

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on September 19, 2019 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 Adonna Saunders
Councilmember Keith Herring
Councilmember Albert Wright
Councilmember Clint Kolby

Members absent:

None

Others present:

City Manager James Fisher, City Attorney Cary Bovey, Deputy City Secretary I Kacey Weiss, Deputy City Secretary II Karen Stack, Assistant City Manager – Chief Financial Officer Carolyn Miller, Comptroller Stacy Hardy, Human Resources Director Susan Nienstedt, Melinda Gordon, Fire Chief Ricky Boeker, Fire Marshal Roger Williams, Police Chief Allwin Barrow, Todd Ashorn, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Allen Jacobs and Kevin Boggus

Citizens present:

Brent Nedbalek, Billie Schmidt and Charlie Pyle

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 – Councilmember Wright**
- 3. Proclamation**
 - **Constitution Week**

4. Citizens Comments

There were no citizen comments.

CONSENT AGENDA

5. Statutory Consent Agenda

- 5-a. Minutes from the July 17, 2019 Special City Council Meeting, July 18, 2019 Special City Council Meeting, July 18, 2019 Regular City Council Meeting and July 25, 2019 Special City Council Meeting**
- 5-b. Ordinance No. O-19-033 on Its Second Reading Adopting the City of Brenham's 2019 Comprehensive Plan Entitled "Historic Past, Bold Future: Plan 2040" (Case No. P-19-029)**
- 5-c. Ordinance No. O-19-034 on Its Second Reading Repealing Ordinance No. O-19-017 and Deleting Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham, Part II, Division I, Section 18, Exterior Construction Materials for Selected Zoning Districts in Brenham, Washington County, Texas (Case No. P-19-028)**
- 5-d. Ordinance No. O-19-035 on Its Second Reading Amending Chapter 19, Parks and Recreation, Code of Ordinances, City of Brenham, Texas**
- 5-e. Ordinance No. O-19-036 on Its Second Reading Amending Chapter 6, Buildings and Structures, Code of Ordinances, City of Brenham, Texas to Adopt the 2015 Version of the International Building Codes with Local Amendments**
- 5-f. Ordinance No. O-19-037 on Its Second Reading Amending the Rate Tariff Schedule(s) for the City of Brenham Electric Rates**
- 5-g. Approve a Noise Variance for the Texas Arts and Music Festival to be Held from 7:00 p.m. on October 18th to 3:00 p.m. on October 20th in Downtown Brenham and Authorize the Mayor to Execute Any Necessary Documentation**
- 5-h. Approve a Contract Between the City of Brenham Electric Department and the Lower Colorado River Authority (LCRA) for Tree Trimming Services and Authorize the Mayor to Execute Any Necessary Documentation**
- 5-i. Approve a System Water Availability Agreement Between the City of Brenham and Brazos River Authority and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Cantey and seconded by Councilmember Kolby to approve the Statutory Consent Agenda Items 5-a. through 5-i. 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 Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

REGULAR SESSION

6. Discuss and Possibly Act Upon Ordinance No. O-19-038 on Its Second Reading Adopting the Budget for Fiscal Year Beginning October 1, 2019 and Ending September 30, 2020

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that the Fiscal Year 2019-20 Proposed Budget has been developed in compliance with the Property Tax Code, Local Government Code and the City Charter. Miller stated that the proposed budget includes appropriations of operating resources for 30 separate funds and authorizes \$73.0 million in expenditures.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve Ordinance No. O-19-038 on its second reading adopting the budget for fiscal year beginning October 1, 2019 and ending September 30, 2020.

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 Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

7. Discuss and Possibly Act Upon Ordinance No. O-19-039 on Its Second Reading Levying Taxes for the Tax Year 2019 for the City of Brenham at \$0.5140 per \$100 Valuation

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that the FY2019-20 Proposed Budget includes a tax rate of \$0.5140 per \$100

valuation which has two components: maintenance and operations (M&O) and interest and sinking (I&S). Miller advised that the proposed tax rate of \$0.5140 will allocate \$0.3200 to the General Fund for M&O expenditures and the balance of \$0.1940 will be allocated to the Debt Service Fund for principal and interest obligations. Miller noted that the proposed tax rate of \$0.5140 is above the effective rate of \$0.4748, but below the rollback rate of \$0.5148.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel that the property tax rate be increased by the adoption of a tax rate of \$0.5140 per \$100 valuation, which is effectively an 8.26% increase in the tax rate.

