

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on November 29, 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 Albert Wright

Members absent:

Position 5 - Vacant

Others present:

City Manager James Fisher, City Attorney Luke Cochran, City Secretary Jeana Bellinger, Deputy City Secretary I Kacey Weiss, Deputy City Secretary II Karen Stack, Assistant City Manager – Chief Financial Officer Carolyn Miller, Human Resources Director Susan Nienstedt, Sara Parker, Debbie Gaffey, Director of Tourism and Marketing Jennifer Eckermann, Andria Heiges, Tammy Jaster, Fire Chief Ricky Boeker, Police Chief Allwin Barrow, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Director Lori Sanguedolce, Stephanie Doland, Jessica Barnes, Tammy Murphy, Stephen Draehn, Kelvin Raven and Kevin Boggus

Citizens present:

Jennifer Van Woert, Bob Schmidt, George Nelson, John Dent, Doug French, Kirk Hanath, Lynnette Sheffield, Clint Kolby and Joy Fuchs

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 Recognition**
 - **Statement of Support for the Guard and Reserve**
 - **Nancy Carol Roberts Memorial Library Teen Writing Contest Winners**

4. **Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

5. **Statutory Consent Agenda**

- 5-a. **Ordinance No. O-18-016 on Its Second Reading Authorizing a Variance to Building Setback Requirements, as Outlined in Section 23-22(1) of the City of Brenham Code of Ordinances, on a Tract of Land Being Described as Part of Lots 50-53, of the College Heights Addition, Located at 810 Brown Street in Brenham, Washington County, Texas**
- 5-b. **Ordinance No. O-18-017 on Its Second Reading Providing for an Increase in Retirement Annuities in the Texas Municipal Retirement System Effective January 1, 2019**

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve the Statutory Consent Agenda Items 5-a. and 5-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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
At Large, Position 5	Vacant

WORK SESSION

6. Discussion and Update Regarding Storm Disaster Recovery and the Federal Emergency Management Agency (FEMA) Public Assistance Program

Development Services Director Lori Sanguedolce presented this item and introduced Adam Ferguson of Rostan Solutions. Sanguedolce explained that Washington County was declared by FEMA as part of DR-4272 and DR-4332 for public assistance. Sanguedolce stated that staff has been working with Rostan Solutions to develop a strategy to work with Texas Department of Emergency Management (TDEM) and FEMA to get assistance for the damages to facilities and infrastructure. Sanguedolce noted that this item is a status update on the projects and funding received or expected to be received.

Ferguson gave an update on the strategy and status of the joint work to rehabilitate and reconcile the city's project worksheets. Ferguson also described the successes and progress that has been obtained to date and identified the obstacles precluding additional success. Ferguson noted avenues for addressing problems and difficulties. Due to the lack of communication from FEMA, Ferguson advised Council to get State representatives involved to try to get final answers on FEMA funding the City's projects.

REGULAR SESSION

7. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham, Texas to Amend Planned Development (PD) District Ordinance No. O-17-005 for the Vintage Farms Subdivision in Brenham, Washington County, Texas (Case No. P-18-024)

A motion was made by Mayor Pro Tem Ebel and seconded by Councilmember Herring to remove Item 7 from the table.

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
Councilmember Albert Wright	Yes
At Large, Position 5	Vacant

Assistant Director of Development Services Stephanie Doland presented this item. Doland stated that this is a request by CTX Land Investments, LLC, d/b/a Stylecraft Builders, to amend Planned Development District Ordinance No. O-17-005 for the Vintage Farms Subdivision. Doland explained that on November 1, 2018 a Public Hearing was held for this item during the regularly scheduled City Council meeting. Additionally, Council deliberated on the proposed rezoning request and tabled the item for future consideration and possible action on November 29th, 2018.

Doland explained to Council that if the Ordinance was adopted as written (and provided in the packet) the HVAC units for homes within this subdivision would have to be placed in the back yards or on opposite sides of neighboring homes.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Ebel to approve an Ordinance on its first reading amending Appendix A – “Zoning” of the Code of Ordinances of the City of Brenham, Texas to Amend Planned Development (PD) District Ordinance No. O-17-005 for the Vintage Farms Subdivision in Brenham, Washington County, Texas (Case No. P-18-024).

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	No
Councilmember Danny Goss	No
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
At Large, Position 5	Vacant

8. Discuss and Possibly Act Upon Resolution No. R-18-019 Adopting a Social Media Policy for the City of Brenham

A motion was made by Councilmember Cantey and seconded by Councilmember Herring to remove Item 8 from the table.

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
Councilmember Albert Wright	Yes
At Large, Position 5	Vacant

City Secretary Jeana Bellinger presented this item. Bellinger stated that this item was tabled at the November 1st meeting. Bellinger advised that during the October 18, 2018 council workshop, the Council, the City Attorney and staff discussed the need for the adoption of a social media policy. Bellinger stated that staff believes that this Social Media Policy protects both the City’s reputation and the community by ensuring that social media communication on behalf of the City reflects positively on the citizens, the employees and the City.

