

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on May 21, 2015 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 Gloria Nix
Councilmember Andrew Ebel
Councilmember Danny Goss
Councilmember Keith Herring
Councilmember Mary E. Barnes-Tilley
Councilmember Weldon Williams, Jr.

Members absent:

None

Others present:

City Manager Terry Roberts, Assistant City Manager Kyle Dannhaus, Assistant City Manager of General Government Rex Phelps, City Attorney Cary Bovey, City Engineer Grant Lischka, City Secretary Jeana Bellinger, Deputy City Secretary Kacey Weiss, Assistant City Manager-Chief Financial Officer Carolyn Miller, Stacy Hardy, Susan Nienstedt, Cynthia Longhofer, Director of Community Services Wende Ragonis, Interim Police Chief Dant Lange, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Manager Erik Smith, Angela Hahn, and Presiding Judge Robert Wright

Citizens present:

Perry Thomas, Edward Smith III, Stacy Lange, Barbara Kruse, J.D. Young, Debbie Goss, Page Michel, Clint Kolby and Dorothy Morgan

Media Present:

Arthur Hahn, Brenham Banner Press; Caitlin Hahn, Brenham Banner Press; and Mary-Janet Reyes, KWHI

1. Call Meeting to Order

- 2. Invocation and Pledges to the US and Texas Flags – Mayor Pro Tem Nix**
- 3. Administer Oaths of Office to Elected Officials and Issue Certificates of Election for Council Positions:**

Mayor – At Large Milton Y. Tate, Jr.

Dorothy Morgan, retired Washington County Judge, administered the Oath of Office to Milton Y. Tate, Jr. for the position of Mayor for the City of Brenham for a four (4) year term.

Weldon C. Williams, Jr. Place 2 – Ward 2

Dorothy Morgan, retired Washington County Judge, administered the Oath of Office to Weldon C. Williams, Jr. for the position of Place 2 – Ward 2 Councilmember for the City of Brenham for a four (4) year term

Daniel H. “Danny” Goss Place 4 – Ward 4

Robert G. Wright, Municipal Court Judge, administered the Oath of Office to Daniel H. “Danny” Goss for the position of Place 4 – Ward 4 Councilmember for the City of Brenham for a four (4) year term

4. Citizens Comments

J.D. Young with Faith Mission spoke to the City Council about the “Neighbors Helping Neighbors” project that they are sponsoring in response to the recent economic issues happening in Brenham and Washington County.

CONSENT AGENDA

5. Statutory Consent Agenda

5-a. Minutes from the April 2, 2015 and April 16, 2015 Regular City Council Meetings and April 20, 2015 Special City Council Meeting

5-b. Ordinance No. O-15-017 on Its Second Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from a Residential Single Family (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as Section 1, Lot 1, Old Mill Creek Subdivision, Being a Corner Lot at the Intersection of Old Mill Creek Road and U. S. Highway 290 West in Brenham, Washington County, Texas

- 5-c. Ordinance No. O-15-018 on Its Second Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District from a Residential Single Family (R-1) District to a Local Business/Residential Mixed Use (B-1) District on a Tract of Land Described as Section 2, Lots 1-4, Old Mill Creek Subdivision, Being 4 Lots Located at the Corner of Old Mill Creek Road and S. Saeger Street in Brenham, Washington County, Texas**
- 5-d. Ordinance No. O-15-019 on Its Second Reading to Grant a Non-Exclusive Franchise to General Site Services (GSS) to Operate a Roll-Off Container Service for Residents, Businesses, and Industries Inside Brenham City Limits**

A motion was made by Councilmember Barnes-Tilley and seconded by Mayor Pro Tem Nix to approve the Statutory Consent Agenda Items 5-a., 5-b., 5-c. and 5-d. 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 Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

WORK SESSION

6. Presentation of the 2014 Municipal Court Statistics

This item was passed.

REGULAR AGENDA

7. Discuss and Possibly Act Upon a Temporary License Agreement with Texas Ninety Six West, LLC. for the Construction of a Parklet on Baylor Street in Downtown Brenham and Authorize the Mayor to Execute Any Necessary Documentation

Director of Community Services Wende Ragonis presented this item. Ragonis explained that staff presented the concept of a Parklet Program in the downtown area during a work session at the April 16, 2015 Council meeting. Ragonis stated that as directed by Council, staff has begun the process, with the City Attorney, of drafting procedures and technical specifications for the City's Parklet Program.

Ragonis advised Council that staff is not confident that all of the necessary ordinances needed to govern the Parklet Program long term can be completed in a timeframe suitable to Ninety Six West; therefore, staff would like to request that Council approves a temporary license agreement (12 months) to encroach into the City's right of way located at 103 S. Baylor Street for a parklet. Ragonis explained to Council that approval of the temporary license agreement would give staff the necessary time to complete all documentation including all ordinances necessary to govern this program.

Mayor Tate asked if the owners of Texas Ninety Six West are willing to comply with any restrictions that are in a future ordinance. Ragonis stated that they are and are eager to begin the project.

Councilmember Goss questioned if there are provisions for termination. City Attorney Cary Bovey stated that the agreement allows that both parties can terminate at any time with a thirty (30) day notice.

