

**REGULAR CALLED MEETING
City Council
July 9, 2019**

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, July 9, 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**
- Walker Willey** : **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 Willey.
- INVOCATION:** Invocation was given by Councilman Miller.
- ITEMS TO BE WITHDRAWN:** None
- INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS:** None

CITIZENS PRESENTATIONS:
 Citizen, Jeff Smith, thanked Mayor Haynes and Councilman Miller for their response to his letter regarding roll out dumpsters. He requested to be on a future agenda as he did not feel five minutes would allow him the time he needed to speak about the issues. Mr. Smith invited the media and others to come visit with him at his business at 201 W. Adams. He asked if he would be eligible for a black dumpster in the alley and said that the blue roll outs were an ugly color and an eyesore to our community. Mr. Smith asked if the City Council was involved in the decision making process of changing from alley dumpsters to roll out carts. Mayor Haynes stated that he did not recall any council action during his term but remembers roll out dumpsters in Brownwood when he was growing up. Councilman McMillian stated that he thought they began to change in the late 1990s.

APPROVAL OF MINUTES:
 A motion was made by McMillian, seconded by Jones, to approve the minutes of the Regular Called Meeting on June 25, 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 Mathis, seconded by Miller, that the Claims and Accounts dated through July 5, 2019, be approved for payment as submitted. Upon vote, motion carried unanimously.

CONSENT AGENDA:

A motion was made by McMillian, seconded by Willey, to approve the item on the Consent Agenda as presented. Upon vote, motion carried unanimously.

Consider an Ordinance on second and third / final reading to close a 15' wide undeveloped alley located in the Ford Addition, Block 3, between Avenue B and the alley between First and Second Street.

ORDINANCE NO. 19-07

AN ORDINANCE ORDERING THE CLOSING, VACATING, AND ABANDONING OF AN UNDEVELOPED ALLEY LOCATED IN THE FORD ADDITION, BLOCK 3 BETWEEN AVENUE B AND THE ALLEY BETWEEN FIRST AND SECOND STREET; FINDING THAT A PROPER PETITION HAS BEEN RECEIVED FROM THE OWNERS OF THE PROPERTY ABUTTING AND ADJOINING SAID ALLEY TO BE CLOSED; FINDING THAT CLOSING, VACATING, AND ABANDONING OF SAID ALLEY IS TO THE BEST INTEREST OF THE CITY OF BROWNWOOD AND ITS CITIZENS; FINDING THAT SAME SHOULD BE CONVEYED BY QUIT CLAIM DEED TO THE ABUTTING LANDOWNERS AND OWNERS OF RECORD OF THE ALLEY VACATED; AND AUTHORIZING THE MAYOR TO EXECUTE SUCH DEED FOR THE CONSIDERATION SPECIFIED HEREIN.

REPORTS:**Chamber of Commerce Quarterly Report**

Executive Director, Sunni Modawell, went over the events they sponsored or promoted, the number of meetings, events, presentations/tours, and phone calls they attended and had for 2018 and through June 2019. She stated that the Chamber has partnered with Found Media and it has been a great success. Mrs. Modawell stated that the Chamber chose National Sign Plaza to work with for wayfinding signs. She and City Staff have been working together on designs and placement. The signs will be dark blue, light blue, with white lettering and will begin to be installed within the next three months. At the end of the project, a weatherproof kiosk will be installed at the Chamber for visitors to pick up brochures and information after hours.

EXECUTIVE SESSION:

Council convened into Executive Session at 9:25 a.m., in the Haynes Conference Room, pursuant to the provisions of the Open Meetings Law, Chapter 551, Government Code Vernon's Texas Codes Annotated, in accordance with the authority contained therein to discuss the following:

Section 551.071 – Consultation with Attorney

Section 551.074 – Personnel Matters

- A. Shepherd vs. City of Brownwood
- B. Restrictive covenants on property located at 400 E. Commerce, Brownwood, Texas.

Council reconvened into open session at 9:48 a.m.

ACTION TAKEN AS A RESULT OF THE EXECUTIVE SESSION:

Section 551.071 – Consultation with Attorney

Section 551.074 – Personnel Matters

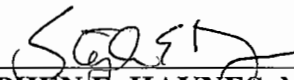
- A. A motion was made by Mathis, seconded by Willey, to approve a settlement with Jerry Shepherd in the amount of \$6,000 with \$3,000 to come from the City’s liability coverage with TML, and \$3,000 to come from city funds and authorize the City Attorney to draft an agreement to be signed by the Mayor that will contain a full and final release of all claims against the City by the Shepherds. Upon vote, motion carried unanimously.
- B. A motion was made by McMillian, seconded by Miller, to approve a Resolution waiving any violations of restrictive covenants on property located at 400 E. Commerce, Brownwood, Texas, and quitclaiming any interest the City may have in the property to Terry and Holly Burnett. Upon vote, motion carried unanimously.

RESOLUTION NO. R-19-11

A RESOLUTION WAIVING ANY VIOLATIONS OF THE RESTRICTIVE COVENANTS ON PROPERTY LOCATED AT 400 E. COMMERCE AND AUTHORIZING THE MAYOR TO SIGN A QUITCLAIM QUITCLAIMING ALL OF ITS RIGHT, TITLE AND INTEREST IN PROPERTY LOCATED AT 400 E. COMMERCE TO TERRY AND HOLLY BURNETT.

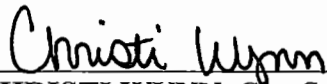
ADJOURNMENT:

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