

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on June 1, 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 Keith Herring
Councilmember Charlie Pyle
Councilmember Weldon Williams, Jr.

Members absent:

Councilmember Danny Goss

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, Comptroller Stacy Hardy, Human Resources Director Susan Nienstedt, Sara Parker, Director of Community Services Wende Ragonis, Crystal Locke, Andria Heiges, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Public Works Director Dane Rau, Leslie Kelm, Bobby Branham, Casey Redman, Assistant City Manager of Public Utilities Lowell Ogle, Alton Sommerfield, Development Services Director Erik Smith, City Engineer Lori Lakatos, Bobby Keene, Jody Kapchinski, Angeline Howard, Kyle Branham, Kelvin Raven, Kevin Boggus, Jason Lange, Don Bolenbarr, James Antkowiak, Jordan Prigge, Luke Ongudu, Jessie Vela and Brett Church

Citizens present:

Lynnette Sheffield, Tom Garbett, William Plummer, Brad Stufflebeam, Perry Thomas, James Lopez, Susan Lopez, Emmy Magnotha, Keith Hankins, Bob Schmidt, Roddy Williams, Russell Honerkamp, Gary Crocker, Darren Heine, Sheila Rollins, Wayne Rollins, Morgan Rollins, Hannah Smith, Tommy Traylor and Steven Drake

Media Present:

Arthur Hahn, Brenham Banner Press; Mark Whitehead, KWHI; and Sarah Foster, KWHI

1. **Call Meeting to Order**
2. **Invocation and Pledges to the US and Texas Flags – Mayor Pro Tem Ebel**
3. **Special Recognitions**
 - 3-a. **Retirements**
 - **Leslie Kelm** **11 Years**
 - **Don Bolenbarr** **28 Years**
 - 3-b. **Service Recognitions**
 - **Wende Ragonis, Community Services** **5 Years**
 - **Bobby Branham, Sanitation Department** **25 Years**
4. **Proclamation**
 - **Girl Scout Award Day**
5. **Citizens Comments**

Citizen Russell Honerkamp addressed Council regarding the lane striping on West Main Street.

CONSENT AGENDA

6. **Statutory Consent Agenda**
 - 6-a. **Minutes from the May 5, 2017 Regular City Council Meeting**

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve the Statutory Consent Agenda Item 6-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	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

PUBLIC HEARING

9. Public Hearing to Consider an Amendment of the City of Brenham’s “Envision 2020” Comprehensive Plan Future Land Use Map to Change the Districts on Various Tracts of Land Bounded by and/or Adjacent to S. Austin Street, W. First Street, S. Market Street, S. Baylor Street, S. Park Street, and S. Church Street from Combination of Agriculture/Undeveloped, Single-Family, Commercial/Retail and Warehouse/Industrial Districts to a Mixed Use District, in Brenham, Washington County, Texas

Mayor Tate opened the Public Hearing.

Development Services Director Erik Smith presented this item. Smith explained that City staff was approached by multiple individuals from the community who expressed interest in redeveloping south of the downtown B-3 Central Historical Business District. Smith stated the Envision 20/20 Comprehensive Plan is a document that is used as a guide to determine potential future land uses. Smith noted the properties affected by the proposed rezoning are a mix of uses according to this plan. Smith advised there is no Mixed Use designation on the current future land use plan. Smith explained that this proposed mixed use designation would be a new use that would accommodate the designation of a new mixed use zoning district.

10. Public Hearing to Consider an Amendment of the City of Brenham Zoning Ordinance (Code of Ordinances, City of Brenham, Texas - Appendix A) and the Official Zoning Map of the City of Brenham, to Provide for a Neighborhood Business District (B-4) to include a Downtown Business/Residential Overlay, and to Change the Zoning Districts on Various Tracts of Land Bounded by and/or Adjacent to S. Austin Street, W. First Street, S. Market Street, S. Baylor Street, S. Park Street, and S. Church Street from Commercial, Research and Technology (B-2) and Industrial (I) Districts to the Neighborhood Business District (B-4) to include a Downtown Business/Residential Overlay, in Brenham, Washington County, Texas

Development Services Director Erik Smith presented this item. Smith explained that City staff was approached by multiple individuals from the community who expressed interest in redeveloping south of the downtown B-3 Central Historical Business District. Smith stated that staff invited all of the property owners to a town hall style meeting to review the proposed changes and to give staff an opportunity to hear any comments or feedback. Smith noted there was not a significant amount of new input that was generated from this meeting.

Smith advised that this item was brought before the Planning and Zoning Commission as a discussion item and public hearing for the proposed changes. Smith explained that the public concerns were satellite parking and the fee associated and the grandfathering of existing uses. The Planning and Zoning Commission recommended unanimous approval of this request with the condition that banks be added as an allowed use to the proposed ordinance.

Citizen Tommy Traylor questioned the parking space requirements and stated that the cost per space can be costly. Traylor stated he thinks the parking fee should be removed from the ordinance.

