

REGULAR CALLED MEETING
City Council
January 22, 2019

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, January 22, 2019, at 9:00 a.m., in the Council Chambers, City Hall, 501 Center Avenue, Brownwood, Texas, with the following members present:

Stephen E. Haynes	:	Mayor
HD Jones	:	Councilman – Ward 1
Ed McMillian	:	Councilman – Ward 2
Larry Mathis	:	Councilman – Ward 3
Draco Miller	:	Councilman – Ward 4
Jerry DeHay	:	Councilman – Ward 5
Pat Chesser	:	City Attorney
Emily Crawford	:	City Manager
Christi Wynn	:	City Secretary

with no members absent, constituting a quorum of the City Council.

CALL TO ORDER:	Mayor Haynes called the meeting to order.
PLEDGE OF ALLEGIANCE:	Pledge of Allegiance was led by Councilman Miller.
INVOCATION:	Invocation was given by Councilman DeHay.
ITEMS TO BE WITHDRAWN:	None

INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS:

Fire Chief, Eddy Wood, introduced the new Assistant Fire Chief, Darrell Johnston. Mr. Johnston is retired from the Odessa Fire Department after thirty-one years and he has worked for the Texas A&M Forestry Service for four years in Brown County. He has been helping the Brownwood Fire Department for the past four months as the Emergency Service Administrator.

CITIZENS PRESENTATIONS: None

APPROVAL OF MINUTES:

A motion was made by McMillian, seconded by Mathis, to approve the minutes of the Regular Called Meeting on January 8, 2019, as presented. Upon vote, motion carried unanimously.

CLAIMS AND ACCOUNTS:

Assistant Finance Director, Melanie Larose, was present for questions regarding the checklist. A motion was made by DeHay, seconded by Miller, that the Claims and Accounts dated through January 18, 2019, be approved for payment as submitted. Upon vote, motion carried unanimously.

REQUESTS AND PRESENTATIONS:**Consider an Order of General Election setting the May 4, 2019, Election date for the following positions: Ward 2, Ward 3, and Ward 5.**

A motion was made by Miller, seconded by Jones, to approve an Order of General Election setting the May 4, 2019, Election date for Wards 2, 3, and 5. Upon vote, motion carried unanimously.

The Arc of Brown County will make a presentation to the City Council regarding a public-private partnership to build an inclusivity playground at a City Park.

Lane Dryden, Treasurer of the Arc of Brown County, stated that they would like to create a family-centered inclusive play area for individuals with intellectual and developmental disabilities. The goal of the playground is to create a place where all children and families of all abilities can play and learn.

Shawntay Sparks-Hubbard with the Arc of Brown County, stated that their objectives are to connect with families and the community, inspire families to use play to increase their physical activity, to encourage learning and cognitive development through play, to increase social interaction, and to foster a sense of community between citizens, local organizations, and the City. She stated that because the splash pad at Alcorn Park is ADA accessible, it seems logical for the inclusive park to be located there. The current play equipment is not designed to support play for those with physical and intellectual challenges. The cost of the proposed play equipment is approximately \$150,000 and only includes the cost of equipment, installation, and warranty.

Mrs. Sparks-Hubbard asked for the City's participation with the removal of the old play equipment and preparing the ground for matting, ADA enhancements to the existing bathrooms, and a fence surrounding the play area. Currently, the Arc of Brown County has a verbal commitment of \$13,000 and additional money will be sought from local businesses and donations. She showed slides of the proposed play equipment to include a large play yard, a musical sound garden, wheelchair access to equipment, a sensory pod and sand box, a wheelchair accessible merry-go-round, and a double slide for dual use. Mrs. Sparks-Hubbard explained why Allcorn Park was chosen and stated that she has met with the school district and has discussed how the park could support children at Woodland Heights Elementary. In the future, the Arc of Brown County would like to expand to the park near Northwest Elementary and help with their needs as well. There were comments made by the Mayor and Council of support for the project. Mayor Haynes asked that we work closely together so that the old play equipment is not removed too soon as to have nothing at the park for a period of time. Councilman Miller spoke about the Cecil Holman Park and the smooth transition with the City. He offered help from the ROC Organization to help raise private donations to accomplish this goal. Mayor Haynes asked if the Arc is a 501c3, and Mrs. Sparks-Hubbard stated yes. She stated that she will be applying for several grants that are due the first part of February, but needed Council approval of the location before she could apply. There was discussion about the location of the play equipment, restroom, and the Fire Department being near for emergencies. Mrs. Sparks-

Hubbard stated that there may be funding available for the Fire Department through grants to help with specialized medical emergency response training.