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 Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

8. Discuss and Possibly Act Upon a One Year Contract Extension, in Accordance with Bid No. 17-011, for Janitorial Services for Various City Facilities and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau explained that on October 12, 2017, Council awarded a contract to Kustom Klean Janitorial Services at an approximate value of \$107,448.24 annually. Rau stated that on October 18, 2018, a one-year extension was awarded to Kustom Klean in the same amount as they honored the previous year contracted amount.

Rau advised that the owner of Kustom Klean Janitorial Services, Stacie Oberrender, submitted a letter on September 1st asking the City to consider increasing the contract rates 3% to compensate her employees for an increase in pay. Rau noted that due to no increases last year and also understanding that the cost of living has increased, staff understood this request. Rau explained that staff has been happy with Kustom Klean's performance throughout the city buildings and have had very minor issues compared to what staff has been through in previous years with janitorial companies.

A motion was made by Councilmember Herring and seconded by Councilmember Wright to approve a One Year Contract Extension, in accordance with Bid No. 17-011, to Kustom Klean Janitorial Services including a 3% rate increase for janitorial services for 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 Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

9. Discuss and Possibly Act Upon Renewal with Texas Municipal League Intergovernmental Risk Pool for General Liability, Law Enforcement Liability, Public Officials Liability, Mobile Equipment, Airport Liability, Property, Auto Liability and Physical Damage, Crime, Animal Mortality and Theft and Workers' Compensation Coverage for the City of Brenham for Fiscal Year 2019-20 and Authorize the Mayor to Execute Any Necessary Documentation

Human Resources Director Susan Nienstedt presented this item. Nienstedt explained the renewal of property and liability coverages with TML Intergovernmental Risk Pool for FY2019-20.

Nienstedt stated that based on our renewal, the City will experience the following changes per coverage:

- Liability – decrease of \$14,044 dollars, or 8.49%
- Property – increase of \$10,095 or 7.18%
- Workers' Compensation – decrease of \$12,280 or 7.67%

A motion was made by Councilmember Cantey and seconded by Councilmember Saunders to approve the renewal with Texas Municipal League Intergovernmental Risk Pool for General Liability, Law Enforcement Liability, Public Officials Liability, Mobile Equipment, Airport Liability, Property, Auto Liability and Physical Damage, Crime, Animal Mortality and Theft and Workers' Compensation coverage for the City of Brenham for Fiscal Year 2019-20 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 Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

10. Discuss and Possibly Act Upon an Agreement Between Aviators Plus, LLC and the City of Brenham to Authorize Aviators Plus, LLC to Operate as a Fixed Base Operator at the Brenham Municipal Airport, and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item and introduced Brent Nedbalek, owner of Aviators Plus, LLC. Ogle explained that the City received a request from Aviators Plus, LLC to become a second Fixed Base Operator (“FBO”) at the Brenham Municipal Airport. Ogle stated that Aviators Plus can meet the requirements to operate an FBO from its current location, but is planning to construct a new building adjacent to the airport public ramp. Ogle noted that there would be a lease tied to that location that would be presented to the City Council at a future date. Ogle advised that Aviators Plus has been operating its business at the Brenham Airport for numerous years and would be making a substantial investment in its new endeavor.

A motion was made by Councilmember Herring and seconded by Mayor Pro Tem Ebel to approve the Agreement between Aviators Plus, LLC and the City of Brenham to Authorize Aviators Plus, LLC to Operate as a Fixed Base Operator 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 Adonna Saunders	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

11. Administrative/Elected Officials Report

City Manager James Fisher reported on the following:

- The Blinn College Alumni Hall of Honor Banquet is September 20th
- Planning and Zoning Meeting is September 23rd
- TML First Responders training is September 25th at the Fireman’s Training Center
- Come and Go Retirement Reception for Lowell Ogle is September 26th in the Utility Billing Lobby beginning at 4:00 p.m.
- Kid Fish is September 28th at the Blue Bell Aquatic Center
- Blue Bell Aquatic Center will be closed September 29th through October 6th for repairs
- National Night Out is October 1st

Fire Chief Ricky Boeker reported on the following:

- Introduced Interim Fire Marshal Roger Williams

Council adjourned into Executive Session at 1:36 p.m.

EXECUTIVE SESSION

12. Section 551.074 – Texas Government Code – Personnel Matters – Annual Evaluation of the City Manager

Executive Session adjourned at 2:44 p.m.

The meeting was adjourned.

Milton Y. Tate, Jr.

Mayor

Kacey A. Weiss, TRMC

Deputy City Secretary I



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