

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on August 2, 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

### Members absent:

Councilmember Charlie Pyle  
Councilmember Weldon Williams, Jr.

### Others present:

City Manager James Fisher, 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, Debbie Gaffey, Jennifer Eckermann, Fire Chief Ricky Boeker, Police Chief Allwin Barrow, Dant Lange, Jared Campbell, Trey Gully, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Director Lori Lakatos, Kim Hodde, Pam Ruemke, Alyson Tofel, Kevin Boggus, Mark Pierce, Kelvin Raven, Clifford Johnson, Stephen Draehn, Joseph Merkley, Curtiss Schoen, Terrence Johnson, Lloyd Powell and Jean Luera

### Citizens present:

Perry Thomas, Bessie Jones, Lori Walker, Holly Johnson and La Sandra Sanders

### Media Present:

Arthur Hahn, Brenham Banner Press; and Josh Blaschke, KWHI

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

**3. Special Recognitions**

**3-a. Citizens on Patrol Program**

**3-b. Jennifer Eckermann – Graduate of Travel & Tourism College sponsored by Texas Travel Industry Association**

**3-c. Service Recognitions**

- **Clifford Johnson, Maintenance**                      **5 Years**
- **Jean Luera, Police**                                      **5 Years**
- **Brian Smith, Street**                                      **10 Years**
- **Michael Davis, Police**                                      **25 Years**

**4. Citizens Comments**

There were no citizen comments.

**CONSENT AGENDA**

**5. Statutory Consent Agenda**

**5-a. Minutes from the May 31, 2018 Special City Council Meeting, May 31, 2018 Regular City Council Meeting and June 7, 2018 Regular City Council Meeting**

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve the Statutory Consent Agenda Item 5-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>
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

## PUBLIC HEARING

- 6. Public Hearing to Consider Amending Appendix A - “Zoning” of the Code of Ordinances of the City of Brenham to Amend Part I, Section 5.02, Definitions to Add Definitions for “Brewery”, “Brewpub”, “Distillery”, and “Microdistillery or Craft Distillery”, Part II, Division 1, Section 16.03 to Add Parking Requirements for the Associated Uses, Part II, Division 2, Section 4.02, Section 6.02, and Section 7.02 to Add or Remove the Associated Uses (Case No. P-18-020)**

Mayor Tate opened the Public Hearing.

Development Services Director Lori Lakatos presented this item. Lakatos explained that this is a City initiated request to amend the zoning ordinance to allow brewery and distillery type land uses within different zoning districts. Lakatos advised that there were no public comments made at the Planning and Zoning Commission Public Hearing on July 23, 2018. Lakatos stated that the Planning and Zoning Commission voted unanimously to recommend approval of the request.

Mayor Tate closed the Public Hearing.

## REGULAR SESSION

- 7. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Appendix A – “Zoning” of the Code of Ordinances, Part I, Section 5.02, Definitions to Add Definitions for “Brewery”, “Brewpub”, “Distillery”, and “Microdistillery or Craft Distillery”, Part II, Division 1, Section 16.03 to Add Parking Requirements for the Associated Uses, Part II, Division 2, Section 4.02, Section 6.02, and Section 7.02 to Add or Remove the Associated Uses (Case No. P-18-020)**

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve an Ordinance on its first reading amending Appendix A – “Zoning” of the Code of Ordinances, Part I, Section 5.02, Definitions to add definitions for “Brewery”, “Brewpub”, “Distillery”, and “Microdistillery or Craft Distillery”, Part II, Division 1, Section 16.03 to add parking requirements for the associated uses, Part II, Division 2, Section 4.02, Section 6.02, and Section 7.02 to add or remove the associated uses (Case No. P-18-020).

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>
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

**8. Discuss and Possibly Act Upon Revision of the Brenham Municipal Airport Standard T-Hangar Lease Agreement and Authorize the Mayor to Execute Any Necessary Documentation**

Development Services Director Lori Lakatos presented this item. Lakatos explained that this request is to amend the existing T-Hangar lease to allow for assembly of kit-planes (hobby airplanes). Lakatos noted that the request was presented to the Airport Advisory Board at the June 25, 2018 meeting. Lakatos advised that the proposed revisions would allow someone to build an airplane at home and do the final assembly at the airport, order a quick-build kit and assemble it at the airport, or complete assembly on airplanes that may have the wings removed and “trucked” into the airport, etc. Lakatos stated the Airport Advisory Board voted unanimously to recommend approval of the request.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve revision of the Brenham Municipal Airport Standard T-Hangar Lease Agreement, with corrections to Article VII as recommended by the City Attorney, 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>
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

**9. Discuss and Possibly Act Upon a Proposal to Adopt a Tax Rate of \$0.5170 per \$100 Valuation for the 2018 Tax Year, Take Record Vote and Set the Public Hearings on the Proposed Tax Rate in Accordance with State Law**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller advised Council that the City would be maintaining the current property tax rate of \$0.5170 per \$100 valuation. Miller stated the proposed property tax rate of \$0.5170 consists of an operations and maintenance rate of \$0.3200 and the debt service rate of \$0.1970.

Miller explained that the Washington County Appraisal District has certified the taxable values of \$1,328,029,691 for the 2018 Tax Year, which is a net increase of \$52,639,531, or 4.13% above the 2017 (adjusted) taxable values. Miller advised that in accordance with the Tax Code, Council must take a Record Vote to place a proposal to adopt the proposed property tax rate on the agendas of future meetings.