Bellinger advised the Council of a few grammatical errors throughout the policy that staff would like to get corrected before finalizing the policy. Bellinger noted that any corrections would be sent to the City Attorney for review prior to finalizing the policy.

City Manager James Fisher advised that there would be a social media team from various departments to develop and help monitor the City’s various social media sites.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve Resolution No. R-18-019 adopting a Social Media Policy for the City of Brenham with the grammatical errors corrected, as needed and approved by the City Attorney.

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
Councilmember Albert Wright	Yes
At Large, Position 5	Vacant

9. Discuss and Possibly Act Upon the Appointment of Members to the City of Brenham’s Comprehensive Plan Advisory Committee (CPAC) and Authorize the Mayor to Execute Any Necessary Documentation

Assistant Director of Development Services Stephanie Doland presented this item. Doland explained that on September 20, 2018, the City Council approved a professional services agreement with Planning Consultant, Kendig Keast Collaborative (KKC) for the purposes of developing a Comprehensive Plan update. Doland stated the Comprehensive Plan process includes a large public input component. Doland advised that citizens, local businesses, local elected and appointed officials, and all community stakeholders are strongly encouraged to participate in the 12-month planning process.

Doland explained that on November 20, 2018 city staff met with members of various City advisory boards, commissions and committees to prepare a list of volunteers to serve on the City’s Comprehensive Plan Advisory Committee (CPAC). Doland stated that the following representatives are recommended to comprise the CPAC:

1. Airport Advisory Board

Bryan Butler – Representative
Michele Bright – Alternate

2. Board of Adjustment

Thomas Painter – Representative
MaLisa Hampton – Alternate

3. Brenham Community Development Corporation (BCDC)

William H. (Bill) Betts – Representative
Atwood Kenjura – Alternate

4. Library Advisory Board

Lu Hollander – Representative
Lillian Marshall – Alternate

5. Main Street Board

Jim Moser – Representative
Tiffany Morisak – Alternate

6. Parks & Recreation Board

Paula Buls – Representative
Ginger Bosse – Alternate

7. Planning & Zoning Commission

Keith Behrens – Representative
Lynnette Sheffield – Alternate

8. City of Brenham City Council

Councilmember Keith Herring – Representative
Councilmember Susan Cantey – Alternate

9. Brenham Independent School District

Jessica Johnston – Director of Communications and Community Relations

10. Brenham Independent School District

Rebecca Chovanec – Student representative
Landon Rhoden – Student representative

11. Blinn College

Dr. John Turner – Assistant Vice Chancellor for Student Services

12. Blinn College

Shelby Sheets – Student representative

13. City Council Appointee

Allan Colvin

14. City Council Appointee

Shirley Harris

15. City Council Appointee

Mary Lou Winkelmann

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve the appointment of members to the City of Brenham’s Comprehensive Plan Advisory Committee (CPAC) 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
Councilmember Albert Wright	Yes
At Large, Position 5	Vacant

10. Discuss and Possibly Act Upon a Contract Between the City of Brenham and MLN Service Company for Quarterly Maintenance and Annual Inspections of the HVAC System at the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation

Librarian Andria Heiges presented this item. Heiges stated that MLN Service would provide three operating and one annual inspection and maintenance on the HVAC units and fans at the Lib raryin order to keep the equipment in proper operating condition.

A motion was made by Councilmember Herring and seconded by Councilmember Wright to approve a three-year contract with MLN Service Company in the amount of \$9,508 per year for quarterly maintenance and annual inspections of the HVAC system at the Nancy Carol Roberts Memorial Library 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
Councilmember Albert Wright	Yes
At Large, Position 5	Vacant

11. Discuss and Possibly Act Upon a Multi-Year Lease Agreement Between the City of Brenham and Ricoh USA, Inc. for the Lease of a Printer for the Nancy Carol Roberts Memorial Library and Authorize the Mayor to Execute Any Necessary Documentation

Librarian Andria Heiges presented this item. Heiges explained that as computer usage and printing by library patrons has continued to increase, so have expenditures on printer cartridges. Heiges noted that the current public printer was received through a grant and is up for replacement as well. Heiges advised that the Ricoh lease should allow the city to save money and requires a monthly fee that is based on an average printing rate. Heiges stated that the lease includes print cartridges that will be provided by Ricoh. Heiges explained that the yearly base cost of the printer lease includes a print allowance, maintenance, parts, toner and all supplies other than paper.

A motion was made by Councilmember Cantey and seconded by Councilmember Herring to approve a three (3) year Lease Agreement between the City of Brenham and Ricoh USA, Inc. in the amount of \$3,712.00 per year for the lease of a printer for the Nancy Carol Roberts Memorial Library 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
Councilmember Albert Wright	Yes
At Large, Position 5	Vacant

12. Discuss and Possibly Act Upon the Rejection of Bid No. 8-2018 Related to Henderson Park Improvements, Phase I, and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau explained that on October 24th, the City of Brenham and Strand Associates opened bids related to the Henderson Park Phase I Improvements. Rau stated that it was estimated that this work could be completed for around \$200,000. Rau advised that with only one bid received, staff feels that this was not a good comparison and would like to see bids that are more competitive.