A motion was made by McMillian, seconded by Mathis, to partner with the Arc of Brown County to provide access and space at Allcorn Park for the inclusivity playground. Upon vote, motion carried unanimously.

Consider ratification of the Brownwood Municipal Development District action for a Building Improvement Incentive Program (BIIP) grant in the amount not to exceed \$8,798 to Adam Delgado for a property located at 706 W. Commerce.

Executive Director of the BMDD, Ray Tipton, stated that Adam Delgado is moving his car wash business, XL Custom Detail & Polish, to 706 W. Commerce. He plans to upgrade the aesthetics of the building, the electrical, and car wash equipment. The total estimated cost of the project will be \$23,461.12 according to the bids provided, but he is also going to paint and complete other work himself, not included in the bids or proposed grant amount.

Under the BIIP program criteria, he would qualify for a maximum \$8,798 matching grant through the program. Councilman McMillian stated that TCEQ or the FEMA requires Mr. Delgado to install a new oil and water separator automatic shut-off valve and feels that we should not have to enforce this very expensive requirement. Mr. Tipton stated that he hopes that the grant can help offset some of that cost for Mr. Delgado.

A motion was made by McMillian, seconded by DeHay, to ratify the action of the BMDD Board for a Building Improvement Incentive Program grant in the amount not to exceed \$8,798 to Adam Delgado for a property located at 706 W. Commerce. Upon vote, motion carried unanimously.

CONSENT AGENDA:

A motion was made by Miller, seconded by Jones, to approve the items on the Consent Agenda as presented. Upon vote, motion carried unanimously.

Consider an Ordinance on second and third/final reading to change the zoning classification of 3620 Milam Drive, being Lot 29 and ½ of Lot 30, Block 1, of the Turtle Rock Addition, from C-2 General Business District to MH Manufactured Home/Mobile Home District.

ORDINANCE NO. 19-01

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF BROWNWOOD, TEXAS, CHANGING THE ZONING CLASSIFICATION OF 3620 MILAM DRIVE, BEING LOT 29 AND ½ OF LOT 30, BLOCK 1 OF THE TURTLE ROCK ADDITION, FROM C-2 GENERAL BUSINESS DISTRICT TO MH MANUFACTURED HOME / MOBILE HOME DISTRICT; PROVIDING A SEVERABILITY CLAUSE; A SAVINGS CLAUSE; AND SETTING AN EFFECTIVE DATE.

Consider an Ordinance on second and third/final reading regarding a change in the political sign requirements.

ORDINANCE NO. 19-02

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF BROWNWOOD, TEXAS, BY AMENDING CHAPTER 90, SECTION 168 REGARDING THE LOCATION OF POLITICAL SIGNS; PROVIDING A SAVINGS CLAUSE; PRESCRIBING A PENALTY FOR VIOLATIONS OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCES AND RESOLUTIONS:

Consider an Ordinance on first reading amending the Fire Alarm Ordinance regarding excessive false alarm calls and the City Fee Ordinance regarding false alarm fees.

Chief Wood stated that in 2018, we responded to a total of 78 false alarms, 66 which were to one commercial business. Fire Marshal, Buddy Preston, has been working with the business to resolve the issue. The issue falls back to the owner of the building and the alarm system. The current ordinance allows for three free false alarms at no charge, false alarm four through six are \$75 each, false alarm seven through nine is \$100 each, and false alarm ten and thereafter is \$125 each. It may be considered less expensive to pay the fine than to fix the system. Chief Wood proposed that on false alarm ten, they will notify the business that at false alarm twenty, the certificate of occupancy will be pulled from the business until they comply with the ordinance. He would also like to notify the business that after the twentieth false alarm, the fee will change from \$125 to \$250 per occurrence. The next frequent false alarm response to one business is five for the same time period. A full response to a commercial fire alarm costs the taxpayers approximately \$590 per hour. Sixty-six false alarm calls to one business cost the City \$39,000 to respond to a fire alarm system that should otherwise be operating correctly. For these false alarms, the business has been charged \$8,250 in fines, which they pay (although not timely). Once a certificate of occupancy (C/O) has been revoked, the business cannot receive another C/O for thirty-days.

Fire Marshal, Buddy Preston, stated that this business brought their system up to code in 2013. The code states that as the owner of the property, they must maintain and keep the system operable. City Manager Crawford stated that the smoke detectors in the individual rooms are being tampered with. Mr. Preston stated that there was an inspection on January 10, 2019, where nine different rooms had plastic bags over the smoke detectors and one room that had a Styrofoam cup hot glued over the smoke detector. There have been residents who take the smoke detectors off.

