

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on December 21, 2017 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 Charlie Pyle
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, Human Resources Director Susan Nienstedt, Director of Community Services Wende Ragonis, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Public Works Director Dane Rau, Casey Redman, Assistant City Manager of Public Utilities Lowell Ogle, City Engineer Lori Lakatos, Chris McCain, Andrew Jozwiak, Brett Schroeder, Greg Nienstedt, Brent Folsom, Cody Burge, Rhye Moschak, Jared Campbell, Terrence Johnson, Kevin Boggus, Carrie Derkowski, Lloyd Powell, Carl Wiesepape, Cecil Wright and Freddie Garcia

Citizens present:

Paula Buls, Heather Myers, Linda Wiesepape, Frank Lynch, Jerry Brown, Jeffrey Sadler, Billy Bowen, John Beckendorf, Donald Hoffman, Brian Frank, Richard Heiges, April Hooks, Jenny Mills, Bill Betts, Janet Schulze, Page Michel and John Durrenberger

Media Present:

Melissa McCaghren, Brenham Banner Press; and Mark Whitehead, KWHI

1. **Call Meeting to Order**
2. **Invocation and Pledges to the US and Texas Flags – Mayor Milton Y. Tate, Jr.**
3. **Special Recognition**

Retirements

- **Freddie Garcia, Street Department 28 Years**
- **Carl Wiesepape, Police Department 29 Years**
- **Cecil Wright, Fire Department 39 Years**

4. **Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

5. **Statutory Consent Agenda**

5-a. Minutes from the November 8, 2017 Special City Council Meeting and November 16, 2017 Regular City Council Meeting

5-b. Ordinance No. O-17-019 on its Second Reading for the Creation of Reinvestment Zone Number 41 Requested by Moser Community Media, LLC for Commercial Tax Phase-In Incentive on a Certain Tract or Parcel of Land Lying and Being Lot 28 and Part of Lot 29 of the Original Town Tract, Being Located at 101 E. Main Street, Brenham, Texas, with Boundaries Further Described in Exhibit “A” of the Ordinance Creating Reinvestment Zone 41, and Designating This Property as Qualifying for Tax Phase-In

5-c. Ordinance No. O-17-020 on its Second Reading Amending the FY2016-17 Adopted Budget

A motion was made by Councilmember Herring and seconded by Councilmember Pyle to approve the Statutory Consent Agenda Items 5-a., 5-b. and 5-c. 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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

WORK SESSION

6. Presentation and Update on the Brenham Family Park

Public Works Director Dane Rau presented this item. Rau explained that the Brenham Family Park was donated to the City of Brenham by Ed and Evelyn Kruse in December of 2013. Rau advised that the proposed Park Master Plan, created by Jones-Carter, is an initial site plan that involves many moving parts. Rau stated that City staff along with Jones-Carter, were able to break the park into recommended construction phases and as funds become available, it will dictate the timeliness of the completed phases if Council so desires. Rau explained that the 4-acre lake structure/detention pond will move forward in the Fall of 2018 with or without park development. Rau stated that this item is needed prior to development on private tracts off of S. Chappell Hill St. Rau noted that BCDC and the Kruse family have already set these funds aside.

Erin Williford with Jones-Carter Engineering discussed the different phases of the project. Grant Lischka with Jones-Carter Engineering updated Council on the pond design and mitigation costs.

7. Presentation and Discussion on the Possible Purchase of Approximately 3.0 Acres of Land for a Future Fire Station

City Manager Terry Roberts presented this item. Roberts explained that the City Council reserved an option to acquire land for a second fire station when it entered into a development agreement related to the Brenham Family Park in December 2013. Roberts stated that in the development agreement, the donor of the park land granted the City an exclusive option to purchase three acres of land for a future fire station at an agreed upon price of \$50,000 per acre. Roberts advised that the development agreement outlined the specific location of the 3-acre fire station tract and provided the City Council five years from the date of the development agreement to exercise its option to acquire the land. Roberts noted the five-year option expires in December 2018.

