

**REGULAR CALLED MEETING
City Council
September 10, 2019**

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, September 10, 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**
- Pat Chesser** : **City Attorney**
- Emily Crawford** : **City Manager**
- Christi Wynn** : **City Secretary**

with Councilman, Walker Willey 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 Mathis.
- INVOCATION:** Invocation was given by Councilman Miller.
- ITEMS TO BE WITHDRAWN:** None
- INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS:** None
- CITIZENS PRESENTATIONS:** None

APPROVAL OF MINUTES:
A motion was made by McMillian, seconded by Jones, to approve the minutes of the Regular Called Meeting of August 27, 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 McMillian, that the Claims and Accounts dated through September 6, 2019, be approved for payment as submitted. Upon vote, motion carried unanimously.

PUBLIC HEARING:
Council shall hold a public hearing on a proposal to increase the total tax revenues from properties on the tax roll by 3.4% by adopting the proposed tax rate of \$.7869 per \$100 value.

Mayor Haynes opened the Public Hearing. Finance Director, Walter Middleton, stated that this is the second of two public hearings required by state law if the proposed property tax rate for the upcoming year exceeds the effective tax rate by any amount. The effective tax rate is \$.7602 per \$100 valuation. The proposed tax rate is \$.7869 per \$100 valuation

which exceeds the effective tax rate by 3.4%. The proposed tax rate is the same as the current tax rate. No increase in the tax rate is being proposed. Mayor Haynes asked if anyone wanted to speak. There being no one to speak, Mayor Haynes announced that the proposed tax rate will be adopted during a special called meeting on September 17, 2019, at 9:00 a.m. on first reading and during a regular Council meeting on September 24, 2019, at 9:00 a.m. on second and third reading.

REQUESTS AND PRESENTATIONS:

Consider authorizing the Mayor to write a letter from the City of Brownwood to Brown County Home Solutions providing official approval and support.

Mayor Haynes stated that he spoke with the Director, Linda Heitman, last week to see what participation they needed from the City. This is a faith-based entity that has rules and regulations in place on when, and how long you can stay in the facility.

Brown County Home Solutions Director, Linda Heitman, stated that they have three different programs: 1) community assistance, that targets those that are at risk of becoming homeless; 2) Legacy Village, a transitional housing program designed to transition homeless back into a productive society; and 3) an inclement weather program, that is in the planning stages. This will be in the upstairs portion of the former Avenue D Baptist Church. The criteria for the program will be during sub-freezing temperatures 32° or lower if the weather is 35° to 36° with participation or wind. This is the program she is seeking approval for in order to submit grant applications for funding.

Ms. Heitman stated that they are currently having a fundraiser to help with the cost of building materials for the fifth tiny home that is currently under construction. She stated that at this time, she is working with forty-four homeless people, and another forty helping them not get evicted.

Mayor Haynes asked if the organization had a Board of Directors. Ms. Heitman stated yes, they meet once a month, and more if needed. They set policies and procedures. Councilman Miller asked if there were any residents that live on Avenue D that serve on the Brown County Home Solutions Board. Ms. Heitman stated that there are none.

A motion was made by McMillian, seconded by Jones, to authorize the Mayor to write a letter from the City of Brownwood to Brown County Home Solutions providing official support. Upon vote, motion carried unanimously.

Approve supporting the Census by becoming a Census Partner.

Census Partnership Specialist, Misty Hill, made a presentation to the City Council regarding the 2020 Census and requested official partnership from the City. She stated that it is important to get an accurate count due to federal funding that is given based on census data each year. She gave examples of ways cities can help to include putting a note on the water billing statement, issuing a proclamation, and having a census presence at City events.

City Manager Crawford referred to a form regarding what the City was willing to help with, if possible. Those included: social media posts; having a link to the census on our web-site; displaying printed census materials at City Hall; if time/space is available, having meeting location and training space; and providing an employee for the census committee.

A motion was made by Mathis, seconded by McMillian, to approve supporting the Census by becoming a Census Partner. Upon vote, motion carried unanimously.

ORDINANCES AND RESOLUTIONS:

Consider a resolution approving the Brownwood Municipal Development District 2019/2020 annual budget.

Executive Director of the Brownwood Municipal Development District, Ray Tipton, stated that he is presenting a balanced budget. Based on the current year sales tax receipts, BMDD anticipates revenues to increase. Sales tax revenue for 2019-2020 is projected to be \$1,840,000 which is a 3% increase over what is projected to be collected in the current budget year. We anticipate \$38,000 revenue from the TG Mercer lease of 15-acres in our industrial park and Burkett Hanger leasing. An additional projection of \$83,000 from interest income on investments, and \$19,000 from interest income on notes receivable. Total revenue of \$1,983,206.81 is being projected. Expenditures include adding an annual lease for Texas Tech office. Mayor Haynes asked when the play equipment would be installed at Riverside Park. Mr. Tipton stated that they will begin installing next week.

A motion was made by Jones, seconded by Miller, to approve a resolution approving the BMDD 2019/2020 annual budget. Upon vote, motion carried unanimously.

