

REGULAR CALLED MEETING
City Council
May 9, 2023

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, May 9, 2023, 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	:	Councilmember Ward 1
Ed McMillian	:	Councilmember Ward 2
Melody Nowowiejski	:	Councilmember Ward 3
Walker Willey	:	Councilmember 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 Councilmember Willey.

INVOCATION: Invocation was given by Mayor Haynes.

ITEMS TO BE WITHDRAWN: None

INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS: None

CITIZENS PRESENTATIONS:

Murselle McMillan requested an appeal of a code regulation for a building she converted into a restroom on her property located at 603 Third Street. She has been working on the property to convert it into a "fun park" for families and children to have a safe place to gather. The property will include several free games and a put-put golf course, where the proceeds will be used to pay utilities, taxes, and expenses. The property includes a house that has a handicapped restroom, a storage building, and a pavilion. She has planted a garden to teach children how to grow plants and art classes are being planned. Mrs. McMillan stated that her biggest problem has been a reconfigured building for a secondary restroom. She stated that the City considers it a "playhouse." She has raised the height, expanded the walls, placed a commode and lavatory in proper positions, changed the door, and added handicapped rails. Mrs. McMillan asked for approval to allow the restroom ceiling to remain as it is because it would be very costly to make that room flat and would destroy the appearance.

Mayor Haynes explained that the Planning and Development Department follows the International Code that has been adopted by the Council.

Rachel Absher presented a petition for a change to the Brownwood Girls Softball Association (BGSA). She stated that Brownwood softball numbers are down, and Early's numbers are up and rising. With six teams considering a change next season. She stated that girls who play city league have their confidence shattered because they're playing for fun against stacked teams with up to seven tournament girls protected per team. Although there are many issues with the BGSA, she feels the root of the problem is the board and abuse of power. She requested either a new board to be fairly voted in or the City take over the BGSA.

Mayor Haynes explained that he did not want the Council to get into writing the operational guidelines of the BGSA, such as how many players can be protected on each team. That still needs to be determined by the league. But there does need to be a process for a fair election of a board with regular, open meetings. He has asked City Staff to create criteria for leagues to have election and guideline procedures in place.

APPROVAL OF MINUTES:

A motion was made by McMillian, seconded by Willey, to approve the minutes of the Regular Called Meeting on April 25, 2023; Special Called Meeting on May 2, 2023, and the Special Called Meeting (canceled) on May 4, 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 May 5, 2023, be approved for payment as submitted. Upon vote, the motion carried unanimously.

GENERAL ELECTION:

The Oath of Office will be given to Councilmembers for Wards 2, 3, and 5.

An Oath of Office was given to Councilmembers for Wards 2, 3, and 5, by the City Secretary.

REQUESTS AND PRESENTATIONS:

Consider approving funding from the Opioid Settlement funds to purchase nine BolaWrap devices for the Police Department.

Police Chief, Ed Kading, stated that on July 23, 2021, Texas Attorney General Ken Paxton announced a global settlement had been reached with the major opioid distributors McKesson, Cardinal Health, Amerisource Bergen, and Johnson and Johnson. The settlements combined for billions of dollars, but the amount of funds received depended upon the participation of Texas cities. The City of Brownwood announced a resolution in the fall of 2021, participating in the settlement agreement, which made us eligible for these state funds. National spending guidelines outline the eligible uses for the Opioid Settlement funds which include funding and training for first responders to participate in pre-arrest diversion programs and post-overdose response teams. Persons experiencing a crisis due to opioid misuse and other disorders often encounter law enforcement in a crisis

state. Law enforcement, whether alone or part of a crisis outreach team must ensure the safety of all persons. Traditionally, law enforcement officers relied on pain compliance tools and techniques to detain a person in crisis who was combative. This includes pepper spray, tasers, metal batons, and empty-hand tactics. However, the use of these weapons is often not successful with someone in crisis as they do not feel pain or are under the influence of substances making them oblivious to pain compliance techniques. Unfortunately, some of these encounters end in the use of deadly force by law enforcement when less lethal options fail. The BolaWrap remote restraint device was invented specifically to address the needs of law enforcement in safely and humanely detaining persons in crisis without relying on traditional pain compliance tools. The BolaWrap is a handheld device that deploys a seven-foot Kevlar cord to entangle a person, creating confusion and a window of opportunity for officers to quickly detain them without the infliction of pain. The Brownwood Police Department has received a quote from BolaWrap for \$15,138.92 for nine of the devices. This will allow each patrol shift to have two devices available, as well as a device for the Municipal Court/Mental Health officer. To date, the City of Brownwood has received \$52,000 in Opioid Settlement funds.

