

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on April 18, 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 Danny Goss
Councilmember Keith Herring
Councilmember Albert Wright
Councilmember Clint Kolby

Members absent:

None

Others present:

City Manager James Fisher, City Attorney Cary Bovey, City Secretary – Director of Administrative Services Jeana Bellinger, 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, Debbie Gaffey, Director of Tourism and Marketing Jennifer Eckermann, Fire Chief Ricky Boeker, Dant Lange, Public Works Director Dane Rau, Development Services Director Lori Sanguedolce, Stephanie Doland, Susan Cates, Melinda Gordon, Caz Muske, Kevin Boggus, Sierra Newell, Kejan Mehlhorn, Kelvin Raven, Seth Klehm, Alyson Tofel, Steven Eilert, Lloyd Powell, Armando Guerra, Jared Campbell, Terrence Johnson and Curtis Schoen

Citizens present:

Anthony Smith, Katie Burch, Samantha Medve, Cassy Mayes, Charly Hendrickson, Sally Clinton, Dorothy Morgan, Tracy Ross, Wayne Winkelmann, Ahmed Fouad, Brandon Marth and Bradley Schomburg

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 Goss**
3. **Special Presentation**
 - **Life Saving Award Presented to Brenham Police Department Corporal Kejan Mehlhorn**
4. **Special Recognition - Police Department Promotion**
 - **Sierra Newell, Corporal**
5. **Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

6. **Statutory Consent Agenda**
 - 6-a. **Minutes from the March 21, 2019 Regular City Council Meeting and March 21, 2019 Special City Council Meeting**
 - 6-b. **Ordinance No. O-19-014 on Its Second Reading Amending Chapter 12, Health and Sanitation, of the Code of Ordinances of the City of Brenham, Regarding Use of Tobacco at City-Owned Facilities**

A motion was made by Councilmember Herring and seconded by Councilmember Canteley 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 Canteley	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

WORK SESSION

7. Discuss and Review the FY2018-19 First 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 to budget net revenues in the General Fund and all utility funds except the Water Fund.

8. Discussion and Presentation Related to the Possible Amendment of Chapter 27, Vehicles for Hire, of the Code of Ordinances of the City of Brenham

Deputy City Secretary II Karen Stack presented this item. Stack explained that the City's Ordinance related to Vehicles for Hire was last updated in 2010. Stack stated that it has come to staff's attention that since that time, technological advances have rendered portions of the ordinance out-of-date. Stack advised that specifically, the current ordinance required every permitted taxicab operating in the City of Brenham to have a taximeter installed. Stack noted that it has been brought to staff's attention that this technology is dated and that the trend is toward "virtual taximeters," which are GPS-based phone and tablet applications that calculate distance and fares. Stack also discussed maximum taxicab fares and vehicle requirements and inspections.

Ahmed Fouad, owner of Hill Country Taxi based in College Station, addressed Council regarding taximeters and fares. Mr. Fouad stated that he would like to see the fares in Brenham be the same as what they are in College Station. Stack stated that she would contact the City of College Station and get the fare rates.

Mayor Tate advised Stack to discuss the fare rates with Mr. Fouad and to bring the item back to Council at a future meeting.

REGULAR SESSION

9. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham, Part II, Division 1, Section 18 to Establish Exterior Construction Materials for Selected Zoning Districts in Brenham, Washington County, Texas (Case No. P-19-001)

A motion was made by Councilmember Herring and seconded by Councilmember Wright to remove Item 9 from the table.

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 Albert Wright	Yes
Councilmember Clint Kolby	Yes

Assistant Development Services Director Stephanie Doland presented this item. Doland explained that this is a City initiated request to amend the City of Brenham's Code of Ordinances, Appendix A, Section 18 to establish minimum non-metal façade requirements on residential uses in selected zoning districts. Doland stated that currently the City of Brenham does not regulate exterior construction materials (façade) for properties developed within the City Limits.

Doland advised that on March 21, 2019 City Staff presented a similar amendment to the City Council. Doland noted that during discussion on the item, Council directed staff to conduct additional research on the matter and tabled the item until the April 18, 2019 regularly scheduled Council meeting. Doland stated that since that time, staff held a subcommittee meeting and discussed the use of a metal façade in residential districts. Doland explained that during the subcommittee meeting, the recommendation of the Planning and Zoning Commission was discussed and thought to be insufficient to correcting incompatible development in existing residential neighborhoods. The following proposal was discussed:

- Metal façades shall not be a permitted use on residential structures in the following districts:
 - R-1: Residential District
 - R-2: Mixed Residential District
 - R-3: Manufactured Home Residential
 - B-1: Local Business/Residential Mixed Use District
- Metal façade limitations shall not apply to accessory structures
- Non-metal shall mean: brick or brick veneer, stone or stone veneer, stucco, wood, vinyl, or fiber-cement siding, and further, for the purposes of this section a wood-like or fiber cement-like exterior or finish shall be considered "non-metal façade."

Doland stated that on February 25, 2019 the Planning and Zoning Commission voted unanimously to recommend approval of an ordinance to adopt the following standards:

- 50% non-metal façade on exterior wall surfaces facing the right-of-way
- 25% non-metal façade on exterior side wall surfaces not facing the right-of-way
- 0% non-metal façade on exterior rear wall surfaces not facing the right-of-way
- No non-metal façade requirements on accessory structures

Katie Burch, an architect in Brenham, addressed Council. Burch explained that the intent of the ordinance is to address residential construction, but in her opinion, the ordinance wording applies to commercial buildings. Burch also stated that she is confused as to the wording in the ordinance related to health, safety and welfare. Burch advised that does not apply to a metal building. Burch stated that outlining any one material is not right and is very limiting.