Citizen Gary Crocker thanked staff for including banks in the district.

Mayor Tate closed the Public Hearing.

REGULAR SESSION

11. Discuss and Possibly Act Upon Resolution No. R-17-010 Providing for an Amendment of the City of Brenham’s “Envision 2020” Comprehensive Plan Future Land Use Map to Change the Districts on Various Tracts of Land Bounded by and/or Adjacent to S. Austin Street, W. First Street, S. Market Street, S. Baylor Street, S. Park Street, and S. Church Street from Combination of Agriculture/Undeveloped, Single-Family, Commercial/Retail and Warehouse/Industrial Districts to a Mixed Use District, in Brenham, Washington County, Texas

A motion was made by Councilmember Pyle and seconded by Councilmember Cantey to approve Resolution No. R-17-010 providing for an Amendment of the City of Brenham’s “Envision 2020” Comprehensive Plan Future Land Use Map to change the districts on various tracts of land bounded by and/or adjacent to S. Austin Street, W. First Street, S. Market Street, S. Baylor Street, S. Park Street, and S. Church Street from Combination of Agriculture/Undeveloped, Single-Family, Commercial/Retail and Warehouse/Industrial Districts to a Mixed Use District, 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	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

12. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending the City of Brenham Zoning Ordinance (Code of Ordinances, City of Brenham, Texas - Appendix A) and the Official Zoning Map of the City of Brenham, to Provide for a Neighborhood Business District (B-4) to include a Downtown Business/Residential Overlay, and to Change the Zoning Districts on Various Tracts of Land Bounded by and/or Adjacent to S. Austin Street, W. First Street, S. Market Street, S. Baylor Street, S. Park Street, and S. Church Street from Commercial, Research and Technology (B-2) and Industrial (I) Districts to the Neighborhood Business District (B-4) to include a Downtown Business/Residential Overlay, in Brenham, Washington County, Texas

A motion was made by Councilmember Pyle and seconded by Councilmember Herring to table Item 12.

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	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

WORK SESSION

7. Discussion and Presentation on Possible Amendments to Design and Construction Standards

City Engineer Lori Lakatos presented this item. Lakatos explained that Chapter 23 – Subdivision, Section 23-15 authorizes the City Engineer to promulgate rules, regulations, standards, and specifications related to design and construction with the approval of the City Manager and file the same with the City Secretary, including amendments to same. Lakatos stated this amendment is for all local residential streets to be constructed with concrete curb and gutter with concrete pavement and all local residential streets, low density rural, to be constructed as a local residential street section or open ditch with concrete pavement. Lakatos advised that this amendment is being proposed to increase the lifespan of residential roads and decrease the maintenance for the City of Brenham

8. Update and Discussion of Main Street Initiatives

Director of Community Services Wende Ragonis presented this item. Ragonis explained that the last Main Street update was provided at the September 1, 2016 Council meeting. Ragonis stated that at that time two committees of the Main Street Advisory Board: Economic Restructuring Committee (ERC) and Planning Committee had come together for a series of joint meetings where three strategic priorities were identified: 1) attract a downtown hotel development, 2) negotiate the ownership of TX Dot right of way and 3) improve the relationship with the key downtown stakeholders.

Ragonis explained that in addition, staff gathered feedback from various development industry experts and the recurring themes presented by these experts were: 1) downtown needs a hotel within walking distance to support the new conference center destination, 2) the transportation flow should create prosperity in downtown by reducing speeds thus increasing pedestrian safety, 3) public investment in streetscapes and infrastructure encourage density and retail growth in the area, 4) the downtown district is historically authentic and should be preserved and 5) all agree that the downtown economy is essential to the strength of the overall local economy of the area. Ragonis advised that the Main Street Board and all of its committees accepted these priorities and considered the industry expert feedback to establish a strategic plan of action.

Ragonis gave updates on the progress of Main Street's three key priorities, the Southside District, and the various Main Street Committees.

REGULAR SESSION

13. Discuss and Possibly Act Upon the Acceptance of the Libraries and Literacy Grant Through the Texas State Library and Archives Commission (TSLAC) in Partnership With the Texas Workforce Commission (TWC) and Authorize the Mayor to Execute Any Necessary Documentation

Librarian Andria Heiges presented this item. Heiges explained that the Libraries and Literacy Grant has been made available through a TSLAC and TWC partnership in order to expand library engagement with local Adult Education and Literacy (AEL) providers. Heiges stated the Nancy Carol Roberts Memorial Library with a service population of under 25,000, is eligible for up to a \$2,000 grant reimbursement. Heiges advised the Library has been awarded the Libraries and Literacy Grant to purchase assistive technology to assist with both digital literacy and basic literacy training for the visually impaired.