Roberts explained that in 2014, the City financed capital improvements projects with the issuance of 2014 certificates of obligations. Roberts advised that one of the City Council's identified projects was the setting aside of \$150,000 for the real estate purchase of the fire station land. Roberts noted that those funds are still in city reserves and have not been reallocated to other projects. Roberts stated that in March 2016, Consultant Mike Pietsch, PE presented his master fire station location plan for Brenham to the City Council that included this site.

REGULAR SESSION

8. Discuss and Possibly Act Upon the Purchase of Approximately 3.0 Acres of Land for a Future Fire Station, Described as Part of the Hiram Lee Survey, A-76, Being a Part of Approximately 271.590 Acres of Land as Outlined in a Development Agreement Between the City of Brenham and Ed. F. Kruse and Authorize the Mayor to Execute Any Necessary Documentation

A motion was made by Councilmember Goss and seconded by Councilmember Pyle to approve the purchase of approximately 3.0 acres of land, for \$150,000, for a future fire station, described as part of the Hiram Lee Survey, A-76, being a part of approximately 271.590 acres of land as outlined in a Development Agreement between the City of Brenham and Ed. F. Kruse 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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

9. Discuss and Possibly Act Upon Ordinance No. O-17-021 on Its Second Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District of an 8.07 Acre Tract of Land, Being A Portion of the 32.16 Acre Tract of Land Adjacent to Taden Lane, Described as R16649 (WCAD), Tract 2 of the Isaac Lee Survey, A77, in Brenham, Washington County, Texas from a Local Business Residential Mixed Use (B-1) District and a Single Family Residential Use (R-1) District to an Industrial Use (I) District

City Engineer Lori Lakatos presented this item. Lakatos explained that at the December 7, 2017 City Council meeting, four public comments were heard in opposition of the proposed rezoning and two public comments were heard in support of the rezoning. Lakatos stated that this item is being brought back as a regular second reading, instead of a consent item, as the vote was not unanimous and there were several public comments.

Lakatos advised that this is a request from John Beckendorf representing the Fritz W. Beckendorf Estate to rezone a portion of the tract of land described above from a B-1 Local Business/Residential Mixed Use District and R-1 Residential District to an I Industrial District for the purpose of selling the property to the adjacent property owner, Del Sol Food Company.

A motion was made by Councilmember Pyle and seconded by Mayor Pro Tem Ebel to approve Ordinance No. O-17-021 on its second reading amending the Official Zoning Map of the City of Brenham, to change the zoning district of an 8.07 acre tract of land, being a portion of the 32.16 acre tract of land adjacent to Tiaden Lane, described as R16649 (WCAD), Tract 2 of the Isaac Lee Survey, A77, in Brenham, Washington County, Texas from a Local Business Residential Mixed Use (B-1) District and a Single Family Residential Use (R-1) District to an Industrial Use (I) District.

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 Charlie Pyle	Yes
Councilmember Weldon Williams	No

10. Discuss and Possibly Act Upon an Ordinance on Its First Reading Authorizing a Variance to Building Setback Requirements, as Outlined in Section 23-22(1) of the City of Brenham’s Code of Ordinances, on a Tract of Land Being Described as Residue of Lot 1, Block 1, of the Post Oak Grove Addition, Located at 1303 Simon Avenue in Brenham, Washington County, Texas

City Engineer Lori Lakatos presented this item. Lakatos explained that this is a request from the owner Solution Builders, LLC. and the applicant Hodde & Hodde Surveying for a variance from the subdivision ordinance. Lakatos stated the owner would like to build a single-family house. Lakatos advised that the request is to allow a 15’ building setback line where a 25’ building setback line from the side of a lot which abuts a collector or an arterial street is required. Lakatos noted that the Planning and Zoning Commission recommended unanimous approval at their meeting on December 18th.

