

REGULAR CALLED MEETING
City Council
July 28, 2020

The City Council of the City of Brownwood, Texas, met in a Regular Called Meeting on Tuesday, July 28, 2020, 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
Walker Willey	:	Councilman – Ward 5
Pat Chesser	:	City Attorney
Emily Crawford	:	City Manager
Christi Wynn	:	City Secretary

with Councilman Draco Miller 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 Jones.
INVOCATION:	Invocation was given by Councilman Mathis.
ITEMS TO BE WITHDRAWN:	None
INTRODUCTIONS, ANNOUNCEMENTS, AND RECOGNITIONS:	None
CITIZENS PRESENTATIONS:	None

APPROVAL OF MINUTES:

A motion was made by McMillian, seconded by Willey, to approve the minutes of the Regular Called Meeting on July 14, 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 Willey, seconded by Jones, that the Claims and Accounts dated through July 24, 2020, be approved for payment as submitted. Upon vote, motion carried unanimously.

PUBLIC HEARING:

Conduct a public hearing and consider an ordinance on first reading for a request to change the zoning classification of 2313 Avenue B, being Block 16, Lot Pt. 5, of the Grandview Addition, from R-3 Multi-family Residential District to C-2 General Business District.

Mayor Haynes opened the public hearing.

Director of Development Services, Tim Murray, stated that the Planning and Zoning

Commission met on July 2, 2020, to discuss and vote on a request to rezone 2313 Avenue B. The Commission heard from Cody Richmond representing John Harkey, explaining that the request for the zoning change was so that they would be in compliance in constructing storage units on the property. There was no opposition from the citizens in the immediate neighborhood. The Planning and Zoning Commission voted in favor to grant Mr. Harkey's request. Councilman Willey stated that he went by and looked at the property and stated that the storage facilities were kept in a nice manner and will look better than the unmanaged vacant lot as it is now. Mayor Haynes asked if anyone from the public or on Zoom call would like to speak. There being none, Mayor Haynes closed the public hearing and asked the City Secretary to read the ordinance. After the reading of the ordinance, a motion was made by Mathis, seconded by McMillian, to approve an ordinance on first reading to change the zoning classification of 2313 Avenue B, being Block 16, Lot Pt. 5, of the Grandview Addition, from R-3 Multi-family Residential District to C-2 General Business District. Upon vote, motion carried unanimously.

ORDINANCE NO. 20-_____

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND MAP OF THE CITY OF BROWNWOOD, TEXAS, CHANGING THE ZONING CLASSIFICATION OF 2313 AVENUE B, BEING BLOCK 16, LOT PT 5, OF THE GRANDVIEW ADDITION, FROM R-3 MULTI-FAMILY RESIDENTIAL DISTRICT TO C-2 GENERAL BUSINESS DISTRICT; PROVIDING A SEVERABILITY CLAUSE; A SAVINGS CLAUSE; AND SETTING AN EFFECTIVE DATE.

REQUESTS AND PRESENTATIONS:

Consider ratification of action taken by the Brownwood Municipal Development District (BMDD) Board to approve a Hotel Building Improvement Incentive Program (BIIP) grant to Billy V. Stewart not to exceed \$80,000 for a property located at 504 W. Commerce.

Executive Director of the BMDD, Ray Tipton, stated that Bill Stewart purchased the old Holiday Inn Express located at 504 W. Commerce at the beginning of the year. He is in the process of renovating the entire building to reopen as a new Best Western Plus. It is a complete interior remodel with new floor coverings, drywall, fixtures, and furniture. Mr. Stewart anticipates spending approximately \$1.5 million on the renovations of the building. He plans to open the hotel in October of this year. The hotel building was originally built in 2000 and features 58 rooms. Because of the higher economic impact offered to the community by hotels, this project will qualify for a hotel version of our BIIP program. Based on the remodel estimates and the matrix scoring, this project will qualify for the 50% match not to exceed \$80,000.