A motion was made by Councilmember Cantey and seconded by Councilmember Pyle to approve the acceptance of the Libraries and Literacy Grant through the Texas State Library and Archives Commission (TSLAC) in partnership with the Texas Workforce Commission (TWC) 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	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

14. Discuss and Possibly Act Upon Authorization for Final Payment to Coons Construction, Inc. for the M. M. Owsley Memorial Serenity Garden and Park Improvements Project and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau explained that Coons Construction has completed the M.M. Owsley Memorial Serenity Garden and Park Improvements. Rau stated that the total project budget was \$777,000, which was from generous donations by Robbie Gail Charrette and the M.M. Owsley Family Trust. Rau advised the preliminary budget called for \$730,650 to be used on construction and contingency items while \$46,350 was designated for engineering costs. Rau noted with the total project complete and Payment No. 7 (Final) due along with small expenses related to the project, there was a contingency left of \$12,025.76.

A motion was made by Councilmember Pyle and seconded by Councilmember Cantey to approve the authorization for final payment to Coons Construction, Inc. in the amount of \$25,301.07 for the M.M. Owsley Serenity Garden and Park Improvements Project 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	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

15. Discuss and Possibly Act Upon the Termination of the Janitorial Service Contract Between the City of Brenham and Lim Service Industries and Authorize the Mayor to Execute Any Necessary Documentation

Public Works Director Dane Rau presented this item. Rau explained that on February 16, 2017 the City of Brenham awarded Lim Service Industries the cleaning and janitorial contract for numerous city facilities. Rau stated that staff diligently researched Lim Service Industries, reached out to current customers on reference checks and those checks came back positive. Rau noted that at the time staff felt good about the company and subsequently awarded the bid to the second lowest bidder in hopes of getting quality work that is detailed out in the bid packet. Rau advised that from the commencement of the contract staff started experiencing difficulties with Lim Service Industries and it continued over the last several months. Rau explained that staff has had numerous meetings with the Lim Management Team in hopes that quality, timeliness, and organization would change. Rau stated that unfortunately, things have not changed. Rau advised that the plan moving forward would be to terminate using the 30 day clause and obtain a company to clean the buildings on a 120 day temporary basis while another bid is prepared.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve the termination of the janitorial service contract between the City of Brenham and Lim Service Industries 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	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

16. Discuss and Possibly Act Upon a Request for a Noise Variance in Connection with the 2017 Downtown Summer Concert Series (Hot Nights, Cool Tunes) to be Held from 2:30 p.m. to Midnight on July 8, 15, 22 and 29, 2017 and Authorize the Mayor to Execute Any Necessary Documentation

Deputy City Secretary Kacey Weiss presented this item. Weiss explained that the City of Brenham Community Programs submitted a request for a Noise Variance for the 4-night concert series this year. The dates and times include Saturday, July 8; Saturday, July 15; Saturday, July 22; and Saturday, July 29, 2017; from 2:30 p.m. (when sound set-up begins) to Midnight. Weiss stated there will be bands using sound amplification systems.

A motion was made by Councilmember Pyle and seconded by Councilmember Cantey to approve a request for a noise variance in connection with the 2017 Downtown Summer Concert Series (Hot Nights, Cool Tunes) to be held from 2:30 P.M. to Midnight on July 8, 15, 22 and 29, 2017 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	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

17. Discuss and Possibly Act Upon Resolution No. R-17-011 Authorizing Execution of an Agreement with TxDOT for the Temporary Closure of State Right-of-Way in Connection with the 2017 Downtown Summer Concert Series (Hot Nights, Cool Tunes) to be Held on July 8, 15, 22 and 29, 2017

Community Services Specialist Crystal Locke presented this item. Locke explained that the Downtown Summer Concert Series (Hot Nights, Cool Tunes) is hosted by the City of Brenham and sponsored by local businesses. Locke advised that this year's concerts will be held on July 8, 15, 22, and 29, 2017 from 7:00 p.m. – 10:00 p.m. Locke noted that one lane of Alamo Street between Park Street and Market Street will be closed beginning at 2:30 p.m. for stage setup. Locke stated that both lanes of Alamo Street will be closed between Austin Street and Market Street from 4:30 p.m. to 11:30 p.m.

A motion was made by Councilmember Pyle and seconded by Mayor Pro Tem Ebel to approve Resolution No. R-17-011 authorizing execution of an agreement with TxDOT for the temporary closure of state right-of-way in connection with the 2017 Downtown Summer Concert Series (Hot Nights, Cool Tunes) to be held on July 8, 15, 22 and 29, 2017.

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	Absent
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

18. Administrative/Elected Officials Report

City Manager Terry Roberts reported on the following:

- Budget workshops will be July 5th-7th
- Building permits are higher due to the construction at Blinn College

Fire Chief Ricky Boeker reported on the following:

- The 150th Birthday Celebration had a great turnout

Director of Community Services Wende Ragonis reported on the following:

- Familiarization Event will be held at the Barnhill Center June 6th-8th

The meeting was adjourned.

Milton Y. Tate, Jr.

Mayor



Jeana Bellinger, TRMC, CMC

City Secretary