

Brenham City Council Minutes

A regular meeting of the Brenham City Council was held on March 5, 2020 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 Clint Kolby
Councilmember Adonna Saunders
Councilmember Albert Wright

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, Human Resources Director Susan Nienstedt, Tammy Jaster, Fire Chief Ricky Boeker, Police Chief Ron Parker, Dant Lange, Todd Ashorn, Lloyd Powell, Public Works Director Dane Rau, Casey Redman, Assistant City Manager of Public Services and Utilities Donald Reese, Shauna Laauwe, Kevin Boggus, Jordan LaBeth, Annie Montgomery, Kelsey Toy, Alyson Tofel, Ashley Burns, Kelvin Raven, Mark Pierce, Jared Campbell, Steven Eilert and Andrea Norton

Citizens present:

Claude Mabry, Mike Brannon, Mary Claire Molone, Pat Meyer, Doug Feist, Blake Brannon, Brandon Roznovsky, Jim Kruse, James M. Luedke, Charlie Pyle, Georgia Sowers and Doug Smith

Media Present:

Clay Thorp, Brenham Banner Press; and Josh Blaschke, KWHI

- 1. Call Meeting to Order**
- 2. Invocation and Pledges to the US and Texas Flags – Mayor Milton Tate**
- 3. Swearing-In Ceremony for Police Chief Ron Parker**
- 4. Special Recognition**
 - **2020 Texas Public Pool Council Awards**
 - **2019 Economic Excellence Award**
- 5. Citizens Comments**

There were no citizen comments.

CONSENT AGENDA

- 6. Statutory Consent Agenda**
 - 6-a. Minutes from the February 6, 2020 Regular City Council Meeting and February 13, 2020 City Council Workshop Meeting**
 - 6-b. Approve a One Year Contract Extension, in Accordance with Bid No. 18-007, for Mowing and Cleanup Services for Various City Departments and Authorize the Mayor to Execute Any Necessary Documentation**
 - 6-c. Purchase of a Toro Reelmaster Mower for the City of Brenham Parks Department from Professional Turf Products, Through Buyboard Contract No. 529-17, in the Amount of \$62,647.83 and Authorize the Mayor to Execute Any Necessary Documentation**
 - 6-d. Approval of an Addendum and Modification to the Contract Between the City of Brenham and Vortex USA, Inc. Related to the Splashpad at Henderson Park and Authorize the Mayor to Execute Any Necessary Documentation**
 - 6-e. Approve Change Order No. 1, Change Order No. 2 and Final Payment to Lindsey Construction, Inc. in the Amount of \$585,914.65 for Bid No. E2017-01 Related to the Higgins Branch Creek Channel Restoration and Authorize the Mayor to Execute Any Necessary Documentation**
 - 6-f. Purchase of a Schwarze Street Sweeper for the City of Brenham Street Department from Heil of Texas, Through HGACBuy Contract No. SW-04-18A, in the Amount of \$234,611.00 and Authorize the Mayor to Execute Any Necessary Documentation**
 - 6-g. Approve an Equipment Financing Proposal with Bank of Brenham and Authorize the Mayor to Execute Any Necessary Documentation**

- 6-h. Approve Change Order No. 3 and Final Payment in the Amount of \$84,376.90 to Barclays Premier Utility Services, LLC for Project No. 64C-50C Related to the FY19 Water Main Replacement Project and Authorize the Mayor to Execute Any Necessary Documentation**
- 6-i. Approve Change Order No. 2 in the Amount of \$20,225.00 to Gulf States Protective Coatings for Bid No. 3900.0420/050 Related to the 2016 Water Treatment Plant Protective Coatings Project and Authorize the Mayor to Execute Any Necessary Documentation**
- 6-j. Approve Ground Space Lease Agreements with Gary Snoe for Hangar Spaces at the Brenham Municipal Airport and Authorize the Mayor to Execute Any Necessary Documentation**

A motion was made by Councilmember Cantey and seconded by Councilmember Wright to approve the Statutory Consent Agenda Items 6-a. through 6-j., amending the final payment amount of Item 6-e. to \$233,252.09.

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 Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

REGULAR SESSION

- 7. Discuss and Possibly Act Upon Resolution No. R-20-009 Approving an Agreement for Municipal Solid Waste Collection, Disposal and Recycling Services Between the City of Brenham and Brannon Industrial Group, LLC d/b/a BVR Waste and Recycling, and Approving 1) Exhibit “A” General Terms and Conditions; 2) Exhibit “B” Commercial Waste Collection and Recycling Services; and 3) Exhibit “C” Residential Waste Collection and Recycling Services to said Agreement for Municipal Solid Waste Collection, Disposal and Recycling Services**

City Manager James Fisher presented this item. Fisher explained that in August 2019 the City issued a Request for Proposal (RFP) for Solid Waste Services for Residential Collection, Commercial Sanitation, Recycling Services, and Collection Operations for City of Brenham residents and businesses. Fisher noted that the City received proposals from four (4) companies: (1) Brannon Industrial Group, LLC d/b/a BVR Waste and Recycling (BVR), (2) Frontier Waste Solutions, (3) Republic Services and (4) Texas Disposal Systems. Fisher stated that after

evaluating the proposals, it was evident that the local company Brannon Industrial Group, LLC d/b/a BVR Waste and Recycling submitted the best value to the City overall.