RESOLUTION NO. R-19-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROWNWOOD, TEXAS, APPROVING THE FISCAL YEAR 2019-2020 BUDGET OF THE BROWNWOOD MUNICIPAL DEVELOPMENT DISTRICT.

Consider a resolution approving the continued receipt of the City's share of bingo prize fees.

Mayor Haynes asked how much revenue the City receives from bingo prize fees. Mrs. Crawford stated that the City receives \$12,000 - \$17,000 per year.

A motion was made by McMillian, seconded by Mathis, to approve the resolution approving the continued receipt of the City's share of bingo prize fees. Upon vote, motion carried unanimously.

Mrs. Crawford stated that the Texas Lottery Commission will no longer be collecting the fees, but they will be paid directly to the City from the charitable organizations.

RESOLUTION NO. R-19-14

A RESOLUTION OF THE CITY OF BROWNWOOD, TEXAS APPROVING THE CONTINUED RECEIPT OF A STATUTORY SHARE OF BINGO PRIZE FEES COLLECTED ON CHARITABLE BINGO ACTIVITY THAT OCCURS WITHIN THE CITY; AND DIRECTING THAT THE TEXAS LOTTERY COMMISSION SHALL BE PROMPTLY PROVIDED A TRUE AND CORRECT COPY OF THIS RESOLUTION UPON PASSAGE AND APPROVAL.

CONSENT AGENDA:

Mayor Haynes asked if any items needed to be removed from the Consent Agenda. There being none, 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 regarding a negotiated settlement between Atmos Cities Steering Committee and Atmos Energy regarding the 2019 rate review mechanism filing.

ORDINANCE NO. 19-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BROWNWOOD, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2019 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

Consider a resolution authorizing submission of a Downtown Revitalization Program grant application and authorizing the Mayor and City Manager as authorized representatives.

RESOLUTION NO. R-19-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROWNWOOD, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE

FOR THE DOWNTOWN REVITALIZATION PROGRAM FUND; AND AUTHORIZING THE MAYOR AND CITY MANAGER TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVE(S) IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

Consider a resolution determining a slum and blighted area in the Downtown District.

RESOLUTION NO. R-19-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROWNWOOD, TEXAS, DETERMINING THAT AN AREA OF THE CITY CONTAINS CONDITIONS WHICH ARE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND CONSTITUTES A SLUM AND BLIGHTED AREA.

Consider a resolution for the adoption of a citizen participation plan and grievance procedures related to CDBG grant projects.

**RESOLUTION NO. R-19-17
REGARDING CIVIL RIGHTS**

AGREEMENTS AND CONTRACTS:

Consider authorizing the City Manager to sign a Memorandum of Understanding between the City of Brownwood and Keep Brownwood Beautiful for the 2019/2020 fiscal year.

City Manager Crawford stated that the changes from 2018-2019 are that KBB will no longer be responsible for maintaining the Traffic T and that they will coordinate with the City for holiday lighting to ensure collaboration of efforts.

A motion was made by McMillian, seconded by Miller, to authorize the City Manager to sign a Memorandum of Understanding between the City of Brownwood and Keep Brownwood Beautiful for the 2019/2020 fiscal year. Upon vote, motion carried unanimously.

Consider Mayoral appointments to the Brown County Appraisal District, Brownwood Housing Authority, Brownwood Municipal Development District, and the Center for Life Resources.

The following appointments were listed on the briefing sheet for approval: Brown County Appraisal District, re-appointment for a two-year term, Draco Miller. Brownwood Housing Authority, re-appointment for two-year terms, Vicki Cox, Mary Acuna, and Cathy Day. Appointing unexpired term of outgoing member Bill Slaymaker to Draco Miller. Brownwood Municipal Development District, re-appointment of Daniel Hutson, and Marisha Stidom. Center for Life Resources, re-appointment for a two-year term, Lisa Dick.

A motion was made by Miller, seconded by McMillian, to approve the Mayoral appointments to the Brown County Appraisal District, Brownwood Housing Authority, Brownwood Municipal Development District, and the Center for Life Resources as requested. Upon vote, motion carried unanimously.

REPORTS:**Street work**

Assistant City Manager, Tim Airheart, recognized Street Superintendent, Brian Frerichs, and Street Supervisor, Hobey Hoffman. He stated that with the rainy spring we had, it was extremely difficult on the paving season. Mr. Airheart went over street projects that have been completed or ongoing.

EXECUTIVE SESSION:

Council convened into Executive Session at 9:55 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

- A. Sewer line located at 113 Early Boulevard

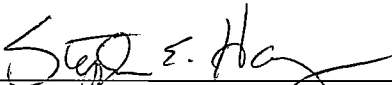
Council reconvened into open session at 10:22 a.m.

ACTION TAKEN AS A RESULT OF THE EXECUTIVE SESSION:

- A. No action was taken.

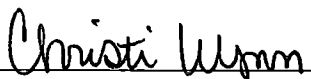
ADJOURNMENT:

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