A motion was made by McMillian, seconded by Willey, to ratify the action taken by the BMDD Board to approve a Hotel Building Improvement Incentive Program (BIIP) grant to Billy V. Stewart not to exceed \$80,000 for a property located at 504 W. Commerce. Upon vote, motion carried unanimously.

Consider ratification of action taken by the Brownwood Municipal Development District (BMDD) Board to award a bid for the demolition of the old Ice House & Timmins warehouse buildings located on Baker and Lee Streets to Martin Earthworks for \$261,469.

Mayor Haynes stated that we are not intending to tear down the brick structure and asked Mr. Tipton to clarify. Mr. Tipton stated that the entire structure of the Ice House, except the slab will be torn down. The yellow metal warehouse adjacent will remain, as well as the brick Timmins Building on Baker Street and the adjacent metal building. The rest of the metal buildings, including the slabs, will be removed. He then stated that the BMDD/City of Brownwood has been going through the bid process to help pave the way for a future event center project. Sealed bids were opened on Friday, July 17, 2020. Two bids were received. Teinert Construction: \$370,000 and Martin Earthworks: \$261,469. This will be the first large expense towards construction/demolition in the Ice House/Timmins project. The funds will come from BMDD reserves. Martin Earthworks is anxious to begin the project. At the pre-bid meeting, the timeline for completion of October was discussed in order to take the expense from this year's budget reserves. Councilman Mathis asked if the slab was in good condition. Mr. Tipton stated that the analysis shows that it will be, but we won't fully know until the demolition is complete. Councilman Willey asked if there are any antiques in the building. Mr. Tipton stated that there was a scale that has been removed. There are also some metal doors that we would like to reuse.

A motion was made by Mathis, seconded by Jones, to ratify the action taken by the BMDD Board to award a bid for the demolition of the old Ice House & Timmins warehouse buildings located on Baker and Lee Streets to Martin Earthworks for \$261,469. Upon vote, motion carried unanimously.

Consider ratification of action taken by the Brownwood Municipal Development District (BMDD) Board to approve matching funds to Ranger College for \$30,322 for a Texas Workforce Commission Jobs and Education for Texas Grant Program to implement a robotics, electronics, and drone technology program in Brownwood.

Mr. Tipton stated that Ranger College has been approved for a Jobs and Education for Texans Grant Program (JET) from the Texas Workforce Commission (TWC) for \$282,420 for the development of a mobile training center that will teach electronics, robotics, and drone technology. A local match is required by TWC for Ranger College to receive the grant. The match amount is \$30,322. Ranger College said that they intend to implement the program in whichever community can provide the match. Through the program, high school students would have the opportunity to receive certificates in the fields of electronics, robotics, and drone technology. The program would also offer training for the required 107 FAA certificate to operate a drone. Brownwood ISD officials believe that this program would be a great benefit to their students, and they are interested in working with Ranger College to develop the program to benefit the students and our local industry. If approved, Brownwood would be the exclusive hub for the program, and Brownwood ISD would work with Ranger College to help develop the program to best benefit their students. The unit would also be utilized for specific short course training for area industry

and labs at area high schools. Ranger College has also offered to provide City of Brownwood staff with free drone training as needed as part of the program. The BMDD budgets \$50,000 annually for workforce training, which has not been allocated for the current fiscal year.

BISD Principal, Lindsey Smith stated that this will be a great addition and will work well with other programs, such as robotics. It also partners well with another program they are developing in partnership with 3M and TSTC.

A motion was made by Willey, seconded by Mathis, to ratify the action taken by the BMDD Board to approve matching funds to Ranger College for \$30,322 for a Texas Workforce Commission Jobs and Education for Texas Grant Program to implement a robotics, electronics, and drone technology program in Brownwood. Upon vote, motion carried unanimously.

Consider ratification of action taken by the Brownwood Municipal Development District (BMDD) Board to approve the purchase of new playground equipment for Trigg Park from Child’s Play, Inc. not to exceed \$25,000.

