

**REGULAR CALLED MEETING  
City Council  
April 13, 2021**

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, April 13, 2021, at 9:00 a.m., in the Council Chambers, City Hall, 501 Center Avenue, Brownwood, Texas, with the following members present:

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| <b>Draco Miller</b>   | <b>:</b> | <b>Mayor Pro-tem</b>                      |
| <b>HD Jones</b>       | <b>:</b> | <b>Council Member – Ward 1</b>            |
| <b>Ed McMillian</b>   | <b>:</b> | <b>Council Member – Ward 2</b>            |
| <b>Larry Mathis</b>   | <b>:</b> | <b>Council Member – Ward 3 (by phone)</b> |
| <b>Walker Willey</b>  | <b>:</b> | <b>Council Member – Ward 5</b>            |
| <b>Pat Chesser</b>    | <b>:</b> | <b>City Attorney</b>                      |
| <b>Emily Crawford</b> | <b>:</b> | <b>City Manager</b>                       |
| <b>Christi Wynn</b>   | <b>:</b> | <b>City Secretary</b>                     |

with Mayor, Stephen E. Haynes, absent, constituting a quorum of the City Council.

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| <b>CALL TO ORDER:</b>         | Mayor Pro-tem called the meeting to order.        |
| <b>PLEDGE OF ALLEGIANCE:</b>  | Pledge of Allegiance was led by Councilman Jones. |
| <b>INVOCATION:</b>            | Invocation was given by Councilman Willey.        |
| <b>ITEMS TO BE WITHDRAWN:</b> | None  |

**INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS:**

City Manager Crawford recognized the candidates for Ward 3 in the audience. She reminded Council that the Chamber of Commerce Candidate Forum will be this Friday.

**CITIZENS PRESENTATIONS:**

Linda Heitman with Brown County Home Solutions discussed SB 987 regarding homelessness. She explained that she was in Austin yesterday representing Brownwood and smaller communities and efforts being taken to address homelessness. The proposed Senate Bill was targeted for Austin, Texas. Senator, Dawn Buckingham, will be re-writing the bill targeting only the Austin area and not the State as a whole.

**APPROVAL OF MINUTES:**

A motion was made by McMillian, seconded by Jones, to approve the minutes of the Regular Called Meeting on March 23, 2021, as presented. Upon vote, motion carried unanimously.

**CLAIMS AND ACCOUNTS:**

Finance Director, Melanie Larose, was present for questions regarding the checklist. A motion was made by Willey, seconded by McMillian, that the Claims and Accounts dated through March 9, 2021, be approved for payment as submitted. Upon vote, motion carried unanimously.

**PUBLIC HEARING:**

**Council may conduct a public hearing and consider an ordinance on first reading changing the zoning classification of the Fowler and Nunns Addition, Block 1, Lots 4-9 and 11-18, Part 1-3 and 19-20, Block 2, Bradford Street, Alleys also known as 1115 Brady Avenue, from R-3 Multi-family Residential District to C-U College and University District.**

Mayor Pro-tem opened the public hearing.

Director of Development Services, Tim Murray, stated that the Planning and Zoning Board met on March 4, 2021, at 4 pm in the Council Chambers at City Hall to discuss and vote on property owner Russell Sheffield's request to rezone property known as Fowler and Nunns Addition, Block 1, Lot 4-9 & 11-18, Part 1-3 and 19-20, Block 2, Bradford Street Alleys also known as 1115 Brady Avenue from R-3 Multi-family Residential District to C-U College and University District.

A presentation was made by the Board Secretary, Tim Murray, explaining the rezoning of the property was to correct a clerical error made on the zoning map by City staff in 1996, that had changed the property's original zoning of R-3 to C-U. The owner purchased the property in 2009 with the understanding that the zoning of the property was C-U. In 2011, City staff discovered the error of the C-U zoning and based on an ordinance for the 1115 Brady property, corrected the zoning on the map back to R-3. Property owner, Russell Sheffield, approached the City stating that when the property was purchased it was his understanding that the property was zoned C-U and that he requested that the property be re-zoned to C-U. The Board voted unanimously to approve the request to rezone the property from R-3 to C-U.

