

**REGULAR CALLED MEETING  
City Council  
May 12, 2020**

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, May 12, 2020, 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>Councilman – Ward 1</b>
<b>Ed McMillian</b>	:	<b>Councilman – Ward 2</b>
<b>Larry Mathis</b>	:	<b>Councilman – Ward 3</b>
<b>Draco Miller</b>	:	<b>Councilman – Ward 4</b>
<b>Walker Willey</b>	:	<b>Councilman – Ward 5</b>
<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.

<b>CALL TO ORDER:</b>	Mayor Haynes 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 Miller.
<b>ITEMS TO BE WITHDRAWN:</b>	None

**INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS:**

Mayor Haynes reminded everyone that the most up to date information regarding Covid-19 can be found at [Brownwoodtexas.gov/health](http://Brownwoodtexas.gov/health). He gave an update on the nursing home affected by the virus and stated that they are re-testing all at the nursing home regularly and will continue to do so until they have fourteen days without the virus. Those that have tested positive are in a controlled wing of the nursing home. Mayor Haynes stated that we have not had a community case since April 4<sup>th</sup>. Councilman McMillian stated that his mother resides in the affected nursing home. Although it has been hard not to get to visit her, he commends all they are doing. Mrs. Crawford stated that the Texas State Guard is in town and has set up mobile testing by appointment only.

**CITIZENS PRESENTATIONS:** None

**APPROVAL OF MINUTES:**

Councilman Willey had a question regarding Austin Avenue being zoned commercial in the Master Plan as stated in the zoning change request. Mayor Haynes explained that the Master Plan was conducted in 1990 and at that time they thought that all of Austin Avenue should be zoned such. He stated that we may need to update the Master Plan as it is outdated. A motion was made by Willey, seconded by McMillian, to approve the minutes

of the Regular Called Meeting on April 28, 2020, 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 McMillian, seconded by Mathis, that the Claims and Accounts dated through May 8, 2020, be approved for payment as submitted. Upon vote, motion carried unanimously.

**REQUESTS AND PRESENTATIONS:**

**Council may discuss and take action regarding the Corinne T. Smith Animal Shelter's progress since the city's demand letter dated March 2, 2020.**

Newly appointed Executive Director of the Corinne T. Smith Animal Shelter, Leona Cleveland, invited the Council to come see the improvements that have been made at the center. She stated that when she and Councilman Jones went to the center after the first Council Meeting regarding the center, there were 145 dogs and 40 cats. Since that time, she was hired as the director, and Ms. Tinya Thomas was hired as the rescue coordinator. There are now approximately 35 dogs and 11 kittens. There was one medically necessary euthanasia. Ms. Cleveland stated that she and her staff have spent a lot of time with soap, water, and paint. All the outside tarps have come down as the shelter is being used as it was intended. With the animal population under control, they have time to let the dogs exercise, run, and play. The outtake building is being used to quarantine animals for three days before being placed with the others. Ms. Cleveland thanked newly appointed Board Member, Minessa Mesic, for getting the financials back in order.

Tinya Thomas stated that since March 2, there have been a total of 253 dogs and cats come into the shelter, with 81 adoptions, and 261 dogs and cats that have gone to rescue groups. The average pet adoption rate is one per day. Mayor Haynes asked if the rescue groups were temporary. Ms. Thomas stated that she has been able to build back and gain new rescue groups. There was a false Facebook post saying that there would be a mass euthanasia. Rescue groups that had previously worked with the shelter began to come forward again after the Board Member and staff change over. Ms. Thomas stated that they are in need of a transport vehicle. Ms. Cleveland stated that we are rebuilding public support and plan to fund raise again. She stated that she received a letter of thanks from the family of Corinne T. Smith along with a donation.

Mayor Haynes requested to open the phone lines if anyone desired to speak on this matter. No one spoke.

Council thanked Ms. Cleveland and Ms. Thomas. No action was taken.

**Authorize the City to seek sealed bids for the sale of City-owned property known as 0.747 acres out of the W. H. Irion Survey 52, Abstract 537, located in the curve between Cordell Street and Beaver Street.**

City Manager, Emily Crawford, stated that this tract was not on the list of City surplus property for sale in 2016, because we did not realize we owned it at that time. We have since discovered that it is City property, and we have no need for it. Staff recommends sale by sealed bids.

A motion was made by Jones, seconded by Mathis, to authorize the City to seek sealed bids for the sale of the City-owned property known as 0.747 acres out of the W. H. Irion Survey 52, Abstract 537, located in the curve between Cordell Street and Beaver Street. Upon vote, motion carried unanimously.

