

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on October 19, 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, Comptroller Stacy Hardy, Human Resources Director Susan Nienstedt, Sara Parker, Rhonda Kuehn, Director of Community Services Wende Ragonis, Jennifer Eckermann, Fire Chief Ricky Boeker, Police Chief Craig Goodman, Dant Lange, Public Works Director Dane Rau, Assistant City Manager of Public Utilities Lowell Ogle, Development Services Director Erik Smith, Paula Shields, Alexandra Dill, Kevin Boggus, Erin O'Malley, Norma Rodriguez, Mark Pierce, Tiwana Brown, Kenneth McGehee, Chris Duel and Todd Ashorn

Citizens present:

Kevin Mutscher and Clint Kolby

Media Present:

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

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Councilmember Cantey**

3. Proclamation

- **Breast Cancer Awareness Month**

4. Special Recognition

- **Texas Court Clerk Association’s Lorna Nelson Lifetime Achievement Award**

Municipal Court Administrator Rhonda Kuehn received this award from the Texas Court Clerks Association on October 10, 2017 at the TCCA Annual Conference.

5. Citizens Comments

There were no citizen comments.

CONSENT AGENDA

6. Statutory Consent Agenda

6-a. Ordinance No. O-17-014 on Its Second Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District on a Portion of a 53.01 Acre Tract of Land Described as R19805 (WCAD), Being A Part of Tract 25 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use (B-1) District to a Commercial, Research and Technology Use (B-2) District

6-b. Ordinance No. O-17-015 on Its Second Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District on a Tract of Land Described as R19919 (WCAD), 4.743 Acres, Located at 3201 State Highway 36 S, Being A Part of Tract 121 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use (B-1) District to a Commercial, Research and Technology Use (B-2) District

A motion was made by Councilmember Pyle and seconded by Councilmember Cantey to approve the Statutory Consent Agenda Items 6-a. and 6-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 Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

WORK SESSION

7. **Presentation and Update on the New Downtown Brenham Website**

Director of Community Services Wende Ragonis introduced this item and Community Services Technology Specialist Kevin Boggus presented it. Ragonis explained that staff requested HOT funding during the FY17 budget process to market and promote historic downtown as a tourist destination. Ragonis advised the redesign of the downtownbrenham.com website was developed with input from Community Services and Main Street staff. Boggus presented the website and stated the new features include: Shops and Services, Food, Events, Things to Do, Places to Stay, and information about downtown Venues. Boggus noted the link to the website is <http://www.downtownbrenham.com>.

REGULAR SESSION

8. **Discuss and Possibly Act Upon Ordinance No. O-17-016 on Its Second Reading Authorizing a Variance to Side Lot Line Setback Requirements, as Outlined in Section 23-22(1) of the City of Brenham's Code of Ordinances, on Tracts of Land Totaling 23.822 Acres of Land and Being Further Described as:**

- a. **Section 1, Block 1, Lot 1, Out of the Isaac Lee Survey, A-77, Located at the SE Corner of Cantey Street and Gun and Rod Road, in Brenham, Washington County, Texas;**
- b. **Section 1, Block 1, Lot 20, Out of the Isaac Lee Survey, A-77, Located at the SE Corner of Cantey Street and Gun and Rod Road, in Brenham, Washington County, Texas; and**
- c. **Section 1, Block 2, Lot 1 Out of the Isaac Lee Survey, A-77, Located at the SE Corner of Cantey Street and Gun and Rod Road, in Brenham, Washington County, Texas**

Development Services Director Erik Smith presented this item. Smith explained that this item was previously on the agenda at the October 12, 2017 meeting and that Council had requested further information from the City Engineer prior to the second reading. City Engineer Lori Lakatos reviewed the request and explained that for Cantey Street there are no issues with reducing the side setback to 15', but said she would encourage the developer to keep the structure as far as possible from the property line and closer to a 25' setback. Lakatos stated that there are no issues with reducing the side setback for Gun and Rod Road, but would again encouraged the developer to keep the structure as far as possible from the property line and closer to a 25' setback.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve Ordinance No. O-17-016 on its second reading authorizing a variance to side lot line setback requirements, as outlined in Section 23-22(1) of the City of Brenham's Code of Ordinances, on tracts of land totaling 23.822 acres of land and being further described as:

- a. Section 1, Block 1, Lot 1, Out of the Isaac Lee Survey, A-77, Located at the SE Corner of Cantey Street and Gun and Rod Road, in Brenham, Washington County, Texas;
- b. Section 1, Block 1, Lot 20, Out of the Isaac Lee Survey, A-77, Located at the SE Corner of Cantey Street and Gun and Rod Road, in Brenham, Washington County, Texas; and
- c. Section 1, Block 2, Lot 1 Out of the Isaac Lee Survey, A-77, Located at the SE Corner of Cantey Street and Gun and Rod Road, 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

9. Discuss and Possibly Act Upon Resolution No. R-17-020 Providing for an Amendment of the City of Brenham's "Envision 2020" Comprehensive Plan Future Land Use Map to Change the Future Land Use on the East Side of State Highway 36, Being a Portion of a 53.01 Acre Tract of Land Described as R19805 (WCAD) and Being a Part of Tract 25 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from Commercial/Retail to Multi-Family

Development Services Director Erik Smith presented this item. Smith explained that the current district as designated by the Comprehensive Plan is Commercial/Retail. Smith stated that Carl Detering is requesting the Comprehensive Plan be amended to designate this portion of his property as Multi-Family. Smith advised that this would align the zoning ordinance with the Comprehensive Plan.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve Resolution No. R-17-020 providing for an Amendment of the City of Brenham's "Envision 2020" Comprehensive Plan Future Land Use Map to change the future land use on the east side of State Highway 36, being a portion of a 53.01 acre tract of land described as R19805 (WCAD) and being a part of tract 25 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from Commercial/Retail to Multi-Family.

