

## **Brenham City Council Minutes**

A regular meeting of the Brenham City Council was held on January 18, 2018 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 Charlie Pyle  
Councilmember Weldon Williams, Jr.

### Members absent:

Councilmember Keith Herring

### Others present:

City Manager James Fisher, 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, Sara Parker, Jennifer Eckermann, Tammy Jaster, Fire Chief Ricky Boeker, Interim Police Chief Rusty Pancoast, Jared Campbell, Public Works Director Dane Rau, Casey Redman, Assistant City Manager of Public Utilities Lowell Ogle, City Engineer Lori Lakatos, Stephen Draehn and Paula Shields

### Citizens present:

Mark Schulte, Perry Thomas, Rick Perkins, Christopher Bond, Ragan Bond and Cyndee Smith

### 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 – Mayor Pro Tem Ebel**

**3. Citizens Comments**

Citizen Perry Thomas thanked staff and Council for enacting the quiet zone on FM 109.

**CONSENT AGENDA**

**4. Statutory Consent Agenda**

**4-a. Minutes from the December 7, 2017 Regular City Council Meeting**

A motion was made by Councilmember Cantey and seconded by Councilmember Pyle to approve the Statutory Consent Agenda Item 4-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	Yes
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**WORK SESSION**

**5. Discussion and Presentation of a Report Entitled “*Reviving Tourism Revenues in Brenham and Washington County: Trends, Challenges and Recommendations*” As Presented to the Brenham-Washington County Hotel Occupancy Tax (HOT) Board by HOT Board Member, Sharon Brass**

City Secretary Jeana Bellinger introduced this item and HOT Board member Sharon Brass presented it. Mrs. Brass explained that at the November 15, 2017 HOT Board meeting, she presented a report on “*Reviving Tourism Revenues in Brenham and Washington County: Trends, Challenges and Recommendations*”. Mrs. Brass stated that this report was developed out of her work on the HOT Board’s Strategic Planning Subcommittee.

Mrs. Brass advised that this report is a call-to-action regarding critical and urgent challenges facing the Washington County tourist industry and economy, and to provide suggestions for improving them. Mrs. Brass discussed the City of Brenham and Washington County’s Hotel Occupancy Tax revenues. Mrs. Brass stated that there is a high occupancy rate in the lodging facilities in the fall and spring, but during the summer month’s it is extremely low.

Mrs. Brass explained that the Brenham Heritage Museum was serving as a second visitor's center on the other end of town until it closed. Mrs. Brass suggested putting together a Tourism Board to review what is needed to complete a strategic tourism plan.

**6. Discussion and Presentation on the Possible Amendment of Section 26-7 of the City of Brenham Code of Ordinances Entitled "Extension of Utility Lines or Service Outside City Limits Prohibited"**

City Engineer Lori Lakatos presented this item. Lakatos explained that over the past few months the City has received multiple request to extend utility services outside of the City Limits. Lakatos stated that City Staff reviewed the Chapter 26 – Utilities for the requirements related to the extension of utilities outside the City Limits.

Council discussed removing Section 26-7(a)(5) and to develop a policy for review and approvals of these requests. Council also discussed the text amendment and policy are to be presented to the utilities subcommittee for review and recommendation before presenting it at a council meeting.

**7. Discuss and Review the FY2016-17 Fourth Quarter Financial Report**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller advised the status of the General Fund and the five major utility funds in the report. Miller reported the City experienced favorable actual net revenues in the General Fund and all utility funds except the Gas Fund.

**REGULAR SESSION**

**8. Discuss and Possibly Act Upon the Acceptance of the 2017 Audit of the Washington County Appraisal District by Seidel Schroeder**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller stated that the Washington County Appraisal District's audit for the fiscal year 2016-2017 has been completed by Seidel Schroeder. Miller advised there were no discrepancies found during this time period and the appraisal district stayed \$24,571 under budget.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve the acceptance of the 2017 audit of the Washington County Appraisal District by Seidel Schroeder.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**9. Discuss and Possibly Act Upon Resolution No. R-18-001 Amending the Authorized Representatives for TexPool Local Government Investment Pool**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that with the retirement of the City Manager, the authorized representatives for the City’s TexPool accounts need to be updated. Miller stated the City designates the following as Authorized Representatives who can perform transactions and receive confirmations and monthly statements: Mayor, City Manager, Assistant City Manager-Chief Financial Officer and City Secretary. Miller noted the Controller is also designated as an authorized representative, but is limited to inquiry only functions on select information.

A motion was made by Councilmember Pyle and seconded by Councilmember Cantey to approve Resolution No. R-18-001 amending the authorized representatives for TexPool Local Government Investment Pool.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**10. Discuss and Possibly Act Upon Resolution No. R-18-002 Amending the Authorized Representatives for TexSTAR Local Government Investment Pool**

Assistant City Manager – Chief Financial Officer Carolyn Miller presented this item. Miller explained that with the retirement of the City Manager, the authorized representatives for the City’s TexSTAR accounts need to be updated. Miller advised the City designates the following as Authorized Representatives who can perform transactions and receive confirmations and monthly statements: Mayor, City Manager, Assistant City Manager-Chief Financial Officer and City Secretary. Miller stated the Controller is also designated as an authorized representative, but is limited to inquiry only functions on select information.

