accept the audit from Seidel Schroeder for Fiscal Year 2017.

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

Mayor Milton Y. Tate, Jr.	Yes
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
<b>Councilmember Danny Goss</b>	<b>Abstain</b>
Councilmember Keith Herring	Yes
<b>Councilmember Charlie Pyle</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes

## WORK SESSION

### 9. **Presentation of the First Quarter Report by the Washington County Convention and Visitors Bureau**

Jenny Mills with the Washington County Convention and Visitors Bureau presented this item. Mills focused on the highlights featured in the First Quarter Report for October – December 2017, pointing out the visitor statistics, major tourism events, advertising placements and editorial coverage.

**10. Discussion and Presentation of the Main Street Brenham 2018 Work Plan**

Main Street Manager Jennifer Eckermann presented this item. Eckermann explained that Main Street Brenham follows the 4-point approach in its downtown revitalization efforts – design, organization, promotion and economic restructuring. Eckermann highlighted the plans of each of these committees for the coming year.

**RE-OPEN REGULAR SESSION**

**11. Discuss and Possibly Act Upon an Equipment Financing Proposal with Bank of Brenham for Replacement Virtual Server Environment Equipment and Authorize the Mayor to Execute Any Necessary Documentation**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that this is a companion item for the financing of equipment for the Information Technology Department as presented by Kevin Schmidt, IT Department Manager, at the February 15, 2018 City Council meeting. Miller stated the FY17-18 adopted budget included the lease purchase of Virtual Server Environment Replacement Equipment for the IT Department. Miller advised that Bancorp South, Bank of Brenham and JPMorgan Chase submitted proposals.

A motion was made by Councilmember Cantey and seconded by Councilmember Williams to approve an equipment financing proposal with Bank of Brenham for replacement virtual server equipment for 3 years at an interest rate of 3.08% with annual payments of principal and interest, each in arrears, equal to \$30,509.67 beginning one year from date of funding and authorize the Mayor Pro Tem to execute any necessary documentation.

Mayor Pro Tem Ebel called for a vote. The motion passed with Council voting as follows:

<b>Mayor Milton Y. Tate, Jr.</b>	<b>Abstain</b>
Mayor Pro Tem Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Charlie Pyle</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes

**12. Discuss and Possibly Act Upon a Professional Services Agreement with Strand Associates, Inc. for Storm Sewer and Sidewalk Improvements Along Church Street and Park Street and Authorize the Mayor to Execute Any Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau explained that over the past few years' staff has received complaints or heard concerns regarding multiple areas throughout the City that have drainage and/or flooding issues. Rau stated the project is to construct storm sewer and sidewalk improvements along Church Street and Park Street in the southern part of downtown. Rau advised that this area has had interest from potential investors; however, the lack of adequate drainage facilities is deterring economic development. Rau explained that with potential new investment, this area is now positioned for growth and redevelopment, which may increase pedestrian and retail traffic.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve a Professional Services Agreement with Strand Associates, Inc. for storm sewer and sidewalk improvements along Church Street and Park Street up to an amount not to exceed \$71,280 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Charlie Pyle</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes

**13. Discuss and Possibly Act Upon a Proposed Rate Increase by Waste Connections Inc. for Commercial Sanitation Services Within the City of Brenham and Authorize the Mayor to Execute Any Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau explained that on March 22, 2016 the City of Brenham entered into an exclusive agreement with Progressive Waste (now known as Waste Connections) to provide commercial garbage collection to local businesses and industries within the city limits. Rau stated the original agreement was for five (5) years with a commencement date of May 1, 2016. Rau advised that due to the most recent Consumer Price Index changes from 2017-2018 combined with increased disposal fees, Waste Connections has informed staff that a 3.86% increase is needed at this time to cover those additional operational costs. Rau noted that if approved, the increased rates would become effective May 1, 2018.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve a 3.86% rate increase by Waste Connections Inc. for Commercial Sanitation Services within the City of Brenham 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Charlie Pyle</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes

**14. Discuss and Possibly Act Upon Bid No. 18-007 for Mowing and Cleanup Services for Various City Departments and Authorize the Mayor to Execute Any Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau explained that on February 27th, the Purchasing Department opened bids for the annual Mowing and Cleanup Services that are performed throughout the city. Rau stated there were four bids received. Rau noted that originally, in 2016, this bid consisted of 18 locations along with code enforcement, but due to operational changes and the addition of the Owsley Gardens, library expansion and Jackson Street Park, it has increased to 21 locations. Rau explained that based on the bid recap, Gene's Services submitted the lowest bid. Rau stated that staff feels very comfortable awarding the bid to Gene's Services since he has been the current vendor for the past five years. Rau advised that total costs expected annually based off 32 mowing's per year is \$55,191.00.