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

10. Discuss and Possibly Act Upon Ordinance No. O-17-017 on Its Second Reading Amending the Official Zoning Map of the City of Brenham, to Change the Zoning District on a Portion of a 53.01 Acre Tract of Land Described as R19805 (WCAD), Being A Part of Tract 25 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use (B-1) District to a Mixed Residential Use (R-2) District

Development Services Director Erik Smith presented this item. Smith explained that this item is being presented to City Council on the regular agenda as opposed to the consent agenda because of the need to amend the Envision 20/20 Comprehensive Plan. Smith stated this is a request from Carl A. Detering, Jr. and William C. Detering to rezone a portion of the tract of land described above from a B-1 Local Business/Residential Mixed Use District to a R-2 Mixed Residential District. Smith advised that the purpose of changing the zoning for this tract is to square off the boundaries of the district. Smith noted that the Planning and Zoning Commission recommended unanimous approval of this request.

A motion was made by Councilmember Pyle and seconded by Mayor Pro Tem to approve Ordinance No. O-17-017 on its second reading amending the Official Zoning Map of the City of Brenham, to change the zoning district on a portion of a 53.01 acre tract of Land described as R19805 (WCAD), being a part of Tract 25 of the John Carrington Survey, A0120, in Brenham, Washington County, Texas from a Local/Business/Residential Mixed Use (B-1) District to a Mixed Residential Use (R-2) 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	Yes

11. Discuss and Possibly Act Upon Resolution No. R-17-021 of the City Council of the City of Brenham, Texas, Authorizing the Giving of Notice of Intention to Issue City of Brenham, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2017; and Declaring an Effective Date

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that during the Council budget workshops and in the adoption of the FY17-18 budget, staff discussed issuing certificates of obligation (COs) for several general government and utility projects. Miller stated those capital projects include improvements to the Aquatic Center; Water and Wastewater utility system and facilities improvements; and construction of street and drainage improvements. Miller advised this agenda item is giving notice of the City’s intent to issue Certificates of Obligation, Series 2017 not to exceed \$4.1 million for these purposes including bond issuance costs.

Miller explained that the initial step in the financing process is to give notice of the City’s intent to issue the certificates of obligation, and upon Council’s approval, the notice itself will be published in the Brenham Banner Press. Miller stated that Garry Kimball, the City’s financial adviser, will handle securing the pricing and bring it back to Council for action at the December 7, 2017 meeting.

A motion was made by Councilmember Herring and seconded by Councilmember Cantey to approve Resolution No. R-17-021 authorizing the giving of notice of intention to issue City of Brenham, Texas, Combination Tax and Revenue Certificates of Obligation, Series 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	Yes
Councilmember Keith Herring	Yes
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

12. Discuss and Possibly Act Upon the Purchase of Four (4) Vehicles, Using BuyBoard Contract No. 521-16, for the City of Brenham Police Department and Authorize the Mayor to Execute Any Necessary Documentation

Police Chief Craig Goodman presented this item. Goodman explained that the department rotates older (high mileage and worn) vehicles from time to time for replacement to equip the patrol, investigative, and administrative divisions. Goodman stated that in order to maintain the current service level with fleet, the department is requesting to purchase (2) two patrol vehicles, (1) K9 vehicle and (1) one administrative vehicle this year.

A motion was made by Councilmember Cantey and seconded by Councilmember Pyle to approve the purchase of four (4) vehicles, using BuyBoard Contract No. 521-16, in the amount of \$169,245, for the City of Brenham Police Department 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

Council adjourned into Executive Session at 1:35 p.m.

EXECUTIVE SESSION

- 13. Section 551.072 – Texas Government Code – Deliberation Regarding Real Property – Discussion Regarding an Agreement with Roy Burger (dba RB Film Productions) for the Lease of Approximately 108.9 Acres of the Old Landfill Property**
- 14. Section 551.074 – Texas Government Code – Personnel Matters – Discussion Regarding the Evaluation of Candidates for the Position of City Manager**

Executive Session adjourned at 3:02 p.m.

RE-OPEN REGULAR SESSION

- 15. Discuss and Possibly Act Upon an Agreement with Roy Burger (dba RB Film Productions) for the Lease of Approximately 108.9 Acres of the Old Landfill Property and Authorize the Mayor to Execute Any Necessary Documentation**

This item was passed.

- 16. Administrative/Elected Officials Report**

➤ None given

The meeting was adjourned.

Milton Y. Tate, Jr.
Mayor

Jeanne Bellinger, TRMC, CMC
City Secretary