Samantha Medve, owner of the metal homes, addressed Council. Medve explained that her metal homes are valued around \$15,000 higher than the average home in the Dixie and Drumm Subdivision. Medve stated that per the research completed by the Comprehensive Planning Team, the median home in Brenham is valued at \$163,000. Medve advised that per her research, the median income per family in Brenham is \$41,486. Medve stated there is obviously a shortage of housing and that is what increases the price of houses and rent. Medve also stated that she researched each Council member's home value and the average is \$312,000. Medve noted that Council's perspective is likely different from the average citizens. Medve advised that in her opinion, metal is a better product and lasts longer than some other materials.

Tony Smith, a resident at 304 S. Dixie Street, addressed Council. Smith explained that he lives in the neighborhood where the metal homes are located and does not approve of them because of their appearance. Smith stated that the metal homes do not look like the rest of the homes in the neighborhood.

Brandon Marth addressed Council. Marth stated that this is a matter of opinion and property owners should be able to build what they want.

A motion was made by Councilmember Kolby and seconded by Councilmember Herring to approve an Ordinance on its first reading amending Appendix A – "Zoning" of the Code of Ordinances of the City of Brenham, Part II, Division 1, Section 18 to Establish Exterior Construction Materials for Selected Zoning Districts in Brenham, Washington County, Texas (Case No. P-19-001), with City staff coming back to Council with a recommendation on how to incorporate design guidelines for metal housing.

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 Albert Wright	Yes
Councilmember Clint Kolby	Yes

10. Discuss and Possibly Act Upon an Ordinance on Its First Reading Amending Chapter 8½, Flood Damage Prevention, of the Code of Ordinances of the City of Brenham

Development Services Director Lori Sanguedolce presented this item. Sanguedolce explained that FEMA recently completed a revision to the countywide Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) for Washington County, Texas and Incorporates Areas. Sanguedolce stated that the City of Brenham was not affected by the updated flood hazard information presented in the FIS report and FIRM, but does lie on one or more of the revised map panels. Sanguedolce advised that the ordinance is being updated for the following reasons.

1. Updating the Flood Insurance Study and Flood Insurance Rate Map referenced to reflect the new date.
2. Increase the lowest floor elevation for residential and nonresidential construction to be 2 feet above the base flood elevation.
3. Require critical facilities to be elevated 2 feet above the elevation of the 500 year (0.2% chance) flood event or 3 feet above the highest adjacent grade of the building if flood elevation data is not available. Access to critical facilities must be assured under all circumstances.

Sangedolce explained that the other revisions to the chapter are to help strengthen and promote the public health, safety, and general welfare to reflect higher standards based on recent flood events.

A motion was made by Councilmember Goss and seconded by Councilmember Wright to approve an Ordinance on its first reading amending Chapter 8½, Flood Damage Prevention, of the Code of Ordinances of the City of Brenham.

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 Albert Wright	Yes
Councilmember Clint Kolby	Yes

11. Discuss and Possibly Act Upon a Master Services Agreement Between the City of Brenham and Tempest, Inc. for Customer Relationship Management (CRM) Software for Visit Brenham and Authorize the Mayor to Execute Any Necessary Documentation

Community Services Technical Specialist Kevin Boggus presented this item. Boggus explained that Tempest iDSS Cyclone is an online database that Visit Brenham – the official Destination Marketing Organization (DMO) for Brenham and Washington County – will use to manage and track Tourism Partner information. Boggus advised that this software, which will be purchased with HOT funds, would integrate into the VisitBrenhamTexas.com website, and also allow partners to update their own records, such as business hours, events and tour times.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve a Master Services Agreement between the City of Brenham and Tempest, Inc., in the amount of \$21,000 for three years, for Customer Relationship Management (CRM) Software for Visit 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 Andrew Ebel	Yes
Councilmember Susan Cantey	Yes
Councilmember Danny Goss	Yes
Councilmember Keith Herring	Yes
Councilmember Albert Wright	Yes
Councilmember Clint Kolby	Yes

12. Discuss and Possibly Act Upon an Ordinance on Its First Reading Providing for a No Parking Zone on the West Side of Green Street Between College Avenue and W. Third Street

Public Works Director Dane Rau presented this item. Rau explained that upon the request of Blinn College, staff would like Council to consider approving an ordinance establishing a “No Parking” zone on the west side of Green Street between College Avenue and W. Third Street. Rau advised that Green Street currently allows parallel parking on both sides of Green Street in this area. Rau stated that due to the large number of deliveries to Blinn College and large commercial trucks as well as Blinn employees entering and exiting the Administration Building, this provides an unsafe area for pedestrians and vehicular traffic.

A motion was made by Councilmember Cantey and seconded by Mayor Pro Tem Ebel to approve an Ordinance on its first reading providing for a No Parking Zone on the West Side of Green Street between College Avenue and W. Third Street.

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 Albert Wright	Yes
Councilmember Clint Kolby	Yes

13. Administrative/Elected Officials Report

City Manager James Fisher reported on the following:

- Friday, April 19th is a Good Friday holiday
- Boards and Commissions training will be April 25th at Noon and 5:15 p.m.
- Comprehensive Plan Town Hall Meeting will be April 30th
- Spring Clean Up for county residents will be April 25th through 27th
- Election Day is May 4th

The meeting was adjourned.

Milton Y. Tate, Jr.

Mayor

Jeana Bellinger, TRMC, CMC

City Secretary