**ORDINANCES AND RESOLUTIONS:**

**Consider approving a resolution granting consent to an encroachment on City right-of-way located adjacent to 22 Canyon Creek Road.**

City Attorney, Pat Chesser, stated that the City received a request from Realtor, Marc Followwell to grant consent to the encroachment of a portion of the house located at 22 Canyon Creek Road on City right-of-way. The house was built in the late 1970s. Staff has determined that the encroachment is not over City utilities and recommends approval of the resolution.

A motion was made by Miller, seconded by Willey, to approve a resolution granting consent to an encroachment on City right-of-way located adjacent to 22 Canyon Creek Road. Upon vote, motion carried unanimously.

**RESOLUTION NO. R-20-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROWNWOOD GRANTING CONSENT TO AN ENCROACHMENT.**

**REPORTS:**

**Discussion regarding city meeting facilities and parks opening.**

Mayor Haynes requested a discussion regarding tentative dates to re-open parks and city facilities. There was a lot of time and discussion regarding these items, these are the outcomes and highlights of each area discussed. All of these are contingent on the Governor's orders and guidelines.

Park Restrooms – to open May 15, 2020, to be disinfected once a day.

There is increased Park use due to restaurants and businesses being closed. With restrooms being closed, it is inconvenient to serve public needs. Parks Director, David Withers, stated that there are ten restrooms and ten pavilions that can be cleaned once daily.

Playground Equipment and Splash Pads – to open May 22, 2020. They will be disinfected once before use and it will be a use at your own discretion after that. You will need to provide your own sanitation supplies.

Ballfields – to open for practice only on June 1, 2020. Allow league play beginning June 15, 2020. Sports Coordinator, Roland Soto, recommended external tournaments to begin 30 days after league opening on July 15, 2020. Those that have paid for the

softball/baseball season and do not wish to play will be given a refund. Coaches need to contact parents to see if they wish to proceed.

Pools – subject to Family Aquatic Center pool liner being complete and enough lifeguards, June 12, 2020. Also subject to occupancy restrictions and sanitary guidelines. There was discussion about making shorter sessions to accommodate more people since we will need to restrict the number entering to 25% or 50%, depending on the Governor's orders.

City Meeting Facilities – subject to Governor guidelines and order, tentative date of June 15, 2020. Mrs. Crawford informed the Council that there was a large event planned for the Coliseum the first weekend in June. Councilman Miller expressed concern about opening any facility as this virus is very serious. He stated, when in doubt – wait. There was discussion regarding how many unrelated nursing home COVID cases in the community it would take to consider closing facilities. Council discussed two to three community cases would need to be taken very seriously.

#### **City will be closed for Memorial Day, Monday, May 25, 2020**

The City Council held a Workshop at the Howard Payne University Campus located at 1012 Center Avenue in the Jackson Room of the Faith and Life Leadership Center.

#### **Workshop**

Pre-Budget Workshop Session, including, without limitation, projects review, goal setting, revenue and expenditure projections, and other related issues.

#### **Plan of Work – Impact to Schedule due to COVID-19**

City Manager Crawford stated that several of our project timelines have been extended and several of the infrastructure and capital projects are delayed primarily from not having full crews working every day for several weeks due to COVID-19. We believe we can still accomplish all the projects this fiscal year, except for two. 1. Parks Master Plan – We have \$25,000 budgeted for this project. We had not started the project by the time COVID-19 hit. Since then, we put this project on hold and do not know if we have time to complete it. An important part of the Master Planning process is citizen input. With meeting facilities closed and keeping social distancing requirements, it will be challenging to get the same kind of public input we would like. 2. Concrete Piers at Adams Street - We have \$28,000 budgeted for this project. This project was tasked to the City Engineer and was not started before he left. Since then, it has been put on hold to reduce spending due to COVID-19.

It was the consensus of the Council to hold off on the Parks Master Plan but to move forward with the Adams Street Community Center project as it is a safety issue.

#### **Tax Note and Proposed Projects**

Assistant City Manager, Tim Airheart, went over a Street Department priority list. Due to lack of funds and timing, Phase 2 of Milam Drive from Calvert Road to Mustang Drive and Phase 3 Milam Drive from FM 2376 to Calvert Road will not be able to be completed

this fiscal year. Projects slated for this year are 1) Ranch Drive/Tulane (new construction); 2) Northwest Elementary School/Trigg Park (new construction for safety); 3) Sixteenth Street from Ave E to Coggin; 4) River Oaks Drive from Southgate Drive to FM 2126; 5) Riverside Drive inside Riverside Park (maintenance); and 6) Fabis Park Road in S curve and low water crossing (maintenance and safety concerns.) Mayor Haynes expressed concern about needed street maintenance being bumped down on the list because of new construction. He requested the Street Department no longer build new roads, but that we contract that out.