Mayor Pro-tem Miller closed the public hearing and asked the City Secretary to read the ordinance. After the reading of the ordinance, a motion was made by McMillian, seconded by Mathis, to approve an ordinance on first reading changing the zoning classification of the Fowler and Nunns Addition, Block 1, Lots 4-9 and 11-18, Part 1-3 and 19-20, Block 2, Bradford Street, Alleys also known as 1115 Brady Avenue, from R-3 Multi-family Residential District to C-U College and University District. Upon vote, motion carried unanimously.

**ORDINANCE NO. 21-**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF BROWNWOOD, TEXAS, CHANGING THE ZONING CLASSIFICATION OF THE FOWLER AND NUNNS ADDITION, BLOCK 1, LOTS 4-9 AND 11-18, PART 1-3 AND 19-20, BLOCK 2, BRADFORD STREET, ALLEYS ALSO KNOWN AS 1115 BRADY AVENUE, FROM R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO C-U COLLEGE AND UNIVERSITY DISTRICT; PROVIDING A SEVERABILITY CLAUSE; A SAVINGS CLAUSE; AND SETTING AN EFFECTIVE DATE.**



**BIDS:****Consider awarding a bid for the construction of a Downtown Sidewalk Grant project.**

Assistant Director of Economic Development, Marshal McIntosh, stated that last month, City Council authorized staff to seek bids for the sidewalk project around the block of the Brownwood Coliseum to be funded through a grant from the Texas Department of Agriculture (TDA). Four bids were submitted for this project from the following contractors: Ribble Concrete Construction, Onyx General Contractors, Escobar's Top Cut Lawn Care, and Futra-Vest Construction. Each bid was divided by the main sidewalk construction project as well as up to 3 add alternates which included sidewalk lighting and 2 star crosswalks in nearby intersections. The most competitive bids were submitted from Onyx and Ribble – depending on which add alternates are ultimately approved with the project. To maximize the grant allocation, staff is recommending the City to move forward with the main sidewalk project, the lighting add alternate, and one star crosswalk add alternate. For this direction of the project, Ribble Concrete Construction is the low bidder at \$321,048. The total available funds allocated directly for this project is \$324,500. BRW Architects has also submitted a letter of recommendation for this direction based on their analysis of the bids.

A motion was made by Willey, seconded by McMillian, to award the bid for the construction of a Downtown Sidewalk Grant project to Ribble Concrete Construction. Councilman McMillian added as long as a finish date and penalties are established. Councilman Willey agreed. Upon vote, motion and addition carried unanimously.

**CONSENT AGENDA:**

A motion was made by McMillian, seconded by Willey, to approve the consent agenda as presented. Upon vote, motion carried unanimously.

**Consider an ordinance on second and third/final reading adding a 4-way stop at the intersections of Roselawn Street and First Street as well as Parkway Drive and First Street.****ORDINANCE NO. 21-05**

**AN ORDINANCE AUTHORIZING THE INSTALLATION OF FOUR WAY STOP SIGNS AT THE INTERSECTION OF FIRST STREET AND PARKWAY DRIVE AND THE INTERSECTION OF FIRST STREET AND ROSELAWN STREET; PROVIDING A SEVERABILITY CLAUSE; A SAVINGS CLAUSE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR ANY VIOLATION THEREOF; AND SETTING AN EFFECTIVE DATE.**

**Consider authorizing the City Manager to sign an agreement and any subsequent addendums, amendments, and acceptance of additional funds during the term of the existing grant contract on behalf of the Brownwood Brown County Health Department with Texas Department of State Health Services to continue providing Public Health Emergency Preparedness services to our community.**

**ORDINANCES AND RESOLUTIONS:**

**Consider adopting a resolution to submit a TxCDBG-CD grant application and designate authorized representatives for a water and sewer line project.**