There was discussion about raising the fines after the fourth or fifth offense so that taxpayers are not having to pay for those calls. After more discussion, the Council requested an amended Ordinance with increased fees be brought back at the next meeting. Mayor Haynes asked for the Ordinance to be read by the City Secretary. After the reading of the Ordinance, a motion was made by Mathis, seconded by DeHay, to approve the Ordinance on *first reading* amending the Fire Alarm Ordinance regarding excessive false

alarm calls and the City Fee Ordinance regarding false alarm fees. Upon vote, motion carried unanimously.

ORDINANCE NO. 19-

AN ORDINANCE AMENDING CHAPTER 30, *EMERGENCY SERVICES*, ARTICLE II, *ALARM SYSTEMS*, OF THE CODE OF ORDINANCES OF THE CITY OF BROWNWOOD, TEXAS, BY AMENDING SECTION 30-31 DEFINITIONS; AMENDING SECTIONS 30-63 AND 30-64 REGARDING REVOCATION OF A CERTIFICATE OF OCCUPANCY AND APPEAL RIGHTS OF THAT REVOCATION; AMENDING SECTION 30-100 REGARDING SERVICE FEES FOR FALSE FIRE ALARM NOTIFICATIONS; AND AMENDING THE CITY'S FEE ORDINANCE NO. 18-20 REGARDING FALSE ALARM SERVICE FEES; PROVIDING FOR PENALTIES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

AGREEMENTS AND CONTRACTS:

Consider authorizing the City Manager to sign an agreement and any subsequent addendums, amendments, and acceptance of additional funds during the term of the contract with the Texas Department of Agriculture "Texans Feeding Texans: Home-Delivered Meal Grant Program".

David Withers, Director of Parks and Recreation, stated that this is the tenth time to apply for this grant. The Texas Department of Agriculture is awarding the City of Brownwood a grant in the amount of \$9,275.64. Last year was \$11,680.42. Over the last nine years, the City has collected a little over \$70,000 through this grant.

A motion was made by Miller, seconded by McMillian to authorize the City Manager to sign an agreement and any subsequent addendums, amendments, and acceptance of additional funds during the term of the contract with the Texas Department of Agriculture "Texans Feeding Texans: Home-Delivered Meal Grant Program". Upon vote, motion carried unanimously.

REPORTS:

Year-End Department Reports: IT, Human Resources, Finance, City Secretary

IT:

Director of IT, Richard McCarter, gave the year-end report. He discussed hardware support and told of ways IT saved the City money by renegotiating the contract with our Internet provider, saving \$500 a month while gaining an increase in bandwidth by 25%. They renegotiated the ATT cell service and saved \$612 per month and they negotiated a purchase of a plotter for the engineering department saving around \$20,000. He went over network security numbers and stated that there were over six-million e-mails and intrusion threats blocked in a twenty-two day period.

Human Resources:

Director of Human Resources, David Dalleh, gave the year-end report. He stated that the HR Department posted 143 total employment positions, conducted two fire promotion

exams, two police promotional exams, and four civil service exams. There were seventy-eight full-time employees that left the City in 2018 including fourteen due to retirement.

Finance:

Assistant Finance Director, Melanie Larose, reported that the Kronos time keeping software was updated and department managers trained on the new system. She explained that there were 9,500 outstanding purchase orders that were cleared out of the system. This helped speed up time and helped give a clear picture of what purchase orders were outstanding. Mrs. Larose stated that they have worked with IT and HR to go to electronic payroll checks. The Finance Department manages multiple investment accounts averaging \$13 million, process credit card receipts, as well as providing payroll services for the Brownwood Public Library, and the Brownwood Firemen's Relief and Retirement Fund. They also work with all departments to prepare the City's annual budget.

Purchasing:

Purchasing Supervisor, Mary Brown, stated that they have streamlined the purchase order process to electronic instead of paper. At the warehouse, they increased the fenced area and organized the yard by departments. They changed the way paper is ordered and saved \$3,300 per year, and changed the uniform vendors resulting in much higher quality uniforms for employees while saving money on reflective vests. They also worked with Pitney Bowes removing unused functions on the mail machine, saving \$756 per year.

Utility Billing:

Utility Billing Supervisor, Lydia Castaneda, stated that they have coordinated with the Utilities Department to establish a termination investigation work order system for water and sewer. They now offer e-bill for utility bills to save money on postage. There have been 166 set up so far, and they continue to work towards more. They also processed over 13,000 web-payments and drafted 6,836 checking accounts and 2,731 credit cards.

City Secretary:

City Secretary, Christi Wynn, stated that in 2018, she attended 90 public meetings that were posted, recorded, and documented, resulting in over 70 hours of meeting time. She helped conduct one City Election. Last year, she was nominated for the Texas Municipal Clerks Association, Municipal Clerk of the Year award. There were only eighteen nominees in the State.