A motion was made by Councilmember Williams and seconded by Councilmember Cantey to award Bid No. 18-007 to Gene's Services for mowing and cleanup services for various city departments 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Charlie Pyle</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes

**15. Discuss and Possibly Act Upon the Acceptance of a Donation in the Amount of \$20,000.00 to the Brenham Pet Adoption and Care Center and Authorize the Mayor to Execute Any Necessary Documentation**

Interim Police Chief Rusty Pancoast presented this item. Pancoast explained that Robert and Angela Knauss have given a donation to the animal shelter for \$20,000.00 and requested that the money be split between the construction of Phase 2 at the Animal Shelter and animal adoption and community outreach efforts.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to accept a donation in the amount of \$20,000.00 from the Knauss Family to the Brenham Pet Adoption and Care Center 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Charlie Pyle</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes

**16. Discuss and Possibly Act Upon a Request for a Noise Variance from Jesus Christ is the Answer for a Church Gathering on March 23, 2018 from 7:00 p.m. – 10:00 p.m. at Fireman’s Park and Authorize the Mayor to Execute Any Necessary Documentation**

Deputy City Secretary Kacey Weiss presented this item. Weiss stated that the church gathering will be from 7:00 p.m. – 10:00 p.m. at Fireman’s Park and they will be using a sound amplification system. Weiss noted that the Brenham Police Department and the Brenham Fire Department have approved the noise variance request.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve a request for a noise variance from Jesus Christ is the Answer for a church gathering to be held on March 23, 2018 from 7:00 p.m. – 10:00 p.m. at Fireman’s Park 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
<b>Councilmember Charlie Pyle</b>	<b>Absent</b>
Councilmember Weldon Williams	Yes

Council adjourned into Executive Session at 1:53 p.m.

### **EXECUTIVE SESSION**

- 17. Section 551.087 – Texas Government Code – Economic Development Negotiations – Discuss and Deliberate Project Chatt Regarding Commercial or Financial Information that the City Has Received from a Business Prospect and the Offer of Financial or Other Incentives to a Business Prospect that the City Seeks to Have Locate In or Near the City of Brenham and With Which the City is Conducting Economic Development Negotiations**
- 18. Section 551.071 and Section 551.072, Texas Government Code – Consultation with Attorney and Deliberation Regarding Real Property – Discussion and Deliberation, and Consultation with City Attorney, Regarding the Lease Between City of Brenham and Brenham Heritage Museum, Inc. Concerning the Real Property Located at 105 S. Market Street, and Associated Issues**
- 19. Section 551.071 – Texas Government Code – Consultation with Attorney – Deliberation Regarding the Construction Contract Between the City of Brenham and GCP Contractors, LLC, Including But Not Limited to a Tender, Release and Substitution Agreement, the Termination of Said Contract and Other Associated Matters and Available Remedies**

Executive Session adjourned at 2:01 p.m.

### **RE-OPEN REGULAR SESSION**

- 20. Discuss and Possibly Act Upon a Tender, Release and Substitution Agreement, the Termination of the Construction Contract Between the City of Brenham and GCP Contractors, LLC, and Other Associated Matters and Available Remedies, and Authorize the Mayor to Execute Any Necessary Documentation**

This item was passed.



## 21. Administrative/Elected Officials Report

Assistant City Manager – Chief Financial Officer Carolyn Miller reported on the following:

- City offices will be closed March 30<sup>th</sup> for the Good Friday Holiday.
- A letter was sent to the Governor's office last week requesting that the City be considered for Opportunity Zone funding.

Fire Chief Ricky Boeker reported on the following:

- Fire Department fish fry is March 23<sup>rd</sup> at the Fireman's Training Center.

City Secretary Jeana Bellinger reported on the following:

- Staff has prepared a Get Well Soon Banner for Councilmember Pyle, it is available today in the lobby for Councilmembers to sign.

Public Works Director Dane Rau reported on the following:

- Spring Clean-Up begins today.
- New signage has been placed on City Hall.

Interim Police Chief Rusty Pancoast reported on the following:

- Search for a new Police Chief is continuing and the finalist interviews are scheduled for April 4<sup>th</sup>.

The meeting was adjourned.

***Milton Y. Tate, Jr.***

Mayor



***Jeana Bellinger, TRMC, CMC***

City Secretary

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