Fisher advised that these evaluations were discussed with both the Utilities Subcommittee of Council and the full Council. Fisher stated that in January 2020 the City Council authorized city staff to begin working with BVR to finalize a solid waste services contract. Fisher explained that during two work sessions with Council on February 6th and on February 13th, staff outlined the general terms of the contract and explained that the full implementation of the contract would be a stair-step process as follows:

- Agreement for Municipal Solid Waste Collection, Disposal and Recycling Services – March 2020
- Exhibit “A” General Terms and Conditions to the Agreement for Municipal Solid Waste Collection, Disposal and Recycling Services – March 2020
- Exhibit “B” Commercial Waste Collection and Recycling Services – March 2020
- Exhibit “C” Residential Waste Collection and Recycling Services – March 2020
- Exhibit “D” Collection and Transfer Station Services – April 2020

Fisher explained the rates for commercial and residential services. Fisher stated that curbside solid waste collection and recycling services proposed rate is \$15.00 per month per household and \$12.00 per month per household for senior citizens and disabled persons. Fisher advised that an additional cart would be \$8.00 per month per cart. Fisher noted that brush pick-up would be \$15.00 per request. Fisher stated that senior citizen exemption would be age 65 and would become effective October 1, 2020.

Public Works Director Dane Rau stated that commercial collection would begin March 30th and letters would be mailed to customers next week letting them know. Rau noted that residential collection would begin in early May with carts being distributed then or at least 2 weeks prior to implementation.

Councilmember Cantey asked about the cart assistance program for senior citizens and disabled persons. Fisher advised that information on the cart assistance program would be available in the next few weeks. Fisher noted that 64 gallon carts would be issued to senior citizens and disabled persons.

A citizen addressed Council regarding elderly and disabled people having to use carts, carts possibly floating down the street when it rains because of their location and parking for residential vehicles.

Doug Smith with Texas Disposal Systems addressed Council. Smith stated that his company presented a bid for the trash services. Smith advised that he would like to keep communication open between his company and the city and if any issues ever arise with sanitation services to please contact him.

Citizen Georgia Sowers addressed Council. Sowers advised that she has issues with balance and has a difficult time carrying things. Sowers also stated that she is worried that the carts would take away from the beauty of the city.

A motion was made by Councilmember Herring and seconded by Councilmember Saunders to approve Resolution No. R-20-009 approving an agreement for Municipal Solid Waste Collection, Disposal and Recycling Services between the City of Brenham and Brannon Industrial Group, LLC d/b/a BVR Waste and Recycling, and approving 1) Exhibit “A” General Terms and Conditions; 2) Exhibit “B” Commercial Waste Collection and Recycling Services; and 3) Exhibit “C” Residential Waste Collection and Recycling Services to said Agreement for Municipal Solid Waste Collection, Disposal and Recycling Services.

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 Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

8. Discuss and Possibly Act Upon an Ordinance on Its First Reading Authorizing a Variance to Minimum Setback requirements as Outlined in Chapter 14, Mobile Homes, Manufactured Homes and Manufactured Home Parks, of the City of Brenham Code of Ordinances

Project Planner Shauna Laauwe presented this item. Laauwe explained that Sandalwood Manufactured Home Park is in preparation to expand the existing manufactured home park located at 2075 FM 389. Laauwe stated that the applicant has submitted a master plan and preliminary plat to expand the park by 25 lots on 13.95 acres of land adjacent to the south. Laauwe advised that this was a request from the developer of Sandalwood Manufactured Home Park for a variance to allow open-air carports to be constructed over the proposed parking pads for each pad site. Laauwe explained that Section 14-9(4)(b) regulates that nonflammable carports have a minimum clearance and setback of 10 feet to a neighboring manufactured home. Laauwe stated that the applicant intends to give residents an option to place a 20’x18’ carport over the parking pads for each home site. Laauwe noted that however, the parking pads encroach 2 feet into the adjacent home lot and would be situated 8 feet from the adjacent manufactured home, thus the applicant is requesting a Variance to allow the parking pad sites and carports to encroach 2 feet into the adjacent home lot and a 2 foot reduction in the minimum required 10 foot setback from a neighboring manufactured home. In addition, the applicant proposes to place the carports within the 20-foot utility easement that runs along the interior access road.

A motion was made by Councilmember Kolby and seconded by Councilmember Herring to approve an Ordinance on its first reading authorizing a Variance to Minimum Setback Requirements as Outlined in Chapter 14, Mobile Homes, Manufactured Homes and Manufactured Home Parks, of the City of Brenham Code of Ordinances.

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 Keith Herring	Yes
Councilmember Clint Kolby	Yes
Councilmember Adonna Saunders	Yes
Councilmember Albert Wright	Yes

9. Administrative/Elected Officials Report

City Manager James Fisher reported on the following:

- The fire department will begin fire fighter physicals starting this spring
- Airport runway project bids are due March 11th
- There will be a joint meeting with the County Commissioners Court on April 9th at 1:00 p.m. to hear a presentation with TxDOT officials on the Highway 290/Cloverleaf project
- There will be a mini workshop to discuss the FY21 budget at the Council meeting on April 16th

Council adjourned into Executive Session at 1:41 p.m.

EXECUTIVE SESSION

- 10. Section 551.071 – Texas Government Code – Consultation with Attorney – Consultation with City Attorney Regarding EEOC Charge No. 460-2020-00543**
- 11. Section 551.071 – Texas Government Code – Consultation with City Attorney and Section 551.072 – Texas Government Code – Deliberation Regarding Real Property – Consultation with City Attorney and Discussion Regarding the Barnhill Center at the Historic Simon Theater**

Executive Session adjourned at 3:05 p.m.

RE-OPEN REGULAR AGENDA

- 12. Discuss and Possibly Act Upon the Development, Operation and Possible Acquisition of the Barnhill Center at the Historic Simon Theater and Authorize the Mayor to Execute Any Necessary Documentation**

No action was taken on this item.

The meeting was adjourned.

Milton Y. Tate, Jr.

Mayor

Jeana Bellinger, TRMC, CMC

City Secretary



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