Assistant Director of Economic Development, Marshal McIntosh, stated that the City anticipates submitting a grant application to the Texas Community Development Block Grant Program – Community Development Fund. This program is administered by the Texas Department of Agriculture. Applications are due on May 3, 2021, and the maximum grant request this year is \$350,000. There is a match requirement for this grant of 20% of the funding request (\$70,000). The required match is based upon population. In reviewing the program priorities and details, the City has identified water and sewer line replacements in the Valley/San Jacinto neighborhood as the top priority and street reconstruction in this area as an alternate project to apply for. There are several local lines in these neighborhoods that are dilapidated and aged, which cause frequent service disruption and maintenance. Replacing these lines will improve service and operation for the residents in these areas. A program requirement is that grant funds must predominately benefit low to moderate income residents. The City is finalizing this beneficiary survey process, but it appears the project will meet the eligibility requirements. All costs are contingent upon the City receiving a grant award, but the anticipated project budget is \$315,000 for construction; \$70,000 for engineering; and \$35,000 for administration. This is a competitive grant application program where the City will compete for funding with other non-entitlement cities and counties in the West Central Texas Council of Government (WCTCOG). Based upon preliminary scoring information, it appears Brownwood has a competitive score to receive a grant award in the Fall of 2021 or the Fall of 2022. After the grant is awarded, the staff anticipates construction to begin on the project within 12 months, or sooner. The resolution authorizes the submission of the application and designates the Mayor and City Manager as authorized to submit the application and sign contract documents if funded.

City Manager Crawford stated that if both grants presented today are received, it will be over \$770,000 in funding.

A motion was made by Willey, seconded by McMillian, to approve the resolution to submit a TxCDBG-CD grant application and designate authorized representatives for a water and sewer line project. Upon vote, motion carried unanimously.

**RESOLUTION NO. R-21-04**

**A RESOLUTION OF THE CITY COUNCIL OF BROWNWOOD, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR AND THE CITY MANAGER TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.**



**REQUESTS AND PRESENTATIONS:****Consider approving a mural to be painted on the retaining wall along Vine Street and Washington Streets behind the Lehnis Museum and approve the funds to come from reserves with a budget amendment at the end of the year.**

Councilman Jones stated that with all of the renovations in the downtown area, he suggested the Vine Street underpass be painted and cleaned. Mrs. Crawford stated that painting and cleaning efforts have begun and will be completed when the weather permits. Councilman Jones requested a mural be painted on the retaining wall on Washington Street on the Lehnis Museum property. A quote was obtained from an artist, Tony Bryant, in the amount of \$12,895 for supplies and labor. This is not in the current budget and is beyond the City Manager's authorization amount. Funds would come from reserves with a budget amendment at the end of the fiscal year. Mayor Pro-tem, Miller expressed his favor of the project, as well as all of the other Councilmen. Mrs. Crawford spoke about a Mural Trail on visitbrownwood.com.

A motion was made by Mathis, seconded by McMillian, to approve a mural to be painted on the retaining wall along Vine Street and Washington Streets behind the Lehnis Museum and approve the funds to come from reserves with a budget amendment at the end of the year. Upon vote, motion carried unanimously.

**REPORTS:****COVID-19 and Vaccination Update**

Health Department Administrator, Lisa Dick, stated that there have been 4,199 total COVID cases in Brown County. This past week, there were 3 positive cases, 0 people hospitalized. She noted a discrepancy in reporting of the numbers of around 20. That equals 99.6% accuracy of reporting. She explained that there were some numbers that were duplicated and some from outside of Brown County that were reported incorrectly. Mrs. Dick stated that the Johnson and Johnson vaccination will not be used until directed by the CDC because of a blood clotting issue that was reported. The Health Department is still working on their lists for those wanting to get their vaccination. This may be the last vaccination clinic they conduct at the Health Department.

**EXECUTIVE SESSION:**

Council convened into Executive Session at 9:43 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. 200 Fisk LLC**

Council reconvened into open session at 10:09 a.m.

**ACTION TAKEN AS A RESULT OF THE EXECUTIVE SESSION:**

A motion was made by Willey, seconded by Jones, to approve the expenditure of unbudgeted funds in the amount of up to \$49,000 for remediation of hazards at 200 Fisk Avenue. Upon vote, motion carried unanimously.

**ADJOURNMENT:**

There being no further business, Mayor Pro-tem Miller declared the meeting adjourned.

  
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**STEPHEN E. HAYNES, Mayor**

**ATTEST:**

  
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**CHRISTI WYNN, City Secretary**