Legislative Day – February 12, 2019

Mayor Haynes requested that the Council Meeting be moved from February 12, to Monday, February 11, as he will not be able to attend the Council Meeting and this will allow anyone wanting to attend Legislative Day to do so. All agreed on the change of date.

WORKSHOP:

Council may discuss capital projects for the Spring and Summer with staff and give input regarding funding sources and sequence.

The following items were discussed:

Streets: We will continue with the street list and plans for the spring/summer 2019. Council will receive a report from staff regarding the recommended street repair list.

Depot/Harvey Hours Repair: There are approximately \$27,000 left in funds originally budgeted for the whole project. Due to extensive damage, we expect it will cost \$45,000 more than we budgeted to complete the Harvey House. The Chamber of Commerce Board has voted to give HOT Funds to the City in the amount of \$45,000 to help us complete the project. There was discussion about setting a portion of the HOT Funds aside for future maintenance. However, Council did not wish to have a maintenance fund, but rather use the funds towards the completion of the restoration.

Good Shepherd Larrimore Storm Drain: The Good Shepherd storm drain repair in 2018 cost \$223,239. We have \$26,761 remaining from the original budget. The other storm drain that has collapsed is on the Larrimore property. It is a shallow line and can be dug out and installed in place. The estimated cost for the total project is \$33,000 not including labor (which the city will perform, with the exception of concrete work). This leaves a shortfall of \$6,239. Council directed staff to proceed in purchasing the materials with the balance in the C.O. The remainder of the cost will be requested for approval at a future Council Meeting.

Service Center Roof Replacement: The total cost for the roof project was \$40,962. The anticipated cost was \$100,000 when the 2016 C.O. was issued. This provides us \$59,038 to go back into our “Contingency” or undesignated funds balance. In the Council meeting on Jan. 8, Mayor Haynes asked about the cost going into the budget. We could not absorb the project into our budget, but if Council wishes to make a budget amendment at the end of the year and fund it out of reserves, that is an alternative to funding out of the 2016 C.O. City Manager Crawford felt it was too soon to commit to this large of a budget amendment. There was no further discussion.

Mayes Park Pavilion: In the pre-budget Council Workshop, it was requested that the Mayes Park Pavilion be constructed out of the 2016 C.O. The budget figure at the time was about \$20,000 for a Mueller Steel building and concrete slab. Council directed staff to proceed in getting formal bids for the pavilion. The bids will be presented to Council at a future Council Meeting.

Trigg Park Restroom: In the pre-budget Council Workshop, it was requested that the City purchase the materials and councilmen offered to arrange for contractors to donate their time and labor to construct the restroom. The engineering plans are complete for the facility. The materials estimate is about \$20,000. The alternative was a modular restroom, like at Riverside Park for a cost of around \$45,000. City Manager Crawford asked the Council to consider the modular restroom to expedite the completion of the project. Council agreed. Bids will be sought and presented to Council at a later date. Funds will come from the BCWID buy-in refund.

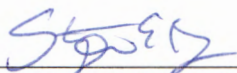
Dog Park: In the pre-budget Council Workshop, it was requested that the City allocate \$20,000 from the 2016 C.O. for a dog park. Since that time, the BMDD has budgeted \$100,000 for parks projects this year. Ray Tipton would like to propose the BMDD participate in the dog park. There is a possibility Lortscher Animal Nutrition may donate to the dog park, but no commitment has been made at this time. After discussion, the Council indicated that they would like to hold a public input meeting in late spring before moving forward.

Riverside Park: In the pre-budget Council Workshop, it was requested the City make improvements at Riverside Park in the amount of \$20,000 from the 2016 C.O. The ideas of new playground equipment, amphitheater, or a fishing pier were discussed. Now that the bank stabilization project is complete, it provides a fishing space, although not ADA accessible. City Manager Crawford recommended the City assist the BMDD in identifying a project for Riverside Park that can be a new enhancement and can be completed by the end of the fiscal year, and not spend any funds from the 2016 C.O. She recommended new playground equipment, but different than any other type we currently have, such as a fort or ropes course. This project was handed off to the BMDD to come up with a plan while working alongside the Parks Board and staff.

Cecil Holman Park: There was discussion about adding a giant water slide or splash pad. City Manager Crawford stated that she will reach out to the contact she met at TML and connect them with Councilman Miller. Tim Airheart said staff would determine the boundary of the former landfill, as that area cannot be disturbed.

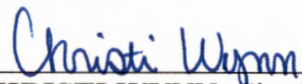
ADJOURNMENT:

There being no further business to come before the Council at this time, Mayor Haynes declared the meeting adjourned.



STEPHEN E. HAYNES, Mayor

ATTEST:



CHRISTI WYNN, City Secretary