A motion was made by Councilmember Cantey and seconded by Councilmember Williams to approve Resolution No. R-18-002 amending the authorized representatives for TexSTAR Local Government Investment Pool.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**11. Discuss and Possibly Act Upon the Purchase of a Pool Pak System for the Blue Bell Aquatic Center Using BuyBoard Contract No. 552-17 and Authorize the Mayor to Execute Any Necessary Documentation**

Assistant City Manager of General Government Ryan Rapelye presented this item. Rapelye explained that the Blue Bell Aquatic Center (BBAC) opened in 2001, thus making the systems and equipment in that facility over fifteen years old. Rapelye stated that when large swim groups are active in the Natatorium, the humidity in the air becomes thick with condensation of chlorinated water, which can cause the air quality in the facility to deteriorate. Rapelye advised that the condensation caused by the large swim group events could trigger a destructive process causing rust. Rapelye noted that proper airflow is key to minimize this type of chlorinated condensation and it appears that this airflow was not designed into the structure itself; rather it was dependent upon a sophisticated dehumidification system. Rapelye noted the dehumidification system currently installed at the BBAC is failing and needs to be replaced to ensure the air quality in the Natatorium remains acceptable. Rapelye advised that in addition, the boiler system is failing and several components of that system need to be replaced or repaired. Rapelye stated that Staff presented this item for discussion and review at the Parks Advisory Board funding review meeting held May 16, 2017, and to Council during the July 6 – 7, 2017 Budget Workshops.

Maintenance Supervisor, Stephen Draehn, discussed the units and some of the issues that are occurring at the BBAC.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve the purchase of a Pool Pak System from American Mechanical Services LLC, using BuyBoard Contract No. 552-17, in the amount of \$674,963.00 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**12. Discuss and Possibly Act Upon the Acceptance of the Donation and Conveyance of Approximately 1.671 Acres of Real Property from W&E Stone Investments, LLC and Authorize the Mayor to Execute Any Necessary Documentation**

This item was passed.

**13. Discuss and Possibly Act Upon the Purchase of a High Pressure Jet Truck for the Wastewater Construction Department Using BuyBoard Contract No. 521-16 and Authorize the Mayor to Execute Any Necessary Documentation**

Assistant City Manager of Public Utilities Lowell Ogle presented this item. Ogle explained that this truck is used to clear sewer stoppages, for routine maintenance of sewer lines, removing debris from manholes, and cleaning lines prior to them being inspected by a camera. Ogle stated this unit would replace Unit 220, a 2003 GMC model that has begun to have many maintenance issues.

A motion was made by Councilmember Pyle and seconded by Councilmember Cantey to approve the purchase of a high pressure jet truck, with a debris vacuum, from Rush Truck Centers of Texas, L.P., using BuyBoard Contract No. 521-16, in the amount of \$121,483.00 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**14. Discuss and Possibly Act Upon the Rejection of Bid No. 18-005 for the Purchase of a Live Floor Trailer for the Sanitation Department and Authorize the Mayor to Execute Any Necessary Documentation**

Public Works Director Dane Rau presented this item. Rau explained that on January 5, 2018 staff opened bids for a 53' Refuse Trailer. Rau advised this trailer was budgeted for in the 2017-18 budget. Rau stated that the Purchasing Department sent out four bid packs and received three bids and in looking at the bids submitted, all bids fell above the budgeted price of \$70,000.00. Rau noted that two of the trailers that were closer to the budgeted amount did not meet specifications, specifically on the strength of the aluminum on the side gauge of the trailers. Rau noted that specifications called for .175 solid weld aluminum and both trailer manufactures have submitted bids with .150 solid gauge aluminum. Rau explained that one manufacturer also did not meet specification, not only on the side gauge, but also on the specified side height. Rau stated that with the additional height, this would not suit the current set up at the Transfer Station.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve the rejection of Bid No. 18-005 for the purchase of a live floor trailer for the sanitation 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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

Council adjourned into Executive Session at 2:30 p.m.

**EXECUTIVE SESSION**

**15. Section 551.071 – Texas Government Code – Consultation with Attorney – Deliberation Regarding the Construction Contract Between the City of Brenham and GCP Contractors, LLC, Including But Not Limited to the Termination of Said Contract and Other Available Remedies**

Executive Session adjourned at 3:02 p.m.

**RE-OPEN REGULAR SESSION**

**16. Discuss and Possibly Act Upon the Termination of the Construction Contract Between the City of Brenham and GCP Contractors, LLC, and Other Available Remedies, and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to Direct City Staff to give the Contractor and Surety company ten days' written notice that the City is considering declaring that the Contractor is in default of the Contract and termination of the Contract, and such termination will be considered by the City Council at the February 1, 2018 Council meeting.

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
<b>Councilmember Keith Herring</b>	<b>Absent</b>
Councilmember Charlie Pyle	Yes
Councilmember Weldon Williams	Yes

**17. Administrative/Elected Officials Report**

City Manager James Fisher reported on the following:

- Police Chief recruitment is moving forward
- Animal Services Manager interviews will be next week at the shelter and advertising for an Animal Adoption Coordinator will begin soon
- Council meetings in March will be the 8<sup>th</sup> and 22<sup>nd</sup>
- Update on the Lake Somerville oil and gas lease will be at February 1<sup>st</sup> meeting

The meeting was adjourned.

*Milton Y. Tate, Jr.*

Mayor

*Jeana Bellinger, TRMC, CMC*

City Secretary