Executive Director of the BMDD, Ray Tipton, stated that in recent years, the City of Brownwood has made a significant investment in Trigg Park including a new splash pad and restroom facility. The City also partnered with Brownwood ISD to add a road through Trigg Park to help with traffic flow with student pick-up and drop-off. Drive-by traffic for Trigg Park will greatly increase as parents use the new road to Northwest Elementary giving this park much more visibility. The City has plans to re-use some of the old playground equipment from Riverside Park at Trigg Park. The playground vendor – Child’s Play, Inc. – has submitted a proposal for a new piece of playground equipment for the park. Using the same vendor may help speed up the process and have the Lednicky and Trigg projects installed at the same time. Currently, the BMDD has about \$35,000 of uncommitted funds in the Parks and Recreation budget for this year. By using the same vendor, we can save approximately \$7,000.

A motion was made by McMillian, seconded by Jones, to ratify the action taken by the Brownwood Municipal Development District (BMDD) Board to approve the purchase of new playground equipment for Trigg Park from Child’s Play, Inc. not to exceed \$25,000. Upon vote, motion carried unanimously.

Consider authorizing a request to move funds totaling \$20,000 within the current budget in order to repair and update the SCADA network before the end of the fiscal year.

Director of Utilities, Henry Wied, stated that the City’s SCADA network was updated in 2017 during the WWTP upgrades. The system is used to monitor the water levels in the tanks, monitors pump station and lift station activity, and send out alarms to the operators when a problem is developing. The system is beginning to have issues that need to be resolved: The systems software needs to be updated; modifications to the data retention program; and the network link between the Walnut tower and City Hall needs replacing.

Mr. Wied requested a budget amendment to move funds from 22-04-50 Sewer Main Replacement Program \$20,000 to 22-03-31 Services \$20,000. A budget amendment will be provided at the end of the year.

A motion was made by Willey, seconded by McMillian, to move funds totaling \$20,000 within the current budget in order to repair and update the SCADA network before the end of the fiscal year. Upon vote, motion carried unanimously.

ORDINANCES AND RESOLUTIONS:

Consider a resolution regarding various surplus property and declaring the disposition of same.

Councilman Mathis asked what was considered excessive mileage. Assistant City Manager of Public Works, Tim Airheart, stated that anything over 110,000 miles. Before the replacement program with Enterprise, the average mileage of a city vehicle was over 100,000 miles. The city is in the third year of Enterprise vehicle replacements. The City has accumulated numerous old vehicles and equipment that are in various states of disrepair. He requested these vehicles and equipment to either be sold, scrapped, donated to a nonprofit, or advertised for public bid. If sold, he requested the funds go back to the department that it came from. Mayor Haynes stated that this seems like a lot of equipment and recommended selling by auction. Mr. Airheart stated that they plan to put most of these items on Gov Deals that go out nationwide. The vehicles that can't be sold will be taken to a scrap dealer for a quote. Greenleaf Cemetery requested two water reels to be donated to them. Mayor Haynes expressed concern with not knowing what will happen to all the items and asked if a report could be given to the Council with the disposition of items. There was discussion about having a local auction. Mr. Airheart stated that we don't have the staff or location to have an auction. Gov Deals has worked well for the City. City Manager Crawford suggested removing the wording to donate from the resolution. All will be put on Gov Deals and if they don't sell, scrapping would be the next option.

Councilman Jones asked what Gov Deals charges for commission. Councilman Willey looked it up online and stated that it shows 7%. There was discussion about the water reels and how much they are worth. Mr. Airheart stated that they are worth \$200 - \$500.

A motion was made by McMillian, seconded by Willey, to declare all of the items as surplus, donate the water reels to Greenleaf Cemetery, and everything else will first be sold, and then if it can't be sold, to scrap for profit, and last, to come back to Council for approval for donation. Upon vote, motion carried unanimously.