A motion was made by Councilmember Cantey and seconded by Councilmember Goss that the property tax rate be increased by the adoption of a tax rate of \$0.5170 per \$100 valuation, which is effectively a 3.03% increase in the tax rate, to be considered by the governing body on the agendas of the September 17, 2018 and September 20, 2018 meetings and to schedule public hearings on the proposed tax rate for August 16, 2018 and September 6, 2018 in accordance with state law.

Mayor Tate called for a record 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>
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

**10. Discuss and Possibly Act Upon Ground Space Lease Agreements with Hat Creek Aviation, LLC (John Richardson) for Hangar Space at the Brenham Municipal Airport and Authorize the Mayor to Execute Any Necessary Documentation**

Planning Technician Kim Hodde presented this item. Hodde explained that John Richardson currently has one hangar lease in the name of JR Leasing (3187 Aviation Way) and one lease in the name of J & S Water Wells (3189 Aviation Way). Hodde advised that Mr. Richardson has requested to change both of these ground space lease agreements (3187 & 3189 Aviation Way) to Hat Creek Aviation, LLC and therefore, new lease agreements need to be executed. Hodde stated that execution of these new lease agreements with Hat Creek Aviation, LLC would cancel the previous agreements with JR Leasing and J & S Water Wells. Hodde noted that the lease agreements are the standard ground space lease for .08 cents per square foot.

Councilmember Goss questioned if the fees are in line with other airports this size. Hodde stated that a survey was completed 6-7 years ago and the City was in line with the fees. Hodde noted that Staff would be doing a survey of surrounding airports soon.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Ebel to approve Ground Space Lease Agreements with Hat Creek Aviation, LLC (John Richardson) for hangar space at the Brenham Municipal Airport 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>
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

**11. Discuss and Possibly Act Upon a Request for a Noise Variance from Mount Rose Missionary Baptist Church for a Christian Youth Rally at 1007 Mangrum Street to be Held on September 5, 2018 from 5:30 p.m. – 8:30 p.m. and Authorize the Mayor to Execute Any Necessary Documentation**

Deputy City Secretary Kacey Weiss presented this item. Weiss explained that they would be using sound amplification equipment at the event.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve a request for a noise variance from Mount Rose Missionary Baptist Church for a Christian Youth Rally at 1007 Mangrum Street to be held on September 5, 2018 from 5:30 p.m. – 8:30 p.m. 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>
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

**12. Discuss and Possibly Act Upon the Appointment of a New Member to the Brenham Housing Authority Board of Commissioners for an Unexpired Term Ending on December 31, 2018**

City Secretary Jeana Bellinger presented this item. Bellinger explained that on July 11, 2018 she was notified by Vince Michel, Executive Director of the Brenham Housing Authority, that board member Gerald Calvert recently resigned from their Board due to health reasons. Bellinger stated that Mr. Michel advised that he would like to recommend that the Council appoint Marcus Wamble to fill Mr. Calvert's unexpired term until December 31, 2018.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve the appointment of Marcus Wamble to the Brenham Housing Authority Board of Commissioners for an unexpired term ending on December 31, 2018.

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>
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

**13. Discuss and Possibly Act Upon the Convention and Visitors Bureau Contract Between the City of Brenham and Washington County Chamber of Commerce, Including But Not Limited to Termination of Said Contract, Ratification of Termination Notice, and Associated Matters, and Authorize the Mayor to Execute Any Necessary Documentation**

City Manager James Fisher presented this item. Fisher explained that the Tourism and Promotions Council Subcommittee met on May 31, 2018 to discuss options for funding tourism and promotions with the Washington County Chamber of Commerce for the upcoming FY18-19 budget cycle. Fisher advised that several options were discussed, and the Subcommittee decided to give a 90 day written notice to terminate the contract with the Chamber effective September 30, 2018. Fisher stated that on June 25, 2018, he notified the City Council of the intent to cancel the Chamber contract and let them know that the City is going in a new direction in convention and tourism services.

Joel Romo with the Chappell Hill Chamber of Commerce addressed Council. Romo stated that Chappell Hill would like to collaborate with the City's new CVB venture. Romo also advised that his organization would like Council to consider Chappell Hill when reviewing hotel occupancy tax funding allocations.

A motion was made by Councilmember Cantey and seconded by Councilmember Goss to ratify the notice letter sent to the Washington County Chamber of Commerce advising of the City's intent to terminate of the convention and visitor's bureau contract, effective September 30, 2018 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>
<b>Councilmember Weldon Williams</b>	<b>Absent</b>

#### **14. Administrative/Elected Officials Report**

City Manager James Fisher reported on the following:

- School starts August 16<sup>th</sup> for BISD
- AED's and first aid kits have been installed in various City departments
- Fireman's Fiesta is August 11<sup>th</sup> at 5:30 p.m.
- TML Region 10 Meeting will be September 12<sup>th</sup> in Brenham
- Movies in the Park will be tonight at the BBAC

Mayor Milton Tate reported on the following:

- James Rothermel passed away; keep his family in prayer

Planning Technician Kim Hodde reported on the following:

- The diner at the airport re-opened last week. Right now it is only open to the pilots, but they hope to be open to the public next month.

Council adjourned into Executive Session at 1:52 p.m.

#### **EXECUTIVE SESSION**

#### **15. Section 551.074 – Texas Government Code – Personnel Matters – Deliberation Regarding Update, Status and Options Regarding: 1) Vacancy Created by Death of Ward 2 Councilmember Weldon C. Williams, Jr.; and 2) Position 5 - At Large Councilmember Charlie Pyle**

Executive Session adjourned at 2:30 p.m.



The meeting was adjourned.

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

Mayor

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

City Secretary



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