Finance Director Middleton went over tax note figures. He stated that at an earlier Council meeting the pool liner was approved to either come from the tax note or from reserves. It was the consensus of the Council to move forward with the tax note. There were two options given for tax note projects.

Mr. Airheart showed videos of the old pool liner being removed and the new liner being installed. He went over other projects as listed:

Joint Law Enforcement Center Flooring \$33,500. This replaces all carpet in the JLEC that was installed when it was built nearly 20 years ago. Fleet Fuel Pumps \$130,000 – The City can do most of the work in-house, except for the canopy. These fuel tanks are over 40 years old. Utility Truck Shed \$80,000. Landfill Scales \$100,000. This will add an additional scale and scale house. One person can operate incoming and outgoing traffic. This will extend the life of the current scales. There was discussion about a set of used scales that was found that might be able to be purchased. Landfill litter fencing \$175,000. We will be fined if we do not install it. There was also discussion about Option 2 – Moving the Parks Department to the old Senior Citizens Building in Camp Bowie. Although Council did not wish to renovate the old building, they were not opposed to moving the department. It was the consensus of the Council to move forward with Option 1 of the tax note projects, excluding the moving of the Parks Department and utility truck shed.

### **March Sales Tax**

Finance Director, Walter Middleton, stated that the May 2020 sales tax allocation posted to the Comptroller's website. We had been anticipating the possibility of a sharp decline in May because it represents March retail activity. That did not happen. The May allocation was down a little from last year by \$16,310 or 3%. There was a small increase of \$6,864 in non-current collections compared to last year. Current period collections, which is a better barometer of local sales tax activity for a given month, was down by \$23,565 or 4.3%. This is within the realm of a normal monthly fluctuation and does not appear to have been impacted very much by the pandemic restrictions. There are a couple of possible reasons. Social distancing didn't begin until after the middle of March. Most of the shutdowns took place during the last week in March. So, the potential impact may have been for only a portion of the month. Also, the panic buying began early in March because the news was already out with a lot of speculation about what was coming. This likely caused a spike in sales tax collections for the month. If the full impact of the pandemic restrictions doesn't show up until April, then we won't know what that is until we get our June allocation. That would reduce the number of months that we are impacted

in the current fiscal year. Also, we now know that there has been a partial re-opening of the economy which may mitigate any impact for May retail activity. We won't know the impact of that until July. The remaining sales tax budget for the last four months of this fiscal year is \$1,880,521. If we see a 5% reduction, that would cost us \$94,000. A 10% reduction would cost \$188,000. A 25% reduction would be \$470,000. We hope to have some indication in the next couple of months on how to proceed with next year's budget.

### **City Logo Concepts**

Assistant Director of Brownwood Municipal Development District, Marshal McIntosh, stated that for some time now, it has been a desire to improve the visual representation of the City by creating a new logo. A new logo will enhance the branding of the City and provide consistency between departments. The logo is utilized on vehicles, stationery, digital content, apparel, social media, and marketing materials. Staff developed conceptual ideas and contracted the design work. A total cost of \$2,960 has been spent on design renditions. We have reviewed dozens of logo designs and have narrowed them down to two. Option A: This rendition is modern and clean. It is the letters B, W, and D interlocking. The interlocking design represents community connections and relationships. The double outline represents railroad tracks, which are a nod to the industrial development and history of Brownwood. The double outline can also resemble roads and the idea that "all roads lead to Brownwood." The benefits of this design are that it is easily recognizable and simple for all forms of print and embroidery. Option B: This rendition plays homage to the Brownwood Feels Like Home logo. Key elements are the rising sun, rolling hills, and Pecan Bayou. The rising sun shows the bright future for our City. Rolling hills represent our geographic location at the top of the Texas Hill Country. The Pecan Bayou is a geographic icon for Brownwood, but it can also appear in the logo as a road leading into Brownwood, which represents opportunity and growth. The benefits of this design are that it bridges the Feels Like Home logo to a more modern City logo and it graphically expresses the natural beauty of our City. After adopting a new logo, a brand guide will be created for implementation. The new design may be phased in to limit the financial impact. Formally adopting a logo will bring consistency, increased professionalism, and promotion of community pride.