RESOLUTION NO. R-20-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BROWNWOOD, TEXAS, DECLARING THE ITEMS LISTED IN THIS RESOLUTION AS SURPLUS PROPERTY AND AUTHORIZING THE SELL OF SAME.

Mayor Haynes requested additionally to inform the public that an opportunity will be available through Gov Deals to bid on the items.

AGREEMENTS AND CONTRACTS:

Consider amending the current Brownwood Professional Firefighter Association Meet and Confer Contract.

Fire Chief, Eric Hicks, stated that since 1995, the Fire Marshal for the City of Brownwood has had a law enforcement background. Fire Marshal Preston has been the city's Fire Marshal for the past 18 years and will be retiring in January 2021. Two years ago, Fire Marshal Preston began looking for internal persons interested in the Marshal position in the city's Fire and Police departments. He was unable to find interested internal applicants in either of the departments due to certified firefighters needing Texas Commission on Law Enforcement (TCOLE) and Police Officers needing Texas Commission of Fire Protection (TCFP) certifications. Due to the low need for actual arrest powers and to create an internal succession plan, the Fire Chief is recommending that the Fire Marshal Position move from a Law Enforcement model to that of a Community Risk reduction model which would focus on the following; Fire and life safety education, Fire inspection and code enforcement, Fire investigation, Training, Fire protection engineering, and construction document review, Wildland risk management, Pre-incident planning, and public information responsibilities for the fire department. In the past, there has been no formal succession plan to train internal candidates for roles in the Fire Administration. By moving this position into the Fire Department, there would always be two qualified persons to fill the position of Fire Chief. This move would put the Assistant Chief of Fire Prevention under the Fire Chief. An additional benefit to the city by changing this title and moving this position into the command staff is that the Fire Department would have three personnel to alternate having a chief officer on call 24 hours a day 365 days per year. The financial impact of this change would be \$1,200 annually, to create the same salary as the Assistant Chief of Operations. The real savings the city would realize by keeping this position internal is in pension contributions. If the position is hired externally, the city would need to contribute approximately \$21,000 per year to make up for one less member in the pension fund. If the position remains internal, this additional contribution would not be needed. The City of Brownwood Negotiating Team and members of the City of Brownwood Professionals Firefighters Association Negotiating Team agree that this change would be beneficial to the Fire Department. They met at 8:30 this morning to ratify the attached language and recommend approval to the City Council. If approved, the new Article 8 language would be inserted in the place of the current Article 8 language in the Meet and Confer Agreement and signed by the Mayor and the Brownwood Professional Firefighters Association President. If this item is approved by the City Council, the Fire Chief would like to this change to be effective immediately and change Fire Marshal Preston's title by promoting him to Assistant Chief of Fire Prevention.

A motion was made by Mathis, seconded by Willey, to amend the current Brownwood Professional Firefighter Association Meet and Confer Contract. Upon vote, motion carried unanimously.

Consider authorizing the City to lease property located at 521 E. Baker from the Brown County Small Schools Co-op for Covid-19 response and to be paid for with Coronavirus Relief Funds.

City Manager, Emily Crawford, stated that the Brownwood/Brown County Health Department needs additional office space to accommodate temporary employees who are responding to the COVID-19 pandemic. The opportunity to lease the adjacent property has become available at the former Brown County Schools Coop building located at 521 E. Baker. The building is over 2200 square feet and offers multiple offices, meeting rooms and a reception area. The Brown County Small Schools Coop will allow the Health Department to take immediate possession of the building with the following lease terms: Lease through December 30, 2020; \$850/month – prepaid lease; City is responsible for utilities; They would like to keep the electricity in their name and have City reimburse; City is responsible for normal maintenance and upkeep; One HAVC unit is currently not operational. The city would be responsible for the repair of the unit. The funds for this lease, repairs, upkeep, and utilities will be paid from Coronavirus Relief Fund established by the CARES Act. These qualifying public health expenses are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus. Mrs. Crawford stated that the lease can be canceled at any time if it is no longer needed.