A motion was made by Nowowiejski, seconded by McMillian, to approve the funding from the Opioid Settlement funds to purchase nine BolaWrap devices for the Police Department. Upon vote, the motion carried unanimously.

Consider authorizing City Staff to seek competitive sealed bids for the reconstruction of the Coggin Park Walking Trail.

Executive Director of the Brownwood Municipal Development District, Ray Tipton, stated that the 2022-2023 budget includes funds for the reconstruction of the Coggin Park walking trail as a Council priority project. City staff has worked internally to develop a plan and specs for the reconstruction project. Under this proposal, a new eight-foot-wide, concrete sidewalk will be constructed to replace the existing walking trail components. The new sidewalk will be approximately a half-mile long and will replace part of the newer and older portions of the existing walking trail. City staff would demolish the existing walking trail before the contractor began construction of the new trail to help save money on the project. This project is part of an overall capital improvement project in Coggin Park that also includes the renovation of the tennis and pickleball courts. Mr. Tipton stated that this plan does not replace all the sidewalks. We would like to plan for phase two in the next budget for completion.

A motion was made by McMillian, seconded by Nowowiejski, to authorize City Staff to seek competitive sealed bids for the reconstruction of the Coggin Park Walking Trail. Upon vote, the motion carried unanimously.

REPORTS:

Street rehab

City Manager, Emily Crawford stated that the Steet Department has budgeted \$300,000 for street rehabilitation in the 2022-2023 fiscal year. A spreadsheet listing the streets and the anticipated cost along with a map that reflects the streets that are scheduled for chip seal

by Ward were included in the Council packet. The streets on the list were selected by city staff due to their condition and will be worked on during the summer months.

Street Superintendent, Brian Frerichs, was available for questions. Councilmember Nowowiejski asked why Southgate and Fourth were on the list because they aren't as bad as some of the other streets. Mr. Frerichs stated that Southgate and Fourth are a continuance of streets that have already been worked on and he is trying to keep a regular schedule of maintenance throughout the City going forward.

Councilmember Nowowiejski complimented the Street Department for their quick and efficient work when potholes are reported. Mrs. Crawford also complimented them for staying out until 2:30 a.m. putting up and taking down barricades due to high water.

Investment Report

Finance Director, Melanie Larose, presented the report for the quarter ended March 31, 2023. The Investment Report for TexPool shows we ended the quarter with \$19,276,422 and earned \$225,601. TexStar shows we ended the quarter with \$11,716,696 and earned \$123,181. The Money Market (Landfill Cell Construction) account began with \$8,186,350 and ended with \$4,879,037. Those funds earned \$78,907 in investments. In Total Investments, we had \$38,872,156 and earned \$427,689 for the quarter. The Depository Pledge Listing shows we have \$6,881,243 at Citizens National Bank, with a total Pledge of \$16,821,804. A pie chart shows investments are at TexPool at 54% and TexStar at 33%, and Citizens National Bank at 13%. A pie chart of Types of Investments shows our Operating Funds at 43%, Special Use Reserve Funds at 37%, Bond Proceeds Funds at 14%, and Internal Designated Funds at 6%. A line graph of Investment Interest Earnings shows we earned in the First Quarter of 2020 \$58,822; in 2021 \$1,887; 2022 \$4,083; and in 2023 \$427,689. Comparison of Investments by Type – Operating Funds - First Quarter 2020 \$8,160,699; First Quarter 2021 \$9,847,933; First Quarter 2022 \$13,841,516; and First Quarter 2023 \$15,341,491. Mayor Haynes stated that the next time we look at our Investment Policy, we may want to make sure we were diversified enough and if those limits apply to the City.

EXECUTIVE SESSION:

Council convened into Executive Session at 9:51 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. Discussion regarding the Texas Municipal League (TML) and TML Health Pool.

Council reconvened into open session at 10:43 a.m.

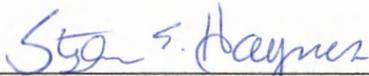
ACTION TAKEN AS A RESULT OF THE EXECUTIVE SESSION:

Section 551.071 – Consultation with Attorney

- A. No action was taken.

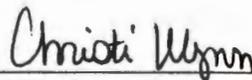
ADJOURNMENT:

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



STEPHEN E. HAYNES, Mayor

ATTEST:



CHRISTI WYNN, City Secretary