Councilmember Barnes-Tilley asked how long the process would take to not have to issue a temporary license. Ragonis advised it would take several months and the owners of Ninety Six West would like to open around the end of June or beginning of July. Therefore, they are requesting a temporary license.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve a temporary license agreement with Texas Ninety Six West, LLC. for the construction of a parklet on Baylor Street in Downtown 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 Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

8. Discuss and Possibly Act Upon Change Order No. 1 (Reconciliation) and Authorize Final Payment to Supak Construction, Inc. for the 2014 Water Distribution System Improvements and Authorize the Mayor to Execute Any Necessary Documentation

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle stated that Supak Construction, Inc. has completed their work on the water distribution system by replacing approximately 2,700 linear feet of AC water lines along Drumm, Edward, and Eldon streets. Ogle stated that Change Order No. 1 (Reconciliation) resulted in a reduction of the original contract; therefore, the final construction cost was \$262,469.00, \$4,683.50 below the original contract price.

A motion was made by Councilmember Barnes-Tilley and seconded by Councilmember Ebel to approve Change Order No. 1, a reduction in the amount of \$4,683.50 and approve final payment to Supak Construction, Inc. in the amount of \$29,171.90 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 Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

9. Discuss and Possibly Act Upon the Purchase of Body Cameras for the Police Department from Special Revenue Funds and Authorize the Mayor to Execute Any Necessary Documentation

Interim Police Chief Dant Lange presented this item. Lange advised the Council that the Police Department has been testing and evaluating various body camera systems for the officers. Lange explained that these cameras will be utilized for the protection of both the officers and community members during law enforcement encounters; the cameras will ensure that the Department serves with as much transparency as possible and maintains the existing community partnership.

Lange stated that he had received a quote for body cameras from Safety Vision, the same vendor that currently provides their mobile data terminals (in-car cameras). Lange advised the Council that it would be his recommendation that the Police Department purchase the body cameras from Safety Vision for a total of \$21,035.00. Lange noted an additional \$13,550 will be needed to purchase a server from Computer Helpers for storage of the videos. Lange explained to Council that, if approved, this purchase would be made from the special revenue account that is funded through private donations.

Councilmember Goss asked what activates the camera to begin working. Lange advised that the officer has to activate it and will deactivate the camera when they are finished at the scene.

Councilmember Herring questioned if the camera is video and audio. Lange stated the cameras are both and that every sworn in member with the Police Department will be wearing them.

A motion was made by Councilmember Goss and seconded by Councilmember Williams to approve the purchase of body cameras for the Police Department from Safety Vision in the amount of \$21,035.00 as well as an additional data storage server from Computer Helpers in the amount of \$13,550.00, both from the special revenue fund, for a total of \$34,585.00 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 Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

10. Discuss and Possibly Act Upon the Extension of a Contract with Marvin Koehne (dba Triple K Cattle) for the Lease of the Old Landfill Property and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau explained for the past 5 years the City of Brenham has leased the Old Landfill site to Marvin Koehne for hay production; this portion of the property consists of 108.90 acres. Rau stated in January the City of Brenham notified Mr. Koehne of its intent not to renew the annual hay lease due to another endeavor that consisted of a film producer looking at utilizing this property for other uses.

Rau explained that staff felt that by supplying Mr. Koehne with ninety (90) day not to renew notification that this would not put the City at risk for another year if the film producer was ready to move forward with his project. Rau stated that he spoke with Mr. Koehne and explained to him that on May 12, 2015 his annual lease would expire, but that the City would like to continue a month to month lease on this property with him for hay production.

Rau advised that by allowing Mr. Koehne to continue to cut the hay, it benefits the city by not having to send personnel out there to maintain the property. Rau explained once the final decision is made on the film production setup, staff will either enter into an agreement with the film producer or re-bid the hay lease.

Rau noted Mr. Koehne currently pays a yearly lease of \$4,553.11 for the 108.90 acres; going month to month his monthly amount will be \$379.42. Rau stated the conditions of the lease will be the same as the original 2010 lease agreement.

A motion was made by Councilmember Herring and seconded by Councilmember Ebel to approve a month-to-month lease agreement, in the amount of \$379.42 per month, with Marvin Koehne (dba Triple K Cattle) for the lease of the Old Landfill Property 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 Gloria Nix	Yes
Councilmember Andrew Ebel	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Mary E. Barnes-Tilley	Yes
Councilmember Weldon Williams	Yes

11. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Juneteenth parade will be on Saturday, June 20th
- Business After Hours will be today at the Blinn College Whigham House from 5:00-7:00 p.m.
- Recognized Assistant City Manager - Chief Financial Officer Carolyn Miller for her 10 years of service to the City
- The library will be offering resume writing assistance every Thursday between 2:00-4:00 p.m. starting on June 4th
- Memorial Day Holiday is Monday, May 25th
- Demolition has begun on the Nancy Carol Roberts Memorial Library

Assistant City Manager-Chief Financial Officer Carolyn Miller thanked the City Council for their support over the years and for the recent designation as Assistant City Manager.

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeana Bellinger, TRMC
City Secretary