It was the consensus of the Council to go with Option 2. Mayor Haynes suggested using two colors to help offset the rolling hills and sunrise. Mrs. Crawford stated that this could be phased in over time. The most expensive cost will be business cards, letterhead, and vehicle decals. She stated that most could be absorbed into the budget.

### **Coliseum Improvements and Proposed Agreement with Howard Payne University**

Director of Brownwood Municipal Development District, Ray Tipton, stated that BRW Architects completed the schematic design work for the proposed renovation project to the Brownwood Coliseum in March. Their design outlines the replacement of the HAVC system, a new ceiling design/structure, new lighting, lobby improvements, and other cosmetic improvements. As presented, the total projected cost of the project would be \$1,738,275 with some add alternates for up to an additional \$182,000. BRW said that the timeline for the entire project would be about 9 months once the Design Development

process begins. If the City were to borrow the funds for the improvement project as outlined in the schematic design, a \$1,774,000 C.O. (assumes the cost of issuance of \$35,000 plus rounding) over 19 years has an annual payment of approximately \$117,864 (at 2.5% interest rate). Staff has been talking with Howard Payne University about their future needs and role related to the Coliseum. Dr. Hines would like to negotiate a long-term lease where HPU takes full operational control of the facility and increases their annual lease payment to cover the City's debt service payment for the Coliseum improvements. The term of the lease we discussed was between 15-20 years. Staff has been working on staffing models and operational budgets for the proposed Timmins/Ice House Event Center project. If HPU took over operations and management of the Coliseum, the City could reallocate facility staff and the Coliseum budget to the new Event Center. In addition, the BMDD has been in discussions with the Chamber of Commerce about reallocating Hotel Occupancy Tax funds to support marketing and operations. The advantages of this plan are that it would relieve the City of operating costs related to the Coliseum, improve the facility, and HPU would cover the debt service payments for the renovation project. HPU has agreed to continue to rent out the Coliseum to the public and is willing to reserve dates related to existing large community events to ensure availability.

Council discussed continuing negotiations with HPU for a long-term contract. Also, pursue funding options and work with HPU on the timeline of the project.

#### **Event Center Project Update**

Mr. Tipton stated that BRW Architects completed the schematic design work in March for the proposed renovation project to the Timmins and old Ice House properties for the creation of a new event center complex. The project has been on hold because of the COVID-19 pandemic, but because it is a long-term project, now is a good time to discuss possible next steps and timelines.

**Timmins/Event Center** – Creation of large, open meeting space, up to five breakout rooms, bar/lounge area, and prep kitchen. The space would be ideal for small conventions to leverage Brownwood's central location, but would also be used for weddings, banquets, corporate events, and community events. The estimated cost for Timmins renovation is approximately \$4.5 million.

**Ice House Pavilion/Stage & Site Work** – Creation of a covered, outdoor event space that would serve as an event pavilion and a covered stage for performances and concerts. A small building holds two additional breakout rooms, a green room/lounge, and storage. Work on the site around the facility will create a festival ground in the current RV area between the Fire Station and Ice House. This would include landscaping, walkways, benches, fencing, and electrical components. We have a grant for \$350,000 to contribute to the site work and sidewalks. The estimated cost for the Ice House Pavilion/Stage is about \$1.5 million. The estimated cost for the site work is about \$1.3 million.

The total estimated cost of this entire project is about \$7.3 million. This does not include any property acquisition/demo cost in the area for additional parking and does not include

furniture, fixtures, and equipment for the facility. The plan has been for the BMDD to fund this project with a combination of cash and a loan if needed. BMDD currently has about \$5.6 million in reserve funds. If HPU takes over the Coliseum, city staff and budget funds currently allocated to the Coliseum operations would be transferred to this new facility. There would likely be increased staffing requirements, but those additional costs would be covered with additional HOT funds retained by the City. Our recommendation is to move forward with the Ice House Pavilion/Stage project in 2020-2021. The advantage of this plan is that the BMDD has the cash to pay for the entire project and it gives the community and tourists a new facility that can be enjoyed quickly. By focusing on the outdoor portion of the event center, it gives time for us to monitor how large gatherings and conventions may be changing in the future. We have time to adapt our plans if needed.

The Council requested the BMDD proceed with the demo work as included in this budget year. There was discussion about moving forward with the outdoor stage area site work. Council discussed taking the project in steps with demolition and clean-up coming first.

**Communications/Dispatch Agreement Proposal**

Police Chief, Ed Kading, stated that over the past year, discussions have taken place among Brown County law enforcement partners as it relates to cost-sharing of dispatch services. The total personnel cost for dispatch in 2019 was \$875,691. The proposal, as presented, divides the cost for each agency based on the percentage of total calls for service. Historically, the Brownwood Police Department accounts for approximately 60% of the calls for service each year. The proposed agreement shares certain annual costs with Brown County.