A motion was made by Councilmember Cantey and seconded by Councilmember Herring to approve an Ordinance on its first reading authorizing a variance to building setback requirements, as outlined in Section 23-22(1) of the City of Brenham’s Code of Ordinances, on a tract of land being described as residue of Lot 1, Block 1, of the Post Oak Grove Addition, located at 1303 Simon Avenue 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

11. Discuss and Possibly Act Upon Resolution No. R-17-026 of the City Council of the City of Brenham, Texas, Adopting a Commercial Tax Phase-In Agreement with Moser Community Media, LLC

City Secretary Jeana Bellinger presented this item. Bellinger explained that the owners of Moser Community Media, LLC will be investing over \$460,000 in the major renovation of a downtown office building and have asked for tax phase-in to be granted to assist them with the cost of construction for the renovation. Bellinger stated that since the project is in the Downtown Zone, there is no job creation/retention requirement.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Ebel to approve Resolution No. R-17-026 of the City Council of the City of Brenham, Texas, adopting a Commercial Tax Phase-In Agreement with Moser Community Media, LLC.

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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

12. Discuss and Possibly Act Upon a Vocational Work Contract Between the City of Brenham and Texas Health and Human Services Commission (HHSC) for Document Destruction, Janitorial and Litter Management Services at Various City Facilities and Authorize the Mayor to Execute Any Necessary Documentation

City Secretary Jeana Bellinger presented this item. Bellinger explained that at the September 21, 2017 meeting, Public Works Director Dane Rau presented an amendment to the City's 2014 Vocational Work Contract with the Brenham State Supported Living Center through the Department of Aging and Disability Services (DADS) for litter clean-up and janitorial services at various city park facilities. Bellinger stated the City's 2014 contract for document shredding was not amended in September.

Bellinger advised that on October 24, 2017 the City received written notice from the Health and Human Services Commission (HHSC) that the Vocational Work Contract between the City and DADS would be terminated due to HHSC being the agency now responsible for these types of contracts; therefore, a new contract was needed for all the services being provided by the State School. Bellinger noted that if approved by Council, this new contract would not expire until August 31, 2021.

A motion was made by Councilmember Cantey and seconded by Councilmember Herring to approve a four (4) year Vocational Work Contract between the City of Brenham and Texas Health and Human Services Commission (HHSC) for document destruction, janitorial and litter management services at various city facilities 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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

13. Discuss and Possibly Act Upon Resolution No. R-17-027 Regarding the Election of Members to the Board of Directors of the Washington County Appraisal District

City Manager Terry Roberts presented this item. Roberts explained that at the November 16, 2017 council meeting, Resolution No. R-17-023 was approved for the nomination of Washington County Appraisal District Board members to serve a two-year term beginning January 1, 2018. Roberts stated that our taxing entity received 539 votes; these votes can be cast to one candidate or distributed among any of the candidates. Roberts noted that there are six candidates (Joe Antkowiak, Leslie Boehnemann, Jr., Douglas Borchardt, Johanna Fatheree, Charles Gaskamp, and John Schaer) on the ballot; however, there are only five positions on the Board.

A motion was made by Councilmember Goss and seconded by Mayor Pro Tem Ebel to approve Resolution No. R-17-027 regarding the election of members to the Board of Directors of the Washington County Appraisal District and to spread the voting shares equally to all of the nominated candidates.

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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

14. Discuss and Possibly Act Upon Recommendations for Appointments and/or Re-Appointments to Various City Advisory Boards

City Manager Terry Roberts presented this item. Roberts explained that at the December 7th Council meeting, Council members approved the appointment and/or re-appointment of several citizens to the advisory boards; however, there were still a few vacancies left open. The recommendation to the Council for these vacancies were as follows:

Brenham Housing Authority:

Ray Daugberg

Hotel Occupancy Tax Board:

Seneca McAdams

Councilmember Susan Cantey

A motion was made by Councilmember Pyle and seconded by Mayor Pro Tem Ebel to approve the recommendation for appointments and/or re-appointments to various City advisory boards with Ray Daugberg serving on the Brenham Housing Authority and Seneca McAdams and Susan Cantey serving on the Hotel Occupancy Tax Board.

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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

15. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Next Council meeting will be January 4th

City Engineer Lori Lakatos reported on the following:

- Gave an update on Burleson Street, Barbee Street, and Jefferson Street construction projects

The meeting was adjourned.

Milton Y. Tate, Jr.

Mayor



Jeana Bellinger, TRMC, CMC

City Secretary

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