

**REGULAR CALLED MEETING**  
**City Council**  
**October 10, 2023**

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, October 10, 2023, at 9:00 a.m., in the Council Chambers, City Hall, 501 Center Avenue, Brownwood, Texas, with the following members present:

|                           |   |                             |
|---------------------------|---|-----------------------------|
| <b>Stephen E. Haynes</b>  | : | <b>Mayor</b>                |
| <b>HD Jones</b>           | : | <b>Councilmember Ward 1</b> |
| <b>Ed McMillian</b>       | : | <b>Councilmember Ward 2</b> |
| <b>Melody Nowowiejski</b> | : | <b>Councilmember Ward 3</b> |
| <b>Draco A. Miller</b>    | : | <b>Councilmember Ward 4</b> |
| <b>Walker Willey</b>      | : | <b>Councilmember Ward 5</b> |
| <br>                      |   |                             |
| <b>Pat Chesser</b>        | : | <b>City Attorney</b>        |
| <b>Emily Crawford</b>     | : | <b>City Manager</b>         |
| <b>Christi Wynn</b>       | : | <b>City Secretary</b>       |

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 Councilmember Nowowiejski.

**INVOCATION:** Invocation was given by Mayor Haynes.

**ITEMS TO BE WITHDRAWN:** None

**INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS:** City Manager Crawford congratulated Councilmember Miller on the birth of his son.

**CITIZENS PRESENTATIONS:**

Property Manager and Citizen, Dean Clements, addressed the Council regarding the 1400 block of Main Boulevard. He informed the Council that people are living in an RV that is not hooked up to electricity or sewer, people living in a cellar, and a homeless camp. They are voiding outside, there are seven piles of rubbish, and there is honk-and-go traffic. Mr. Clements stated that he has been working with the Planning and Development Department, Code Compliance Officer, Jose Gonzalez, and the City Manager regarding this matter.

Mayor Haynes stated that this is a very difficult situation that we must heavily document before enforcement can be taken.

Property owner, Jim Martin, stated that he wanted to develop his property into senior living apartments, but found out that it is in the floodplain.

**APPROVAL OF MINUTES:**

A motion was made by Miller, seconded by Jones, to approve the minutes of the Regular Called Meeting on September 26, 2023, as presented. Upon vote, the motion carried unanimously.

**CLAIMS AND ACCOUNTS:**

Chief Accountant, Leah Thomas, was available for questions regarding the checklist. A motion was made by Willey, seconded by McMillian, that the Claims and Accounts dated through October 6, 2023, be approved for payment as submitted. Upon vote, the motion carried unanimously.

**REQUESTS AND PRESENTATIONS:**

**Consider approval of a revision to the Airport Hanger Lease Contract template.**

Director of Public Works, Henry Wied, stated that the Airport currently has thirty-eight active hangar leases. Several planes are being stored in hangars that are not operational and haven't been for a long time. After researching the FAA guidelines, it has come to our attention that non-operational aircraft should not be allowed to be stored in government-funded airports as it could jeopardize future FAA funding. Therefore, the following verbiage has been added to the contract:

*3.01 Lessee shall use and occupy the leased premises solely for the storage of the following aircraft: \_\_\_\_\_ Registration No. \_\_\_\_\_ and for no other purposes unless Lessor shall give Lessee prior written consent. Maintenance, repair, or refurbishment of aircraft being stored in the leased premises is permissible, but not the indefinite storage of non-operational aircraft. Any aircraft determined to be non-operational changes the leased premises usage to non-aeronautical which is prohibited in the FAA's Grant Assurance 19, Operations and Maintenance.*

A motion was made by Nowowiejski, seconded by Miller, to approve the revision to the Airport Hanger Lease Contract. Upon vote, the motion carried unanimously.

**ORDINANCES AND RESOLUTIONS:**

**Consider a resolution declaring railroad tracks located off of Washington Street as surplus property and issue a Bill of Sale to Texas Rock Crusher Railway in exchange for the removal of the rail material.**

Brownwood Municipal Development District Executive Director, Ray Tipton, stated that the City of Brownwood is leasing property on Washington Street from BNSF Railway for the development of a parking area near the Event Center Complex. As part of the lease, BNSF asked the City to remove the old railroad tracks from the property. Because of regulations of railroad property, ownership of the old tracks was required to enable the City to dispose of the tracks, which was accomplished by a bill of sale from BNSF to the City of Brownwood. In planning the removal of the tracks, Texas Rock Crusher Railway is interested in acquiring the tracks and has offered to remove them, at their cost, if they can keep and reuse them. This direction would save staff time and money for the City and accomplish the goal of having the tracks removed. To move forward with this plan, the old tracks will have to be declared surplus, and a Bill of Sale issued to Texas Rock Crusher Railway.

A motion was made by Willey, seconded by Jones, approving the resolution declaring railroad tracks located off of Washington Street as surplus property and issuing a Bill of Sale to Texas Rock Crusher Railway in exchange for the removal of the rail material. Upon vote, the motion carried unanimously.

**RESOLUTION NO. R-23-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROWNWOOD, TEXAS, DECLARING RAIL MATERIALS ON THE BURLINGTON NORTHERN SANTA FE RAILWAY (BNSF) LOT AS SURPLUS AND CONVEYING THE RAIL MATERIAL TO TEXAS ROCKCRUSHER RAILWAY (TXR) FOR AND IN CONSIDERATION OF THE REMOVAL OF THE RAIL MATERIAL BY TXR, AT TXR'S SOLE COST AND EXPENSE, PURSUANT TO A BILL OF SALE.**

**REPORTS:**

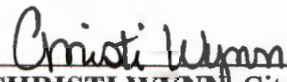
Council may tour the Event Center following the meeting.

**ADJOURNMENT:**

There being no further business, Mayor Haynes declared the meeting adjourned.

  
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**STEPHEN E. HAYNES**, Mayor  
*WALKER WILLEY - PRO TEM*

**ATTEST:**

  
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**CHRISTI WYNN**, City Secretary