A motion was made by McMillian, seconded by Jones, to authorize the City to lease property located at 521 E. Baker from the Brown County Small Schools Co-op for Covid-19 response and to be paid for with Coronavirus Relief Funds. Upon vote, motion carried unanimously.

CONSENT AGENDA:

Mayor Haynes asked Mr. Tipton if a grant was received at this location in the past. Mr. Tipton stated yes, three years ago, and for different renovations. They meet the time-line criteria set up by the Board.

Mayor Haynes asked if the item on the Consent Agenda needed to be removed for discussion. There being none, a motion was made by Willey, seconded by Mathis, to approve the Consent Agenda as presented. Upon vote, motion carried unanimously.

Consider ratification of the BMDD Board to approve a Building Improvement Incentive Program (BIIP) grant to Pintail Companies, LLC not to exceed \$16,010 for a property located at 115 S. Broadway.

REPORTS:

COVID-19 Update

Health Department Administrator, Lisa Dick, thanked those involved in making the video supporting the wearing of masks in our community. At this time, we have had 331 positive cases in the County, there are 103 that are still active, there have been 214 that have recovered and 17 deaths. There is currently one nursing facility that has the virus. There is an increase in the number of antigen tests that the hospital is using. There are around 40 cases in the nursing facility. Mayor Haynes asked for a threshold of when we need to be notified because of health concerns. He asked Mrs. Dick to call him if we get to the level of concern where we may not have enough resources to treat the number of people infected. She stated that there are currently four people hospitalized and there is room for fourteen

without making a special room for more. Councilman Willey spoke about another location in Texas that had a spreadsheet that gave a more visual picture of the case counts.

Budgetary Control Report

Assistant Finance Director, Melanie Larose, presented the City's Budgetary Control Report for the month ending June 30, 2020, 75% complete, which included: 1) Budget Summary – surplus of \$3,441,494 and represents 79.41% of revenue \$28,810,471 and 69.92% of expenses or \$36,280,868. Last year we were at \$2,839,285 in surplus. 2) Total Revenue pie chart – Ad Valorem Tax 21%, Water Revenue 17% and Sales Tax 16%. 3) Expenditures – The City's operating expenses are down due to travel budgets not being used and department management staff keeping a close eye on expenses. The pie graph of expenses shows the two biggest departments as Water 16% and Police 14%. 4) Sales Tax Analysis through July – We have collected \$4,755,828 during this fiscal year. That is up 1.2% or \$57,680 compared to budget. We are up 3.5% or \$161,745 from last year. 5) Water Consumption and Sales Analysis – We have collected \$4,573,518 and is \$260,074 over what we had budgeted. We are up \$802,006 from last year. 6) Comparative Investment Balance Analysis - There are 90 days in operating funds compared to 78 days last year.

EXECUTIVE SESSION:

Council convened into a closed executive session at 10:12 a.m., in the Haynes Conference Room, pursuant to the provisions of the Open Meetings Law, Chapter 551, Government Code Vernon's Annotated, in accordance with the authority contained in the following section:

551.071 – Consultation with Attorney

551.072 – Deliberation Regarding Real Property

551.087 – Deliberations regarding economic development negotiations

- A. Discussion regarding a lease of BMDD owned property located at 2605 Morris Sheperd Drive.

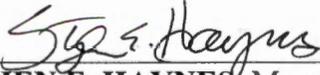
Council reconvened into open session at 11:01 a.m.

ACTION TAKEN AS A RESULT OF THE EXECUTIVE SESSION:

- A. A motion was made by McMillian, seconded by Mathis, to approve a lease of BMDD owned property located at 2605 Morris Sheperd Drive. Upon vote, motion carried unanimously.

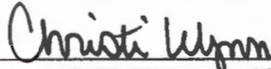
ADJOURNMENT:

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



STEPHEN E. HAYNES, Mayor

ATTEST:



CHRISTI WYNN, City Secretary