\$150,000 – City of Brownwood 9-1-1 subsidy

\$21,555 – shared custodial salary.

\$1,512 – shared groundskeeping cost.

\$40,000 – utility cost and insurance; Law Enforcement Center.

\$374,363 – dispatch personnel cost at 60% calls for service.

\$38,325 – the cost for 3 Class C misdemeanor beds per day @ \$35 per day.

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\$625,755 – Total approximate cost for the City of Brownwood.

Using this methodology, the City of Brownwood would show a cost savings of approximately \$249,936. During this process, the parties have voiced a verbal agreement on sharing the cost of dispatch. Debt service for the Law Enforcement Center will be complete on September 1, 2020. The City of Brownwood's total cost will go down \$260,000, beginning in the coming fiscal year.

Council discussed having a legal document drawn up for all parties. If other entities are not willing to contribute to the cost of dispatch services, they will have to conduct dispatch services on their own.

### **Radio Infrastructure Project Update**

Chief Kading stated that the City of Brownwood has received RFP's for our radio infrastructure project. We have two options that are radio equipment only. They range between \$1.5-\$2.6 million for all partners (Brownwood, Brown County, Bangs, and Early). That cost does not include building two towers or service/maintenance agreements. Another option is through LCRA, where they provide radio equipment and access to their radio trunk lines. No new towers must be built, which will cost several million dollars and take at least 2-3 years to construct. We are scheduling calls with all the vendors this week, so that final costs can be confirmed, and the partners can determine which to select. Independent of new radio infrastructure are new consoles/furniture for the dispatch center which is necessary regardless of which proposal the City of Brownwood chooses. We currently hold a quote for six dispatch workstations for a total cost of \$136,000. The City of Brownwood will receive approximately \$63,000 from the WCTCOG from the previous biennium surplus that can be used for furniture and 911 improvements. The City has also made a grant application through the Homeland Security Division of the WCTCOG for public safety. Award notifications could come as early as May 2020. Dispatch consoles and furniture are eligible expenditures under this grant.

Mrs. Crawford stated that if the County and other cities do not wish to participate, we need to move forward on our own. The new radios will still communicate with the older system if others do not wish to participate. Mr. Middleton stated that it is our hope that others will work with us to better all our systems as it will complicate things if not.

### **2020 Estimated Tax Revenues**

Mr. Middleton stated that property tax computations show the computation of the FY 20/21 property tax based on a certified estimate provided by the BCAD. This includes an estimate for the projected reduction in values due to the announced acquisition of the Brownwood Regional Hospital by Hendrick, which is a tax-exempt organization. The first year, which will impact FY 20/21, will have a prorated amount because the acquisition is supposed to take place in September. We anticipate that we will lose \$4M in value next year. For subsequent years, the loss will likely be around \$25M. This will cost us a little over \$31,000 in property tax revenue next year and around \$200,000 annually in future years. Having said all of that, for FY 20/21, we will likely see overall increases in valuations based on the preliminary estimate from BCAD. If our tax rate remains unchanged, even with the Hendrick acquisition, we would see an increase of a little over \$208,000 in revenue. We are not able to provide what the "no new tax rate" (formerly called the effective tax rate) will be yet. That is a computation provided by BCAD based on the certified tax rolls. The tax projections document shows the impact of potential losses in PILOT revenue, the Hendrick acquisition, and a scenario for sales tax reduction. The total potential losses for these three areas are a little over \$711,000.

### **Community Subsidies**

Assistant Finance Director, Melanie Larose, stated that subsidy request letters were mailed out on Friday, May 1. There were a few that she did not send because we have turned them down in the past.

Council did not wish to mail out additional letters. Councilman Mathis left the meeting at 4:14 p.m.

Mayor Haynes requested another Workshop session to complete items of discussion.

**Comparable Cities List for Salary Survey**

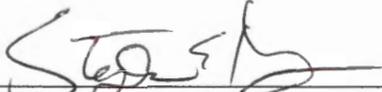
City Manager Crawford asked for the Council to review the list for future discussion.

**Council Priorities Discussion**

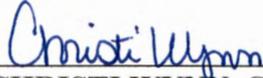
This item was not discussed.

**ADJOURNMENT:**

There being no further business to come before the Council at this time, Mayor Haynes declared the meeting adjourned.

  
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STEPHEN E. HAYNES, Mayor

ATTEST:

  
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CHRISTI WYNN, City Secretary