Rau noted that staff has met with Strand and will be looking to re-bid this project in January, in which staff would have a better breakdown to choose from due to more alternates being placed in the bid. Rau explained that at that point, staff can decide to award some of the improvements or reject bids again or construct one item at a time until more funding becomes available.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Ebel to approve the Rejection of Bid No. 8-2018 Related to Henderson Park Improvements, Phase I, 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
Councilmember Albert Wright	Yes
At Large, Position 5	Vacant

13. Discuss and Possibly Act Upon Repairs to the Outdoor Leisure Pool at the Blue Bell Aquatic Center Using BuyBoard Contract Number 533-17 and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau explained that this item was discussed during the 2018-19 budget process as a major project in order to meet compliance issues at the Leisure Pool related to the Virginia Graeme Baker Spa and Safety Act of 2002 that were noted in an inspection in early 2018. Rau stated that staff knew going into the 2018-19 budget that these expenses could range between \$75,000-\$140,000. Rau advised that these construction plans were sent to five pool renovation companies who specialize in these improvements and were all on Buyboard Cooperative Purchasing. Rau noted that the prices staff received back were very similar and Progressive Commercial Aquatics, Inc. had the best value and price based on the scope of work.

A motion was made by Councilmember Cantey and seconded by Councilmember Herring to approve repairs to the Outdoor Leisure Pool at the Blue Bell Aquatic Center to Progressive Commercial Aquatics, Inc., using BuyBoard Contract Number 533-17, in the amount of \$122,900.00 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
Councilmember Albert Wright	Yes
At Large, Position 5	Vacant

14. Discuss and Possibly Act Upon Final Payment to Collier Construction for Parking Lot Improvements at the All Sports Building in Hohlt Park and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau explained that during last year's funding meeting, the BCDC Board voted to fund the construction of the All Sports Building Parking Lot (ASB). Rau noted that in May, City Council accepted the bids of the project in which Collier Construction was the low bidder. Rau advised that Collier Construction has completed the parking lot work and it has been determined by Strand and the City of Brenham that this work is substantially complete.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve final payment to Collier Construction for Parking Lot Improvements at the All Sports Building in Hohlt Park in the amount of \$91,006.50 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
Councilmember Albert Wright	Yes
At Large, Position 5	Vacant

15. Discuss and Possibly Act Upon Resolution No. R-18-021 Approving Rules for the Electronic Receipt of Bids or Proposals by the City of Brenham

Purchasing Manager Sara Parker presented this item. Parker explained that the Texas Local Government Code §252.0415 states that: “(a) A municipality may receive bids or proposals under this chapter through electronic transmission if the governing body of the municipality adopts rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time.” Parker stated that this Resolution would allow for use of the Ion Wave electronic bidding system, which fulfills all of these rules.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Ebel to approve Resolution No. R-18-021 approving rules for the electronic receipt of bids or proposals by 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
At Large, Position 5	Vacant

16. Discuss and Possibly Act Upon Resolution No. R-18-022 Setting a Public Hearing Under Section 311.003 of the Texas Tax Code and Providing for Related Matters Regarding the Creation of a Tax Increment Reinvestment Zone on Certain Tracts within the City Limits of Brenham, Washington County, Texas

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that in accordance with Section 311.03 of the Texas Tax Code, cities can create special districts to encourage new investment in areas that otherwise might not attract development. Miller stated that a Tax Increment Reinvestment Zone (TIRZ) is an economic development tool that captures the projected increase in tax revenue that is created by development within a defined area and reinvests those funds into public improvements and development projects that benefit the Zone. Miller advised that before the TIRZ can be established, a public hearing must be held for the governing body to evaluate the proposed benefits, and allow interested parties to speak. Miller noted that this Resolution is giving notice of the City’s intent to hold a Public Hearing on December 13, 2018 regarding the creation of a Tax Increment Reinvestment Zone.

A motion was made by Councilmember Goss and seconded by Councilmember Cantey to approve Resolution No. R-18-022 setting a Public Hearing under Section 311.003 of the Texas Tax Code and providing for related matters regarding the creation of a Tax Increment Reinvestment Zone on certain tracts within the City Limits of 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
At Large, Position 5	Vacant

17. Administrative/Elected Officials Report

City Manager James Fisher reported on the following:

- List of upcoming events and activities for December is around the dais
- Christmas Parade is December 1st
- Economic Development Foundation Finalist Susan Cates' Meet and Greet is November 30th

Public Works Director Dane Rau reported on the following:

- Pickle ball court at Jackson Street Park is complete
- Fireman's Park restroom project should be completed in 4-6 weeks

The meeting was adjourned.

Milton Y. Tate, Jr.

Mayor

Jeana Bellinger, TRMC, CMC

City Secretary

